Records of the Louisiana Constitutional Convention of 1973: Committee Documents and User Guides

VOLUME FOURTEEN B

by

LOUISIANA CONSTITUTIONAL CONVENTION RECORDS COMMISSION

Moise W. Dennery, Chairman
A. Edward Hardin, Coordinator of Research
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    W. Lee Hargrave
    C. B. Ellis
    Thomas Jacques
    Donald J. Lemieux
    Norma M. Duncan
    Sallie Farrell (February, 1975 - June, 1975)

A. Edward Hardin, Coordinator of Research
# TABLE OF CONTENTS

## COMMITTEE ON LEGISLATIVE LIAISON AND TRANSITIONAL MEASURES

### I. Minutes

#### A. Full Committee Minutes

<table>
<thead>
<tr>
<th>Minutes and Addenda, April 30, 1973</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1031</td>
</tr>
<tr>
<td>Minutes, July 11, 1973</td>
<td>1031</td>
</tr>
<tr>
<td>Minutes and Addendum, August 3, 1973</td>
<td>1032</td>
</tr>
<tr>
<td>Minutes and Addenda, August 23, 1973</td>
<td>1034</td>
</tr>
<tr>
<td>Minutes and Addendum, August 29, 1973</td>
<td>1034</td>
</tr>
<tr>
<td>Minutes, September 12, 1973</td>
<td>1035</td>
</tr>
<tr>
<td>Minutes, October 26, 1973</td>
<td>1035</td>
</tr>
<tr>
<td>Minutes and Addendum, January 14, 1974</td>
<td>1036</td>
</tr>
<tr>
<td>Minutes and Addenda, January 15, 1974</td>
<td>1039</td>
</tr>
</tbody>
</table>

#### B. Subcommittee Minutes

Subcommittee on Alternative Methods of Transposition

Minutes and Addenda, July 3, 1973 1046

### II. Miscellaneous Documents

#### A. Documents

- From Chairman LeBreton, Jr. to Members of the Subcommittee on Alternative Methods of Transposition in re: Creation and Duties of the Subcommittee, May 9, 1973 1054
- From Mrs. Norma M. Duncan to the Committee in re: Information Relative to Methods of Transposition, June 7, 1973, with Attachments 1054
- From Chairman LeBreton, Jr. to the Committee on Legislative Liaison and Transitional Measures and the Coordinating Committee in re: Analytical Categories of Current Constitutional Provisions, July 25, 1973 1055
- Staff Memo [Sections Proposed to be Made Statutory], January 17, 1973 1056

#### B. Disposition Charts

- Bill of Rights and Elections, January 9, 1974 1059
- Legislative Powers and Functions, January 13, 1974 1060
- Executive Department, November 5, 1973 1062
- Judiciary, [Undated] 1071
- Local and Parochial Government, January 14, 1974 1072
- Revenue, Finance and Taxation, January 19, 1974 1074
- Education and Welfare, December 19, 1973 1080
- Natural Resources and the Environment, January 12, 1974 1096
- Natural Resources and the Environment, January 12, 1974 1096

## COMMITTEE ON RULES, CREDENTIALS AND ETHICS

### I. Temporary Rules Committee

#### A. Minutes

Minutes, January 5, January 6, January 7, January 8, 1973 1099
B. Suggested Working Papers
   Suggested Working Papers on Rules of Procedure ........................................... 1109

II. Committee on Rules, Credentials and Ethics
   A. Minutes
      Minutes and Addenda, June 18, June 19, 1973 ........................................... 1179
      Minutes and Addenda, July 6, 1973 ......................................................... 1185
      [Note] ............................................................................................................ 1186
      Minutes and Addenda, July 12, 1973 ......................................................... 1186
      [Note] ............................................................................................................ 1188
      Minutes, July 18, 1973 ................................................................................. 1188
      Minutes, July 25, 1973 ................................................................................. 1189
      Minutes, August 1, 1973 .............................................................................. 1190
      Minutes, September 12, 1973 ................................................................. 1191

COMMITTEE ON PUBLIC INFORMATION

I. Minutes
   A. Full Committee Minutes
      Minutes, February 12, 1973 ................................................................. 1195
      Minutes and Addenda, May 21, 1973 ......................................................... 1195
      Minutes, September 12, 1973 ................................................................. 1197
      Minutes, October 3, 1973 ........................................................................ 1197
      Minutes, December 6, 1973 .................................................................. 1198
      Minutes and Addendum, December 14, 1973 ................................... 1198
      Minutes and Addendum, January 3, 1974 ........................................... 1199
      Minutes and Addenda, January 10, 1974 .......................................... 1200
      [Note] ............................................................................................................ 1209
      Minutes and Addenda, January 15, 1974 ........................................... 1209
   B. Subcommittee Minutes
      1. Subcommittee on Louisiana Hospital Television Network
         Minutes and Addendum, February 21, 1973 ........................................ 1213
         Minutes, March 23, 1973 ....................................................................... 1214
      2. Subcommittee on Regional Meetings
         Minutes and Addendum, May 31, 1973 ..................................................... 1216
      3. Subcommittee on Classroom Instruction
         Minutes and Addendum, June 20, 1973 .................................................. 1218
      4. Subcommittee on the Selection of an Artist
         Minutes, January 10, 1974 ................................................................. 1219
      5. Subcommittee on the Document
         Minutes and Addendum, February 7, 1974 ............................................ 1219

II. Reporters
   February 28, 1973 ......................................................................................... 1220
   March 12, 1973 ........................................................................................... 1220
   March 20, 1973 ........................................................................................... 1221
   March 26, 1973 ........................................................................................... 1222
   April 2, 1973 ............................................................................................... 1223
   April 10, 1973 ............................................................................................. 1225
   April 16, 1973 ............................................................................................. 1227
   May 1, 1973 .................................................................................................. 1228
   May 7, 1973 .................................................................................................. 1231
   May 14, 1973 ............................................................................................... 1232
   May 21, 1973 ............................................................................................... 1234
<table>
<thead>
<tr>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 28, 1973</td>
<td>1235</td>
</tr>
<tr>
<td>June 4, 1973</td>
<td>1243</td>
</tr>
<tr>
<td>June 11, 1973</td>
<td>1244</td>
</tr>
<tr>
<td>June 18, 1973</td>
<td>1245</td>
</tr>
<tr>
<td>June 25, 1973</td>
<td>1246</td>
</tr>
<tr>
<td>July 16, 1973</td>
<td>1247</td>
</tr>
<tr>
<td>July 30, 1973</td>
<td>1251</td>
</tr>
<tr>
<td>August 6, 1973</td>
<td>1251</td>
</tr>
<tr>
<td>August 13, 1973</td>
<td>1252</td>
</tr>
<tr>
<td>August 20, 1973</td>
<td>1253</td>
</tr>
<tr>
<td>August 28, 1973</td>
<td>1254</td>
</tr>
<tr>
<td>September 4, 1973</td>
<td>1255</td>
</tr>
<tr>
<td>September 10, 1973</td>
<td>1256</td>
</tr>
<tr>
<td>September 17, 1973</td>
<td>1257</td>
</tr>
<tr>
<td>September 24, 1973</td>
<td>1263</td>
</tr>
<tr>
<td>October 1, 1973</td>
<td>1263</td>
</tr>
<tr>
<td>October 8, 1973</td>
<td>1264</td>
</tr>
<tr>
<td>October 22, 1973</td>
<td>1265</td>
</tr>
<tr>
<td>October 29, 1973</td>
<td>1266</td>
</tr>
<tr>
<td>November 5, 1973</td>
<td>1268</td>
</tr>
<tr>
<td>November 12, 1973</td>
<td>1271</td>
</tr>
<tr>
<td>December 10, 1973</td>
<td>1273</td>
</tr>
</tbody>
</table>

III. Highlights of the Proposed Constitution (Revised)

State of Louisiana

EXECUTIVE COMMITTEE

I. Minutes

A. Full Committee Minutes
   Minutes, January 23, 1973 .................................. 1289
   Minutes and Addenda, January 24, 1973 ...................... 1290
   Minutes and Addenda, January 25, 1973 ..................... 1295
   [Note] ................................................................ 1296
   Minutes and Addendum, January 30, 1973 .................... 1296
   Minutes and Addenda, February 12, 1973 ................. 1298
   Minutes and Addenda, February 22, 1973 ................. 1300
   Minutes and Addenda, March 27, 1973 ..................... 1304
   Minutes and Addenda, May 8, 1973 ......................... 1320
   [Note] ................................................................ 1326
   Minutes and Addenda, July 5, 1973 ......................... 1331
   Minutes and Addenda, August 9, 1973 ...................... 1339
   [Note] ................................................................ 1340
   Minutes and Addendum, November 20, 1973 ............... 1346
   Minutes and Addenda, January 5, 1974 .................... 1347
   Minutes, January 18, 1974 .................................. 1348
   Minutes and Addendum, January 19, 1974 ................. 1348

B. Subcommittee Minutes
   1. Subcommittee on Budget and Finance
      Minutes and Addenda, February 22, 1973 ............... 1350
   [Note] ................................................................ 1351
   2. Subcommittee on Printing
      Minutes, February 7, 1973 ................................ 1352
      Minutes and Addenda, February 12, 1973 ............... 1355
   3. Subcommittee on Site Selection
      Minutes and Addenda, March 22, 1973 ................. 1358
      [Note] ................................................................ 1358

[Note]
C. Composite Committee

<table>
<thead>
<tr>
<th>Note</th>
<th>List of Committee Members</th>
<th>Committee Tour Discussion Draft, 3/2/73</th>
<th>Committee Tour Progress Report, 3/23/73</th>
<th>Minutes, April 17, 1973</th>
<th>Statement of Delegate Alexander</th>
<th>Composite Committee Final Report</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

COMMITTEE ON COMMITTEES

I. Committee Documents

<table>
<thead>
<tr>
<th>Note</th>
<th>Assignments to Procedural Committees</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

COORDINATING COMMITTEE

I. Minutes

A. Full Committee Minutes

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>[Note]</td>
</tr>
</tbody>
</table>

B. Subcommittee Minutes

1. Subcommittee on Alternatives

<table>
<thead>
<tr>
<th>Minutes and Addenda, April 2, 1973</th>
<th>Minutes and Addendum, April 14, 1973</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[Note]</td>
</tr>
</tbody>
</table>

II. Miscellaneous Documents

Memorandum from Director of Research to the Chairmen of
the Substantive Committees in re: Substantive
Committee Jurisdiction, March 28, 1973
Memoranda in re: Committee on Bill of Rights and Elections,
April 9, 1973 and April 13, 1973
Memorandum in re: Committee on Legislative Powers and
Functions, April 13, 1973
Memorandum in re: Committee on Legislative Powers and
Functions, April 13, 1973
Memorandum in re: Committee on the Executive Department,
Undated and April 11, 1973
Memorandum in re: Committee on the Judiciary, April 12, 1973
Memorandum in re: Committee on Local and Parochial Government,
April 16, 1973
Memorandum in re: Committee on Revenue, Finance and Taxation,
April 10, 1973
Memorandum in re: Committee on Education and Welfare, April 9, 1973
Memorandum in re: Committee on Natural Resources and Environment,
April 9, 1973
<table>
<thead>
<tr>
<th>USER GUIDES</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>1479</td>
</tr>
<tr>
<td>Commission Staff Roster</td>
<td>1481</td>
</tr>
<tr>
<td>Convention Staff Roster</td>
<td>1482</td>
</tr>
<tr>
<td>Concordance and Disposition Tables</td>
<td>1485</td>
</tr>
<tr>
<td>Inventory of Committee Tapes</td>
<td>1578</td>
</tr>
<tr>
<td>Index of Constitution—Article and Section</td>
<td>1582</td>
</tr>
<tr>
<td>Subject Matter Index</td>
<td>1604</td>
</tr>
<tr>
<td>Name Index</td>
<td></td>
</tr>
<tr>
<td>Delegates</td>
<td>1609</td>
</tr>
<tr>
<td>Non-Delegates</td>
<td>1621</td>
</tr>
</tbody>
</table>
COMMITTEE ON LEGISLATIVE LIAISON AND TRANSITIONAL MEASURES
I. Minutes
A. Full Committee Minutes

MINUTES

Minutes of the meeting of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on April 23, 1973

Room 205, State Capitol, Baton Rouge, Louisiana

Monday, April 30, 1973, 6:30 p.m.

Presiding: Edward F. LeBreton, Jr., Chairman of Committee on Legislative Liaison and Transitional Measures

Absent:

Mary Servigon
Rep. Thomas A. Casey
Rep. Edward J. D'Gerolamo
Rep. R. Harmon Drew
Calvin D. Fayard
H. G. Hardee, Jr.
Sen. Louis F. Lambert, Jr.
Walter I. Lanier, Jr.
Kendall Vick
Rep. Lantz Womack

The meeting was called to order at 6:30 p.m., roll call taken and a quorum established. Chairman LeBreton stated that the Coordinating Committee had appointed a Subcommittee on Alternatives to study a suggestion presented in one of its meetings with respect to a method of handling statutory material to be deleted from the present constitution and generally, the format of the new constitution. He pointed out that the Coordinating Committee has referred the subcommittee's report to this committee for its consideration. The purpose of this meeting is to receive the report of the Subcommittee on Alternatives, which will be presented by Justice Albert Tate who chaired the subcommittee, and take whatever action the committee deems necessary with respect thereto.

Judge Tate presented the Final Report from the Subcommittee on Alternatives to the Coordinating Committee, CC/73, dated April 14, 1973, a copy of which is attached hereto and made a part of these minutes, along with a copy of Subcommittee on Alternatives Staff Memorandum No. 3. After Judge Tate's presentation, through questions posed and answered and general discussion, the method set out in the report was explored and explained.

Following discussion it was decided that due to its importance, this matter should be explored in depth by this committee. Mr. Lanier moved that the chairman appoint a subcommittee to meet one time and study methods providing for orderly transition from the 1921 Constitution to the new and

report back to the full committee with findings and recommendations. Motion adopted without objection. Mr. LeBreton stated that he would appoint a subcommittee with Mr. Lanier as chairman in the near future and inform the committee of the appointments by letter.

The committee discussed the necessity of its continuation after the deadline of January 4, 1974 as set out in Act 2 of the 1972 Regular Session. Mr. Womack moved that a resolution be adopted for presentation to the Executive Committee of the Convention calling attention to the fact that in this committee's opinion there could exist a need for this committee, some other committees, and at least a portion of the research staff to continue after January 4, 1974, and that this committee be continued if necessary. The resolution was adopted without objection, and a copy of the resolution is attached hereto and made a part of these minutes.

The meeting adjourned at 9:00 p.m.

Edward F. LeBreton, Chairman

Mary Servigon, Vice Chairman

NOTES

Report of the Subcommittee on Alternatives of the Coordinating Committee and their Staff Memo. No. 3 may be found below in the Minutes of the Coordinating Committee of April 2, 1973.

Constitutional Convention of the State of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NUMBER

1
3 WHEREAS, the members of the Committee on Legislative Liaison and Transitional Measures, at its meeting held on Monday, April 30, 1973, discussed the work which it believes falls within its jurisdiction in accordance with the Official Rules of the Constitutional Convention of [1031]
Louisiana at 1973, and the consensus of the committee is that its work, particularly with respect to the preparation of transitional legislative measures necessary to effectuate the new constitution in all likelihood will require the continued existence of said committee beyond December 31, 1973; and

WHEREAS, the deliberations of said committee have brought to the fore the fact that other necessary business in connection with the work of the convention will require activity and transaction of business after the date set forth in Act 2 of 1972 as the termination date of this convention, in order to terminate the affairs of the convention in orderly fashion; and

WHEREAS, a partial listing of affairs which will or may require attention after the aforesaid date include business affairs handled by the treasurer and the secretary of the convention; dissolution of staff activity and distribution of purchased and/or leased equipment, library and the like; possible preparation and publication of convention documents and studies, and others; and

WHEREAS, no regular session of the legislature will be held after the session which convenes on May 14, 1973.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Legislative Liaison and Transitional Measures hereby respectfully directs the attention of the Executive Committee of the Constitutional Convention to the above mentioned facts and urges that it give such consideration as it deems advisable to the desirability and necessity for seeking such legislative authorization as is required to assure that essential business of the convention may be transacted after the date set forth in Act Number 2 of the 1972 Regular Session for the termination of the convention.

The meeting was called to order by Chairman LeBreton at 2:30 p.m. The roll was called and a quorum was established. The minutes of the meeting of April 30, 1973, were read and approved on motion of Mr. D'Oregano.

Mr. Lanier, chairman of the Subcommittee on Alternative Methods of Transposition, submitted the report of the subcommittee and the various aspects of the report were discussed by those present.

Mr. Fayard moved to adopt the report of the Subcommittee on Alternative Methods of Transposition, with leeway to have language changes if necessary after counseling between the chairman of the subcommittee and the chairman of the committee. Motion carried.

Mrs. Zervigon moved to authorize the chairman of the Committee on Legislative Liaison and Transitional Measures to seek a joint meeting of the chairman and any members of said committee who wish to attend with the Coordinating Committee as soon as possible for the purpose of presenting the recommendation of this committee to the Coordinating Committee before presentation to the full convention. Motion carried.

The meeting adjourned at 4:40 p.m.

Edward F. LeBreton, Jr., Chairman

Mary Zervigon, Vice Chairman

MINUTES
Minutes of the meeting of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of 1973

Held pursuant to notice by the Secretary in accordance with Convention rules

Committee Room 9, State Capitol, Baton Rouge, Louisiana, July 11, 1973, 2:30 p.m.
Presiding: Edward F. LeBreton, Jr., Chairman of the Committee on Legislative Liaison and Transitional Measures

Committee on Legislative Liaison and Transitional Measures:

Present: Thomas A. Casey, ex officio
Edward J. D’Gerolamo
Calvin C. Fayard
H.G. Harder, Jr.
Walter I. Lanier
Conway LeBleu
Edward F. LeBreton, Jr.
Edward N. Lennox
Robert Munson
Benjamin B. Rayburn
Richard S. Thompson
Kendall Vick
Mary Zervigon

Absent: R. Harmon Drew
Johnny Jackson, Jr.
Louis J. Lambert, Jr.
Jasper K. Smith
Lantz Womack

Coordinating Committee:

Present: David Poynter, representing Chairman E.L. "Bubba" Henry
Cecil R. Blair, Chairman, Committee on Legislative Powers and Functions
James L. Dennis, Chairman, Committee on the Judiciary
Alphonso Jackson, Jr., Chairman, Committee on Bill of Rights and Elections
Ruth Loyd Miller, First Vice Chairman, CC/73
Chalin O. Perez, Chairman, Committee on Local and Parochial Government
Benjamin B. "Sixty" Rayburn, Chairman, Committee on Revenue, Finance and Taxation
Horace C. Robinson, Member, Committee on Education and Welfare
Tom Stagg, Chairman, Committee on the Executive Department

Absent: Louis J. Lambert, Jr., Chairman, Committee on Natural Resources and Environment

Staff members present were: Roy Fugler, Assistant to Chairman Henry; Norma M. Duncan, Director of Research Staff; and Audrey D. LeBlanc, Research Coordinator.

The meeting was called to order by Chairman LeBreton at 12:30 p.m.

The roll was called and a quorum was established for each committee.

Chairman LeBreton stated that the purpose of this meeting was to present the recommendations of our committee to the Coordinating Committee pertaining to the transition of our laws from the present position to the new position. He asked Mr. Walter I. Lanier, Chairman of the Subcommittee on Alternative Methods of Transposition, to present the results of the subcommittee’s deliberations.

Mr. Lanier distributed copies of a draft resolution (copy attached as Appendix A). He explained the reasoning of the subcommittee's outlining of categories and asked for opinions, comments and suggestions. Discussion of broad aspects of the draft resolution followed, being necessarily limited because of the short time available before the convention reconvened.

Chairman LeBreton requested that the members of the Coordinating Committee present this matter to their eight substantive committees so they may determine their particular requirements. He stated that, hopefully, their deliberations will preclude bringing up a mass of detail on the convention floor; further, that their ideas will be valuable in future meetings.

Chairman LeBreton stated that we will have another joint meeting within a week or two.

The meeting adjourned at 1:15 p.m.

[Signature]
Edward F. LeBreton, Jr., Chairman

[Signature]
Mary Zervigon, Vice Chairman

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CC-114

1. Constitutional Convention of Louisiana of 1973
2. COMMITTEE RESOLUTION NO. 995
3. 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 Achor, Blair, Dennis, D'Gerolamo, Drew, Fayard, Harder, Jackson, J. Jackson, Lambert, Lanier, LeBleu, Lennos, Miller, Munson, Perez, Rayburn, Smith, Stagg, Thompson, Vick, Womack, and Zervigon
4. A RESOLUTION
5. To recommend categories for the orderly transition of material from the Louisiana Constitution of 1921.
6. WHEREAS, the official rules of this convention contemplate 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
7. 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
8. 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:
9. 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:
10. Substantive basic constitutional provisions.
11. Those matters which will be transposed as statutory

APPENDIX A

[1033]
MINUTES

Minutes of the meeting of the Coordinating Committee, including its Subcommittee on Alternatives, with the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of Louisiana of 1973

Held pursuant to notice by the Secretary in accordance with Convention rules

Ante Room, White House Inn, Baton Rouge Louisiana, 7:45 a.m., August 23, 1973

President: Edward F. LeBreton, Jr., Chairman of the Committee on Legislative Liaison and Transitional Measures

Coordinating Committee:

Present: Edward Hardin and David Poynter, representing
Chairman E.L. "Bubba" Henry
James L. Dennis
Alphonso Jackson, Jr.
Ruth Loyd Miller
Anthony M. Rachal, representing Robert R. Aertker
Tom Stagg

Absent: Cecil R. Blair
Louis J. Lambert, Jr.
Chalin D. Perez
Benjamin B. Rayburn

Subcommittee on Alternatives of the Coordinating Committee:

Present: Chairman Albert Yate, Jr.
DeVan D. Daggett
Norma M. Duncan
Edward F. LeBreton, Jr.

Absent: Camille F. Gravel, Jr.
R. Gordon Keen
Chalin D. Perez

Committee on Legislative Liaison and Transitional Measures:

Present: Chairman Edward F. LeBreton, Jr.
Vice Chairman Mary Zervigon
Thomas A. Casey, ex officio
Walter I. Lanier, Jr., Chairman of the Subcommittee on Alternative Methods of Transposition
R. Harmon Drew
Richard S. Thompson

The roll was called and a quorum was established. The chairman announced that the purpose of the meeting was to reach a decision on a draft resolution prepared by the two committees. The Committee Resolution, to recommend categories for the orderly transition of material from the Louisiana Constitution of 1921, was read (see CC-1110, a copy of which is attached hereto and made a part of these minutes).

Delegate Alphonso Jackson, Jr. moved to adopt the Resolution. Delegate Tom Stagg seconded the motion.

Delegates present discussed language changes pertinent to items one through four, and the possible alternatives as contained in item six.

Delegate James L. Dennis moved the previous question.

Delegate Tom Stagg offered a substitute motion that items one, two, three, and four be rewritten by Chairman Edward F. LeBreton, Jr., Chairman Walter I. Lanier, Jr. of the subcommittee, and Mrs. Norma M. Duncan, Director of Research; that item six be deleted; and that the revised resolution be introduced to the convention. Motion carried.

The revised Committee Resolution (CC-1198) was introduced to the convention on the same day.

A copy of CC-1198 is attached hereto and made a part of these minutes.

The meeting adjourned at 8:15 a.m.

Edward F. LeBreton, Jr., Chairman

Mary Zervigon, Vice Chairman

NOTES

CC-1198 is reproduced as Committee Resolution No. 11 in Volume IV, above.
CC-1130 is reproduced in the Minutes of August 3, 1973, above.

MINUTES

Minutes of the meeting of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of Louisiana of 1973
Held pursuant to notice by the Secretary in accordance with Convention rules

On the floor of the Convention, Independence Hall, White House Inn, Baton Rouge, Louisiana
August 29, 1973, 5:00 p.m.

Presiding: Edward F. LeBreton, Chairman, Committee on Legislative Liaison and Transitional Measures

Present: Edward J. D’Gerolamo
Calvin D. Payard
Johnny Jackson, Jr.
Walter L. Labranier, Jr.
Conway LeBlanc
Edward F. LeBreton
Edward N. Lennox
Robert Munson
Richard S. Thompson
Kendall Vick
Lantz Womack
Mary Zervigon

Absent: Thomas A. Casey, ex officio
R. Harmon Drew
M.G. Hardee, Jr.
Louis J. Lambert
B.B. Rayburn
Jasper K. Smith

Mrs. Norma M. Duncan, Director of Research, was present.

The meeting was called to order by Chairman LeBreton at 5:00 p.m. The roll was called and a quorum was established.

Chairman LeBreton announced that the purpose of this meeting was to consider Committee Resolution Number 11 and report on it to the convention.

Committee Resolution Number 11 was read. Motion by Delegate Thompson that we report favorably to the Convention carried by unanimous vote.

A copy of Committee Resolution Number 11 is attached hereto and made a part of these minutes.

The meeting adjourned at 5:15 p.m.

Mary K. Zervigon, Chairperson

R. Harmon Drew, Vice Chairperson

NOTES
Committee Resolution No. 11, reprinted as engrossed, is reprinted in Volume IV, above.

MINUTES
Minutes of the meeting of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of Louisiana of 1973

Held pursuant to notice by the Secretary in accordance with Convention rules

On the floor of the Convention, Independence Hall, White House Inn, Baton Rouge, Louisiana
September 21, 1973, 1:00 p.m.

Presiding: Mary K. Zervigon, Chairperson, Committee on Legislative Liaison and Transitional Measures

Present: Emile M. Comar, Jr.
Edward J. D’Gerolamo
R. Harmon Drew
Louis J. Lambert, Jr.
Walter L. Labranier, Jr.
Edward N. Lennox
B.B. “Sixty” Rayburn
Jasper K. Smith
Richard S. Thompson
Kendall Vick
Mark K. Zervigon

Absent: Calvin C. Payard
M.G. Hardee, Jr.
Johnny Jackson, Jr.
Conway LeBlanc
Robert Munson
Lantz Womack

The meeting was called to order by Chairperson Mary K. Zervigon at 1:00 p.m. The roll was called and a quorum was established.

Acting Chairperson Zervigon introduced the Honorable Emile F. Comar, Jr., who was appointed to replace Delegate LeBreton whose resignation had been announced to the convention.

Acting Chairperson Zervigon stated that the purpose of the meeting was to elect a chairperson to fill the vacancy created by the resignation of the Honorable Edward P. LeBreton, Jr.

Delegate Jasper K. Smith nominated Delegate Zervigon for the office of Chairperson of the committee. There were no other nominations and Delegate Zervigon was elected unanimously to that office, thereby creating a vacancy in the office of vice chairperson.

Delegate Eddie J. D’Gerolamo nominated Delegate R. Harmon Drew for the office of vice chairperson of the committee. There were no other nominations and Delegate Drew was elected unanimously to that office.

Mary K. Zervigon, Chairperson

R. Harmon Drew, Vice Chairperson

MINUTES
Minutes of the meeting of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of Louisiana of 1973

Held pursuant to notice by the Secretary in accordance with Convention rules

At the White House Inn, Baton Rouge, Louisiana
October 26, 1973

Presiding: Mary K. Zervigon, Chairperson, Committee on Legislative Liaison and Transitional Measures

Present: Edward J. D’Gerolamo
R. Harmon Drew
M.G. Hardee, Jr.
Johnny Jackson, Jr.
Walter L. Labranier, Jr.
Conway LeBlanc
Edward N. Lennox
Jasper K. Smith
Richard S. Thompson
Kendall Vick
Mary K. Zervigon

Absent: Emile M. Comar, Jr.
Calvin C. Payard
Louis J. Lambert, Jr.
Robert Munson
B.B. “Sixty” Rayburn
Lantz Womack

The meeting was called to order by Chairperson Mary K. Zervigon at 12:30 p.m. The roll was called and a quorum was established.

Chairperson Zervigon announced that the purpose of the meeting was to discuss the necessity of extending the deadline date as set out in Committee Resolution Number 11 on page 2, line 13; further, to discuss work to be done in the future by the committee.
Delegate Walter I. Lanier, Jr., moved that the deadline date for the submission of reports by the substantive committees be extended to "within ten days after first enrollment of each committee and delegate proposal or by November 15, 1973, whichever is the later date." There was no objection and the motion carried.

Discussion followed regarding future work of the committee. The consensus was to set up liaison with the Committee on Style and Drafting. Reports submitted by the substantive committees would be on the agenda for the next meeting. There was no additional business to be considered at the time and the meeting adjourned at 12:50 p.m.

MINUTES

Minutes of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of 1973

Held pursuant to notice by the Secretary in accordance with the Rules of the Convention

Treaty Room, White House Inn, Baton Rouge, Louisiana

Monday, January 14, 1974, 8:30 a.m.

Presiding: Mary K. Zervigon, Chairperson of the Committee on Legislative Liaison and Transitional Measures

Present:

Mr. Emile M. Comar, Jr.
Representative R. Harmon Drew
Mr. N. H. Hardee, Jr.
Mr. Louis M. Jones
Senator B.B. Rayburn
Mr. Jasper K. Smith
Representative Richard S. Thompson
Mr. Kendall Vick
Representative Lantz Womack
Ms. Mary K. Zervigon
Representative Tom Casey, ex officio

Absent:

Representative Edward J. D’Gerolamo
Mr. Calvin C. Fayard
Representative Johnny Jackson, Jr.
Senator Louis J. Lambert, Jr.
Mr. Walter I. Lanier, Jr.
Representative Conway LeBlanc
Mr. Robert Munson

The meeting was called to order at 8:45 a.m. The roll was called and a quorum was established.

Chairperson Zervigon stated that the purpose of the meeting was to consider the draft of a Committee Proposal “ARTICLE XIV, Transitional Provisions” prepared by the staff. A copy of that document is attached to and made a part of these minutes as APPENDIX A.


Section 8. Existing Officials. The committee concurred in amending the Section by deleting lines 27 through 31, both inclusive, in their entirety and on line 32, deleting the words and punctuation “is abolished or his successor selected.” and inserting revised language so that the whole Section would read:

Section 8. A person holding an office by election shall continue to exercise his powers and duties until his office is abolished or his successor takes office, as provided by law. A person holding an office by appointment shall continue to exercise his powers and duties until his office is abolished, his term ends, or he is removed or replaced under the provisions of this constitution or by law. Each public body shall continue to exercise its powers and duties until changed as provided by this constitution or by law.”

Section 9. Provisions of 1921 Constitution Made Statutory. The committee concurred in amending Paragraph (A) to include the heading “(A) Provisions Continued as Statutes” and, on line 5, after the word “statutes” and before the colon “:” to insert the punctuation and words “, with the same effect as on the effective date of this constitution”

Section 9. Provisions of 1921 Constitution Made Statutory. The committee concurred in amending Paragraph (A) to include the heading “(A) Provisions Continued as Statutes” and, on line 5, after the word “statutes” and before the colon “:” to insert the punctuation and words “, with the same effect as on the effective date of this constitution”

Section 10. Provisions of 1921 Constitution Repealed. Mr. Vick moved the adoption of Section 10 without change. Motion carried.

Section 11. Existing Laws. Representative Womack moved the adoption of Paragraph (A) without change. Motion carried.

Mr. Hardee moved the adoption of Paragraph (B) without change. Motion carried.

Section 11 was adopted without objection and without change.

Section 12. Constitution Not Retroactive. Representative Womack moved the adoption of Section 12 without change. Motion carried.

Section 13. Civil Service Commissions. This was adopted on the convention floor.

Section 14. Legislative Provisions. Paragraph (A) was adopted on the convention floor.

Section 15. Legislative Mandates Time Limit. This was adopted by the convention.


Section 17. Judiciary Commission. Mr. Smith moved the adoption of the Section without change. Motion carried.

Section 18. Ports: Transition to Statutes. This Section was passed over as the substantive committee had not approved the report.

Section 19. Home Rule Charters. Ratified. This Section was passed over as the substantive Committee had not approved the report.

Section 20. Public Service Commission. Adopted without change, subject to approval of the Committee on Natural Resources and Environment.

Section 21. Tax Schedule. Senator Rayburn moved the adoption of the Section. Motion carried and Section 21 was adopted without change.
Section 22. Effective Date. Representative Womack moved to amend Section 22, on line 16, by striking out the word "certify" and inserting in lieu thereof the word "announce." Motion carried.

Mr. Smith moved the adoption of Section 22. Motion carried and the Section was adopted as amended.

Section 23. Extraordinary Legislative Session. The committee concurred in amending the Section to read as follows:

"Section 23. The Legislature of Louisiana is hereby directed to convene in extraordinary session at the State Capitol, upon a call issued by the governor, for a period not to exceed seventy-five days, for the purpose of enacting laws to implement this constitution."

Chairperson Servigon declared the meeting adjourned at 10:20 a.m. in order that the members could attend the convention.

Mary R. Servigon, Chairperson

R. Harmon Drew, Vice Chairman

Constitutional Convention of Louisiana of 1973

COMMITTEE PROPOSAL NUMBER

Introduced by Delegate Servigon, Chairperson, Committee on Legislative Liaison and Transitional Measures, and Delegates

ARTICLE XIV. TRANSITIONAL PROVISIONS

Section 1. Limitation on Transitional Provisions

Section 1. Nothing in this Article shall be construed or applied in such a manner as to invalidate the foregoing articles of this constitution but only to supplement and to provide for an orderly transition from the Constitution of 1921.

Section 2. References to 1921 Constitution

Section 2. Whenever reference is made in this constitution to the Constitution of 1921 it shall mean the Louisiana Constitution of 1921, as amended.

Section 3. Effect of Titles, Etc.

Section 3. No title or sub-title, heading or sub-heading, marginal note, index, or table printed in or with this constitution shall be considered or construed to be a part of this constitution, but to be inserted only for convenience in reference.

Section 4. Inherent Powers of Legislature

Section 4. The legislature shall have all powers not pro-hibited or denied by this constitution or by or under the constitution and laws of the United States, and the absence in this Constitution of a grant of power contained in the constitution hereby superseded shall not be construed as a limitation on the powers of state government.

Section 5. Continuation of Actions, Rights, Etc.

Section 5. All writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, sentences, orders, decrees, appeals, rights or causes of action, contracts, obligations, claims, demands, titles, and rights existing on the effective date of this constitution shall continue unaffected except as modified in accordance with this constitution. All sentences as punishment for crime shall be executed according to their terms.

Section 6. Protection of Existing Taxes

Section 6. All taxes, penalties, fines, and forfeitures owing to the state or any political subdivision levied and collectible under the Constitution of 1921 and valid laws enacted thereunder shall inure to the entity entitled thereto. The provisions of this constitution shall not be construed or applied in such a manner as to invalidate taxes levied or authorized under the Constitution of 1921.

Section 7. Impairment of Contracts Prohibited

Section 7. Nothing in this constitution shall be construed or applied in such a manner as to impair the obligation, validity, or security of any bonds or other debt obligations authorized under the Constitution of 1921.

Section 8. Existing Officials

Section 8. (A) Every person holding elective office when this constitution becomes effective shall continue in office for the remainder of the term for which elected.

(B) An official filling an office by election or appointment shall continue to exercise his powers and duties until his office is abolished or his successor selected. Each public body shall continue to exercise its powers and duties until changed as provided by this constitution or by law.

APPENDIX A
8. Article XII, Sections 9, 14, 19 through 22
   (NOTE: Recheck; some may go to two-thirds
   vote statutes)
9. Article XIV, Sections 1, 2, 3, 3(b), 3(d) (first),
   3(e), 3(f), 3(g), 4 through 14, 16, 18, 21, 22(A),
   23, 23.1 through 23.43, 24, 24.1 through 24.23, 25,
   25.1, 26 through 29, 29.1, 30, 30.1, 30.3, 30.4, 30.5,
   31, 31.1, 31.2, 31.3, 31.4, 31.6, 31.7, 32 through 36,
   37.1, 38, 38.1, 39, 39.1, 40, 43, 44, 44.1, 45 through
   46.
10. Article XV, Sections 1 through 4.
11. Article XVI, Sections 1 through 8, and 8(a).
12. Article XVIII, Section 13.
13. Article XIX, Sections 19, 19(a), and 20.

(B) Judicial Review. The question of whether or to what
extent these Sections are in conflict with Articles I through
XIII shall be subject to judicial review.

-3-

Section 10. Provisions of 1921 Constitution Repealed
 Section 10. Except as retained in Articles I through
XIII of this constitution, all other provisions of the 1921
Constitution are repealed, except that any provision which is
inconsistent with this constitution which is a necessary pro-
cedure of government shall remain in effect for three years
after the effective date of this constitution or until sooner
superseded by statute, ordinance, rules, or regulation enacted
pursuant to this constitution.

Section 11. Existing Laws
 Section 11. (A) Retention. Laws in force on the
effective date of this constitution, which were constitutional
when enacted and are not inconsistent with this constitution,
shall remain in effect until altered or repealed by the author-
ity which enacted them or until they expire by their own limita-
tion.

(B) Expiration of Inconsistent Law. Laws which are in-
consistent with this constitution shall cease upon its effective
date. However, a law which is inconsistent with a provision of
this constitution requiring legislation to implement it shall
remain in effect for three years after the effective date of
this constitution, unless sooner repealed by the legislature.

Section 12. Constitution Not Retroactive
 Section 12. Except as otherwise specifically provided
in this constitution, this constitution shall not be retro-
active and shall not create any right or liability which did
not exist under the Constitution of 1921 based upon actions or
matters occurring prior to the effective date of this constitu-
tion.

Section 13. Civil Service Commissions
 Section 13. (A) State Commission. Each person who is
a member of the State Civil Service Commission on the effective
date of this constitution 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 Xavier University shall submit three names
to the governor for appointment to the commission as pro-
vided in Article VII, Section 1, Paragraph (C). Within
ninety days after the effective date of this constitution,
one member of the commission shall be elected by the classi-
fied employees of the state from their number as provided
by law. The term of these appointees shall be six years.
Within thirty days after the expiration of the term of the
present member nominated by the president of Louisiana
State University and Agricultural and Mechanical College,
the president of Dillard University shall submit three
names to the governor for appointment to the commission as
provided in Article VII, Section 1. The term of this
appointee shall be six years.

(B) City Commission. Each person who is a member of
the New Orleans City Civil Service Commission on the
effective date of this constitution 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 presidents of St. Mary's Dominican
College and Xavier University each shall submit three names
to the governing body of the city for appointment to the
commission as provided in Article VII, Section 1, Paragraph
(D). Within thirty days after the expiration of the term
of the present member nominated by the governing body of
the city, the president of Dillard University shall submit
three names to the governing body of the city for appoint-
tment to the New Orleans City Civil Service Commission as
provided in Article VII, Section 1, Paragraph (D). The
term of these appointees shall be six years.

(C) Upon the effective date of this constitution, all
officers and employees of the state and of the cities
covered hereunder who have status in the classified service
shall retain said status in the position, class, and rank
that they have on such date and thereafter shall be subject

-5-

Section 14. Legislative Provisions
 Section 14. (A) Legislative Recess. The legislature
shall provide, by rule or otherwise, for a recess, during
the 1975 and 1976 regular annual sessions, which shall be
for at least eight calendar days immediately after the first
fifteen calendar days of the session.

(B) President of Senate. The lieutenant governor in
office on the effective date of this constitution shall con-
tinue to serve as president of the Senate until his term
expires in 1976.

(C) First Legislative Session. The provisions of Article
III, Section 2 of this constitution shall become effective
for the regular legislative session to be held in 1975, and
in 1976 the legislature shall conduct its regular session as
provided in Article III but it shall convene at twelve
o'clock noon of the second Monday in May, 1976.

(D) Legislative Auditor. Until otherwise provided by
law, the legislative auditor shall continue to exercise the
powers and perform the functions set forth in Article VI,
Section 26(2) of the Constitution of 1921.
Section 15. Mandatory Reorganization of State Government
Section 15. Legislative Mandate; Time Limit. As required
by Article IV, Section 1(b), the legislature shall allocate,
within not more than twenty departments, the functions, powers,
duties, and responsibilities of all departments, offices,
agencies, and other instrumentalities within the executive branch,
except those allocated by this constitution. The allocation,
which shall not be subject to veto by the governor, shall become
operative not later than December 31, 1977.
Section 16. Deletion of Obsolete Schedule Items
Section 16. The legislature by law may delete from this
constitution this and any other Section of this Article when
all events have occurred to which the Section to be deleted is

or could become applicable. A legislative determination of
fact forming the basis for application of this Section shall be
subject to judicial review.
Section 17. Judiciary Commission
Section 17. The members of the judiciary commission in
office on the effective date of this constitution shall serve
until the expiration of their terms. Within thirty days after
the effective date of this constitution, the additional two
citizen members shall be selected as required by Article V,
Section 24. A lawyer member, as thereby required, shall be
selected to succeed the judge of a court of record other than
a court of appeal whose term as a member of the commission first
expires. Thereafter, when a vacancy occurs, the successor to
the position shall be selected in accordance with Article V.
Section 24.

Section 18. Ports; Transition to Statutes
Section 18. All provisions of Article VI, Section 16,
16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 17, 29, 29.1, 29.2, 29.3,
29.4, 33.1, 34, and Article XIV, Section 30.2 of the Constitution
of 1921 shall become statutes subject to amendment or repeal
only as provided in Article VI, Section 44 of this constitution.
(NOTE: Local Government Committee has not yet approved)
Section 19. Home Rule Charters; Ratified
(NOTE: Local Government Committee has not yet approved)
Section 19. The charter forms of government organized
under the provisions of Article XIV, Section 3(a), (c), (d)
(2), 22, and 37 of the 1921 Constitution are ratified and
confirmed in Article VI, Section 4 of this constitution.
Section 20. Public Service Commission
Section 20. At its next extraordinary or regular session,
the legislature shall divide the state into five single-member
districts as required by Article VIII, Section 14(A) and shall
provide for a special election at which the two additional members
of the commission shall be elected, the initial term to be served
by each, and other matters necessary to effectuate said Section 14(A).
Chairperson Ceravigni called the meeting to order at 9:10 a.m. The roll was called and a quorum was established.

Ms. Ceravigni stated that the revised draft of the Committee Proposal "ARTICLE XIV. TRANSITIONAL PROVISIONS" would be considered. A copy of that document is attached to and made part of these minutes as APPENDIX A.

Section 8 (page 2)

Ms. Ceravigni explained that, due to a typographical error, the last sentence of Section 8 had been omitted from the revised draft and is to be restored. The sentence reads "Each public body shall continue to exercise its powers and duties until changed as provided by this constitution or by law."

Senator Rayburn moved to amend Section 8 by restoring the last sentence as quoted above and, on line 26, after the word "office" and before the word "as" by deleting the comma "," and inserting the words "or the office is vacated". Motion carried.

Section 8 was adopted as amended without objection.

Section 9 (pages 2 and 3)

Ms. Ceravigni stated that Section 9, Paragraph (A) has been changed to conform to the committee reports. It has been proof-read and will be checked again for accuracy.

Representative D'Gerolamo moved to amend Section 9, on line 14, by deleting from Article XII the Section number "13". Motion carried without objection.

Representative Thompson moved to amend Section 9, line 1, by deleting the word "with" and substituting revised language so that line 1 would read "as statutes, but restricted to the same effect as on the effective date of this constitution". Motion carried without objection.

The committee considered a draft Paragraph (C) to be added to Section 9. Mr. Lanier objected to language which appeared to effect the constitutionalizing the Louisiana Law Institute. The committee considered revised language. Mr. Thompson moved the adoption of the Paragraph to read as follows:

"(C) Arrangement. The legislature shall provide for the assignment of titles and sections to the provisions made statutory hereby and for their arrangement in proper statutory form."

Motion carried without objection and the new paragraph was adopted.

Ms. Ceravigni stated that there was material to be considered for possible addition to the Committee Proposal. The Sections would be numbered as appropriate.

These minutes reflect Sections and Paragraphs as indicated on their respective pages in APPENDIX A.

Section 13 (pages 4 and 5)

Representative Casey suggested that the heading of Section 13 should reflect the language adopted by the convention. Representative Jackson moved the amendment of the heading to read "Section 13. Transition; Civil Service Commissions; State; Cities". Motion carried without objection.

Representative Thompson moved to amend Section 13, on line 26, after the word and punctuation "Commission," by revising the beginning of the first sentence to read "Each person who, on the effective date of this constitution, is" and by striking out, on lines 27 and 28, the phrase "on the effective date of this constitution". Motion carried without objection.

Mr. Jones moved to amend Section 13, on line 31, so that the university title would read "Xavier University of Louisiana". Motion carried without objection.

Representative D'Gerolamo moved to amend Section 13, on page 5, line 9, after the word and punctuation "Commission," by revising the first sentence to read "Each person who, on the effective date of this constitution, is a member of" and on lines 10 and 11, by striking out the phrase "on the effective date of this constitution". Motion carried without objection.

Representative Drew moved to amend the university title on page 5, line 15, to read "Xavier University of Louisiana". Motion carried without objection.

Representative D'Gerolamo moved to amend Paragraph (C) on page 5, line 25, by striking out the letter and punctuation "(C)" and inserting in lieu thereof a new Section to read:

"Section __. Transition; Civil Service Officers, Employees; State; Cities"

Motion carried without objection.

Mr. Smith moved to amend the new Section on line 29, after the word "thereafter" and before the word "be" by striking out the word "shall". Motion carried without objection.

Mr. Drew moved to add the transitional provisions included in a draft of text as adopted by the convention in Committee Proposal Number 30, as styled by the Committee on Style and Drafting. Motion carried without objection. A copy of that document is attached to and made part of these minutes as APPENDIX B.

The committee concurred in restoring language as adopted by the convention so that the heading of Section 14 on page 5, lines 32 and 33, would read "Legislative Sessions".

Representative Casey suggested that the committee consider the revision of lines 3 through 11, on page 6, into a new Section. The committee concurred in beginning a new Section with the heading to read as follows:

"Section __. Legislative Provisions

Section __. (A) President of Senate." (followed by the text as printed on lines 3 through 5)

Mr. Comar moved to amend the new Section by striking out lines 6 through 11 in their entirety and inserting in lieu thereof the following:

"(B) First Session. The provisions of Article III of this constitution shall become effective for the first session of the legislature to be held in 1975. However,
in 1976, the legislature shall convene in regular session at twelve o'clock noon on the second Monday in May, at which time the members elected at the statewide election in 1976 shall take office; otherwise, the legislature shall conduct that session as provided in Article III of this constitution.

Motion carried without objection.

Representative Womack moved to amend the paragraph to be designated as "(C)" on page 6, line 12, by striking out the words and punctuation "Until otherwise provided by law," and beginning the paragraph with the sentence as it is printed on line 13: "The legislative auditor shall..." Motion carried without objection.

Representative Casey suggested the inclusion of a provision for legislative reapportionment. A staff draft of a Paragraph under Legislative Provisions was distributed. Representative Thompson moved the adoption of the text which reads:

"(C). Legislative Reapportionment. The requirement for legislative reapportionment in Section 5 of Article III of this constitution shall apply to the reapportionment of the legislature following the decennial census of 1980, and thereafter."

Representative Jackson objected to the adoption of this provision.

On roll call the vote was as follows:

Fors: Jackson

Against: Comar, D'Gerolamo, Drew, Lanier, Jones, Smith, Thompson, Womack, Zervigon

Motion carried and the provision was adopted.

The committee considered "LOCAL GOVERNMENT SCHEDULE PROVISIONS".

A copy of that document is attached to and made part of these minutes as APPENDIX C-1.

Representative D'Gerolamo moved the adoption of the Section "Ports; Transition to Statutes". Motion carried without objection.

Mr. Comar moved the adoption of the Section "Home Rule Charters; Authorization". Motion carried without objection.

The Committee on Local and Parochial Government submitted for the record a copy of Article 10, Section 23, from the 1921 Constitution, signed by members of that committee and also by members of this committee. This was for the purpose of indicating their intention to include Article 10, Section 23, in Section 9 of the Committee Proposal under consideration. A copy of that document is attached to and made part of these minutes as APPENDIX C.

Representative Thompson moved the adoption of a provision for the commissioner of elections to read:

"The commissioner of elections, as provided by Article __, first elected under this constitution shall be elected to take office in 1976. The custodian of voting machines in office on the effective date of this constitution shall continue to exercise the functions of that office, without change, until the expiration of his term."

Motion carried without objection.

Representative Thompson moved the adoption of a provision for a pardon board to read:

"Until a pardon board is appointed under the terms of this constitution, the lieutenant governor, attorney general, and presiding judge of the sentencing court shall continue to serve as a board of pardons."

Motion carried without objection.

The committee concurred in the adoption of a provision for statewide elected officials to read:

"Officials elected statewide in 1976 under terms of the new constitution shall take office in May of that year. Thereafter, statewide elected officials shall take office in March as provided in the new constitution."

Mr. Lanier moved the adoption of a provision for compensation paid for property used or destroyed for levee or levee drainage purposes to read:

"The provisions of Article XVI, Section 6 of the Constitution of 1921 shall be continued as a statute, subject to change by the legislature, and the amount of compensation therein required to be paid for property used or destroyed for levee or levee drainage purposes shall be paid as provided in Section 6 of Article XVI of the Constitution of 1921 until the legislature enacts a law to effectuate Article VI, Section ___ of this constitution."

Motion carried without objection.

The committee considered a draft prepared by the staff concerning suits against the state. Mr. Smith moved the adoption of the draft. Mr. Lanier offered a substitute motion which would add the phrase as underlined in the text which follows:

"Section ___. Suits Against the State;

Effective Date

Section ___. The provisions of Article III,

Section 14 waiving the immunity of the state, its agencies,

or political subdivisions from suit and liability in contract or for injury to person or property only shall apply to a cause of action arising after the effective date of this constitution."

The substitute motion carried and the Section was adopted.

Chairperson Zervigon declared the meeting adjourned at 9:55 a.m. in order that the members could attend the convention.
It is here noted that, following consultation with the Chairman of the Convention and the Chief Clerk, it was determined that those provisions contained in the transitional Article prepared and introduced should not contain any provisions which have previously been adopted by the Convention or Delegate Proposals. Therefore, all such provisions have been deleted from the transitional Committee Proposal prior to introduction on the floor. They will later be put into the transition Article by the Committee on Style and Drafting, having already been adopted.

Mary M. Sorvig, Chairperson

R. Harmon Drew, Vice Chairman

1 TRANSITIONAL CONVENTION OF LOUISIANA OF 1972
2 COMMITTEE ON STYLE AND DRAFTING
3 Introduced by Delegate Sorvig, Chairperson, Committee on
4 Legislative, Liaison and Transitional Measures, and Delegates
5 Comar, Drew, Hardee, Jones, Rayburn, Smith, Thompson, Vick,
6 and Womack

A PROPOSAL

Making provisions relative to transitional provisions.

Be it adopted by the Constitutional Convention of Louisiana
of 1972:

ARTICLE XIV. TRANSITIONAL PROVISIONS

Section 1. Limitation on Transitional Provisions

Nothing in this Article shall be construed or
applied in such a manner as to invalidate the foregoing articles
of this constitution but only to supplement and to provide for
an orderly transition from the Constitution of 1921.

Section 2. References to 1921 Constitution

Whenever reference is made in this constitution
to the Constitution of 1921 it shall mean the Louisiana Constitution
of 1921, as amended.

Section 3. Effect of Titles

No title or sub-title, heading or sub-heading, marginal note, index, or table printed in or with this constitution shall be considered or construed to be a part of this constitution, but to be inserted only for convenience in reference.

Section 4. Inherent Power of Legislature

The legislature shall have all powers not prohibited or denied by this constitution or by or under the laws of the United States, and the absence in this constitution of a grant of power contained in the constitution hereby superseded shall not be construed as a limitation on the powers of state government.

APPENDIX A

1 SECTION 5. CONTINUATION OF ACTIONS AND WRITS

Section 5. All writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, sentences, orders, decrees, appeals, rights or causes of action, contracts, obligations, claims, demands, titles, and rights existing on the effective date of this constitution shall continue unaffected except as modified in accordance with this constitution. All sentences as punishment for crime shall be executed according to their terms.

Section 6. Protection of Existing Taxes

Section 6. All taxes, penalties, fines, and forfeitures owing to the state or any political subdivision levied and collectible under the Constitution of 1921 and valid laws enacted thereunder shall inure to the entity entitled thereto.

The provisions of this constitution shall not be construed or
applied in such a manner as to invalidate taxes levied or authorized under the Constitution of 1921.

Section 7. Impairment of Debt Obligations

Nothing in this constitution shall be construed or applied in such a manner as to impair the obligation, validity, or security of any bonds or other debt obligations authorized under the Constitution of 1921.

Section 8. Existing Officials

Section 8. A person holding an office by election shall
continue to exercise his powers and duties until his office is abolished or his successor takes office, as provided by law.

Section 9. Provisions of 1921 Constitution Made Statutory

Section 9. All provisions of the 1921 Constitution continued
as statutes, with the same effect as on the effective date of the constitution.

1. Article V, Sections 2, 7, 18, 20, and 21.
3. Article VI-A, Sections 1 through 14, except any
6. dedications therein contained.
4. Article VII, Sections 6, 12.1, 13, 20, 21, 28, 31, 31.1, 31.2, 33, 36 through 51, 51(a), 52, 53, 55, 80, 81, 82, 83, 85, 89 through 92, and 94 through 97.
5. Article IX, Section 4
6. Article X, Sections 1(8), 1(9), 2, 2(11), 2(12), 6, 10(1A), and 15.
7. Article X-A, Sections 3 and 4.
9. Article X, Sections 30(d), 36(d) (first), 6, 10, 12, 14, 16, 19, 21, 22(4), 23, 22.1 through 23.43, 24, 24.2 through 24.23, 25, 25.1, 26 through 28, 30, 30.1, 30.3, 30.4, 30.5.

[1042]
10. Article XV, Sections 1, 3, and 4.
11. Article XVI, Sections 4, 6, 7, 8, and 8(a).
12. Article XVII, Sections 3 and 4.
13. Article XVIII, Sections 4 and 8.
14. Article XIX, Sections 6, 18, 19, 19(a), 20, and 27.
15. Article VI, Sections 22, 23 (except any dedications contained therein), and 23.1 Article VI-A, Sections 1 through 14, except any dedications contained therein Article V, Sections 7 and 9; Article XIX, Section 15.1, exception Paragraph (34); Article X, Sections 5, 9, 16, and 31; and Article XXI, Section 11, all of which shall be continued as statutes, subject to change only by law enacted by two-thirds of the elected members of each house.

31. (D) Judicial Review. The question of whether or to what extent those Sections are in conflict with Articles 1 through XIII of this constitution shall be subject to judicial review.


33. Section 10. Except as retained in Articles 1 through XIII of this constitution, all other provisions of the 1921 Constitution are repealed, except that any provision which is inconsistent with this constitution which is a necessary -1- procedure or provision shall remain in effect for three years after the effective date of this constitution or until sooner superseded by statute, ordinance, rules, or regulation enacted pursuant to this constitution.

5. Section 11. Existing Laws

6. Section 11. (A) Retention. Laws in force on the effective date of this constitution, which were constitutional when enacted and are not inconsistent with this constitution, shall remain in effect until altered or repealed by the authority which enacted them or until they expire by their own limitations.

11. (B) Expiration of Inconsistent Law. Laws which are inconsistent with this constitution shall cease upon its effective date. However, a law which is inconsistent with a provision of this constitution requiring legislation to implement it shall remain in effect for three years after the effective date of this constitution, unless sooner repealed by the legislature.

12. Section 12. Constitution Not Retroactive

13. Section 12. Except as otherwise specifically provided in this constitution, this constitution shall not be retroactive and shall not create any right or liability which did not exist under the Constitution of 1921 based upon actions or matters occurring prior to the effective date of this constitution.

24. Section 13. Civil Service Commissions

25. Section 13. (A) State Commission. Each person who is a member of the State Civil Service Commission on the effective date of this constitution 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 Xavier University shall submit three names to the governor for appointment to the commission as provided in Article VII, Section 1, Paragraph (B). Within ninety days after the effective date of this constitution, one member of the commission shall be elected by the classified employees of the State of Louisiana.

31. (B) City Commission. Each person who is a member of the New Orleans City Civil Service Commission on the effective date of this constitution 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 St. Mary's Dominican College and Xavier University each shall submit three names to the governing body of the city for appointment to the commission as provided in Article VII, Section 1, Paragraph (D). Within thirty days after the expiration of the term of the present member nominated by the governing body of the city, the president of Dillard University shall submit three names to the governing body of the city for appointment to the New Orleans City Civil Service Commission as provided in Article VII, Section 1, Paragraph (D). The term of these appointees shall be six years.

32. (C) Upon the effective date of this constitution, all officers and employees of the state and of the cities covered hereunder who have status in the classified service shall retain said status in the position, class, and rank that they have on such date and thereafter shall be subject to and governed by the provisions of this constitution and the rules and regulations adopted under the authority hereof.


34. Section 14. (A) Legislative Session. The legislature shall provide, by rule or otherwise, for a session, during the 1975-1976 regular annual sessions, which shall be for at least one year.

35. (B) President of Senate. The lieutenant governor in office on the effective date of this constitution shall continue to serve as president of the Senate until his term expires in 1976.

36. (C) First Legislative Session. The provisions of Article III, Section 2 of this constitution shall become effective for the regular legislative session to be held in 1975, and in 1976 the legislature shall conduct its regular session as provided in Article III, but it shall convene at twelve o'clock noon on the second Monday in May, 1976.

37. (D) Legislative Auditor. Until otherwise provided by law, the legislative auditor shall continue to exercise the powers and perform the functions set forth in Article VI, Section 26(2) of the Constitution of 1921, until otherwise provided by law.

38. Section 15. Legislative Mandate; Time Limit. As required by Article IV, Section 1(e), the legislature shall allocate.
within not more than twenty departments, the functions, powers, duties, and responsibilities of all departments, offices, agencies, and other instrumentalities within the executive branch, except those allocated by this constitution. The allocation which shall not be subject to veto by the governor, shall become operative not later than December 31, 1977.

Section 16. Deletion of Obsolete Schedule Items

Section 16. The legislature by law may delete from this constitution this and any other Section of this Article when all events have occurred to which the Section to be deleted is or could become applicable. A legislative determination of fact forming the basis for application of this Section shall be subject to judicial review.

Section 17. Judiciary Commission

Section 17. The members of the judiciary commission in office on the effective date of this constitution shall serve until the expiration of their terms. Within thirty days after

-6-

the effective date of this constitution, the additional two members shall be selected as required by Article V, Section 24. A lawyer member, as thereby required, shall be selected to succeed the judge of a court of record other than a court of appeal whose term as a member of the commission first expires. Thereafter, when a vacancy occurs, the successor to the position shall be selected in accordance with Article V, Section 24.

Section 18. Ports; Transition to Statutes

Section 18.

Section 19. Home Rule Charters; Ratified

Section 19.

Section 20. Public Service Commission

Section 20. At its next extraordinary or regular session, the legislature shall divide the state into five single-member districts as required by Article VIII, Section 14(A) and shall provide for a special election at which the two additional members of the commission shall be elected, the initial term to be served by each, and other matters necessary to effectuate said Section 14(A).

Section 21. Tax Schedule

Section 21. (A) Property Taxes. The provisions of Article X of the Constitution of 1921 relating to ad valorem property taxes shall remain in effect until the provisions on that subject contained in Article XI of this constitution take effect as provided in said Article XI.

(B) The provisions of Article X of the Constitution of 1921 shall be continued as a statute until the legislature

-7-

Section______. Board of Regents

Section______. On the effective date of this constitution, each member of the Louisiana Coordinating Council for Higher Education appointed by the governor whose term has not expired shall become a member of the Board of Regents until his term expires. The governor shall appoint additional members required to complete the membership of the board in accordance with and to effectuate Article IX, Section 5.

Section______. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College

Section______. On the effective date of this constitution, each member of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College whose term has not expired shall become a member of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College until his term expires. The governor shall appoint additional members required in accordance with and to effectuate Article IX, Section 7.
Section ___. State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities

Section ___. On the effective date of this constitution, each member of the State Board of Education whose term has not expired may elect to become a member of either the State Board of Elementary and Secondary Education or the Board of Trustees for State Colleges and Universities. He shall serve until the expiration of the term for which he was elected. The legislature shall provide by law the procedures by which this right shall be exercised, the secretary of state notified of those elections which must be held, and the governor notified of the appointments which must be made to complete the membership of the boards. The elections and appointments shall be made in accordance with and to effectuate Article IX, Sections 3 and 6.

APPENDIX B

Section ___. Boards; New Appointment§

Section ___. In making new appointments to a board created by Sections 5, 6, or 7 of Article IX, the governor shall consider appropriate representation on the board by alumni of the institutions under the control of the board.

(AS ADOPTED BY THE CONVENTION IN COMMITTEE PROPOSAL NUMBER 30 AS STYLED BY STYLE AND DRAFTING COMMITTEE)

NOTES


LOCAL GOVERNMENT SCHEDULE PROVISIONS

Section ___. Ports; Transition to Statutes

Section ___. All provisions of Article VI, Sections 16, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 17, 29, 29.1, 29.2, 29.3, 29.4, 33.1, 34, and Article XIV, Section 30.2 of the Constitution of 1921 shall become statutes subject to amendment or repeal only as provided in Article VI, Section 44 of this constitution.

Section ___. Home Rule Charters; Authorization

Section ___. The provisions of Article XIV, Sections 3(a), 3(c), 3(d) (second), 22, 37, and 40 (c) of the Constitution of 1921 are continued in effect as the constitutional authorization for home rule charters or plans of government ratified in Article VI, Section 4 of this constitution.

APPENDIX C-1
MINUTES

Minutes of the meeting of the Subcommittee on Alternative Methods of Transposition of the Committee on Legislative Liaison and Transitional Measures of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on June 25, 1973

Mayor's Private Dining Room,
City Hall
New Orleans, Louisiana
July 3, 1973, 10:15 a.m.

Present: Walter I. Lanier, Jr., Chairman of the Subcommittee on Alternative Methods of Transposition

Walter I. Lanier, Jr.
H. G. Hardee, Jr.
Kendall Vick
Mary Zervigon
Edward P. Lebratex, Jr., ex officio member and chairman, Committee on Legislative Liaison and Transitional Measures

Absent: Calvin D. Fayard

The meeting was called to order by Chairman Lanier at 10:15 a.m. After roll call and a quorum was established, the chairman stated that the purpose of this meeting was to consider various methods of transposition from the present constitution to a new constitution and to prepare a recommendation as to the most workable method for presentation to the full committee. He introduced Dean Cecil Morgan of Tulane Law School and Mr. Ed Stagg of CARL and invited them to present ideas and participate in discussions with the members of the subcommittee.

Various methods of handling the transition from the present constitution to a new constitution were explored and considered by the subcommittee. The Final Report of the Subcommittee on Alternatives of the Coordinating Committee, a copy of which is attached to the minutes of that subcommittee's meeting of April 14, 1973; various staff mem - randa, particularly Staff Memorandum No. 1 of the Subcommittee on Alternative Methods of Transposition, a copy of which is attached hereto and made a part of these minutes; report of Dr. George D. Braden dated May 9, 1973, and submitted to the Texas Constitutional Revision Commission, a copy of which is attached hereto and made a part of these minutes, and the suggestions of members of the subcommittee and invited participants were the topics of discussion.

After due deliberation, Mr. Vick offered a motion that this subcommittee recommend to the Committee on Legislative Liaison and Transitional Measures that it recommend to the convention as soon as possible in the form of a resolution that the eight substantive committees in their deliberations divide their material into the following categories:

1. Substantive basic constitutional provisions. It should be noted that in this category would be matters which could be changed by a supermajority vote of the legislature which would be embedded in the constitution itself.
2. Those matters which will be treated as statutory material which could only be changed and subsequently changed by a supermajority:
   a. Supermajority requirements contained in schedule to the constitution;
   b. Supermajority requirement provisions which would lapse at the end of a period of time.
3. Material which will be transposed as a simple statute:
4. Statutory material which can be deleted after being absorbed into the laws of local units of government:
5. Recommended new legislation:
6. Material which is obsolete:
7. Possible alternative proposals to be placed on the ballot in conjunction with the new constitution:

Motion was unanimously adopted.

The members of the subcommittee unanimously agreed to defer taking action on the procedural mechanism by which the transposition from the present constitution to a new constitution will be accomplished.

The meeting adjourned at 3:00 p.m.

WALTER I. LANIER, JR., Chairman

STATE OF LOUISIANA CONSTITUTIONAL CONVENTION OF 1973 H. G. HARDEE, JUNIOR, CHAIRMAN

June 4, 1972

To: Members of the Subcommittee on Transitional Alternatives

To: Members of the Committee on Legislative Liaison and Transitional Measures

Enclosed is the memorandum which you requested the staff to prepare for consideration by the Subcommittee on Transitional Alternatives considering alternative methods that could be used to continue as statutes those provisions of the 1921 Constitution that are not continued in the new constitution.

This memorandum considers four methods by which provisions of the 1921 Constitution this convention determines should not be given constitutional status in the new constitution might be continued as viable law.

1. Legislative Responsibility

The convention could determine simply to commend to the people a single document, the constitution it adopts, making no provision or recommendation with respect to the sections of the 1921 Constitution it does not continue in the new document, other than the normal schedule provisions. In other words, those provisions deemed constitutional would be incorporated into the new document and those others considered statutory simply would not be included.

Such silence by the convention would recognize the inherent power of the legislature to legislate on any subject not prohibited by the state and federal constitutions and would leave to the legislature the task of enacting those deleted portions of the 1921 Constitution that are to continue as statutory law.

Should this approach be used, the convention might deem it in the best interest of the state to inform the legislature of the discontinued provisions to aid it in its work. This it could do by a formal report to the legislature, by inclusion of this information in the comments to proposals, by a report of the Legislative Liaison and Transitional Measures Committee, or by some other device.

It is recognized that if this procedure is used and nothing more is done, the convention cannot guarantee that desirable discontinued provisions would actually be enacted in law. The legislature would decide. The convention could not guarantee that those provisions would be enacted without substantive change, for any bill introduced in the legislature would be subject to amendment. Also, the discontinued provisions enacted into law as statutes would have the normal status of statutes, and legislative changes in the future would normally be by majority vote, except as to those subjects for which the constitution requires a greater majority.

If it is thought this situation allows too much flexibility, some special mechanisms can be developed to place limits on the power of the legislature.

For example, the constitution could include in a special article that certain enumerated sections of the 1921 Constitution which the legislature adopted at its first session after the convention is held could be changed thereafter only two-thirds vote. Or it could require that all provisions of the 1921 Constitution continued as statutes at that first session could be changed in the future only by two-thirds vote.

To restrict changes in the substance of the 1921 provisions that are to be continued, the call for the session at which the matter of continuation of 1921 Constitution provisions is considered could restrict the legislature to enacting those provisions without change. No amendments would be allowed.

If such a mechanism were to be used, the super majority statutes could be placed in a separate title in the revised statutes, or they could be integrated in the existing titles. As for legislative procedure, it could be envisioned that each bill for which a super majority vote is to be required for future change would have a separate section providing for that restriction at the end, much like a severability clause is usually attached to the end of most bills. Another device might be to provide that for the super majority change restriction to be effective, the bill itself must be adopted by the legislature by the same super majority, i.e., for the two-thirds limit to be imposed, the legislature must approve the bill be a two-thirds vote and must specify that future changes will be only by two-thirds vote.

Normally, of course, one legislature cannot bind future legislatures by establishing restrictions on change; but this could be done if authorized by an article of the constitution that allowed it to be done.

at the first session following the convention.

The convention also could include in the new constitution an article calling the legislature into special session at a fixed time after the adoption of the constitution to handle transitional matters. This was done by the 1921 Constitutional Convention. (Article XXV, Section 1) provided: "The Legislature of the State of Louisiana is hereby directed to convene in extraordinary session at the seat of government on the first Tuesday in the month of September, 1921, at twelve o'clock noon, for a period not exceeding seventy-five days, with full authority as if convened in a regular session." The difficulty here is that the call for the session would not be effective until approved by the people, i.e., once the constitution goes into effect. This would be opposed to the goal of some people to have a continuation as statutes of discontinued constitutional provisions assured before the constitution is put to a vote.

If the call is not in the constitution, a special session might be called by the governor, either before or after the vote on the constitution is taken. A session prior to the vote on the constitution, in the mind of some, would enhance the probability of adoption since enactment of existing constitutional matter into statutory law would assure some groups that the provisions they are interested in are continued as statutes. Legislation adopted at such a special session would be more contingent on the adoption of the constitution. Some may feel that the cost of such a session would be a sound waste if the new constitution subsequently fails; on the other hand, such a session may assure in the adoption of

[1047]
of the new document and serve as a prototype of the investment in the convention. If the desire is to prevent a too long or too
complicated special session, the call for the session might be
limited. For example, the only matters to be considered might be
provisions of the 1921 Constitution to be considered for continua-
tion as statutes. Even more, it could be restricted to provide
that the existing sections can only be continued verbatim, with
no changes of substance allowed to be introduced.

Another possibility is to wait until the 1974 regular session
of the legislature to handle these matters. To avoid any gaps
that might result if the legislature were not to act until after
the effective date of the new constitution, the schedule provisions
of the document itself should clearly provide that some officers
and agencies not in the new constitution would continue in existence
for a specified time or until the legislature had acted. This is
usually done and is a standard schedule item in Louisiana's prior
constitutions.

If some variation of this "legislative responsibility"
concept were to be adopted, it might create a situation where
some delegates, unsure of continuation as statutes of some
constitutional provision, would be more anxious to incorpo-
rate those provisions in the new constitution. The tendency
might be to make the constitution longer than it would other-
wise be, and to incorporate more detail than would otherwise
be desirable. If this should be the case, some flexibility
could be maintained by providing in a particular section that
the stated rule is effective "except as otherwise provided by law"
or "except as otherwise provided by two-thirds vote of the elected
members of each house of the legislature." This is basically
what is done in the present constitution for the creation of new
judgeships (two-thirds vote) and the abolition of justices of the
peace (majority vote).

2. Schedule Provision

The convention could adopt as part of the new constitution
one or two sections that would continue in effect as statutes
certain enumerated provisions of the 1921 Constitution. Lan-
guage similar to that used in Florida1 might be adopted, for
example:

Article ___, Section ___ (etc.) of the Con-
stitution of 1921 as amended not included herein
and not inconsistent with this constitution shall
remain in effect, subject to modification or re-
peal by law.

To accommodate those provisions the convention determines
should be subject to change only by a super majority vote of the legis-
slature, the constitution might provide:

Article ___, Section ___ (etc.) of the Con-
stitution of 1921 as amended not included herein
and not inconsistent with this constitution shall
remain in effect, subject to modification or re-
peal by vote of two-thirds of the elected members
of each house of the legislature.

This approach is basically a type of incorporation by refer-
ence of other provisions, though here they are incorporated in
the statutes by reference rather than in the constitution itself.
The approach is not entirely new to Louisiana constitutions, for

1Florida Constitution, Article XII, Section 19 reads: "All provisions of Articles I through XV, VII and IX through XX
of the Constitution of 1855, as amended, not embraced here-
in which are not inconsistent with this revision shall be-
come statutes subject to modification or repeal as are other statutes."

it was done in the 1921 Constitution. Article XXII, Section
17(7) provided that the 1898 and 1913 Constitutions were
superseded "except as herein otherwise specially provided."
Then, in Article VII, Section 89, for example, it was provided that "...the provisions of law and of the Constitution of 1898
and 1913, as heretofore amended, relative to these officers and
their deputies, assistants, clerks, or other employees, shall,
except as otherwise provided in this Constitution, continue in
effect until changed by the Legislature."2

The objection to this plan, in the mind of some, may be
that the convention cannot legislate, but can only adopt constitu-
tional provisions, and that this alternative involves "legis-
lating." This view would hold that the act convening the con-
vention authorized it to draft a constitution and not to enact
statutes. However, since a constitution is superior to legisla-
tive acts, it would seem that, once validly adopted, a consti-
tution prevails over any past or future legislative acts as well

2Article VII, Section 89: "There shall be one clerk for the Civil
District Court, one clerk for the Criminal District Court, one
civil sheriff and one criminal sheriff for the parish of Orleans,
one clerk and one constable for the First City Court in New
Orleans, one district attorney for the parish of Orleans, one
register of conveyances, one recorder of mortgages for the parish
of Orleans, and one coroner for the parish of Orleans; all elected
by the qualified electors every four years, except as otherwise
provided in this Constitution, and the provisions of law and of
the Constitution of 1898 and 1913, as heretofore amended, relative
to these officers and their deputies, assistants, clerks, or
other employees, shall, except as otherwise provided in this
Constitution, continue in effect until changed by the Legislature."

as over prior constitutional provisions -- including any
limitations that might have been placed on its content by a
prior constitution or legislative act. It is interesting to
note that such was the experience with the Constitution of the
United States, whose drafters violated both the Articles
of Confederation and the Congressional call for the convention.3
Such is also the case with respect to many state constitutions.4

Attention must be directed to the fact that authority for
the contrary position exists, however, and in a number of states
the legislative act calling a constitutional convention is
deemed to restrict the convention document.5 This position con-
fines the example of the U.S. Constitution to revolutionary
times and holds it inapplicable in times of stability. Louisiana

pp. 25-31. Once several states seemed inclined to do so, the
Continental Congress approved a call for a convention and instructed
it to convene "for the sole and express purpose of revising the
Articles of Confederation and reporting to Congress and the
several legislatures such alterations and provisions therein as
shall when agreed to in Congress and confirmed by the States
render the Federal Constitution adequate to the exigencies of
Government and the preservation of the Union."

The convention denied the instructions and drafted a new constitution. The Continental Congress never approved the changes. The Articles of Confederation required unanimous approval of the states for revision, but the delegates to the Constitutional Convention provided the document would be effective upon adoption by 3/4 of the States. When 11 states ratified, the Continental Congress resolved to put the new Constitution into operation, and the procedure for electing a president was begun. It wasn't until November 1789 that North Carolina ratified the Constitution and until May 1790 that Rhode Island ratified.


in cited as being of this latter view, although the case decisions do not appear to definitively so determine.

The leading case is State v. Jos. Sugar Ref. Co., 137 La. 407, 68 So. 732 (1915). Act 1 of 1912 called the convention which produced the Constitution of 1913. The act was ratified by the voters. It provided that the constitution adopted by the convention would become effective without approval by the people. Act 1 purported to prohibit the convention from changing "the term of office, duties or compensation of any existing officer." Under the prior law, the Orleans Parish district attorney had no power to represent the state in civil matters. Article 190 of the 1913 Constitution, a provision regulating monopolies, did grant such power to the Orleans Parish district attorney, and he invoked it to bring the instant suit. The action was dismissed on an exception to the capacity of the district attorney to prosecute the litigation for the state.

The court held that Act 1 of 1913 controlled the subjects which the convention might provide for, and that the constitutional provision enlarging the Orleans Parish district attorney's powers was invalid for exceeding the mandate of the convention.

The court cited no authority for its position and devoted most of the opinion to an analysis of whether this was an additional duty of the district attorney. Justice O'Neill dissented, arguing that the constitution adopted should prevail.

16 C.J.S.-Const. Law, §8, note 59.

7The legislature in enacting Act No. 1, Extra Session of 1913, did not attempt to nullify the appellate restrictions in the Constitution, nor did it attempt to limit the power of the legislature. The ordinance provided, "With the power, acting under a proper resolution of the Legislature, the vote in favor of calling a convention, they are presumed to have in the terms of the act, which thereby become the law of the state under the authority delegated to the convention." 6 R.C.L. 715, p.27.

To the same effect, as to the Constitution of 1913, are:

Foley v. Demo. Pty. Cte., 136 La. 220, 70 So. 104 (1915);

Wayne v. Assessor, 143 La. ___ 79 So. 280 (1917); Trenton

Lbr. Co. v. Police Jury, 144 La. 678, 81 So. 249 (1918); P.B.

Williams Cypress Co. v. Martin, 144 La. 767, 81 So. 307 (1919);

Wunderlich v. N. O. Ry. & Lt. Co., 145 La. 21, 81 So. 741 (1919);


The Constitution of 1913 also resulted from a convention whose call was approved by the people, but whose final document was not submitted to the people for adoption. In Pender v. Gray, 145 La. ____, 88 So. 786 (1921), the court seemed to be consistent with the earlier cases dealing with the 1913 Constitution. Here, the court denied effect to a resolution of the convention requiring continuance in actions being pursued by attorneys who were members of the convention, reasoning that the mandate of the convention was to draw a constitution and not to enact legislation by resolution. However, State v. Jones, 151 La. ___, 92 So. 310 (1922), seemed to depart from the earlier cases. There, the court recognized the power of the convention to adopt a constitutional provision which called for a special session of the legislature.

This, even though the mandate was to frame and adopt a constitution, which might have been interpreted to exclude providing for the calling of a legislature.

In any event, the American Sugar Refining case remains without having been overruled, and it has been quoted approvingly in dictum as late as 1941 and 1956.

However, there is substantial doubt that the principle adopted in the cases discussed would be construed to apply to the 1973 Constitutional Convention. Both the 1913 and 1921 constitutions went into effect upon adoption by a convention, without submission to the people for approval. Both had been called by means of a legislative act approved by the voters. The legislation limiting the scope of the convention was ratified by the people and was thus given higher status; the people's authority stood behind the limitations, and they were more than legislative acts. The limitations emanated from the source of sovereignty.

Under the procedure for the 1973 Convention, the situation is reversed. The people have not ratified the call for a convention and have not imposed limitations on it. Rather, the people will ratify the product of the convention before it can become effective. Once that occurs, the source of sovereignty will have spoken, and it would then seem, on basic principle, that a mere legislative act, previously adopted, will have to give way to the higher source of authority. In other words the people, by ratifying and adopting the entire document presented to them by the convention, will have placed their stamp of approval upon all actions of the convention.

J. Constitutional Code

Under this alternative, the convention would be organized into two or three parts, Parts I and II and possibly a Part III. The articles in each part would be subject to different means of amendment.

PART I

Part I of the constitution would contain provisions usually contained in a basic, fundamental constitution -- the organic law of the state in which is set forth the fundamental rights and privileges of the people and the basic structure of government.

The provisions contained in the articles and Sections in Part I would be made subject to the most difficult form of amendment. If the present amending procedure were continued, change would be effected by propositions to amend initiated by the legislature and which would require affirmative vote of two-thirds of the elected members of each house; would not require the signature of the governor; would require prolif-
gation by the secretary of state prior to submission to the people; and would require submission to the people for adoption at a statewide election.

**PART II**

Part II of the constitution would contain provisions which are deemed to require protection against too frequent change, but which nevertheless are not of basic constitutional dignity. This protection would be assured by providing they can be changed or repealed only by a two-thirds vote (or other super majority) of the members of each house of the legislature. A provision might provide something along these lines:

-12-

The provisions contained in this Part shall be subject to change or repeal by the legislature without the necessity for submission to the voters of the state; however, no provision of this Part shall be changed or repealed without the affirmative vote of at least two-thirds of the elected members of each house, and the bill proposing such change or repeal shall be enacted in the manner provided in Article [X] of Part I in this constitution.

Thus, should the convention deem it wise to assure that provisions such as those pertaining to special districts or other matters can be changed only with approval of a greater-than-usual number of elected representatives, this would be accomplished. Though they might be termed "Constitutional Ancillaries" or a "Constitutional Code," these provisions in Part II would technically be a part of the constitution and would be adopted by the people as part of the constitution.

**PART III**

Part III of the constitution would be composed of those "legislative" matters now found in the constitution which require no protection against too-easy amendment. It would contain a provision that any section contained in Part III can be amended by majority vote of the legislature.

Part III would be a part of the new constitution, would be submitted to the people for approval, but would have a status in the hierarchy of laws equal to any legislatively enacted statute and could be changed or repealed by simple majority vote.

4. Amendment Procedure

This proposal is an expansion of a technique used in the 1921 Constitution. Today, some provisions of the document can be overridden by two-thirds vote of the legislature (the number of judges attached to a court, for example), and others establish a rule that has effect "unless otherwise provided by law."

**VARIATION 1** -- Only the material in Part I above would constitute the constitution. Parts II and III would be placed in the Revised Statutes as new titles, after initial adoption by the people at the same time the constitution is voted upon. In effect, the constitution would be recognizing a referendum procedure and this would be the first referendum submitted to the people. To accommodate this and to avoid the argument that the convention would be legislating beyond its mandate, the constitution itself should establish an initiative and referendum procedure, and Parts II and III would be passed as direct legislation measures. To accomplish this, the final enactment of the convention would state that Part I would be the constitution and that Parts II and III if adopted would be transferred to the Revised Statutes as part of a special new title. It could be provided that the electorate will vote only on the whole presentment, or that they will vote on Parts I, II, and III separately.

**VARIATION 2** -- With respect to Part II, it might be provided that after a stated period (ten or twenty years), the two-thirds vote requirement for change ceases to have effect, allowing the legislature thereafter to change the provisions by majority vote.

**VARIATION 3** -- To give additional protection to Part II, it might be required that certain formalities be complied with before the vote to change can be taken in the legislature: publication in advance, notice to localities and agencies affected, etc.

To implement this plan, each substantive committee would be directed or encouraged to draft its proposals according to this plan, indicating which provisions are to be in Part I, Part II, and Part III. Upon vote for final approval in the convention, the question would include the issue of whether to place a proposal in Part I, II, or III.

5. Conclusion

This subject is a complex one with many variables influencing resolution of the problems. Making a decision may be difficult if...
made without some valid public reason or the type of constitution that will be submitted to the voters. If, for example, the drafts of the substance committee are such that they would form a very short constitution, there may or may not be a need to face the problem of continuing certain powers as statutes with super majority protection. On the other hand, if the constitution is a lengthy one, there would be little to put in the super majority statutes or section of the constitution.

Perhaps resolution of this question must await a more accurate determination of delegate sentiment, and of the type of constitution the committees envision.

-10-

PROBLEM IN TRANSITION: FROM AN OLD CONSTITUTION TO A NEW CONSTITUTION

(The Need of a Transition Schedule)

Introduction

There are transition problems in replacing an old constitution with a new one. There can be dealt with in the body of a new constitution, but the result is in a language that is often purely technical, yet remains forever in the new document. See, for example, Section 6 of Article X, which authorized counties, cities, and towns to levy taxes to pay for existing in the time of election of the Constitutional Convention at the time of election of the Constitutional Convention. It is the legitimate business of the legislature to consider and act on the question of how to finance the government for a period longer than two years.

A constitution properly should deal only with the continuing operation of the government. Transitional matters could be placed in a schedule attached to the constitution. The schedule also ought to provide that, as the transitions are taken care of sections of the schedule are dropped from the constitution. There is no more reason to keep an obsolete schedule than there is to reserve obsolete constitutional provisions in the constitution proper.

Under ordinary circumstances there are only a few necessary transitional provisions. One in the traditional section that simply affirms that all laws, regulations, rights of action, and the like, continue even though the old government has been replaced by the new one. In the typical constitution proper of the

Local Constitution, this consists of three sections, 18, 47, and 7 of Article XXI. There is probably no need to include this continuity provision, but it is traditional and avoids any technical arguments that might otherwise be made.

There are two major further transition problems in making changes in the machinery of government. The example above from section 6 of Article XIX is a case in point. Section 6 of Article XIX is another example of a provision that could have been placed in the schedule, but the transition been from two-year terms in an old constitution to four-year terms in the new.

In addition to the provisions dealing with the machinery of government, there are several other special limitations. These most never raise transition problems. Remove a limitation and

understanding can get more involved in context. Add a new limitation and the legislature may bed more in宿 ury. In neither instance would there any need for a transition. Under certain circumstances a school may appropriately preserve a deleted limitation for limited period. As an example could be a deleted limitation on the taxing power of local governments. Unless an existing statute contained the same limitation, a delay would be appropriate to give the legislature a chance to decide what limitation should be placed by statute.

Included with limitations are provisions that purport to give the legislature power to act but are actually only a vehicle to impose a limitation. For example, Section 31 of Article XVI is unnecessary grant of power to the legislature, but the section it with a limitation on the grant. Section 23 of Article XVI

is a bit confused, but appears, in part at least, to serve as a legal opinion limitation, sections like these can be removed without creating a transition problem. Likewise, if an unnecessary element of power is removed by the limitation retained, no transition problem is created.

Structural limitations are caused only by "statutory" provisions. A statutory provision in the sense that the provision deals with exceptional policies that are normally handled by statute. See, for example, Section 15 of Article XIX, which directly imposes a lien on real estate; Section 37 of Article XVI, which directly imposes a lien on personal property; and Section 1 of article XIX, which, though in other manner, establishes a continuing policy, section. A provision that directs the legislature to establish a substantive policy. Section 1 of Article XII is a clear example of this variation; Section 26 of Article XVI is a confused example. A provision that simply authorizes the legislature to act is spurious, for the legislature has all power not denied to it. Most authorizations are either vehicles for a limitation as noted above or exceptions to a limitation. (To call an exception to a limitation "statutory" in the sense used in this discussion may appear to be a misnomer when the exception simply authorizes the legislature to act. If the exception is worked on as an exception, it is not "statutory." See, for example, the public security exception at the end of Section 31 of Article XII. The usual approach, however, is to spell out as much detail that the exception is but like a statutory policy. Then no, in an authorization, is not statutory in the sense

- 4 -
Most of the direct statutory enactments and authorizations to the legislature have been in amendment. These have been designed to get around an obvious constitutional limitation -- the single issue sections, for example; or on an abundance of caution to get around a possible constitutional limitation rather than to use the statute route first -- possible examples: Section 51 and 51-d of Article III and Section 26 of Article XVI; or, according to the Critic Theory, simply to get referendum approval of the statutory policy -- see the foreword on Section 4 of Article XI, previously distributed in draft form.

In summary, there are four types of "statutory" legislation:

- **Sectional provisions**:
  1. Direct enactments of statutory policy.
  2. Commands to enact policy.
  3. Direct exceptions to limitation.
  4. Authorizations to exceptions to limitation.

**Procedure**

It is not difficult to look out ahead many years in a non-procedural transition. If a decision is made to pursue an action, for example, a single schedule, "Draft I" provides that the next step serves to the end of his original type. It is common practice to require publication of the changes in the local law, to provide for the discretion of judicial review for the majority of the judges and other personnel to whom it applies. In all procedural transitions, the task is simple -- a process one or two through the transition, preferably with the consent of those personally involved, and drafting a record of those new provisions. There may be problems involved in the removal of changes to statutory -- that is, substantially political -- provisions, which follows if he expresses a step-by-step procedure to determine what, if anything, must go into a schedule once passed or changed and has decided upon. (Note: There is a need to consult with the legislature, even when there is agreement that a decision.

6. In the enumeration is added with caution: otherwise, will if there be a decision to change or remove any provision, all the commands shall serve to. If a decision is made to pursue an action, for example, a single schedule, "Draft I" provides that the next step serves to the end of his original type. It is common practice to require publication of the changes in the local law, to provide for the discretion of judicial review for the majority of the judges and other personnel to whom it applies. In all procedural transitions, the task is simple -- a process one or two through the transition, preferably with the consent of those personally involved, and drafting a record of those new provisions. There may be problems involved in the removal of changes to statutory -- that is, substantially political -- provisions, which follows if he expresses a step-by-step procedure to determine what, if anything, must go into a schedule once passed or changed and has decided upon. (Note: There is a need to consult with the legislature, even when there is agreement that a decision.

- **Revision**

The new law should be included in the annotations to the 1968 statute book, replacing all references to the 1967 version of the law. This will ensure that the new law is easy to find and that the old law is not incorrectly assumed to be in effect. It is also important to inform the public and the legal community about the new law, through notices and press releases. This will help to ensure that the new law is implemented correctly and that there are no misunderstandings.

7. If the provision is an act or a statute, it is a necessary to make a decision to change the limitations. As an example of the above, the authorizations must stay until the limitation is removed or changed.

8. Once the decision has been reached to remove or change the limitation, the authorizations can be removed without any transitional problem. This is so because the provision itself gives the legislature the power to act, something it always can do absent the limitation. In the event there is more statute around the problem because the provision was put in order to let the legislature act. (Note: In this discussion, "authorization" refers to the legislature. An "authorization" to counties, cities, towns, and other political subdivisions is a direct enactment.)

9. Once in the view of the detailed provisions covering hand
The transitional problems are not particularly difficult.

a. There are many transitional laws now on the books which are not necessarily permanent, and a careful analysis will reveal whether each statute is permanently in the constitution. If the tracking is inadequate, a temporary schedule provision may be necessary to enable the legislature to correct the error.

b. If all bonds have been issued, the section can be dropped even if Section 9 of Article III is left unchanged. The general transition schedule provision -- all laws, regulations, rights of action, etc., remain in full force and effect -- can be worked to preserve the validity of all outstanding bonds. If some bonds have not been issued, the power to issue the balance can be preserved by a schedule provision.

Four Final Thoughts

A. Nothing should be retained in a new constitution proper except that which is assumed to be necessary and proper for as far into the future as anyone can see. Anything else that must be retained, particularly temporary matters, should be relegated to the transition schedule.

B. The constitution proper is the people's document and should be simply written so that the ordinary citizen can understand it.
II. Miscellaneous Documents

A. Documents

MEMORANDUM

May 9, 1973

TO: Mr. Walter Lanier, Chairman

Mr. Calvin Fayard
Mr. H. G. Bardee
Mr. Randall Vick
Mrs. Mary Zervigon

FROM: Edward F. LeBreton, Jr., Chairman, Committee on Legislative Liaison and Transitional Measures

Gentlemen and Mrs. Zervigon:

In line with a motion passed at the meeting of the Committee on Legislative Liaison and Transitional Measures on Monday, April 30, 1973, I have appointed you to a subcommittee to be chaired by Mr. Walter Lanier. The motion reads as follows:

That the chairman appoint a subcommittee to meet one time and study methods providing for the orderly transition from the 1921 Constitution to the new and report back to the full committee its findings and recommendations.

I suggest that you work very closely with the members of the research staff assigned to your subcommittee, keeping in mind that, as I appreciate it, at this moment they are very much overworked. When you receive from the staff the information they have been requested by the full committee to furnish the subcommittee members, you will proceed with your meeting.

When you are ready to report to our committee as a whole, I would appreciate your advising me so that I may call this meeting.

Good luck, and I hope that you will come up with a good report that will be helpful to our committee and to the entire convention. If I can be of assistance, I will be glad to hear from you.

June 7, 1973

TO: All members of the Committee on Legislative Liaison and Transitional Measures

FROM: Norma M. Duncan, Director of Research

Ladies and Gentlemen:

Mr. Walter Lanier, Chairman of your Subcommittee on Alternative Methods of Transposition, has requested that you receive the enclosed copy of letters received by the subcommittee relating to the subject matter before it for consideration.

Sincerely,

Norma M. Duncan
Director of Research

[Enclosures]
found for the legal rule to act on it proactively in advance of submission of the bill pursuant to the provisions.

It is the focus of my belief that a proper procedure is to comply with the provisions of the new legislation by drafting in full and in particular that all alternative accounts or basically controversial issues be drafted in full and in particular, and issues being clearly identified with political considerations, and limited to a few, such as five or six at most.

that the transition proceeds to in terms exactly interpreted, constituting the categories requested is:

Mr. Law with the belief that any legislation should be approved by the proper legislation and that prior procedural assistance is provided such as the submission of the final document to the public.

There is no desire to issue a warning, but it is appropriate to address it to the legislative body in question, particularly:

That is our hope for such a course.

Sincerely,

[Signature]

[Title]

[Name]

Mr. Walter L. LeBreton, Jr.
Chairman, Legislative Liaison
Alternative Medicine Section
Constitutional Law Section
P.O. Box 17786
New Orleans, Louisiana 70117

Dear Mr. Law:

This is in response to our efforts to make the necessary changes to the current legislation in order to ensure its implementation. Our efforts are guided by the principles of transparency and accountability.

It is therefore important that we continue to improve and expand the current legislative framework.

The Constitution and the laws are constantly evolving to address the needs of the people. We remain committed to ensuring that our laws are effective and beneficial to the community.

We hope you will consider these changes and provide your feedback.

[Signature]

[Name]

Mr. Walter L. LeBreton, Jr.
Chairman, Legislative Liaison

July 25, 1973

122. Members of the Committee on Legislative Liaison and Transitional Measures: The categories listed on the attached document are recommended by the Committee on Legislative Liaison and Transitional Measures. They will be the subject of the meeting of that committee and the Coordinating Committee on:

Thursday, July 26
11:00 a.m.
Room 9, State Capitol Building

The Committee on Legislative Liaison and Transitional Measures will explain the categories at that time. This information has been submitted for your personal review and knowledge and is to be kept confidential.

Attachment
1. Substantive constitutional provisions.

2. Those matters which will be treated as statutory material which could only be changed and subsequently changed by a super majority in each of the following categories:
   a. Super majority requirements contained in schedule to the constitution;
   b. Super majority requirement provisions which would require to simple majority provision at the end of a finite period of time.

3. Statutory material which can be modified by simple majority:
   a. Material which will be transposed to a simple statute.
   b. Material which will lapse at the end of a finite period of time.
   c. Statutory material which would lapse after being absorbed into the law of local units of government.

4. Recommended new legislation.

5. Material which is obsolete.

6. Possible alternative proposals to be placed on the ballot in conjunction with the new constitution.

CONFIDENTIAL

CC/71 Research Staff
Committee on Legislative Liaison and Transitional Measures
January 17, 1974
Staff Memorandum No.

RE: Sections proposed to be made statutory by Section 9 of Committee Proposal No. 38

The Sections with titles of the Constitution of 1921 proposed to be made statutory by Section 9 of Committee Proposal No. 38, according to subparagraph number under Section 9, are as follows:

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>VI-A</td>
<td>11</td>
<td>Costs and Receipts</td>
</tr>
<tr>
<td></td>
<td>12</td>
<td>Enforcement Expenses</td>
</tr>
<tr>
<td></td>
<td>13</td>
<td>Self-Operative Effect</td>
</tr>
<tr>
<td></td>
<td>14</td>
<td>Exemptions</td>
</tr>
<tr>
<td>VII</td>
<td>8</td>
<td>Retirement</td>
</tr>
<tr>
<td></td>
<td>12.1</td>
<td>Judicial Administrator, Creation, Appointment, Salary, Tenure; Duties; Enclusions; Retirement</td>
</tr>
<tr>
<td></td>
<td>13</td>
<td>Salaries and Expenses of Assigned Judges</td>
</tr>
<tr>
<td></td>
<td>20</td>
<td>Circuit and Districts (Courts of Appeal)</td>
</tr>
<tr>
<td></td>
<td>21</td>
<td>Circuit Courts of Appeal; Domicile; Number of Judges, Initial Terms</td>
</tr>
<tr>
<td></td>
<td>28</td>
<td>Court Facilities; Clerks; Sheriff</td>
</tr>
<tr>
<td></td>
<td>31</td>
<td>Judicial Districts</td>
</tr>
<tr>
<td></td>
<td>31.1</td>
<td>Twenty-second Judicial District; Additional Judge</td>
</tr>
<tr>
<td></td>
<td>31.2</td>
<td>Twenty-sixth Judicial District; Additional Judge</td>
</tr>
<tr>
<td></td>
<td>33</td>
<td>District Judges; Election; Residence, Training, and Experience Qualifications; Bar Associations Membership</td>
</tr>
<tr>
<td></td>
<td>46</td>
<td>Justice of the Peace Wards; Number; Reduction; Abolition of Office</td>
</tr>
<tr>
<td></td>
<td>47</td>
<td>Justices; Qualifications; Election; Term of Office</td>
</tr>
<tr>
<td></td>
<td>48</td>
<td>Jurisdiction</td>
</tr>
<tr>
<td></td>
<td>49</td>
<td>Constables; Election; Term of Office; Qualifications</td>
</tr>
<tr>
<td></td>
<td>50</td>
<td>Fees; Salaries</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>VI</td>
<td>19.4</td>
<td>Board of Highways: Regulation and Control of Annual Budget</td>
</tr>
<tr>
<td></td>
<td>26</td>
<td>Department of Revenue; Legislative Auditor; State Printing Board</td>
</tr>
<tr>
<td></td>
<td>27</td>
<td>Lake Pontchartrain: Sale of Submerged Lands; Islands; Causeway</td>
</tr>
<tr>
<td></td>
<td>28</td>
<td>Liquefied Petroleum Gas Commission</td>
</tr>
<tr>
<td></td>
<td>31</td>
<td>Greater Ouachita Port Commission</td>
</tr>
<tr>
<td></td>
<td>32</td>
<td>Caddo-Bossier Parishes Port Commission</td>
</tr>
<tr>
<td>VII</td>
<td>51</td>
<td>Justice of the Peace Courts; City Courts</td>
</tr>
<tr>
<td></td>
<td>51(a)</td>
<td>Parish Courts, Jefferson Parish</td>
</tr>
<tr>
<td></td>
<td>52</td>
<td>Creation; Judges; Jurisdiction (Juvenile Courts)</td>
</tr>
<tr>
<td></td>
<td>53</td>
<td>Family Court for Parish of East Baton Rouge</td>
</tr>
</tbody>
</table>

[1056]
<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>VII</td>
<td>95</td>
<td>Sources of Fund: Control and Administration: Accounting (Judicial Expense Fund)</td>
</tr>
<tr>
<td></td>
<td>96</td>
<td>Establishment: Jurisdiction; Appeals; Procedure; Judges (Juvenile Court)</td>
</tr>
<tr>
<td></td>
<td>97</td>
<td>Time of Election of Judges and Other Parish Officers</td>
</tr>
<tr>
<td>IX</td>
<td>4</td>
<td>Judiciary Commission: Removal or Involuntary Retirement of Judges and Justices</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Taxing Power; Specific Taxes</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Tax Commission; Powers; Appointment; Terms; Salary</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>Local, Municipal and District Taxes; Assessment; Collection</td>
</tr>
<tr>
<td></td>
<td>10A</td>
<td>Special Tax for Municipal Services</td>
</tr>
<tr>
<td></td>
<td>15</td>
<td>Survey and Maps to Aid Assessment and Taxation; Cost</td>
</tr>
<tr>
<td></td>
<td>23</td>
<td>Tax Levy for Capital Improvements at Francis T. Nicholls State College at Thibodaux</td>
</tr>
<tr>
<td>X-A</td>
<td>1</td>
<td>Payment of Confederate Pensions from General Fund of the State</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Annual Payment to Louisiana State University and Agricultural and Mechanical College</td>
</tr>
<tr>
<td>IX-BOT</td>
<td>16</td>
<td>Sixteenth Section or Indemnity Lands; Adjustments; Distribution of Proceeds</td>
</tr>
<tr>
<td></td>
<td>19</td>
<td>Free School Fund; State Indebtedness: Interest; Proceeds of Sale of Sixteenth Sections</td>
</tr>
<tr>
<td></td>
<td>20</td>
<td>Seminary Fund; State Indebtedness: Interest</td>
</tr>
<tr>
<td></td>
<td>21</td>
<td>Agricultural and Mechanical College Fund; State Indebtedness: Interest</td>
</tr>
<tr>
<td></td>
<td>22</td>
<td>Segregation of Funds</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>XIV</td>
<td>26</td>
<td>New Orleans: public belt railroad; commission</td>
</tr>
<tr>
<td></td>
<td>27</td>
<td>New Orleans: public belt railroad; bonds and notes</td>
</tr>
<tr>
<td></td>
<td>28</td>
<td>New Orleans: public belt bridge over Mississippi; use; financing</td>
</tr>
<tr>
<td></td>
<td>30</td>
<td>Improvements by riparian owners in cities over 5,000 or within port of New Orleans; expropriation; just compensation</td>
</tr>
<tr>
<td></td>
<td>30.1</td>
<td>Port, harbor and terminal districts; creation as political subdivisions</td>
</tr>
<tr>
<td></td>
<td>30.3</td>
<td>Navigation and river improvement districts; creation as political subdivisions</td>
</tr>
<tr>
<td></td>
<td>30.4</td>
<td>Navigation and river improvement districts; effect on levee boards</td>
</tr>
<tr>
<td></td>
<td>30.5</td>
<td>Red River Waterway</td>
</tr>
<tr>
<td></td>
<td>31</td>
<td>Port, harbor and terminal districts; creation as political subdivisions; ratification of Lake Charles harbor and terminal district</td>
</tr>
<tr>
<td></td>
<td>31.3</td>
<td>New Orleans; railroad passenger stations</td>
</tr>
<tr>
<td></td>
<td>31.6</td>
<td>New Orleans; Molsant International Airport Improvements</td>
</tr>
<tr>
<td></td>
<td>31.7</td>
<td>New Orleans; Vehicular and/or Pedestrian Crossing over or under inner-harbor navigational canal</td>
</tr>
<tr>
<td></td>
<td>32</td>
<td>Caddo Parish: sale of jail site; proceeds</td>
</tr>
<tr>
<td></td>
<td>33</td>
<td>Industrial plant erection; agricultural industrial boards</td>
</tr>
<tr>
<td></td>
<td>34</td>
<td>Garbage Districts</td>
</tr>
<tr>
<td></td>
<td>35</td>
<td>Fourth Jefferson drainage district; bond issue</td>
</tr>
<tr>
<td></td>
<td>36</td>
<td>Jefferson Parish; community center and playground districts; bonds</td>
</tr>
<tr>
<td>Article</td>
<td>Section</td>
<td>Title</td>
</tr>
<tr>
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</tr>
<tr>
<td>XIV</td>
<td>37.1</td>
<td>Jefferson Parish; sub-sewerage districts</td>
</tr>
<tr>
<td></td>
<td>38</td>
<td>Jefferson Parish; public improvement districts; levee systems, pumps, etc.; indebtedness; bonds</td>
</tr>
<tr>
<td></td>
<td>38.1</td>
<td>Jefferson Parish; public improvement districts</td>
</tr>
<tr>
<td></td>
<td>39</td>
<td>City of Lake Charles; reclamation and development of lake front</td>
</tr>
<tr>
<td></td>
<td>39.1</td>
<td>Calcasieu Parish; community center and playground districts; bond issue; secretary-treasurer's performance bond</td>
</tr>
<tr>
<td></td>
<td>43</td>
<td>Jefferson Parish; consolidated drainage districts; bonds; taxation</td>
</tr>
<tr>
<td></td>
<td>44</td>
<td>City of Lake Charles; reclamation and development of lake bed and waterfront; acquisition of property; bonds</td>
</tr>
<tr>
<td></td>
<td>44.1</td>
<td>City of Lake Charles; reclamation and development of lake front; acquisition of property; bonds</td>
</tr>
<tr>
<td></td>
<td>45</td>
<td>Sabine River Authority</td>
</tr>
<tr>
<td></td>
<td>47</td>
<td>Louisiana Stadium and Exposition District</td>
</tr>
<tr>
<td></td>
<td>48</td>
<td>Municipalities and special service districts; annexed areas; contracts; taxation and transfer of facilities</td>
</tr>
<tr>
<td></td>
<td>10</td>
<td>Drainage Districts; Authorization; powers</td>
</tr>
<tr>
<td></td>
<td>11</td>
<td>Levee system; maintenance; state tax</td>
</tr>
<tr>
<td></td>
<td>16</td>
<td>Interstate districts</td>
</tr>
<tr>
<td></td>
<td>15.1</td>
<td>Compensation for Property Used or Destroyed; Tax</td>
</tr>
<tr>
<td></td>
<td>15.1(34)</td>
<td>Penchantre Levee District; Board of Commissioners; Powers</td>
</tr>
<tr>
<td></td>
<td>15.1(8)</td>
<td>Penchantre Levee District; Commissioners; Land Protection; Bonds</td>
</tr>
<tr>
<td></td>
<td>15.1(8(a))</td>
<td>Penchantre Levee District; Additional Bond Issue</td>
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<tr>
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<td>15.1(34)</td>
<td>Paragraph 34 of Article XIV, Section 15.1 of the Constitution of 1921 is incorporated by reference into the new constitution.</td>
</tr>
</tbody>
</table>

-9-
B. Disposition Charts

January 9, 1974

TO: Committee on Legislative Liaison and Transitional Measures
FROM: Committee on Bill of Rights and Elections
RE: Disposition of Articles and Sections of the 212 Constitution Assigned to the Committee on Bill of Rights and Elections

In accordance with your Committee Resolution No. 11, the Committee on Bill of Rights and Elections submits the following report:

1. Articles and Sections of the Proposed New Constitution (carried over in some form from the 192 Constitution)

<table>
<thead>
<tr>
<th>1921 Constitution</th>
<th>Proposed New Constitution (First Enrollment)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preamble</td>
<td>Preamble</td>
</tr>
<tr>
<td>I 1</td>
<td>I 1. Origin and Purpose of Government</td>
</tr>
<tr>
<td>I 2</td>
<td>I 2. (part) Due Process of Law</td>
</tr>
<tr>
<td>I 3</td>
<td>I 3. (part) Right to Property</td>
</tr>
<tr>
<td>I 4</td>
<td>I 4. Freedom of Expression</td>
</tr>
<tr>
<td>I 5</td>
<td>I 5. Freedom of Religion</td>
</tr>
<tr>
<td>I 6</td>
<td>I 6. Freedom of Assembly and Petition</td>
</tr>
<tr>
<td>I 7</td>
<td>I 7. Access to Courts</td>
</tr>
<tr>
<td>I 8</td>
<td>I 8. Right to Privacy</td>
</tr>
<tr>
<td>I 9</td>
<td>I 9. Right to Keep and Bear Arms</td>
</tr>
<tr>
<td>I 10</td>
<td>I 10. Rights of the Accused</td>
</tr>
<tr>
<td></td>
<td>I 11. Right to a Fair Trial</td>
</tr>
<tr>
<td></td>
<td>I 12. (part) Trial by Jury in Criminal Cases</td>
</tr>
<tr>
<td></td>
<td>I 13. Right to Habeas Corpus</td>
</tr>
<tr>
<td></td>
<td>I 14. Civilian-Military Relations</td>
</tr>
<tr>
<td></td>
<td>I 15. Unenumerated Rights</td>
</tr>
<tr>
<td></td>
<td>I 16. Three Branches</td>
</tr>
<tr>
<td>II 1</td>
<td>II 2. Limitations of Each Branch</td>
</tr>
<tr>
<td>III 37</td>
<td>III 4. Right to Property</td>
</tr>
<tr>
<td>IV 15</td>
<td>IV 22. (part) Access to Courts</td>
</tr>
<tr>
<td>IV 16</td>
<td>IV 23. (part) Prohibited Laws</td>
</tr>
<tr>
<td>VI 19</td>
<td>VI 7. Forced Heirship and Trusts</td>
</tr>
<tr>
<td>VI 19.1</td>
<td>VI 4. Right to Property</td>
</tr>
<tr>
<td>VII 41</td>
<td>VII 1. Right to a Fair Trial</td>
</tr>
<tr>
<td>VII 41</td>
<td>VII 16. (part) Trial by Jury in Criminal Cases</td>
</tr>
<tr>
<td>VII 1</td>
<td>VII 19. Right to Vote</td>
</tr>
<tr>
<td>VII 3</td>
<td>VII 20. Right to Serve as Commissioner at Polls</td>
</tr>
<tr>
<td>VII 7</td>
<td>VII 21. Registration after Moving to Another Precinct</td>
</tr>
<tr>
<td>VII 8</td>
<td>VII 23. Corrupt Practices; Disenfranchisement</td>
</tr>
<tr>
<td>VII 15</td>
<td>VII 3. Treason</td>
</tr>
<tr>
<td>VII 18</td>
<td>VII 9. Libel; Defense; Jury as Judges of Law and Facts</td>
</tr>
<tr>
<td>VII 22</td>
<td>VII 12. Bribery; Offering or Receiving; Disqualification from Office</td>
</tr>
<tr>
<td></td>
<td>VII 13. Bribery; Self-incrimination; Immunity</td>
</tr>
</tbody>
</table>

2. Provisions of the 1921 Constitution to be Made Statutory and Subject to Legislative Change Only by a Super Majority Vote

None

3. Provisions of the 1921 Constitution to be Made Statutory and Subject to Legislative Change by the Usual Majority Vote

None


I 27. Right to Preliminary Examination (Requires changes in the Code of Criminal Procedure)
X 2. Election Code (Requires enactment of an election code)
XII 10. Administrative and Quasi-Judicial Code (Requires changes in the Administrative Procedure Act, R.S. 49:951 et seq.)
XIII 2. Convention Called by Legislature (Requires changes in the rules of procedure of the House of the Legislature)

5. Material Which Is Obsolete and Unnecessary (in the 1921 Constitution and not carried over in the Proposed New Constitution, First Enrollment)

VII 41. (part) Selection of Jurors Including Women Jurors
VIII 1. (part) Most Restrictions on the Right to Vote
VIII 4. (part) Voters as Taxpayers; Qualifications
VIII 5. (part) Primary Elections; Conventions; Fairness; Qualifications of Voters and Delegates
VIII 6. (part) Denial of Registration; Remedy; Illegal Registration; Removal of Names; Prosecution
VIII 6. (part) Disqualification for Voting or Holding Office
VII 7. (part) Ratification of Acts 1940
VIII 9. General Election; Time; Presidential and Congressional Elections
VIII 10. Parishial Elections; Time; Elections in New Orleans
VIII 11. Residence; State or Federal Service; Seamen, Students

-3-

VIII 12. Election Contests; Trials
VIII 13. Office Holders; Residence Requirements
VIII 16. Election Returns; Officers Commissioned by Governor
VIII 15. (part) Voting Machines; Independent Candidates; Statements of Candidacy, Ratification of Acts 1940
VIII 16. Close of Registration; Transfers; New Voters; Changes of Address
VIII 17. (part) Board of Registration
VIII 19. (part) Board of Registration
VIII 20. (part) Board of Registration
VIII 21. Registration after Moving to Another Precinct
VIII 23. Corrupt Practices; Disenfranchisement
XII 1. (part) Right to Vote
XII 2. (part) Election Code
XII 3. Privilege from Arrest
XII 15. Secret Ballot
XII 18. Registrar of Voters
XII 22. Secret Ballot
XIX 21 Alien Land Ownership
XIX 22 Huey P. Long; Birthday a Legal Holiday
XIX 23 Huey P. Long Bridge
XIX 24 Huey P. Long-O.K. Allen Bridge

6. The above listings include all provisions of the 1921 Constitution assigned to the Committee on Bill of Rights and Elections. The following new provisions of the proposed constitution (first enrollment) do not fit exactly into any of the above categories:

13. Right to Individual Dignity
14. Freedom from Discrimination
15. Prohibited Use of Public Funds
16. Limitations on Banking
17. Preservation of Linguistic and Cultural Origins
Continuity
of
Governmc
3, 4, 5, 6
Compensation
and
Mil
 Provisionc
of
the
Propcsod
1
Hon
Legislation
for
Int>cn*;i:ation
Legislative-
Repportionmc
; Proc
for
re
lew
and
petition
to
be
INFORMATION REPORT ON DISPOSITION OF PROVISIONS
OF 1921 CONSTITUTION

TO: COMMITTEE ON LEGISLATIVE LIAISON AND TRANSITIONAL MEASURES

FROM: COMMITTEE ON EXECUTIVE DEPARTMENT -- COMMITTEE PROPOSAL
NOS. 4, 5, 22, 23, 31 (Article IV)

RE: REPORT due November 2, 1973

CONTENTS

I. Disposition Chart

II. Summary Tables
   A. Legislation Needed to Transfer Deletions from the 1921 Constitution
   B. Legislation Needed to Activate New Constitutional Provisions
   C. Items to be Included in the Schedule
   D. Obsolete Provisions

Date: November 5, 1973
## I. A. LEGISLATION NEEDED TO PLACE PROVISIONS DELETED FROM 1921 CONSTITUTION INTO STATUTES

<table>
<thead>
<tr>
<th>1921 Citation</th>
<th>General Subject</th>
<th>Subject of Deleted Matter</th>
<th>Suggested Placement</th>
</tr>
</thead>
<tbody>
<tr>
<td>III:30</td>
<td>Public contracts, signatures</td>
<td>Certain state contracts to bear signature of governor, president of senate, speaker of house or any two of them</td>
<td>R.S. 39:171'</td>
</tr>
<tr>
<td>IV:1</td>
<td>Public finance, statement</td>
<td>Statement of receipts and expenditures of public moneys to be published every three months</td>
<td>R.S. 39:4</td>
</tr>
<tr>
<td>V:2</td>
<td>Election returns</td>
<td>Tie votes for governor and lieutenant governor</td>
<td>R.S. 18:571</td>
</tr>
<tr>
<td>V:7</td>
<td>Public salaries</td>
<td>Lieutenant governor to receive same salary as governor when acting for him</td>
<td>R.S. 49:202</td>
</tr>
<tr>
<td>V:18</td>
<td>Executive officers</td>
<td>Commissioner of Conservation, appointment, vacancy</td>
<td>R.S. 30:1</td>
</tr>
<tr>
<td>V:20</td>
<td>Public officers, compensation</td>
<td>Treasurer, secretary of state, register of land office, commissioner of agriculture, commissioner of conservation to receive no compensation except salary.</td>
<td>R.S. 42:9</td>
</tr>
<tr>
<td>V:21</td>
<td>Commissions</td>
<td>All commissions to be in name of the state, sealed with state seal, signed by governor.</td>
<td>R.S. 49:161 or R.S. 49:211</td>
</tr>
<tr>
<td>VI:19</td>
<td>Highways</td>
<td>Parishes to be compensated from highway funds for paved roads taken into the state system</td>
<td>R.S. 48:162 or R.S. 48:214</td>
</tr>
<tr>
<td>VI:19.2</td>
<td>Highways</td>
<td>Create highway board, department, director, and establish powers and duties as provided in VI, 19.2</td>
<td>R.S. 48:11-13; R.S. 48:51-54; R.S. 48:71-75</td>
</tr>
<tr>
<td>1921 Citation</td>
<td>General Subject</td>
<td>Subject of Deleted Matter</td>
<td>Suggested Placement</td>
</tr>
<tr>
<td>--------------</td>
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<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>VI:19.3</td>
<td>Highways</td>
<td>Grant Department of Highways powers of zoning and expropiation for purposes of highway beautification; zoning to be consistent with local zoning authority.</td>
<td>R.S. 48:460 or R.S. 48:461.17</td>
</tr>
<tr>
<td>VI:19.4</td>
<td>Highways</td>
<td>Specifically designate the Department of Highways as a budget unit of the state.</td>
<td>R.S. 39:2(7); R.S. 39:45; R.S. 39:61; R.S. 39:91</td>
</tr>
<tr>
<td>VI:26</td>
<td>Dept. of Revenue</td>
<td>Create Department of Revenue, office of commissioner and his appointment, term, removal, salary and powers.</td>
<td>R.S. 47:1501</td>
</tr>
<tr>
<td>VI:39</td>
<td>Agency reports</td>
<td>Enact entirety of VI:39 into statutes.                                                                详情未提供.</td>
<td>R.S. 49:212</td>
</tr>
<tr>
<td>VII:55</td>
<td>Attorney general</td>
<td>Composition of the Department of Justice, second assistant and other assistants.</td>
<td>R.S. 49:250</td>
</tr>
<tr>
<td>XVII:3</td>
<td>Adjutant General</td>
<td>Adjutant general to discharge his duties at the state capital.</td>
<td>R.S. 29:8</td>
</tr>
<tr>
<td>XVII:4</td>
<td>Militia</td>
<td>Military records, banners, records of the state to be preserved.</td>
<td>R.S. 29:9</td>
</tr>
<tr>
<td>XVIII:4</td>
<td>Museums, memorials</td>
<td>Provide for a civil war memorial hall for relics and legislative appropriation.</td>
<td>R.S. 25:801, 802</td>
</tr>
<tr>
<td>XVIII:8</td>
<td>Charity hospitals</td>
<td>Services to be rendered by Confederate Memorial Medical Center.</td>
<td>R.S. 46:891</td>
</tr>
</tbody>
</table>

(a) Language of VI:39 is broader than language in proposed constitution.
<table>
<thead>
<tr>
<th>1921 Citation</th>
<th>General Subject</th>
<th>Subject of Deleted Matter</th>
<th>Suggested Placement</th>
</tr>
</thead>
<tbody>
<tr>
<td>XIX:6</td>
<td>Public officers</td>
<td>Officers to hold over except in cases of impeachment or treason</td>
<td>R.S. 42:2</td>
</tr>
<tr>
<td>XIX:18</td>
<td>Police power</td>
<td>Never to be abridged</td>
<td>(b)</td>
</tr>
<tr>
<td>XIX:27</td>
<td>Brd. of Ethics</td>
<td>Provide for appeals from decisions of State Board of Ethics for State Elected Officials</td>
<td>R.S. 42:1144</td>
</tr>
</tbody>
</table>

(b) Provision included in proposed Art. VI, Sec. 12(B) - (Local Government)
I-B. LEGISLATION NEEDED TO ACTIVATE PROVISIONS OF CP-4

<table>
<thead>
<tr>
<th>Proposed Citation</th>
<th>General Subject</th>
<th>Specific Subject Matter</th>
<th>Statutory Citation*</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV:1(A)</td>
<td>Elected Officers</td>
<td>Delete statutory references to comptroller, custodian of voting machines, register of land office as elected officers</td>
<td>R.S. 18:1163</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>R.S. 41:1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>R.S. 49:351-358</td>
</tr>
<tr>
<td>IV:1(B), 22</td>
<td>Reorganization</td>
<td>Establish twenty departments in executive branch</td>
<td>R.S. 49:200* or</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>R.S. 49:211*</td>
</tr>
<tr>
<td>IV:2(A)</td>
<td>Qualifications</td>
<td>Define &quot;elector&quot;.(c)</td>
<td>R.S. 18:31,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>270.202</td>
</tr>
<tr>
<td>IV:3(B)</td>
<td>Commencement of terms</td>
<td>Delete present statutes conflicting with provision that all statewide elected officers are to take office at specified time, i.e.;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1) Governor to issue commissions to other elected officers within 30 days after his inauguration (d)</td>
<td>(1) R.S. 18:571</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2) Public officers to take oath and give bond, if required, within 30 days after receipt of commission</td>
<td>(2) R.S. 42:141</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(3) Treasurer to be commissioned by governor before taking office; governor not to commission until bond is given</td>
<td>(3) R.S. 49:301</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(4) Treasurer to deliver bond within ten days after election and before being commissioned</td>
<td>(4) R.S. 49:305</td>
</tr>
</tbody>
</table>

(c) Provisions of the 1921 Constitution, Art. VIII, Sec. 1 defining "elector" have been deleted from the proposed constitution. Although R.S. 18:31 and R.S. 18:270.202 set qualifications for registration, a clarification of the term "elector" should be provided in the statutes.

(d) Elected candidates, under present law, take office after being commissioned by the governor (30-day period provided), taking oath, giving bond if required by law.

* Designates suggested placement for new provisions.
<table>
<thead>
<tr>
<th>Proposed Citation</th>
<th>General Subject</th>
<th>Specific Subject Matter</th>
<th>Statutory Citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV:5(D)</td>
<td>Executive operating budget</td>
<td>Budget to include &quot;all&quot; proposed state expenditures and revenues for the year; use term &quot;operating budget&quot;</td>
<td>R.S. 39:41, 43*</td>
</tr>
<tr>
<td>IV:5(F)</td>
<td>Pardon board</td>
<td>Delete present methods of granting clemency which conflict with proposed article (e)</td>
<td>R.S. 15:571.7 R.S. 15:572*</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(See R.S. 15:572-574.1, generally)</td>
<td></td>
</tr>
<tr>
<td>IV:5(J)</td>
<td>Governor's removal power</td>
<td>Amend present law: persons appointed from lists or confirmed by Senate not subject to removal by governor</td>
<td>R.S. 42:4</td>
</tr>
<tr>
<td>IV:6</td>
<td>Lt. governor</td>
<td>Delete legislative duties and benefits</td>
<td>R.S. 24:401, 503 R.S. 39:311.1</td>
</tr>
<tr>
<td>IV:9</td>
<td>Treasurer</td>
<td>Make statutory language on reports conform to new constitutional language</td>
<td>R.S. 49:309(6)</td>
</tr>
<tr>
<td>IV:12</td>
<td>Elections</td>
<td>(1) Provide duties of commissioner of elections</td>
<td>R.S. 18:191* or R.S. 18:1163*</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2) Delete Board of Registration, duties</td>
<td>R.S. 18:191</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(3) Delete Custodian of Voting Machines, duties</td>
<td>R.S. 18:1163</td>
</tr>
<tr>
<td>IV:13</td>
<td>Assistants to elected officials</td>
<td>Review present statutes and amend as required:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1) Custodian of voting machines to appoint assistants</td>
<td>(1) R.S. 18:1163(C)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2) Commissioner of insurance to appoint deputy commissioner</td>
<td>(2) R.S. 22:2(A)</td>
</tr>
</tbody>
</table>

(e) R.S. 40:981 prohibits granting of pardons to certain drug pushers

* Designates suggested placement for new provisions.
<table>
<thead>
<tr>
<th>Proposed Citation</th>
<th>General Subject</th>
<th>Specific Subject Matter</th>
<th>Statutory Citation*</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV:16</td>
<td>Vacancies, statewide elective officers</td>
<td>Review present statutes and amend as required:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1) Vacancies in office of commissioner of agriculture to be filled by governor</td>
<td>(1) R.S. 3:4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2) Vacancies in office of supt. of education to be filled by state board</td>
<td>(2) R.S. 17:4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(3) Vacancy in office of treasurer caused by failure to post bond to be filled by election</td>
<td>(3) R.S. 49:356</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(4) Vacancy in office of comptroller to be filled by governor</td>
<td>(4) R.S. 49:305</td>
</tr>
<tr>
<td>IV:17,18</td>
<td>Other vacancies</td>
<td>Amend conflicting provision in present statute: Vacancies to be filled by governor with advice and consent of Senate except where otherwise provided by U.S. laws, La. constitution, and where laws already provide for appointment by the governor. No requirement on qualifications.</td>
<td>R.S. 42:371</td>
</tr>
<tr>
<td>Citation</td>
<td>Subject</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------</td>
<td>-------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV:3(B)</td>
<td>Commencement of term of elected officials</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV:5(F-2)</td>
<td>Present pardon board to continue until new pardon board appointed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV:6</td>
<td>Lt. governor to continue present statutory functions until stated time</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV:12</td>
<td>Custodian of Voting Machines to act as Commissioner of Elections until new election</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV:22[CP-19(31)]</td>
<td>Reorganization</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CP-5</td>
<td>Terms of public service commissioners</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### I-D. OBSOLETE PROVISIONS OF THE 1921 CONSTITUTION
(in Sections considered by CED)

<table>
<thead>
<tr>
<th>Citation</th>
<th>Subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>V:1</td>
<td>Reference to &quot;Auditor&quot; as meaning &quot;Comptroller&quot;</td>
</tr>
<tr>
<td>V:5</td>
<td>Constitutional salaries for governor and lieutenant governor</td>
</tr>
<tr>
<td>V:20</td>
<td>Insurance department as part of the office of secretary of state</td>
</tr>
<tr>
<td>VI:1</td>
<td>References to transfer of employees and property from old to reorganized departments of wildlife and fisheries, forestry, and conservation; references to forestry acts passed between 1922-1932</td>
</tr>
<tr>
<td>VI:3,9</td>
<td>Reference to Railroad Commission</td>
</tr>
<tr>
<td>VI:19</td>
<td>Reference to State Board of Engineers</td>
</tr>
<tr>
<td>VI:26</td>
<td>Reference to State Printing Board</td>
</tr>
<tr>
<td>VII:57</td>
<td>Constitutional salaries, department of justice</td>
</tr>
<tr>
<td>X:2</td>
<td>Reference to Board of State Affairs; reference to tax commission's authority over state budget</td>
</tr>
<tr>
<td>XII:5</td>
<td>Constitutional salary, superintendent of education</td>
</tr>
<tr>
<td>XVIII:3,6</td>
<td>Reference to role of Board of Liquidation in issuing bonds for confederate veteran pensions; matured bond issue.</td>
</tr>
<tr>
<td>XVIII:8</td>
<td>Reference to role of Board of Liquidation in issuing bonds for Confederate Memorial Medical Medical Center and making improvements at other state institutions; matured bond issue.</td>
</tr>
</tbody>
</table>
Constitutional Committee on the Judiciary submitted the following report:

1. Articles and Sections of the proposed constitution not applicable submitted to and adopted by the convention.

II. Provisions subject to change by super majority vote; not applicable; these were incorporated in the text of the new constitutional sections.

III. Provisions of the 1921 Constitution to be made statutory.

<table>
<thead>
<tr>
<th>ARTICLE</th>
<th>SECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>VII</td>
<td>7 (2/3)</td>
</tr>
<tr>
<td></td>
<td>8 (No change vested rights)</td>
</tr>
<tr>
<td></td>
<td>9 (2/3)</td>
</tr>
<tr>
<td></td>
<td>12.1 (retirement provision)</td>
</tr>
<tr>
<td></td>
<td>20 (see new Art. V, §§8,9)</td>
</tr>
<tr>
<td></td>
<td>21 (see new Art. V, §§8,9)</td>
</tr>
<tr>
<td></td>
<td>31-31.2 (see new Art. V, §§14,15)</td>
</tr>
<tr>
<td></td>
<td>33 (terms for new judgeship)</td>
</tr>
<tr>
<td></td>
<td>46-53 (justice of the peace and city courts)</td>
</tr>
<tr>
<td></td>
<td>75 (see new Art. V, §§24,35)</td>
</tr>
<tr>
<td></td>
<td>80 (see new Art. V, §§24,35)</td>
</tr>
<tr>
<td></td>
<td>81</td>
</tr>
</tbody>
</table>

IV. Provisions of the proposed new constitution which require new legislation for implementation:

<table>
<thead>
<tr>
<th>ARTICLE</th>
<th>SECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>VII</td>
<td>82</td>
</tr>
<tr>
<td></td>
<td>83</td>
</tr>
<tr>
<td></td>
<td>85</td>
</tr>
<tr>
<td></td>
<td>89 (see new Art. V, §35)</td>
</tr>
<tr>
<td></td>
<td>90 (Salary)</td>
</tr>
<tr>
<td></td>
<td>91</td>
</tr>
<tr>
<td></td>
<td>92</td>
</tr>
<tr>
<td></td>
<td>94</td>
</tr>
<tr>
<td></td>
<td>95 (see new Art. V, §35)</td>
</tr>
<tr>
<td></td>
<td>96 (See new Art. V, §35)</td>
</tr>
<tr>
<td></td>
<td>97 (See new Art. V, §§35 and 22)</td>
</tr>
<tr>
<td>IX</td>
<td>4 (See new Art. V, §25)</td>
</tr>
</tbody>
</table>

V. Material which is obsolete or unnecessary:

<table>
<thead>
<tr>
<th>ARTICLE</th>
<th>SECTION</th>
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<tbody>
<tr>
<td>VII</td>
<td>1, 92</td>
</tr>
<tr>
<td></td>
<td>3 (in part)</td>
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<td>6, 91</td>
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<td>11 (in part)</td>
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<td>49 (in part)</td>
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<td>59.1</td>
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<table>
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<td>84</td>
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<td></td>
<td>85</td>
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<tr>
<td></td>
<td>86 (in part)</td>
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<tr>
<td></td>
<td>88</td>
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January 14, 1974

TO: Committee on Legislative Liaison and Transitional Measures

FROM: Committee on Local and Parochial Government

RE: Disposition of Articles and Sections of 1921 Constitution, assigned to committee as primary responsibility, in conformity with COMMITTEE RESOLUTION NO. 11

II. Articles and Sections of the 1921 Constitution to be made statutory, subject to change by a majority vote of the legislature:

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>XIV 3(f)</td>
<td>10</td>
<td>Municipal consolidation; special taxes</td>
</tr>
<tr>
<td>XIV 3(g)</td>
<td>12</td>
<td>Municipal tax limits; special taxes</td>
</tr>
<tr>
<td>XIV 4</td>
<td>14</td>
<td>Subdivisions of state; creation; indebtedness; bond issues; special taxes</td>
</tr>
<tr>
<td>XIV 5</td>
<td>19</td>
<td>Special tax to aid public utilities; elections; qualification of voters</td>
</tr>
<tr>
<td>XIV 6</td>
<td>22A</td>
<td>Vieux Carre Commission</td>
</tr>
<tr>
<td>XIV 7</td>
<td>23</td>
<td>New Orleans; special acts ratified</td>
</tr>
<tr>
<td>XIV 8</td>
<td>23.1 through 23.43</td>
<td>New Orleans; sewerage, water and drainage bonds</td>
</tr>
<tr>
<td>XIV 9</td>
<td>24</td>
<td>New Orleans; board of liquidation of city debt; bond issues for public improvement</td>
</tr>
<tr>
<td>XIV 10</td>
<td>24.2 through 24.23</td>
<td>New Orleans; sewerage, water and drainage bonds</td>
</tr>
<tr>
<td>XIV 11</td>
<td>25</td>
<td>New Orleans; special tax for fire and police departments</td>
</tr>
<tr>
<td>XIV 12</td>
<td>25.1</td>
<td>New Orleans; special tax for general municipal purposes</td>
</tr>
<tr>
<td>XIV 13</td>
<td>26</td>
<td>New Orleans; public belt railroad; commission</td>
</tr>
<tr>
<td>XIV 14</td>
<td>27</td>
<td>New Orleans; public belt railroad; bonds and notes</td>
</tr>
<tr>
<td>XIV 15</td>
<td>28</td>
<td>New Orleans; public belt bridges over Mississippi; use; financing</td>
</tr>
<tr>
<td>XIV 16</td>
<td>30</td>
<td>Improvements by riparian owners in cities over 5,000 or within port of New Orleans; expropriation; just compensation</td>
</tr>
<tr>
<td>XIV 17</td>
<td>30.1</td>
<td>Port, harbor and terminal districts; creation as political subdivisions</td>
</tr>
<tr>
<td>XIV 18</td>
<td>30.3</td>
<td>Navigation and river improvement districts; creation as political subdivisions</td>
</tr>
</tbody>
</table>

I. Articles and Sections of the 1921 Constitution superceded by the new constitution:

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV 5</td>
<td>Local or special laws; indirect enactment; repeal</td>
<td></td>
</tr>
<tr>
<td>IV 6</td>
<td>Local or special laws; notice of intention; publication</td>
<td></td>
</tr>
<tr>
<td>VII 69</td>
<td>Vacancies; appointments; special elections; notices</td>
<td></td>
</tr>
<tr>
<td>X 10</td>
<td>Political subdivisions; special local taxes; purposes; limitations</td>
<td></td>
</tr>
<tr>
<td>10(b)</td>
<td>Revenue Sharing Fund</td>
<td></td>
</tr>
<tr>
<td>X 13</td>
<td>Local improvement assessments</td>
<td></td>
</tr>
<tr>
<td>XIV 1</td>
<td>New parishes</td>
<td></td>
</tr>
<tr>
<td>XIV 2</td>
<td>Change of parish lines or removal of seat; election</td>
<td></td>
</tr>
<tr>
<td>XIV 3(e)</td>
<td>Optional plans of parochial government</td>
<td></td>
</tr>
<tr>
<td>XIV 3(f)</td>
<td>St. Bernard Parish; home rule powers, plan of government</td>
<td></td>
</tr>
</tbody>
</table>

48(a), (b), Municipalities; charters and powers; (d), (c), Home rule (f)
Red River Waterway
Port, harbor and terminal districts; creation as political subdivisions; ratification of Lake Charles harbor and terminal district
New Orleans; railroad passenger stations
New Orleans; Moisant International Airport Improvements
New Orleans; vehicular and/or Pedestrian Crossing over or under inner-harbor navigational canal
Caddo Parish; sale of jail site; proceeds
Industrial plant erection; agricultural industrial boards
Garbage districts
Fourth Jefferson drainage district; bond issue
Jefferson Parish; community center and playground districts; bonds
Jefferson Parish; sub-sewerage districts
Jefferson Parish; public improvement districts; levee systems, pumps, etc.; indebtedness; bonds
Jefferson Parish; public improvement districts
St. Charles Parish; reclamation projects by public improvement districts
City of Lake Charles; reclamation and development of lake front
Calcasieu Parish; community center and playground districts; bond issue; secretary-treasurer’s performance bond
Jefferson Parish; consolidated drainage districts; bonds; taxation

City of Lake Charles; reclamation and development of lake bed and waterfront; acquisition of property; bonds
City of Lake Charles; reclamation and development of lake front; acquisition of property; bonds
Sabine River Authority
Louisiana Stadium and Exposition District
Municipalities and special service districts; annexed areas; contracts; taxation and transfer of facilities
Drainage Districts; authorization; powers
Bayou Lafourche freshwater district
Iatt Lake Water Conservation District
Levee system; maintenance; state tax
Interstate districts
Compensation for property used or destroyed; tax
Orleans Levee district; board of commissioners; powers
Ponchartrain Levee district; commissioners; land protection; bonds
Ponchartrain Levee district; additional bond issue
New Basin Canal and Shell Road; New Orleans union railroad passenger terminal facility

Board of commissioners of the port of New Orleans
Powers of board; lease of lands acquired for navigation channel
Powers of board; organization of industrial districts
Powers of board; organization of industrial districts; continuing authority
Additional authority of board
Limitation on bonded indebtedness
Additional powers and authority
Members of board; appointment; term; removal
Greater Baton Rouge Port Commission
Debt limitation
Ascension Parish included in Port area
Number of commissioners
Full faith and credit of parishes pledged
South Louisiana Port Commission
Concordia Parish Port Commission
Lake Charles Harbor and Terminal District; ratification; Board of Commissioners, members, officers, agents and employees

East Baton Rouge Parish
Jefferson Parish; charter commission; plan of government
Parish Charter Commission
New Orleans; election of officers; form of government; powers; home rule charters
Shreveport; home rule; charter commission
Municipalities; charters and powers; home rule charters

Home Rule Charter; Adoption by Two or More Local Governmental Subdivisions
Local Improvement Assessments
Revenue-Producing Property
Compensation for Property Used or Destroyed; Tax
Port Commissions and Districts

Ports; Transition to Statutes
All provisions of Article VI, Sections 16, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 17, 29, 29.1, 29.2, 29.3, 29.4, 31.1, 34, and Article XIV, Section 30.2 of the Constitution of 1921 shall become statutes subject to amendment or repeal only as provided in Article VI, Section 44 of this constitution.

Home Rule Charters; Authorization
The provisions of Article XIV, Sections 3(a), 3(d)(second), 37, 38, and 40(c) of the Constitution of 1921 are continued in effect as the constitutional authorization for home rule charters or plans of government ratified in Article VI, Section 4 of this constitution.
Articles and Sections of the 1921 Constitution retained in whole or in part in the proposed constitution:

<table>
<thead>
<tr>
<th>Art.</th>
<th>Sec.</th>
<th>Par.</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>1</td>
<td>1</td>
<td>Assessments and Valuations</td>
</tr>
<tr>
<td>X</td>
<td>3</td>
<td>1</td>
<td>Rate of State Taxation; Limitation</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>1</td>
<td>Public Property</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>2</td>
<td>Religious, Charitable and Educational Property</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>3</td>
<td>Moneys and Credits; Household property; military organization; Agricultural Products; etc.</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>8</td>
<td>Motor Vehicles</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>9</td>
<td>Homesteads</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>9(b)</td>
<td>Veterans</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>9(b.1)</td>
<td>Veterans of both World War II and Korean conflict</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>9(b.2)</td>
<td>Veterans</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>9(b.4)</td>
<td>Veterans</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>9(c)</td>
<td>City of Monroe and Monroe City School Board</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>10</td>
<td>New Manufacturing Establishments</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>17</td>
<td>Household Furniture</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>18</td>
<td>Property of Nonprofit Corporations Devoted to Promotion of Trade, Travel and Commerce</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Art.</th>
<th>Sec.</th>
<th>Par.</th>
<th>Title</th>
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</thead>
<tbody>
<tr>
<td>XI</td>
<td>1</td>
<td>A</td>
<td>Assessment of Property</td>
</tr>
<tr>
<td>XI</td>
<td>2</td>
<td></td>
<td>Rate of State Property Taxation; Limitation</td>
</tr>
<tr>
<td>XI</td>
<td>4</td>
<td>A</td>
<td>(No paragraph title)</td>
</tr>
<tr>
<td>XI</td>
<td>4</td>
<td>B</td>
<td>(No paragraph title)</td>
</tr>
<tr>
<td>XI</td>
<td>4</td>
<td>C</td>
<td>(No paragraph title)</td>
</tr>
<tr>
<td>XI</td>
<td>6</td>
<td>E</td>
<td>(No paragraph title)</td>
</tr>
<tr>
<td>XI</td>
<td>3</td>
<td>A</td>
<td>Homeowners</td>
</tr>
<tr>
<td>XI</td>
<td>3</td>
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<td>(No paragraph title)</td>
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<tr>
<td>XI</td>
<td>4</td>
<td>C</td>
<td>(No paragraph title)</td>
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<td>XI</td>
<td>4</td>
<td>B</td>
<td>(No paragraph title)</td>
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<td>Art.</td>
<td>Sec.</td>
<td>Par.</td>
<td>Title</td>
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<tr>
<td>X</td>
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<td>19(a)</td>
<td>(No paragraph title)</td>
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<tr>
<td>X</td>
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<tr>
<td>X</td>
<td>4</td>
<td>19(c)</td>
<td>(No paragraph title)</td>
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<td>7</td>
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<td>Local, Municipal and District Taxes; Assessments; Collection</td>
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<td>Revenue-Sharing Fund</td>
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<td>11</td>
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<td>Collection of Taxes; Tax Sales; Quiet Title of Tax Titles; Postpone- ment of Taxes; Loans to Parishes</td>
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<tr>
<td>XIV</td>
<td>9</td>
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<td>Tax Assessor</td>
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<tr>
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<td>20</td>
<td></td>
<td>Board of Assessors for Orleans Parish</td>
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</table>

II. Articles and Sections of the 1921 Constitution to be made statutory, but subject to legislative change only by a super majority vote:

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<tbody>
<tr>
<td>X</td>
<td>16</td>
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<td>Rolling Stock; Nonresident Owners; Assessment</td>
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</table>
III. Articles and Sections of the 1921 Constitution to be made statutory and subject to legislative change by a majority vote:

<table>
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<th>Article</th>
<th>Section</th>
<th>Par.</th>
<th>Title</th>
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<tbody>
<tr>
<td>X</td>
<td>1</td>
<td>8</td>
<td>Classification of Forest Lands</td>
</tr>
<tr>
<td>X</td>
<td>1</td>
<td>9</td>
<td>Assessment of Forest Lands; Liability for Ad Valorem Taxes</td>
</tr>
<tr>
<td>X¹</td>
<td>2</td>
<td>1,2</td>
<td>Tax Commission; Powers; Appointment; Terms; Salary</td>
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<tr>
<td>X⁸</td>
<td>6</td>
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<td>Local, Municipal and District Taxes; Assessment; Collection</td>
</tr>
<tr>
<td>X⁹</td>
<td>15</td>
<td></td>
<td>Survey and Maps to Aid Assessment and Taxation; Cost</td>
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<tr>
<td>XIV¹²</td>
<td>21</td>
<td></td>
<td>State Tax Collector for City of New Orleans</td>
</tr>
<tr>
<td>XI¹³</td>
<td>1-5</td>
<td></td>
<td>Homestead Exemptions (Seizure and Sale)</td>
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</table>

IV. Articles and Sections of the proposed constitution which require new legislation for implementation:

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<th>Article</th>
<th>Section</th>
<th>Par.</th>
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<tbody>
<tr>
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<td>C</td>
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<tr>
<td>XI</td>
<td>1</td>
<td>D</td>
<td>(No paragraph title)</td>
</tr>
<tr>
<td>XI</td>
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<td>E</td>
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<tr>
<td>XI</td>
<td>1</td>
<td>F</td>
<td>(No paragraph title)</td>
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<tr>
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<td>3</td>
<td>F</td>
<td>(No paragraph title)</td>
</tr>
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<td>XI</td>
<td>6</td>
<td>C</td>
<td>(No paragraph title)</td>
</tr>
<tr>
<td>XI</td>
<td>6</td>
<td>D</td>
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<td>XI</td>
<td>6</td>
<td>E</td>
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</tr>
<tr>
<td>XI</td>
<td>8</td>
<td>A</td>
<td>(No paragraph title)</td>
</tr>
<tr>
<td>XI</td>
<td>8</td>
<td>C</td>
<td>(No paragraph title)</td>
</tr>
<tr>
<td>XI</td>
<td>9</td>
<td></td>
<td>Tax Sales; Redemption of Property</td>
</tr>
</tbody>
</table>
Articles and Sections of the 1921 Constitution which are unconstitutional, obsolete, or unnecessary:

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Par.</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>4</td>
<td>4</td>
<td>Irrigation, Navigation and Hydro-electric Power Systems</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>5</td>
<td>Natural Gas Facilities</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>6</td>
<td>Manufacturing or Commercial Facilities on Navigation Canal</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>7</td>
<td>Bridges</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>9(a)</td>
<td>Property Tax Relief Fund</td>
</tr>
<tr>
<td>X²</td>
<td>4</td>
<td>12</td>
<td>Bridges Built Under Federal Loan</td>
</tr>
<tr>
<td>X³</td>
<td>4</td>
<td>13</td>
<td>Free Bridges</td>
</tr>
<tr>
<td>X⁴</td>
<td>4</td>
<td>14</td>
<td>Electric Co-operatives</td>
</tr>
<tr>
<td>X</td>
<td>4</td>
<td>15</td>
<td>Aircraft, Hangars and Equipment</td>
</tr>
<tr>
<td>X⁵</td>
<td>4</td>
<td>[16]</td>
<td>Redevelopment Corporations</td>
</tr>
<tr>
<td>X⁶</td>
<td>5.1</td>
<td></td>
<td>Action to be Taken Upon the Integration of Any Tax Supported Facility of Any Political Subdivision of the State Which Was Segregated as to Race by Law When the Tax was Authorized</td>
</tr>
<tr>
<td>X</td>
<td>12</td>
<td></td>
<td>Real Estate Valuation</td>
</tr>
<tr>
<td>X</td>
<td>19</td>
<td></td>
<td>Dwelling House Exemption in Certain Municipalities; Time Limit</td>
</tr>
</tbody>
</table>

-4-
<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Par.</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>X (^{10})</td>
<td>22</td>
<td></td>
<td>New Industries; Exemption from Municipal and Parochial Taxation; School Tax Exception</td>
</tr>
<tr>
<td>X (^{11})</td>
<td>24</td>
<td></td>
<td>Authority for Tax Relief for Manufacturing Establishments</td>
</tr>
<tr>
<td>X-A</td>
<td>1</td>
<td></td>
<td>Ad Valorem Property Taxes by State Repealed</td>
</tr>
<tr>
<td>X-A</td>
<td>2</td>
<td></td>
<td>Outstanding bonds secured by pledge or dedication of state property taxes made general obligations of the state; payment from Bond Security and Redemption Fund</td>
</tr>
<tr>
<td>XI</td>
<td>1-5</td>
<td></td>
<td>Homestead Exemptions (Seizure and Sale)</td>
</tr>
<tr>
<td>XIV</td>
<td>22</td>
<td>7-19</td>
<td>(No paragraph titles)</td>
</tr>
<tr>
<td>XIV</td>
<td>23.2</td>
<td></td>
<td>New Orleans; Sewerage, Water and Drainage System; Extension; Special Tax</td>
</tr>
</tbody>
</table>

I. Articles and Sections of the proposed constitution which require a schedule provision for orderly transition from the 1921 Constitution:

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Par.</th>
<th>Title</th>
</tr>
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<tr>
<td>XI</td>
<td>1</td>
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<tr>
<td>XI</td>
<td>5</td>
<td></td>
<td>Adjustment of Ad Valorem Tax Millages</td>
</tr>
</tbody>
</table>

-5-
Presently in statutes; sufficient as is. See R.S. 47:1831-47:1836.

Deleted by Committee with intention of not retaining this exemption.

See footnote 2, supra.

See footnote 2, supra.

See footnote 2, supra.

Deleted by Committee with intention of not retaining this provision.

Only partially retained in proposed constitution, Article XI, Section 1(D). Other provisions of La. Const. of 1921, Art. X, §6, presently in R.S. 33:2841 and R.S. 33:461, which are sufficient as is.

See footnote 7, supra.

Partially covered by R.S. 47:1959, but amendment needed.

See footnotes 2 and 6, supra.

See footnotes 2 and 6, supra.

Partially covered by R.S. 47:2057, but amendment needed.

See Delegate Proposal 16. Homestead exemption from seizure and sale was generally covered in Delegate Proposal 16. The more specific provisions as contained in the present constitution are-to be transferred to the statutes by recommendation of the committee.
visions of the proposed legislation which require implementation.
COMMITTEE ON EDUCATION AND WELFARE

RE: DISPOSITION OF ARTICLES AND SECTIONS OF 1921 CONSTITUTION ASSIGNED TO COMMITTEE AS PRIMARY RESPONSIBILITY

EDUCATION

I. Articles and Sections of 1921 Constitution retained in the proposed new constitution:

<table>
<thead>
<tr>
<th>1921 Constitution</th>
<th>New Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art.</td>
<td>Sec.</td>
</tr>
<tr>
<td>XII</td>
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<td>XII</td>
<td>6</td>
</tr>
<tr>
<td>XII</td>
<td>7</td>
</tr>
<tr>
<td>(A)</td>
<td></td>
</tr>
<tr>
<td>(B)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Art.</td>
<td>Sec.</td>
</tr>
<tr>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>(C)</td>
<td></td>
</tr>
<tr>
<td>XII</td>
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<tr>
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<td>XII</td>
<td>14</td>
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<td>15</td>
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<td>XII</td>
<td>16</td>
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</table>
II. Provisions of the 1921 Constitution to be made statutory, but subject to legislative change only by a super majority vote. Not applicable.

III. Provisions of the 1921 Constitution to be made statutory and subject to legislative change by the usual majority vote.

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
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<tbody>
<tr>
<td>XII</td>
<td>13</td>
<td>No appropriation of public funds for private or sectarian schools</td>
</tr>
<tr>
<td>XII</td>
<td>18</td>
<td>Sixteenth section or indemnity lands; adjustments; distribution of proceeds</td>
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<tr>
<td>XII</td>
<td>19</td>
<td>Free school fund; state indebtedness; interest; proceeds of sale of sixteenth sections</td>
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<td>XII</td>
<td>20</td>
<td>Seminary fund; state indebtedness; interest</td>
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<tr>
<td>XII</td>
<td>21</td>
<td>Agricultural and mechanical college fund; state indebtedness; interest</td>
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<tr>
<td>XII</td>
<td>22</td>
<td>Segregation of funds</td>
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<tr>
<td>XII</td>
<td>25</td>
<td>Metropolitan branch of LSU; establishment and location</td>
</tr>
<tr>
<td>XII</td>
<td>26</td>
<td>New Orleans branch of SU, A&amp;M college</td>
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</tbody>
</table>

IV. Provisions of the proposed new constitution which require new legislation for implementation.

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>IX</td>
<td>3</td>
<td>State Superintendent of Public Elementary and Secondary Education</td>
</tr>
<tr>
<td>IX</td>
<td>4</td>
<td>State Board of Elementary and Secondary Education</td>
</tr>
<tr>
<td>IX</td>
<td>6</td>
<td>Approval of Private Schools; Effect</td>
</tr>
<tr>
<td>IX</td>
<td>7</td>
<td>Board of Regents</td>
</tr>
<tr>
<td>IX</td>
<td>8</td>
<td>Board of Trustees for State Colleges and Universities</td>
</tr>
<tr>
<td>IX</td>
<td>9</td>
<td>Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; Board of Supervisors of Southern University and Agricultural and Mechanical College</td>
</tr>
<tr>
<td>Article</td>
<td>Section</td>
<td>Title</td>
</tr>
<tr>
<td>---------</td>
<td>---------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>IX</td>
<td>11</td>
<td>Boards; Dual Membership Prohibited; Student Membership Authorized</td>
</tr>
<tr>
<td>IX</td>
<td>12</td>
<td>Parish School Boards; Parish Superintendents</td>
</tr>
<tr>
<td>IX</td>
<td>13</td>
<td>Recognition of Existing Boards and Systems; Consolidation</td>
</tr>
<tr>
<td>IX</td>
<td>14</td>
<td>Appropriations; Boards</td>
</tr>
<tr>
<td>IX</td>
<td>15</td>
<td>Appropriations; Higher Education</td>
</tr>
<tr>
<td>IX</td>
<td>16</td>
<td>Funding; Elementary and Secondary Education; Apportionment</td>
</tr>
<tr>
<td>XIV</td>
<td>4</td>
<td>State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities</td>
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</tbody>
</table>

V. Material which is obsolete or unnecessary:

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>XII</td>
<td>12</td>
<td>English language</td>
</tr>
<tr>
<td>XII</td>
<td>14First₄</td>
<td>Elementary and secondary schools; sources of funds; apportionment</td>
</tr>
<tr>
<td>XII</td>
<td>17</td>
<td>Louisiana State University; sources of funds</td>
</tr>
</tbody>
</table>

VI. Articles and Sections of the proposed constitution which require a schedule provision for orderly transition from the 1921 Constitution:

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>IX</td>
<td>4⁵</td>
<td>State Board of Elementary and Secondary Education</td>
</tr>
<tr>
<td>IX</td>
<td>7⁶</td>
<td>Board of Regents</td>
</tr>
<tr>
<td>IX</td>
<td>8⁷</td>
<td>Board of Trustees for State Colleges and Universities</td>
</tr>
<tr>
<td>IX</td>
<td>9⁸</td>
<td>Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; Board of Supervisors of Southern University and Agricultural and Mechanical College</td>
</tr>
</tbody>
</table>
VII. New provisions, Articles and Sections not covered by the 1921 Constitution:

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>IX</td>
<td>11</td>
<td>Boards; Dual Membership Prohibited; Student Membership Authorized</td>
</tr>
<tr>
<td>XIV</td>
<td>5</td>
<td>Boards; New Appointments</td>
</tr>
</tbody>
</table>

---

1. The concept of coordination of schools has been retained in Article IX, §7(E).

2. Provisions for certification of teachers was deleted by the convention.

3. Article XII, §14 of the 1921 Constitution enumerates the sources of funds for elementary and secondary schools (severance taxes, ad valorem taxes, taxes levied on retail sale of gasoline, etc.). Article IX, §16 of the proposed constitution provides that the legislature shall appropriate funds for elementary and secondary education. The appropriation shall be sufficient to insure a minimum foundation program of education.

4. Article XII, §14 First allocated a portion of the proceeds from the statewide ad valorem tax to education. Ad valorem taxation by the state has been repealed.

5. Proposed Article XIV, §4, (CP #30 adopted November 20, 1973) contains transition provision for this Section.


8. Proposed Article XIV, §3, (CP #30 adopted November 20, 1973) contains transition provision for this Section.

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[1055]
COMMITTEE ON EDUCATION AND WELFARE

RE: DISPOSITION OF ARTICLES AND SECTIONS OF 1921 CONSTITUTION ASSIGNED TO COMMITTEE
AS PRIMARY RESPONSIBILITY

HUMAN RESOURCES

I. Articles and Sections of the 1921 Constitution retained in whole or in part in the proposed
   new constitution:

<table>
<thead>
<tr>
<th>1921 Constitution</th>
<th>New Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art.</td>
<td>Sec.</td>
</tr>
<tr>
<td>------</td>
<td>------</td>
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<tr>
<td>III</td>
<td>33</td>
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<tr>
<td>III</td>
<td>36</td>
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<td>VI</td>
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<tr>
<td></td>
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</tr>
<tr>
<td>XIV</td>
<td>15</td>
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</tbody>
</table>
### 1921 Constitution

<table>
<thead>
<tr>
<th>Art.</th>
<th>Sec.</th>
<th>Para.</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>XIV</td>
<td>15</td>
<td>(A)(3)</td>
<td>City service</td>
</tr>
<tr>
<td>XIV</td>
<td>15</td>
<td>(B)</td>
<td>Departments; state; city directors of personnel</td>
</tr>
<tr>
<td>XIV</td>
<td>15</td>
<td>(C)</td>
<td>State commission</td>
</tr>
<tr>
<td>XIV</td>
<td>15</td>
<td>(D)</td>
<td>City commission</td>
</tr>
<tr>
<td>XIV</td>
<td>15</td>
<td>(E)</td>
<td>Commissions; domicile; members; removal; political activity</td>
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### New Constitution

<table>
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<th>Art.</th>
<th>Sec.</th>
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<td>City Civil Service</td>
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<tr>
<td>VII</td>
<td>1</td>
<td>(F)</td>
<td>Department of Civil Service; Directors</td>
</tr>
<tr>
<td>VII</td>
<td>1</td>
<td>(C)</td>
<td>State Civil Service Commission; Appointment; Nomination</td>
</tr>
<tr>
<td>VII</td>
<td>1</td>
<td>(D)</td>
<td>City Civil Service Commission; Appointment; Vacancies</td>
</tr>
<tr>
<td>VII</td>
<td>1</td>
<td>(E)</td>
<td>State Civil Service Commission; Appointment; Nomination; Vacancies</td>
</tr>
<tr>
<td>VII</td>
<td>1</td>
<td>(I)</td>
<td>Prohibitions Against Political Activities</td>
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<tr>
<td>VII</td>
<td>1</td>
<td>(J)</td>
<td>Rules; Investigations; Wages and Hours</td>
</tr>
<tr>
<td>VII</td>
<td>1</td>
<td>(B)</td>
<td>Classified and Unclassified Service</td>
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<tr>
<td>VII</td>
<td>1</td>
<td>(J)</td>
<td>Rules; Investigations; Wages and Hours</td>
</tr>
<tr>
<td>VII</td>
<td>1</td>
<td>(G)</td>
<td>Appointments; Promotions</td>
</tr>
<tr>
<td>VII</td>
<td>1</td>
<td>(J)</td>
<td>Rules; Investigations; Wages and Hours</td>
</tr>
<tr>
<td>Art.</td>
<td>Sec.</td>
<td>Para.</td>
<td>Title</td>
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<tr>
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<td>Promotions</td>
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<td>Lay-offs; preference employees reinstatement or preferred reemployment lists</td>
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<td>Departments; Service agreements with other public bodies</td>
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<td>(M)(3)</td>
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<td>Discrimination; political or religious</td>
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<td>(N)(3)</td>
<td>Political contributions</td>
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<td>(N)(4)</td>
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<td>Purchase or sale of position</td>
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<td>(N)(6)</td>
<td>Political activity; influencing subordinance</td>
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<td>(N)(7)</td>
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<td>(N)(8)</td>
<td>Elective officers; exclusion from classified service</td>
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<td>Political activity; commission rules</td>
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<tr>
<td>Art.</td>
<td>Sec.</td>
<td>Para.</td>
<td>Title</td>
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<td>XIV</td>
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<td>Appeals; jurisdiction; decision; judicial review</td>
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<td>Right of appeal</td>
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<td>15</td>
<td>(O)(3)</td>
<td>Reinstatement by commission; conditions; pay for lost time</td>
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<td>XIV</td>
<td>15</td>
<td>(O)(4)</td>
<td>Violations; investigations; hearings; suspension or dismissal</td>
</tr>
<tr>
<td>XIV</td>
<td>15</td>
<td>(O)(5)</td>
<td>Witnesses; production of evidence</td>
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<tr>
<td>XIV</td>
<td>15</td>
<td>(O)(6)</td>
<td>Reference; powers of referee</td>
</tr>
<tr>
<td>XIV</td>
<td>15</td>
<td>(O)(7)</td>
<td>Witnesses; offenses; contumacy</td>
</tr>
<tr>
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<td>(O)(8)</td>
<td>Costs</td>
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<table>
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<th>Art.</th>
<th>Sec.</th>
<th>Para.</th>
<th>Title</th>
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<tbody>
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<td>VII</td>
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<tr>
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<td>(H)</td>
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<td>(J)</td>
<td>Rules; Investigations; Wages and Hours</td>
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<td>1</td>
<td>(L)</td>
<td>Appeal</td>
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<td>(J)</td>
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<td>(J)</td>
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<td>(J)</td>
<td>Rules; Investigations; Wages and Hours</td>
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<td>1</td>
<td>(J)</td>
<td>Rules; Investigations; Wages and Hours</td>
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<td>Penalties</td>
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<td>1</td>
<td>(J)</td>
<td>Rules; Investigations; Wages and Hours</td>
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<td>1</td>
<td>(J)</td>
<td>Rules; Investigations; Wages and Hours</td>
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<tr>
<td>Art.</td>
<td>Sec.</td>
<td>Para.</td>
<td>Title</td>
</tr>
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<td>------</td>
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</tr>
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</tr>
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<td>15</td>
<td>(U)</td>
<td>City and parish governed jointly; acceptance of act</td>
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<td>XIV</td>
<td>15</td>
<td>(W)</td>
<td>Exceptions</td>
</tr>
<tr>
<td>XIV</td>
<td>15.1</td>
<td></td>
<td>Fire and police civil service; municipalities of 13,000 to 250,000</td>
</tr>
<tr>
<td>XIV</td>
<td>15.2</td>
<td></td>
<td>Financial Security for surviving spouses and children of law enforcement officers in certain cases</td>
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<tr>
<td>XIV</td>
<td>17</td>
<td></td>
<td>State penal institutions; crimes in, or by inmates or employees; reimbursement of parish expense</td>
</tr>
<tr>
<td>XVIII</td>
<td>7</td>
<td></td>
<td>Social Security and Public Welfare</td>
</tr>
<tr>
<td>XVIII</td>
<td>9</td>
<td></td>
<td>Retirement fund, aged and incapacitated state employees</td>
</tr>
<tr>
<td>XVIII</td>
<td>9.1</td>
<td></td>
<td>Retirement system for political subdivision employees, policemen and firemen excepted</td>
</tr>
<tr>
<td>XIX</td>
<td>25</td>
<td></td>
<td>Retirement Systems; Notice of Intention to Propose Amendments or Change; Publication</td>
</tr>
</tbody>
</table>
II. Provisions of the 1921 Constitution to be made statutory, but subject to legislative change only by a super majority vote:

<table>
<thead>
<tr>
<th>Article</th>
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<td>Fire and police civil service; municipalities of 13,000 to 250,000</td>
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</tbody>
</table>

III. Provisions of the 1921 Constitution to be made statutory and subject to legislative change by the usual majority vote:

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<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>XIV</td>
<td>15(K)</td>
<td>Commission members; Compensation</td>
</tr>
<tr>
<td>XIV</td>
<td>15(V)</td>
<td>Civil service commissions in cities not under section; powers</td>
</tr>
</tbody>
</table>

IV. Provisions of the proposed new constitution which require new legislation for implementation:

<table>
<thead>
<tr>
<th>Article</th>
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</tr>
</thead>
<tbody>
<tr>
<td>VII</td>
<td>1</td>
<td>Retirement and Survivor's Benefits</td>
</tr>
<tr>
<td>VII</td>
<td>1</td>
<td>Penal Institutions</td>
</tr>
<tr>
<td>VII</td>
<td>1</td>
<td>Municipal Fire and Police Civil Service</td>
</tr>
<tr>
<td>VII</td>
<td>1(C)</td>
<td>State and City Civil Service Commission; Appointment; Nomination</td>
</tr>
<tr>
<td>VII</td>
<td>2</td>
<td>Economic and Social Welfare, Unemployment Compensation, and Public Health</td>
</tr>
</tbody>
</table>
V. Material which is obsolete or unnecessary:

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV</td>
<td>14</td>
<td>State educational or charitable institutions; establishment; vote</td>
</tr>
<tr>
<td>VI</td>
<td>30(^{11})</td>
<td>Board of institutions</td>
</tr>
<tr>
<td>X-A</td>
<td>3</td>
<td>Payment of Confederate pensions from general fund of the state</td>
</tr>
<tr>
<td>X-A</td>
<td>4 (^{12})</td>
<td>Annual payment to Louisiana State University and Agricultural and Mechanical College</td>
</tr>
<tr>
<td>XIII</td>
<td>4</td>
<td>Office location; books, inspection, contents</td>
</tr>
<tr>
<td>XIV</td>
<td>15 (P)(6)</td>
<td>Existing laws</td>
</tr>
<tr>
<td>XIV</td>
<td>15 (R)</td>
<td>Effective date</td>
</tr>
<tr>
<td>XIV</td>
<td>15 (S)</td>
<td>Merit system council; transfers to state civil service commission</td>
</tr>
<tr>
<td>XIV</td>
<td>15 (X)</td>
<td>Self-execution</td>
</tr>
<tr>
<td>XVIII</td>
<td>1</td>
<td>Soldier's home</td>
</tr>
<tr>
<td>XVIII</td>
<td>2 (^{13})</td>
<td>Confederate veterans and their widows; pensions</td>
</tr>
<tr>
<td>XVIII</td>
<td>3 (^{13})</td>
<td>Confederate veterans and their widows; tax for pensions; bonds</td>
</tr>
<tr>
<td>XVIII</td>
<td>4</td>
<td>Civil War; memorial hall for relics; battlefield markers and monuments</td>
</tr>
<tr>
<td>XVIII</td>
<td>5</td>
<td>Mothers' pensions</td>
</tr>
<tr>
<td>XVIII</td>
<td>6 (^{13})</td>
<td>Confederate veterans and their widows; back pensions; bond issue; tax; transfer of functions</td>
</tr>
<tr>
<td>XVIII</td>
<td>8</td>
<td>Confederate memorial medical center; correctional, charitable and penal institution; bonds, tax</td>
</tr>
</tbody>
</table>
### Articles and Sections of the proposed constitution which require a schedule provision for orderly transition from the 1921 constitution:

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>XVIII</td>
<td>10</td>
<td>Bonuses for service-men and service-women; bonds; tax</td>
</tr>
<tr>
<td>XVIII</td>
<td>11</td>
<td>Bonuses; veterans of Korean conflict; widows, orphans, or parent; indebtedness; tax; surplus</td>
</tr>
<tr>
<td>XVIII</td>
<td>12(^{14})</td>
<td>Korean bonus</td>
</tr>
<tr>
<td>XVIII</td>
<td>12(^{15})</td>
<td>Veterans of Spanish American War, Boxer Rebellion, Philippine Insurrection and World War I; bonus</td>
</tr>
<tr>
<td>XX</td>
<td>1</td>
<td>Bond issue; Angola Plantation enlargement and improvement</td>
</tr>
<tr>
<td>VII</td>
<td>1(C)(^{16})</td>
<td>State Civil Service Commission; Appointment; Nomination</td>
</tr>
<tr>
<td>VII</td>
<td>1(D)(^{16})</td>
<td>City Civil Service Commission; Appointment; Nomination</td>
</tr>
</tbody>
</table>
The Committee on Education and Welfare included a section on convict labor in Committee Proposal No. 12. By a vote of 63-29 the convention deleted the provision relating to convict labor.

Committee Proposal No. 18 incorporated this section. By a vote of 88-11 the convention deleted the section.

Detail of existing section was deleted by the committee, but the proposal authorizes the legislature to establish a system of public health. Adopted by the convention as Article VII, Section 2.

Committee Proposal No. 11; Retirement and Survivor's Benefits.

Deletes detail of existing provision, but authorizes the commission to adopt rules relating to employment and qualifications.

Deletes detail of existing provision, but authorizes the commission to adopt rules relating to promotion, demotion, suspension, reduction in pay, removal, and all other personnel matters. Authorizes commission to impose penalties for violation of civil service rules.

Authorizes commission to adopt rules relating to all personnel matters and transactions.

Proposed provision retains and continues in force and effect the non-inconsistent provisions of Article XIV, Section 15.1 as statutes. Authorizes the legislature to amend or otherwise modify said statutes by two-thirds vote of the elected membership of each house within the bounds of specific limitations.

Convention changed title of section to "Penal Institutions".

Only those provisions of Article XIV, Section 15.1 that are not inconsistent with proposed Article VII, Section 1, Municipal Fire and Police Civil Service, are retained and continued in force and effect as statutes. The proposed provision also places specific limitations upon amending or otherwise modifying said statutes.


Committee Proposal No. 7, adopted by the convention on November 17, 1973, deleted all constitutional dedications to education and requires that "the appropriations for the institutions of higher education.....be made to their respective managing boards."
13 Provision was merged and consolidated with system of financial assistance to aged, needy persons, Article XVIII, Section 7. However, the detail of Article XVIII, Section 7, was deleted by the Committee on Education and Welfare, but Committee Proposal No. 14 authorizes the legislature to establish a system of economic and social welfare, unemployment compensation and public health.

14 Two sections "12" were adopted at the general election of November 6, 1956. This particular section was added by Acts 1956, No. 614.

15 Two sections "12" were adopted at the general election of November 6, 1956. This particular section was added by Acts 1956, No. 620.

16 A transition provision is contained in Delegate Proposal No. 28.
TO: Committee on Legislative Liaison and Transitional Measures  
FROM: Committee on Natural Resources and Environment  
RE: Disposition of Articles and Sections of the 1921 Constitution Assigned to the Committee on Natural Resources and Environment,  

In accordance with your Committee Resolution No. 11, the Committee on Natural Resources and Environment submits the following report regarding Committee Proposal No. 37 (First Enrollment):

1. Articles and Sections of the Proposed New Constitution (carried over in some form from the 1921 Constitution)

<table>
<thead>
<tr>
<th>1921 Constitution</th>
<th>Proposed New Constitution (First Enrollment)</th>
</tr>
</thead>
<tbody>
<tr>
<td>VI 3</td>
<td>VIII 14(A) Composition; Term; Domicile</td>
</tr>
<tr>
<td>VI 4</td>
<td>VIII 14(B) Powers and Duties</td>
</tr>
<tr>
<td>VI 5</td>
<td>VIII 14(E) Appeals</td>
</tr>
<tr>
<td>VI 7</td>
<td>VIII 14(C) Limitation</td>
</tr>
</tbody>
</table>

2. Provisions of the 1921 Constitution to be Made Statutory and Subject to Legislative Change Only by a Super Majority Vote

None

3. Provisions of the 1921 Constitution to be Made Statutory and Subject to Legislative Change by the Usual Majority Vote

None


<table>
<thead>
<tr>
<th>1921 Constitution</th>
<th>Proposed New Constitution (First Enrollment)</th>
</tr>
</thead>
<tbody>
<tr>
<td>VI 14(A) Composition; Term; Domicile</td>
<td>VIII 2(c) Mineral Revenues; Payment Into General Highway Fund</td>
</tr>
<tr>
<td>VI 14(B) Powers and Duties</td>
<td>VIII 12. State Market Commission; Guaranteed Loans; Agricultural Facilities</td>
</tr>
<tr>
<td>VI 14(D) Applications, Petitions, and Schedules; Protective Bond and Security</td>
<td>VIII 12-c. Commissioner of Agriculture and Immigration; Guaranteed Loans; Farm Youth Organizations</td>
</tr>
<tr>
<td>VI 14(E) Appeals</td>
<td>VI 13. Department of Conservation; Commissioner</td>
</tr>
</tbody>
</table>

5. Material Which is Obsolete and Unnecessary (in the 1921 Constitution and Not Carried Over in the Proposed New Constitution, First Enrollment)

<table>
<thead>
<tr>
<th>1921 Constitution</th>
<th>Proposed New Constitution (First Enrollment)</th>
</tr>
</thead>
<tbody>
<tr>
<td>VI 6 Public Service Commission; Orders; Penalties for Violation</td>
<td>VI 14. Agriculture; Public Policy</td>
</tr>
<tr>
<td>VI 8 Public Service Commission Districts</td>
<td>VI 19.3 Beautification of Highways; Regulation of Outdoor Advertising and Junkyards</td>
</tr>
<tr>
<td>VI 9 Public Service Commission; Applicability of Laws Relating to Railroad Commissions</td>
<td>VI 27. Lake Pontchartrain; Sale of Submerged Lands; Islands; Causeway</td>
</tr>
</tbody>
</table>

-2-

January 12, 1974  

[1096]
I. Temporary Rules Committee

A. Minutes


The Temporary Rules Committee of the Louisiana Constitutional Convention met on Friday, January 5, 1973, at 7 o'clock p.m., at the Prince Murat Hotel in Baton Rouge, Louisiana.

The chairman of said committee, Delegate Tom Stagg, presided and called the meeting to order at 7 o'clock p.m.

This was an informal meeting as called by Chairman Tom Stagg to inform the members of said committee that the first official meeting would be held Saturday, January 6, 1973, at 9 o'clock a.m. at the Prince Murat Inn.


The Temporary Rules Committee of the Louisiana Constitutional Convention met on Saturday, January 6, 1973 at the Prince Murat Inn.

The chairman, Tom Stagg, presided and called the meeting to order at 9 o'clock a.m.

Chairman, Tom Stagg, called the roll and members of said committee were present.

A motion was made and adopted that the officers of said committee be elected.

An election was held whereon Gordon Keal of Representative District 76 was elected vice-chairman, and Miss Lynn Perkins of Representative District 28 was elected secretary.

Chairman Tom Stagg then opened the floor for discussion from the visiting delegates. Herman "Monday" Lowe of Representative District 61 appeared before said committee to speak in behalf of establishing the position of treasurer of the Louisiana Constitutional Convention. The floor was opened to discussion relative to the proposal from Mr. Lowe.

Rules, suggestions of Mack Abrahim, Representative District 35, were then read by Tom Stagg.

Visiting Delegate Max Tobias, Representative District 1 appointee, then inquired as to the validity of the oath taken by the delegates to the constitutional convention. A motion was then made by Wendall Gauthier that the chairman be contacted in regard to investigating the validity of said oath. Whereon said motion was duly seconded and carried.


The Temporary Rules Committee of the Louisiana Constitutional Convention met on Saturday, January 6, 1973 at the Prince Murat Inn.

The chairman, Tom Stagg, called the roll and members of said committee were present.

A motion was made and adopted that the officers of said committee be elected.

An election was held whereon Gordon Keal of Representative District 70 was elected vice-chairman, and Miss Lynn Perkins of Representative District 28 was elected secretary.

Chairman Tom Stagg then opened the floor for discussion from the visiting delegates. Herman "Monday" Lowe of Representative District 61 appeared before said committee to speak in behalf of establishing the position of treasurer of the Louisiana Constitutional Convention. The floor was opened to discussion relative to the proposal from Mr. Lowe.

Rules, suggestions of Mack Abrahim, Representative District 35, were then read by Tom Stagg.

Visiting Delegate Max Tobias, Representative District 1 appointee, then inquired as to the validity of the oath taken by the delegates to the constitutional convention. A motion was then made by Wendall Gauthier that the chairman be contacted in regard to investigating the validity of said oath. Whereon said motion was duly seconded and carried.

Gordon Keal then moved, as duly seconded by Tom Velazquez, that the GSHE suggested rules of procedure be used as a format to
the Temporary Rules Committee. Motion carried.

It was then decided that the Temporary Rules Committee would proceed with the discussion of said rules in chapters, in accord with first chapters set forth in the GSRI Study Guide.

Chapter 1 - General Provisions

Rule no. 1 Call to Order. Motion of Gordon Kean duly seconded to make technical amendment changing the word "presiding officer" to "chairman" and delete the second paragraph as provided by said study guide. Motion carried.

Rule no. 2 Quorum. Motion of Gordon Kean duly seconded to intitle rule 2 - Quorum. Motion to adopt as amended carried.

Rule no. 3 Roll Call. Motion of Tom Velazquez, duly seconded to accept Arkansas Rule 11. Motion carried.

Rule no. 4 Quorum Calls. Motion of Jasper Smith duly seconded by Tom Velazquez to delete portion of rule whereby chairman could require delegate for neglect of duty and change language whereby delegate would be brought "to the floor of the convention" as opposed to "before the members of the convention." Motion carried.

Rule no. 5 Absence from Convention Service. Motion of Joe Guarisco to add the language of said rule "a majority amendment may prescribe penalties for the nonattendance of members" motion duly seconded by Donald Kelly, discussion entertained. Motion carried 8 to 7 vote.

Rule no. 6 Absent Delegates. Motion of Harmon Drew duly seconded by Gordon Kean to change the language of the convention was adopted as amended.

Rule no. 7 Expense of Compelling Attendance. Motion of Chalin Perez duly seconded by Tom Velazquez carried to adopt rule as written. Motion carried.

ADMISSION TO FLOOR

Rule no. 8 Persons Admitted. Motion of Aubrey Newton to add the words, "may remain on the floor" and insert ", " "Representatives of the news media shall be admitted to the floor as provided by rule 11." Motion duly seconded and carried, rule adopted as amended.

Rule no. 9 Restrictions on the Convention Floor. Motion of Aubrey Newton to make technical amendment of changing "in a deliberation" to "on the convention floor." Motion duly seconded and carried.

Rule no. 10 Special Permission. Motion of Tom Velazquez to make technical amendment of changing "presiding officer" to "chairman." Motion duly seconded, rule adopted as amended.

Rule no. 11 Non-Delegates. Motion of Aubrey Newton to change "in the convention chamber" to "in the convention hall" and to delete the word "formal." Motion duly seconded by Joe Conino. Motion to adopt as amended carried.

Rule no. 12 Administration of Rules. Mr. Stagg relinquished chairmanship to Mr. Kean in order to make motion to amend whereby administration of rules would be provided for by the "rules com-

mittee" as opposed to the "chairman." Motion failed. Motion of Tom Velazquez to accept rule as written, duly seconded and carried.

Rule no. 13 Regulation of Convention Area. Motion of Pat Pageau duly seconded to change: "presiding officer of the convention" to "chairman" and to change the word "capitol" to "convention hall." Motion duly seconded, rule adopted as amended.

Rule no. 14 Restrictions of Non-Delegates. Motion of Aubrey Newton to change "within the doors of the convention chamber" to "the convention floor." Motion duly seconded and carried.

Rule no. 15 Open Meetings. Motion of Chalin Perez to insert Rule 15 entitled "Open Meetings", duly seconded by Tom Velazquez. Carried.

The Temporary Rules Committee then held informal discussion on the manner in which visiting delegates would be allowed to assert their views to the committee. It was duly moved by Gordon Kean and seconded by Chalin Perez that the visiting delegates would be given three minutes for comments at the beginning of each chapter and a total of ten minutes would be allowed for open discussion by visiting delegates. Motion carried.

The committee then moved to chapter three entitled "Delegates Whereon" the floor was open for discussion of said chapter by visiting delegates.

Mr. Gordon Flory first discussed rule no. 30 entitled "Limit on Debate." Mr. Flory suggested that a delegate be allowed to speak only once on a question and for not more than fifteen minutes. He then discussed rule no. 33 entitled "Answering Roll Calls" stating that delegates should be allowed to vote as long as they were present on the convention floor and there was no need that said delegate be at his desk.

Mrs. George Warren then discussed rule no. 28 "Recognition in Debate." Mrs. Warren questioned the fact that a delegate could not speak until recognized and it was often difficult to obtain recognition. It was pointed out that the delegate would be allowed to speak on a point by calling for a point of personal privilege.

Cris Roy then addressed the committee on rule no. 15 "Vacancy." Mr. Roy suggested that said rule be amended in order to provide for instances of illness.

Discussion of visiting delegates was then closed, whereas the committee went back into session.

Rule no. 27 Delegates' Oath. Gordon Kean moved to delete the oath as given by GSRI Study Guide. Said motion was duly seconded by Jasper Smith and the rule was adopted as amended.

Rule no. 28 Recognition in Debate. Motion of Greg Arnette to make technical change of "Mr. Chairman" to "Chairman" motion duly seconded by Lance Womack. Rule adopted as amended.

Rule no. 29 Transgression of Rules. Chalin Perez moved to make technical amendment of deleting the word "him" and changing it to "the delegate." Motion duly seconded and rule adopted as amended.
of fifteen minutes." Motion duly seconded by Lance Nomack, rule adopted as amended.

Rule no. 31 Prohibited Behavior. Motion of Stan Duval to make technical amendment of changing the word "hall" to "floor" and the word "members" to "delegates." Motion duly seconded by Donald Kelly; rule adopted as amended.

Rule no. 32 Questions of Order. Motion of Jasper Smith duly seconded to change "C" Chairman to "c" chairman and that the word "presiding officer" be changed to "chairman." Motion carried.

Rule no. 33 Answering Roll Calls. Motion of Jasper Smith to make technical amendment of changing the word "hall" to "floor." Motion duly seconded, rule adopted as amended.

Rule no. 34 Absence from Daily Session. Motion of Greg Arnette duly seconded by Lawrence Sandoz to make technical amendment of changing "C" of Chairman to "c" chairman. Motion carried.

Rule no. 35 Vacancies. Motion of Gordon Kean to delete rule no. 33 "Vacancies of the GSRI Study Guide" was duly seconded and carried. Motion of Lance Nomack duly seconded by Jasper Smith to insert new rule no. 35 entitled "Vacancies" as follows: "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 death, or written resignation by a delegate, the seat may be immediately declared vacant by the chairman. The Chairman may notify the governor of any vacancy.

Rule no. 36 Voting in Person. Motion of Harmon Drew duly seconded by Chalin Perez to add rule 36 "Voting in Person" which shall read as follows: "No person, other than the delegate himself will be permitted to vote or to answer any roll call or quorum call." Motion carried.

On recommendation of the chairman, Tom Stagg, a one hour recess for lunch was then called.

After the noon recess, Tom Stagg, chairman, recalled the committee to order.

Chapter 4 "Proposals" was then opened for discussion. Visiting delegates were invited to comment on the said chapter.

Louis "Woody" Jenkins addressed the committee on rule 37 entitled "Proposals" and suggested that there be a depletion of the words "amendments or provision." It was further discussed that rule no. 44 entitled "Order of Processing" should provide that at least five copies of any proposal be made.

CHAPTER 4. "PROPOSALS"

Rule no. 37 Regional. Gordon Kean made a motion that rule no. 37 of the GSRI Study Guide be depleted and a substitute rule no. 37 be adopted. Motion was then seconded and carried. It was then carried by Gordon Kean that rule no. 37 read as follows: An approved suggestion, proposal or draft intended to be part of the convention shall be referred to as a proposal. A proposal introduced by Delegates 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. Said motion was duly seconded and rule no. 37 adopted.

Rule no. 38 Resolutions. It was then moved and seconded that a new rule no. 38 entitled "Resolutions" be adopted.

Rule no. 39 Introduction. As moved by Jasper Smith and duly seconded by Tom Velazquez rule no. 26 of the GSRI Study Guide was adopted. Motion carried.

Rule no. 40 Introduction of Committee Proposal. It was moved by Gordon Kean and duly seconded by Pat Juneau that rule no. 40 read as follows: "Committee proposals prepared and approved by several committees of the convention prior to July 5, 1973, shall constitute the first proposals to be introduced to the convention and shall be introduced by the chairman of each committee or his designee."

Rule no. 41 Form of Proposals. With leave of the committee David Poynter was requested to draw up a form for rule no. 41 and submit said form to the committee for approval.

Rule no. 42 Deadline on Proposals. By a motion of Gordon Kean duly seconded by Lance Nomack that rule no. 29 of the GSRI Guide be adopted with addition of the last sentence "amendments to the proposals may be offered at any time." Motion carried, rule adopted as amended.

Rule no. 43 Printing. Motion of Stan Duval duly seconded by Autley Newton that "consideration. Printing any extraneous for distribution to be deleted and that the language be added as follows: "and shall be available to the general public and other interested parties." In addition the following language be added: "no formal action may be taken on any proposals until printed copies have been distributed to the delegates for at least forty-eight hours." Motion carried, rule no. 43 adopted as amended.

Rule no. 44 Order of Processing. With leave of the committee David Poynter was asked to comment on said rule whereon a proposed draft of said rule was to be submitted to the committee for adoption. On motion of Jasper Smith duly seconded by Lawrence Sandoz the proposed draft and rule no. 44 was adopted as amended.
Rule no. 45 Order of Proposals. On motion of Jasper Smith duly seconded by Gordon Kean rule no. 45 entitled "Order of Proposals" was added to said rules.

Rule no. 46 Amendments. Motion of Gordon Kean to delete rule no. 35 of the GSRI Study Guide and that rule no. 46 entitled "Amendments" be ruled as follows: Amendments shall be submitted in writing and a copy of such amendments shall be distributed to each delegate before a vote occurs thereon. Motion for adoption was duly seconded by Autley Newton and the rule was adopted as amended.

Rule no. 47 Style and Drafting. Motion of Stan Duval to add the words "to the convention" at the end of said rule. Motion for adoption is duly seconded by Gordon Kean. Carried.

Rule no. 48 Distribution. Rule no. 48 entitled "Distribution" on motion of Harmon Drew duly seconded by Donald Kelly was added to the proposed rules and was adopted.

Chairman, Tom Stagg, then called a brief recess. During said recess each member was given a study guide on previous constitutional conventions to study and report back to said committee. The assignments were as follows:

Joe Conino - Alaska
Jasper Smith - Arkansas
Joe Guarisco - Conn.
Lawrence Sandoz - Hawaii
Pat Juneau - Maryland
Stan Duval - Michigan
Lynn Perkins - Missouri
Lance Womack - New Hampshire
Autley Newton - New Jersey
Harmon Drew - New Mexico
Tom Stagg - New York
Greg Arnette - Penn.
Chalin Perez - R. Island
Donald Kelly - Tenn.
Gordon Kean - Illinois
Wendall Gauthier - Montana

After a brief recess the committee was then called to order by Tom Stagg, chairman. Visiting delegates were invited to make comments on Chapter 6 of the GSRI Study Guide entitled "Transaction of Business."

Louis "Woody" Jenkins suggested that rather than allowing oral explanation of votes that the delegates should be allowed to submit explanation in writing. Mr. Jenkins was further in favor of leaving out GSRI rule no. 70 entitled "Notice." It was further suggested that Masons Manual be used on questions of parliamentary practice when the rules were silent or inexplicit as opposed to the use of Robert's Rules of Order.

Earl Schmitt then addressed the committee requesting that a two-thirds vote be necessary for a call to the previous question and further requested that the committee look into the possibility of conducting a seminar on the proposed rules and/or Masons Rules of Order.

With leave of the committee Mr. Tom Stagg, chairman, called on David Poynter to discuss the daily order of business with the committee. Mr. Poynter then obliged the committee by answering questions relative thereto.

Rule no. 66 Order. It was moved by Gordon Kean and duly seconded by Jasper Smith that rule no. 66, as suggested by Mr. David Poynter be adopted. Motion carried.

Rule no. 67. It was moved by Lance Womack and duly seconded by Gordon Kean that the words "rigidly and unanimously" be stricken from said rule and that the words "by majority vote of the delegates" be added. The rule was adopted as amended.

Rule no. 68 Time of Committee Referral. It was moved by Jasper Smith and duly seconded by Stan Duval that rule no. 53 of the GSRI Guide be adopted without amendment. Motion carried.

Rule no. 69 Privileged Motions. There was substantial discussion of rule no. 69 wherein chairman, Tom Stagg, recommended that a report of the studies of the rules of other constitutional conventions be reviewed in order that an order of preference might be determined. Several substitute motions were submitted to the convention for consideration whereon with leave of the committee David Poynter was requested to comment. Motion of Gordon Kean to adopt said order and additional language was duly seconded by Joe Conino and the rule as amended was adopted.

Rule no. 70 Motions Not Debatable. It was moved by Gordon Kean, duly seconded by Wendall Gauthier that Illinois rule no. 40, on page 228 replace GERI rule no. 55. Motion carried.

It was moved by Jasper Smith duly seconded by Tom Velazquez that rule no. 56 of the GSRI Study Guide be adopted without amendment. Motion carried.

Rule no. 72 Format of Motions and Seconds. Motion of Jasper Smith to adopt as written, was duly seconded, but failed. Motion of Stan Duval to amend Section A to insert the following language: "No motion listing rule no. 69 need be in writing. Where a motion is in writing the delegate shall attach his or her name thereto before it is received by the chairman or read by the secretary, or before it is debated, if debate is in order. Chalin Perez seconded said motion and rule no. 72 was adopted as amended.

Rule no. 73 Motion for Consideration. It was made by Jasper Smith that Section A of GSRI Study Guide rule 58 be adopted. Motion carried. It was moved by Gordon Kean duly seconded that Section B of rule no. 58 be adopted. Motion carried. It was moved by Stan Duval and duly seconded that Section C of GSRI Guide rule no. 58 be adopted. Motion carried.

Rule no. 74 Motion to Call the Table. Motion of Gordon Kean that the following language be added as rule no. 74. "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 from the convention." Motion duly seconded and carried.

Rule no. 75 Division of a Question. Motion of Gordon Kean to substitute Illinois rule 43 for GSRI Guide rule no. 59. Motion is duly seconded by Stan Duval, carried with additional language of "the limits on the debate as set forthin rule no. 30 of these rules shall apply to the debate on each division of the question."

Rule no. 76 Previous Question. With leave of the committee it was requested that David Poynter prepare said motion. Upon discussion of the committee with Mr. Poynter, Gordon Kean moved
for the adoption of house rule no. 43 as duly seconded by Stan
Duval. Motion carried.

Rule no. 77 Adjournment and Recess. Motion of Greg Arnette
that the word "main" occurring before the word "question" be
deleted. Motion as duly seconded by Gordon Kean carried and
the rule was adopted as amended.

YEAS AND NAYS
Rule no. 78 Voting After Decision is Announced. Was moved by
Stan Duval that the technical amendment be made of changing
the word "chair" to "chairman" and that language be added as follows:
"The names of the absentees and all calls of the nays and yeas
shall be placed on a separate list." Rule as amended was adopted.

Rule no. 79 Explanation of Vote. Motion of Jasper Smith
that the language "to be in writing" added to rule no. 63 of the
GSRI Study Guide. Motion carried. In addition, motion of Gordon
Kean to amend said rule to read as follows: "No delegate shall
be permitted to explain his or her vote except as hereinafter
provided. Any delegate may explain his other vote in writing
or reasons for not voting in writing and request that such
explanation be made upon the records." Motion as duly seconded.
Rule adopted as amended.

Rule no. 80 Tie Votes. Motion of Autley Newton to accept
rule as written, duly seconded by Wendell Gauthier, motion carried.

Rule no. 81 Recording the Vote. Motion of Chalin Perez to
accept the rule as written. Rule no. 66 of the GSRI Study Guide
was duly seconded by Tom Velasquez. Motion carried.

SPECIAL ORDERS
Rule no. 82 Consent. Motion of Chalin Perez duly seconded
to change the word "ordinance" of rule 67 of the GSRI Guide to
"proposal" and the word "member" changed to "delegate." Rule
adopted as amended.

Rule no. 83 Presidents. Rule no. 83 was adopted as per
rule no. 69 of the GSRI Guide as moved by Autley Newton, duly
seconded by Stan Duval.

Rule no. 84 Changes in Rules. It was moved by Wendell
Gauthier that the language read as follows: "Any standing rule
of the convention may be rescinded, altered, or amended in the
following manner": Members shall be given in writing of the
motion thereof, which motion shall be referred immediately to
the small seat chairman to the committee on rules, which shall
file his report with the convention within 24 hours within the
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 the rules, and for
the passage shall require a vote of the majority of the delegates
to the convention. Motion duly seconded by Gordon Kean, motion
carried, rule adopted as amended.

Rule no. 85 Suspension of the Rules. It was duly moved by
Gordon Kean as seconded by Autley Newton that additional language
should be added to rule no. 85 entitled "Suspension of the Rules.
After substantial discussion, said rule was adopted as follows:

One or more rules may be suspended for a specified purpose by an
affirmative of two-thirds vote of the delegates present, voting,
or a majority of delegates to the convention whichever constitutes
the lesser number.

The committee then ended discussion and the meeting was
adjourned. The committee adjourned at ___ time until Sun-
day, January 7, 1973 at 1 o'clock p.m.

The Temporary Rules Committee of the Louisiana Constitutional
Convention met on Sunday, January 7, 1973, at the Prince Murat Inn.
The chairman, Tom Stagg, presided and called the meeting to
order at 1 o'clock p.m. At the opening of said meeting each
delegate was called on to report on the provisions for rules in
the respective constitutions given them for study. It was then
moved and seconded, motion passed, that reconsideration would be
made on several rules previously under discussion.

Rule no. 86 Consideration of Proposals Without Committee
Recommendation. It was moved by Chalin Perez and duly seconded
that rule no. 86 entitled "Consideration of Proposals Without
Committee Recommendation" be added and that the language of said
rule be as follows: "after one day's notice of the convention
on motion by the affirmative vote of the majority of the delegates
present and voting, may require a committee to return, with or
without a recommendation, if the proposal was referred to the com-
mittee.

Rule no. 87 Notice. Substantial discussion was held on the
adoption of rule no. 70 entitled "Notice", it was then ruled by
Donald Kelly duly seconded by Wendell Gauthier that the rule be
submitted as amended.

Rule no. 88 Authority. It was moved by Gordon Kean and duly
seconded that Robert's Rules of Order be adopted as authority
where the permanent rules of the constitutional convention were
not applicable. Motion failed. It was then moved by Wendell
Gauthier, duly seconded by Tom Velazquez that Mason's Manual on
Legislative Procedure be used as authority where the rules are
silent or inexplicit. Motion carried. Rule no. 71 of the GSRI
as amended was adopted.

The delegates then went into informal session whereby dis-
cussion was held on rules previously adopted in order to clear up
any misleading language, or to make appropriate changes.

The committee then moved to GSRI Rules Chapter no. 5 entitled
"Committees." The floor was open for comments and/or discussion of
visiting delegates.

Dr. Emmett Asseff addressed the group with concern for
scheduled meetings, paying of mileage, and the selection of com-
mittees by congressional districts.

Johnny Jackson then recommended to the committee that represen-
Mary Serriggon then recommended that the chairman of representative committees be elected from their committees. In addition that the factors of desire and residence be considered upon committee assignments. Mrs. Serriggon also discussed that committees should be allowed to discuss in private but all votes should be open and public.

Woody Jenkins expressed concern to the committee in regard to standing committees and that the members should be allowed to exchange committee assignments if agreeable to delegates involved in said exchange. Each delegate except for the chairman and secretary should serve on one standing committee and the chairman and secretary should be ex-officio members of all committees thereof.

Terry Reeves by letter as read by Jasper Smith suggested that each committee elect its own officers.

Dr. Gerald Weiss by letter as read by Greg Arnette suggested that an additional committee on Ethics, Communications, Health and Welfare.

Chairman Tom Stagg then turned the chair over to vice chairman Gordon Kean, in order that he might participate in the discussion before the committee.

Tom Stagg moved that there be eight substantive committees, and four procedural committees with proposed assigned duties to each. Said motion was duly seconded by Stan Duval and the floor was open for discussion. It was then moved and seconded, motion carried, that discussion be held on substantive committees prior to discussion of procedural committees. After extended discussion eight substantive committees were set forth and rule no. 49 entitled "Substantive Committees" was adopted.

Motion was then made by Tom Stagg that four procedural committees be designated. After substantial discussion the names and duties of said procedural committees were set forth and rule no. 50 as amended was adopted.

The committee then took a short recess. After the recess, the committee was called to order by vice chairman, Gordon Kean.

Tom Stagg moved that the four procedural committees be established. A substitute motion was offered by Pat Juneau that a fifth procedural committee entitled "Coordinating Committee" be established. Said substitute motion was then withdrawn. Rule no. 50 was a motion to amend, rule no. 50 was then submitted by Atley Newton in order that the committee on Legislative Liaison and Transitional Measures be set forth. The motion carried.

Rule no. 51 Appointment of Committee. It was moved by Gordon
entitled "Officers, Employees, and Duties."

The floor was open for discussion of visiting delegates on Chapter 2 entitled "Officers, Employees, and Duties."

Louis "Woody" Jenkins appeared before the group to discuss the duties of the secretary of the constitutional convention. Mr. Jenkins suggested that the secretary have the duties of the following: publish daily journal verbatim with record, keeping committee meeting minutes, meeting all proposals, roll calls, etc., purchasing and renting necessary equipment, supervising the chief clerk when the convention was assembled, serving as a member of the executive committee, serving as ex-officio member of all committees.

Delegate Monday Lowe suggested to the committee that the rules provide for a treasurer. In most conventions the treasurer has not been provided for; however, it is suggested that said position is a necessary position in order to appropriately report on the finances of the convention. The treasurer of the convention may or may not have a seat on the executive committee.

Gary O’Neill recommended to the committee that the rules provide for a secretary and a treasurer. He further suggested that the convention have at least one vice-chairman and at most two vice-chairmen. The executive committee should be composed of two per congressional district plus the officers.

Terry Reeves submitted in writing as read by Jasper Smith that the proposals that the positions of parliamentarian, historian, and door keeper were not needed. Further suggested that the executive committee be composed of the officers along with two representatives per congressional district.

Mrs. Ruth Miller submitted in writing as read by Greg Arnette that the rules provide for four vice-chairmen. One position was to be based on race, another on sex, and two members or two vice-chairmen at large.

Mack Abraham submitted in writing that the executive committee should be composed of officers and a representative per congressional district. Tom Stagg proposed the executive committee be composed of a chairman, four vice-chairmen, one representative per congressional district, sub-chairman and substantive committee chairman and procedural committee chairman. A general discussion was then held within the committee. The chairman then called for a one hour recess for supper.

At eight o’clock p.m. the committee was again called into session and chairman, Tom Stagg, presided and called the meeting to order.

The committee then reverted back to the original earlier discussion on Chapter 5 entitled "Committees."

Rule no. 51 Appointment of Committees. A motion was submitted by Wendall Gauthier as duly seconded by Pat Juneau that rule no. 51 be as follows:

The selection of delegates to serve on a substantive and procedural committee 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 committee and based on 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. Motion carried.

Rule no. 52 Committees on Committees. Rule no. 52 as written was adopted.

Rule no. 53 Service on Committees. It was moved by Autley Newton and duly seconded by Pat Juneau that rule no. 53 reads as follows: (quote the rule from the book)

Rule no. 54 Coordinating Committee. Rule no. 54 entitled "Coordinating Committee" was established on motion of Pat Juneau, duly seconded by Greg Arnette. Center of the discussion was held on said rule whereon the motion for adoption as amended carried.

Rule no. 55 Other Committees. It was moved by Chalin Perez, duly seconded by Gordon Kean that rule no. 55 be adopted as amended

Rule no. 56 Proposals. After considerable discussion it was moved by Harmon Drew, duly seconded by Donald Kelly, that rule no. 56 be adopted as written.

COMMITTEE MEETINGS AND HEARINGS

Rule no. 57 Quorum and Rules of Committee. It was moved by Anthony J. Guarisco, duly seconded by Pat Juneau that the Illinois:

rule no. 19 found on GSRI Guide page 166 be adopted with the technical amendment of striking the word "standing." Motion carried.

Rule no. 58(A) Public Hearing, Records. By a motion of Gordon Kean to amend GSRI Rule no. 46 by adding the language on line 2 "or of the committee as a whole without special leave of the majority of the convention delegates present and voting." Along with depleting the language "in a recorded verbatim, including the testimony of those wishing to be heard," and replacing said language with "Minutes of committee meeting shall be recorded." All committees shall, and are hereby authorized to, hold public hearings either as a committee or through a designated subcommittee, such hearings to be conducted at such localities throughout the state as the committee may designate." Motion carried.

(b) Appearance of Delegates. Motion of Chalin Perez to deplete the language of GSRI rule no. 46(B) was duly seconded and carried. Thereon GSRI, the language of GSRI rule no. 46(C) was amended by a motion of Gordon Kean, duly seconded by Greg Arnette. Motion carried.

Rule no. 59 Calling of Committees and Agenda. On motion of Jasper Smith, duly seconded by Joe Conino rule no. 47 of GSRI report was stricken. It was moved by Gordon Kean and duly seconded that Illinois rule no. 20, found on page 167, of the GSRI Guide be adopted as amended. Motion carried.

Rule no. 60 Reports. Motion of Gordon Kean duly seconded by Stan Duval that GSRI Guide rule no. 49 be adopted as amended by the technical amendment of substituting the word "substantive"

prior to the word "committee" rather than the language of "standing." Motion carried.

Rule no. 61 Form of Report. It was moved by Gordon Kean duly seconded that David Poynter be requested to prepare a form for reports in view of the guide lines set forth in New Mexico rule no. 38, as set forth in GSRI Guide page 182. Motion carried.

Rule no. 62 Notice of Committee Meetings. Motion of Stan Duval, duly seconded that Illinois rule no. 20 be amended by depleting the language "any three members of a committee" and adding the language "one-third of the members of a committee" be adopted as rule no. 62.

Illinois rule no. 20, found on GSRI Guide page 167 was adopted as amended.

Rule no. 63 Subcommittees. Motion of Patrick Juneau duly seconded by Wendall Gauthier to adopt Illinois rule no. 23 on page 168 of the GSRI Guide as Louisiana rule no. 63. Motion carried.

Rule no. 64 Records. Motion of Gordon Kean, duly seconded that rule no. 74 be added to read as follows: "All written records and reports of the committees of the convention shall be subject to provisions of the public records act." Motion carried.

COMMITTEE OF THE WHOLE

Rule no. 65 Procedure. With leave of the Committee Mr. David Poynter was requested to comment on the committee of the whole due to legislative experience with the procedure therefor.

(A) Motion of Gordon Kean, duly seconded to amend the wording of GSRI rule no. 50. After considerable discussion, motion carried.

(B) Motion of Chalin Perez the word "clauses" be depleted and replaced with the word "section." Motion to adopt rule no. 65(B) as amended, GSRI rule no. 50(B). Motion carried. (C) Motion of Gordon Kean duly seconded to adopt GSRI rule no. 50(C) as written. Motion carried. Motion of Joe Conino to deplete the language of GSRI rule no. 50(D), duly seconded by Stan Duval, motion carried.

for a brief recess the Temporary Rules Committee reconvened to discuss Chapter 2, "Officers, Employees, and Duties."

OFFICERS

Rule no. 16 Convention Officers. Motion of Autley Newton, duly seconded by Stan Duval to amend GSRI rule no. 11, to provide for four vice chairmen. Amendment to motion by Gordon Kean, duly seconded to provide for a first vice-chairman and three co-equal vice-chairmen. Motion carried.
In open discussion of the committee it was moved by Stan Duval, duly seconded by Greg Arnette that the rules provide for the office of secretary. Motion carried. Motion of Gordon Kean, duly seconded to deplete the positions of Parliamentarian, Historian, and add the position of treasurer. Motion carried.

It was then moved by Gordon Kean, duly seconded by Autley Newton that GSRI rule no. 13 as amended be adopted as Louisiana rule no. 16. Motion carried.

**Employees**

Rule no. 17 Convention Employees. Motion of Wendell Gauthier, duly seconded by Greg Arnette to deplete the words “executive committee” and replace it with the word “Chairman.” Motion carried. (B) Motion to adopt GSRI rule no. 14, Section (A) as amended and Section (B) as written. Motion carried.

**Executive Committee**

Rule no. 18 Duties. (A) Motion to add the following language to GSRI Guide rule no. 15: “The executive committee shall be a committee on administration, which shall consider research materials and personnel, convention budget and finance, and other administrative details, facilities and fiscal arrangements for the convention, for committee hearings and for the staff, outside grants and assistants to the convention, purchases and rental of equipment, supplies and services, printing and related matters.” Section (A) Motion that Section (A) be adopted as amended. Motion carried. (B) Motion by Chalin Perez to deplete the language of GSRI Guide rule no. 15(B). Motion carried. Motion of Greg Arnette, duly seconded to deplete the language of GSRI Guide rule no. 15(C). Motion carried. Motion of Autley Newton, duly seconded that Section (D) of GSRI Guide rule no. 15 be recaptured as Louisiana rule no. 18, Section (B). Motion carried. (C) Motion, duly seconded by GSRI Section (E) be recaptured by Louisiana Section (C). Motion carried. (F) Motion, duly seconded that GSRI Guide rule no. 15(F) be recaptured to read as Louisiana rule no. 18, Section (D). Motion carried.

It was then moved and seconded that the committee recess until Monday, January 8, 1973, at 8:30 a.m. Motion carried.


The Louisiana Constitutional Convention met on Monday, January 8, 1973, at the Prince Motus Inn.

The Chairman, Tom Stagg, presided and called the meeting to order at 8:30 a.m. A quorum was present.

The Temporary Rules Committee continued discussion of Chapter 2 entitled “Officers, Employees, and Duties.”

**The Chairman**

Rule no. 19 Duties. Motion of Gordon Kean, duly seconded to add language as follows to GSRI rule no. 16: “The presiding officer and the chief executive of the convention, and as such, chairman of the executive committee.” Motion carried. Motion of Tom Velazquez, duly seconded to deplete the language “except at the session presided over by the first and second vice-chairman” and the language “exercise the usual powers and perform the usual duties of the presiding officer.” Motion carried. Motion of Anthony J. Guarisco, duly seconded to adopt GSRI Study Guide rule no. 16(B) as written. Motion carried. The motion of Tom Velazquez, duly seconded to adopt GSRI Guide rule no. 16(C) as written. Motion carried. (D) Motion of Greg Arnette, duly seconded to adopt GSRI Guide rule no. 16(D) as written. Motion carried. (E) Motion of Joe Conino, duly seconded to deplete GSRI Guide rule no. 16(E). Motion carried. Motion of Gordon Kean, duly seconded to add the language of Louisiana rule no. 19(E) as follows: “Designate the first vice-chairman to preside in his absence and establish the order of the vice-chairman to preside in the absence of both the chairman and the first vice-chairman.” Motion carried. (F) Motion of Joe Guarisco, duly seconded to adopt GSRI Guide rule no. 16(G) upon adding language “on each occasion.” Motion carried. (G) Motion of Gordon Kean to deplete the language of GSRI Guide rule no. 16(H) “using an alphabetical order of seating” and add the language “according to congressional districts.” Motion carried. (H) Motion of Gordon Kean, duly seconded to add language of Louisiana rule no. 19(K) as follows: “At the request of at least twenty-seven delegates, a recorded yes and nay vote shall be recorded by the chairman.” (I) Motion of Greg Arnette, duly seconded to delete the language of GSRI Guide rule no. 16(I). Motion Carried. Motion of Tom Velazquez, duly seconded to adopt the language of GSRI Guide rule no. 16(K). Motion carried. (J) Motion of Gordon Kean to deplete the language of GSRI Guide rule no. 16(L) “examine and add the language” make corrections of and to “deplete the language and make corrections” and the “the” and add the language “as substantive.” Motion to adopt rule as amended. Motion carried. (K) Motion of Gordon Kean to adopt GSRI Guide rule no. 16(M) as written. Motion carried. (L) Motion of Autley Newton to deplete the language of GSRI Guide rule no. 16(N) and add the following language: “Not engaged in debate when sitting in as chairman, nor shall he vote on appears from his ruling.” Motion carried. (M) Motion of Gordon Kean, duly seconded to adopt GSRI Guide rule no. 16(O) as written. Motion carried. (N) Motion of Lawrence Sandoz, duly seconded to deplete the language “from the state treasury” from GSRI Guide rule no. 16(P) and add the language and slice (R). Motion carried. (O) Motion of Gordon Kean, duly seconded by Jasper Smith to deplete the language of GSRI Guide rule no. 16(O) “serve as the chief executive officer.” Motion carried. (P) Motion of Gordon Kean, duly seconded to add the language of
Illinois rule no. 16 found on page 166 of GSRI Study Guide. Motion carried.

FIRST VICE-CHAIRMAN
Rule no. 20 Duties. Motion of Gordon Kean, duly seconded to deplete the language of GSRI Guide rule no. 17 as follows: "and second, serve as vice-chairman of the convention, and as such, shall." Motion carried. (A) Motion of Gordon Kean, duly seconded by Pat Juneau to deplete the language "in alternating order" of GSRI Guide rule no. 17 and add the language "or in absence or inability of the Chairman to serve." Motion carried. (B) Motion of Gordon Kean, duly seconded to deplete the language of the GSRI Guide rule no. 17(B). Motion carried. Motion of Pat Juneau, duly seconded to initial GSRI Guide rule no. 17(C) to Louisiana rule 20(B) and add the language "and carry out such other duties as are assigned to the Chairman." Motion carried. (C) Motion to add the language "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." Motion carried.

VICE-CHAIRMAN
Rule no. 21 Duties. Motion to divide the duties of the co-vice-chairmen as set forth in Sections A, B, and C of Louisiana rule no. 21. Motion carried.

SECRETARY
Rule no. 22 Duties. (A) Motion of Harmon Drew, duly seconded to adopt GSRI Guide rule no. 18 as written. Motion carried. (B) Motion of Harmon Drew, duly seconded to adopt language provided by Delegate Woody Jenkins as rule no. 22(B). "The floor was then opened for discussion of the pro's and con's of providing for an entire written record," motion carried. (C) The motion of Harmon Drew, duly seconded by Donald Kelly to adopt language provided by Delegate Woody Jenkins. Motion carried. (D) The motion of Harmon Drew, duly seconded by Greg Arnette to adopt language provided by Delegate Woody Jenkins as amended. Motion carried. (E) Motion of Harmon Drew, duly seconded by Stan Duval to adopt language as provided by Delegate Woody Jenkins. Motion carried. There was inquiry as to the division of duties between the chief clerk and the secretary. (F) Motion of Gordon Kean, duly seconded to adopt language or provision (F) as provided by Delegate Woody Jenkins. Motion carried. (G) Motion of Harmon Drew, duly seconded to adopt language as provided by Delegate Woody Jenkins, motion carried. (H) Motion of Harmon Drew, duly seconded to adopt language as provided by Delegate Woody Jenkins, motion carried. (I) Motion of Harmon Drew, duly seconded to adopt the language as provided by Delegate Woody Jenkins in provision (H). Motion carried. (J) Motion of Harmon Drew, duly seconded by Joe Conino to deplete language as provided by Delegate Woody Jenkins, sections 1, J, and K. Motion carried. Motion of Harmon Drew, duly seconded to adopt the language provided by Delegate Woody Jenkins in Section III. Motion carried. (K) Motion by Gordon Kean, duly seconded by Autley Newton to deplete the language provided by Delegate Woody Jenkins in Section IV. Motion carried.

TREASURER
Rule no. 24 Duties. Motion of Gordon Kean, duly seconded by Autley Newton to make provision for the office of treasurer. Motion carried.

CHIEF CLERK
Rule no. 25 Duties. Motion of Tom Velasquez, duly seconded to adopt GSRI Guide rule no. 20, 5(A). Motion carried. (B) Motion of Autley Newton to remove the language of GSRI Study Guide rule no. 59(G) "The chief administrative officer, secretary to the convention whose duties he may assume at the discretion of the secretary." And that language be added as follows: "perform general administrative duties of the convention subject to the supervision of the chairman, and when he assumes the duties of secretary as provided in rule no. 22 he shall do so under the supervision of the secretary." Motion carries. (C) Motion of Gordon Kean, duly seconded to adopt GSRI Study Guide rule no. 25(C). Motion carried. (D) Motion of Joe Conino, duly seconded that section (D) be added to the Louisiana rule no. 25. Motion carried.
Rule no. 26 Duties. Motion of Gordon Kean, duly seconded by Jasper Smith to adopt the language of GSRI Study Guide rule no. 21(A) with the technical amendment of changing the words "absent members" to "delegates." Motion carried. Motion of Gordon Kean, seconded by Jasper Smith that the language of Sections B, C, and D of GSRI Study Guide rule no. 21 be adopted as respective sections of Louisiana rule no. 26. Motion carried.

Rule no. 26.1 Vacancies. Motion of Chalin Perez as duly seconded to adopt Illinois rule no. 11, page 62 of the GSRI Study Guide with appropriate technical amendments of changing the word "president" to "chairman." Motion carried.

Motion of Gordon Kean, duly seconded to deplete GSRI Study Guide rules 22, 23, and 24. Motion carried.

A brief recess was then called whereon the committee went back into session for a reconsideration of those who were previously adopted.

After considerable discussion it was then moved and seconded that the committee recess until Friday, January 12, 1973. Mr. Tom Stagg, Chairman, informed the committee that notice would be on the bulletin board as to the appropriate meeting place for the Temporary Rules Committee.

Tom Stagg, Chairman, then appointed Gordon Kean and Lynn Perkins to serve on the committee for Style and Drafting of said proposed rules. The committee then recessed.

During the course of the general session of the Constitutional Convention the Temporary Rules Committee was called into session on two occasions. No minutes were kept of said meetings as they were called to discuss the specific provisions of the proposed rules before they were presented to the convention floor.

Respectfully,

Miss Lynn Perkins
Temporary Rules Committee Secretary

Approved:

Tom Stagg, Chairman

Gordon Kean, Vice-Chairman
B. Suggested Working Papers


Chapter 1 General Provisions

Chapter 2 Officers, Employees, Duties

Chapter 3 Committees

Chapter 4 Proposals

Chapter 5 Standing, General, and Other Committees

Chapter 6 Committee Hearings

Chapter 7 Change in Rules

Chapter 8 Delegates

Chapter 9 Proposals

Chapter 10 Committees

Chapter 11 Lobbyists

PART II COMPARATIVE RESEARCH DATA ON LOUISIANA AND SEVEN OTHER SELECTED STATES

Chapter 1 General Provisions

Chapter 2 Officers, Employees, Duties

Chapter 3 Delegates

Chapter 4 Proposals

Chapter 5 Committees

Chapter 6 Standing, General, and Other Committees

Chapter 7 Committee Hearings

Chapter 8 Change in Rules

Chapter 9 Delegates

Chapter 10 Lobbyists
Chapter 6: Transaction of Business

Louisiana ........................................ 197
Arkansas ........................................... 211
Hawaii .............................................. 221
Illinois ............................................ 226
Maryland ........................................... 237
Michigan ........................................... 246
New Mexico ....................................... 254
Pennsylvania ..................................... 277

Chapter 7: Lobbyists

Maryland ........................................... 280
Pennsylvania ..................................... 276

BIBLIOGRAPHY ........................................ 276

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Part I, Chapter 1

A STUDY GUIDE FOR RULES: General Provisions

Quorum and Majority

Rule No. 1. Call to Order. The convention shall convene at a time as ordered on the preceding working day by a majority of the delegates and the presiding officer shall call the Convention to order at that time. If a quorum is in attendance he 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.

A quorum shall consist of a majority of the total membership of the Convention.

Rule No. 2. 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 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 before the bar of the Convention, where unless excused by a majority of the delegates present, they shall be reproved by the Chairman for neglect of duty.

Rule No. 3. Absence from Convention Service. No delegate shall absent himself from the service of the Convention without first obtaining leave of the Convention.  

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Rule No. 4. 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, a majority of the delegates present, whether a quorum is present or not, are hereby authorized to send the Sergeant-at-Arms for any or all absent delegates, as the majority of such delegates present shall request.

Rule No. 5. Expense of Compelling Attendance. Any expenses incurred in compelling the presence of an absent delegate shall be paid by the absent delegate, unless such excuse of non-attendance has been previously approved by the majority of a quorum, which shall judge sufficient, in which case the expense shall be paid out of the appropriated funds to the Convention.

Admission to Floor

Rule No. 1. Person Admitted. No person shall be admitted on the Convention floor while the Convention is in session or during the period thirty minutes before the time set for the convening of the Convention, except that delegates, members of the Convention, and representatives of the news media shall be admitted to the floor, if necessary for the transaction of Convention business, provided however, that written messages may be delivered to any member of the Convention by an individual not within the restricted area by the Sergeant-at-Arms from persons outside the restricted area.

Rule No. 2. Restrictions in Area of Deliberation. One chair shall be allowed each delegate in the deliberative area of the Convention and no other chairs shall be permitted in this section.

Rule No. 3. Special Permission. Special permission to sit in the Convention shall be granted by the presiding officer of the Convention to the United States of America or of any state thereof.
Part I, Chapter 2
A STUDY GUIDE FOR RULES: Officers, Employees, Duties

Officers

Rule 13. Convention Officers. The officers of the Convention shall be a chairman, who shall be the Chairman of the Convention, a First and a Second Vice-Chairman, a Secretary, a Parliamentarian and a Historian. These officers shall constitute the Executive Committee of the Convention, shall be delegates to the Convention, and shall be elected by a majority vote of the entire membership of the Convention.

Employees

Rule 14. Convention Employees. A Chief Clerk, a Sergeant-at-Arms, and a Doorkeeper shall be employed by the Executive Committee subject to the approval of a majority vote of the entire Convention; they shall not be delegates to the Convention.

All other employees, necessary to aid the Convention, shall be employed by the Executive Committee of the Convention in accordance with Act 2 of 1972.

Executive Committee

Rule 15. Duties. The Executive Committee shall:

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

B. Prepare a budget of salaries and other anticipated expenses of the Convention, based on appropriations and any other funds available to the Convention for expenditure;

C. Confer with the Chairman of the Convention in the appointment of committee chairmen and committee members;

D. Assist the Chairman of the Convention in the assignment of delegates to their seats;

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

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

The Chairman

Rule 16. Duties. The Chairman shall:

A. Preside at all sessions of the Convention except at sessions presided over by the First and Second Vice-Chairmen;

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 delegates in debate if the question, prevent personal reflections, and determine the order of recognition when two or more delegates rise at the same time;

E. Appoint, in conjunction with the Executive Committee, all committee chairmen and members, subject to approval of the Convention by a majority vote of the delegates;

F. Serve as the Convention, unless absent, unless valid reasons prevent such attendance;

G. Serve a delegate to preside as chairman, when the same is not a delegate of the Convention;

H. Assign, with the assistance of the Executive Committee, the delegates to their seats, using an alphabetical order of seating;

I. Call for the question, declare the vote and announce the result according to the last vote; if no definite action is taken, the Chairman shall call on the state of the vote; without further debate;

J. Call a question on a motion with the format delineated in Rule 16.000;

K. Sign all official documents of the Convention, except in the capacity of the Secretary;

L. Examine the official journal of the Convention and make corrections, if necessary, attested by the Secretary with notification of the changes being made to the Convention at large;

M. Direct the Convention in its official activities, including naming delegates to perform duties connected with the business of the Convention;

N. Vote on all amendments before the Convention, except that he shall not vote twice, once as a delegate to cause a tie vote, and again to break the tie vote, nor shall be engaged in debate when sitting as presiding officer, nor shall he receive appeals from his rulings;

O. Maintain general control of the Convention hall, its officials, and all rooms set apart for use of the Convention;

P. Serve as the chief administrative officer and supervisor of the Convention research staff, provided that he may delegate certain of these functions to members of the research staff.

First and Second Vice-Chairmen

Rule 17. Duties. The First and Second Vice-Chairmen shall serve as vice-chairmen of the Convention, and as such, shall:

A. Preside, in alternating order, as acting Convention chairmen, when requested to do so by the Convention Chairman;

B. Co-sign, with the Convention Chairman, all checks for the disbursement of funds from the State Treasury for the expenses of the Convention;

C. Serve as members of the Executive Committee of the Convention.

Secretary

Rule 18. Duties. The Secretary shall:

A. Exercise responsibility for the accuracy of the Convention Journal of Proceedings, and the daily publication and distribution of the Journal;

B. Sign, in conjunction with the Chairman, all ordinances, resolutions and other official documents of the Convention;

C. Serve as Custodian of all documents filed; safeguard all original copies, and require receipt for all originals removed from his custody for purposes of Convention business;
Chairman, over the Chief Clerk and all other clerks and employees of the Convention when in assembly, for the Sergeant-at-Arms and the Doorkeeper, to see that they diligently perform the duties for which employed.

2. Approve the employees payroll of the Convention when in assembly as a deliberative body, exclusive of the salaries of the research staff who are answerable to the Executive Committee for their appointment and the Sergeant-at-Arms and the Doorkeeper, who are answerable to the Chairman.


4. Exercise responsibility for the Convention Calendar of Daily Business, including scheduling of committee meetings.

5. Exercise responsibility for reproduction, numbering and distribution of all delegate and committee proposals, and the processing of proposals from introduction to final vote.

6. Exercise responsibility for all purchases necessary for the functioning of the Convention in assembly as a deliberative body, subject to approval of the Chairman and Vice-Chairman who approve warrants and checks written against Convention funds.

Rule 19. Delegation of Secretary's Duties to Chief Clerk.

Except for certification of official acts, documents and vouchers, the approval of payrolls, and service on the Executive Committee, the Secretary may delegate his duties to the Chief Clerk, subject to supervision by the Secretary.

Chief Clerk

Rule 20. Duties. The Chief Clerk:

A. Shall not be a delegate to the Convention.

B. Shall be the Chief Administrative Officer of the Convention, subject to supervision of the Secretary of the Convention whose duties he may assume, at the request of the Secretary.

C. Shall be answerable to the entire Convention for the faithful execution of his duties and the smooth functioning of the Convention in assembly as a deliberative body.

Sergeant-at-Arms

Rule 21. Duties. The Sergeant-at-Arms shall:

1. Attend the Convention during its sitting, execute commands as directed by the Chairman, including signing for and delivery of correspondence addressed to absent members.


3. Maintain order at committee hearings and assist committee chairmen in their duties.

4. Exercise supervisory control over his assistants, subject to direction of the Chairman.

Parliamentarian

Rule 22. Duties. The Parliamentarian shall be advisor and assistant to the presiding officer and committee chairmen on all matters of parliamentary procedure, however,
Part 1, Chapter 4
A STUDY GUIDE FOR RULES: Proposals

Rule 27. Definition. Every suggested amendment or revision of the Constitution shall be referred to as a proposal.

Rule 28. Introduction. A proposal may be introduced by a delegate or delegates or by a committee on behalf of a majority of its membership.

Rule 29. Contents. Each proposal shall encompass an entire article of the constitution; amendments to any given proposal, however, may relate to designated subdivisions of an Article, as sections and paragraphs.

Rule 30. Introduction of Proposed Draft. The various articles of the proposed draft of a Constitution or proposed to be prepared by the research staff of the convention by Act 2 of 1972 shall constitute the first proposals to be introduced in the Convention, and shall be introduced by the Executive Committee of the Convention, in their capacity as individual delegates, but this Committee shall not be privileged to introduce any other proposals in its name.

Rule 31. Delegate Proposals. Delegate proposals shall be distinguished from committee proposals by a numbering system devised by the Secretary to the convention; likewise, revised copies of proposals shall be similarly identified to the end that delegates are always aware of the proper identity of the proposal in question.

Rule 32. Deadline on Delegate Proposals. No proposals may be introduced by delegates after the first sixty days following its convening on July 5, 1973; committee proposals, however, may be introduced at any time, provided rules governing procedures for adoption are followed.

Rule 33. Duplicate Copies. All proposals, committee or delegate, must be introduced in duplicate to be distributed as follows: one copy to be filed with the convention secretary as the official copy; one copy to be filed with the convention research staff for ultimate use of the convention historian; one copy for use of the printer; and one copy for a representative of the press.

Rule 34. Format. Each proposal shall be typewritten in double-
Committee of the Whole

The Chairman of the Committee of the Whole shall, subject to the powers of the convention, have the power of the presiding officer and shall have the power of the chairman to vote on questions of procedure and shall have the power of the chairman to rule on the interpretation of the rule. The Chairman of the Committee of the Whole may also be the presiding officer of the convention.

Procedural Rules

The convention by a majority vote of the convention may resolve itself into a Committee of the Whole and when the convention so resolves itself, a report of standing committee reports.

The convention may delegate to any standing committee of the convention. The rules of procedure of the convention shall be applicable except that a delegation may not exceed the limits established by the chairman. No question may be made of the constitution of the committee and no question may be made of the constitution of the convention. All amendments shall be allowed and must be resolved in the convention by the Chairman.

The Committee of the Whole shall be called upon to report on any question or points of order taken. The Chairman of the Committee of the Whole, and shall be decided by a majority vote of the members present and voting.

Part I, Chapter 6

A STUDY GUIDE FOR RULES: Transaction of Business

Daily Business

Order. The daily business of the convention shall proceed as follows:

Morning Hour

Roll call.

Prayer.

Reading and adoption of Journal.

Petitions, Memorials, and Communications.

Report of Committees.

Introduction of Proposals.

Regular Order of the Day

Unfinished Business.

Special Order.

Reports of Committees Living Over.

Proposals on First Reading.

Proposals on Second Reading.

Proposals on Third Reading.

Proposals on Calendar for approval of final reading.

Rule 90. Change in Daily Order. The order of daily business set forth in the above rule shall be rigidly adhered to unless the unanimous consent of the convention shall be otherwise given.

Rule 96. Time of Committee Retention. 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 member.

Notations
debate, and the following motions may be entertained, in the order of presentation:

(a) to adjourn the Convention;
(b) to limit debate;
(c) to return to the question;
(d) to lay on the table;
(e) to postpose indefinitely;
(f) to postpose to a day certain;
(g) to commit, refer or recommit;
(h) to amend;

Rule No. 55. Debatable Motions. Of the above motions, (a) and (d) are not debatable; motions to take up or proceed to the consideration of an ordinance shall be determined upon the merits, without debate of the question to be considered.

Rule No. 56. Withdrawal. Any motion may be withdrawn by the mover at any time before decision amendment or ordering of the year and malls, except a motion to reconsider, which may not be withdrawn without consent of the convention.

Rule No. 57. Format of Motions and Second. Motions shall be presented in the following manner:

A. Every motion except for adjournment or similar brief motions shall be in writing, if desired by the presiding officer or any delegate, and each member shall attach his or her name to every ordinance, resolution, amendment, order, report or motion presented, before it may be received by the Chair or read by the Secretary, or before it is debated, if debate is in order.

b. No motion need be seconded.

Rule No. 58. Reconsideration. Reconsideration of votes may be made in the following manner:

A. When a motion has been carried or lost, it shall be in order for any delegate on the side that prevailed to move for the reconsideration thereof, but no motion for reconsideration shall be in order, unless made on the same day on which the vote was taken, or within the morning hour of the next succeeding session day.

B. When any question shall have been decided by the Convention, in which two-thirds of the delegates present are necessary to carry the affirmative, any delegate who voted on the side that prevailed may therein liberty to move for reconsideration; and a motion for reconsideration shall be decided by a majority vote.

C. No motion to reconsider a vote which has been reconsidered previously shall be in order at any time.

Rule No. 59. Division of a Question. When a question contains several points, any delegate may have same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out a different proposition; nor preclude a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

Rule No. 60. Call for the Previous Question. When a call for the previous question has been made and sustained, the question shall be upon pending amendments and the main question, in their regular order and all incidental questions of order arising after a motion for the previous question has been made, and pending such motion, shall be decided whether on appeal or otherwise, without debate; provided a majority of the delegates present shall be necessary to order the previous question, and the question from the Chair shall be: "Shall the main question be now put?"

Part I, Chapter 7
A STUDY GUIDE FOR RULES: Lobbyists

Rule No. 67. Consent. No ordinance, resolution or other work shall be made a special order for a particular day without the consent of two-thirds of the Members present.

Rule No. 68. Consideration. When the day shall have arrived for the consideration of a special order, it shall be the duty of the Presiding Officer to take it up, unless the unfinished business of the preceding day shall be under consideration.

Rule No. 69. 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.

Change in Rules

Rule No. 70. Notice. No standing rule of the Convention shall be rescinded, altered or amended without one day's notice being given in writing of the meeting thereof, and without the approval of the Committee on Rules; and, except where unanimous consent may be required, a rule shall be suspended except by a vote of two-thirds of the delegates present.

Rule No. 71. Authority. On any question of order and parliamentary practice, when these rules are silent or inexplicit, Maun's "MANUAL" in regard, for shall be considered authority.
Louisiana

Part II

COMPARATIVE RESEARCH DATA: General Provisions

Chapter 1
COMPARATIVE RESEARCH DATA: General Provisions

Louisiana

Part II, Chapter 1
COMPARATIVE RESEARCH DATA: General Provisions

Louisiana

Rule 21. Any Member entering the Hall after the calling of the roll, shall immediately notify the Secretary by writing his name on a slip of paper and sending it to the desk.

Rule 22. In absence of a quorum, fifteen members shall be authorized to compel the attendance of absent members, and in all calls of the Convention the doors shall be closed, the names of the members called by the Secretary, and the absentees notified, and those for whom no sufficient excuse is made, may, by order of a majority of those present, be sent for and apprehended, wherever they may be.

Rule 23. The Convention shall be administered by the Senate, the House of Representatives and the Senate, the Secretary, the Senate, and the Senate, or of Senators, as the majority of such Senators present shall agree.

B. Any expenses incurred in compelling the presence of an absent member shall be borne by such member, 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 contingent fund.

27. No motion shall be deemed in order to admit any person whomsoever within the doors of the Senate Chamber to present any petition, memorial or address, or to read same.

53. When acting upon confidential or executive business the Senate Chamber shall be cleared of all persons except the Secretary of the Senate, the principal or executive clerk, the Sergeant-at-Arms and Doorkeeper, the Assistant Doorkeeper, and such other officers as the presiding officer shall think necessary and all such officers shall be sworn to secrecy.

28

Louisiana

C. No person shall be admitted on the Senate floor while the Senate is in session or during the period thirty minutes before the time set for the convening of each session or the period thirty minutes after the adjournment of each session, except that members of the Senate and Secretary of the Senate, officers and employees of the Senate or of Senators, members of the House of Representatives may be admitted during such times.

B. One chair, permanently affixed to the floor at the desk of each Senator, and no other chairs shall be permitted on the floor of the Senate.

C. Special permission to sit on the Senate floor may be granted by the presiding officer of the Senate to visiting officials of other states or of the United States, or of foreign countries.

D. A designated place in the Senate Chamber 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...
Part II, Chapter 1
COMPARATIVE RESEARCH DATA: General Provisions

ILLINOIS

Rule 5. Quorum and Majority

Fifty-nine members of the Convention constitute a quorum. A quorum shall be present for the transaction of business, but a smaller number may adjourn the Convention from day to day and may also compel the attendance of absent members by the means approved by a majority, but not less than twelve of the members present and voting. A majority of members may prescribe penalties for the nonattendance of members.

When a quorum is obtained, the affirmative vote of a majority of the members present and voting is sufficient for the adoption of any motion or resolution or the taking of any action, except in those cases where the affirmative vote of a different number is required by these rules.

The term "majority of members," unless otherwise specified, means a majority of the number of members elected and for which no vacancy exists by resignation, expulsion under Rule 61, or death.

Rule 6. Admission to Floor-Defined

Only members, officers, and employees of such other persons as may be authorized by the president shall be admitted to the floor of the Convention during the session. The phrase "floor of the Convention" means the room or room where the Convention sits in session, excluding the space designated for visitors and for the press.

Rule 7. Bar of the Convention-Defined

Any member, having answered the roll call at the opening of any session of the Convention or of a committee meeting, or having entered upon the floor of the Convention or committee room after roll call, shall thereafter remain within the bar of the Convention unless excused by the president of the Convention or by the committee chairman.

Rule 8. Meetings of the Convention

All meetings of the Convention shall be open to the public and the news media.

Rule 9. Assignment of Seats

The permanent seats of the members shall be assigned by the president in the following order: alphabetically, from right to left, while facing the chair and from the front to the rear. Variations in this seating may be authorized by the president for the officers of the Convention. The same alphabetical procedure shall be followed for seating the members in sessions held at locations other than the seat of the Convention.
Part II, Chapter 1
COMPARATIVE RESEARCH DATA: General Provisions

MARYLAND

Rule 1. Quorum and Majority. A majority of all the delegates to the Convention shall constitute a quorum for the transaction of business, but a smaller number may adjourn the Convention from day to day and may also compel the attendance of absent delegates by the means approved by a majority, but not less than fifteen, of the delegates present. A majority of all the delegates may prescribe penalties for the non-attendance of delegates.

When a quorum is obtained, the affirmative vote of a majority of the delegates present and voting shall be sufficient for the adoption of any motion or resolution or the taking of any action, except in those cases where the affirmative vote of a greater number shall be required either by these rules or by Section 10 or Section 13 of Chapter 1 of the Acts of the General Assembly of 1967.

All sessions of this Convention and all meetings of its committees shall be open to the public at all times, and no rules shall be promulgated which in any way infringe upon the public's right to information about the Convention.

MICHIGAN

Rule 1. Quorum - Defined. No person, other than a delegate, officer or employee of the Convention, or a credited news correspondent or person invited by the President, shall be admitted to the floor of the Convention immediately preceding the time set for any call to order and immediately following adjournment. Only delegates, officers and employees and such other persons as may be authorized by the president shall be admitted to the floor of the Convention during the session. The phrase "floor of the Convention" means the room or chamber where the Convention sits in session, excluding the space designated for visitors and for the press.

NEW MEXICO

Rule 1. Admission to Floor - Defined. No person, other than a convention delegate, officer or employee of the Convention, or a credited news correspondent or person invited by the President, shall be admitted to the floor of the Convention during the session. The words "floor of the Convention" mean the space occupied and used by the convention or any committee or other room attached thereto and used in connection with conducting the business of the Convention.

PENNSYLVANIA

Rule 1. What Constitutes a Quorum. A majority of all the Delegates (51) shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent Delegates.
Visitors shall not enter the Convention Hall after the doors are closed, nor will any proceedings under the call be admitted.

Quorum Call Procedure. These proceedings shall be without debate and a motion, except on adjourn, shall be in order.

When less than a Quorum Vote. When less than a quorum vote upon any subject under the consideration of the Convention, not less than twelve Delegates may demand a call of the Convention. It shall then be the duty of the President to order the doors of the Convention to be closed and the roll of the Delegates to be called. If it is ascertained that a quorum is present, either by answering their names or by their presence in the Convention Hall, the President shall again order the roll to be called; and if any Delegate or Delegates present refuse to vote, such refusal shall be deemed and recorded as a negative vote.

When less than a Quorum Present.

When, upon a call, which may be demanded by not less than twelve Delegates, it is found that less than a quorum

Pennsylvania

is present, the Secretary shall immediately report to the Convention the names and reasons for the absence of any Delegate and shall be the duty of the President to order the doors of the Convention to be closed and to order the Secretary to call to the roll of the Convention and to note the absentees for which no leave has been granted, after which the names of the absentees shall again be called. Those for whose absence no excuse has been granted, nor, by order of a majority of the Delegates present, be sent for and taken into custody by the Sergeant-at-Arms or his assistants appointed for the purpose, and be brought before the bar of the Convention, where, unless excused by a majority of the Delegates present, they shall be removed by the President for neglect of duty.

Admission of Delegates During Quorum Call. Delegates who voluntarily appear during a quorum call shall be admitted to the Convention Hall. Upon recognition by the President, they shall announce their presence and their names shall be recorded on the roll.

Rule 31. Admission to the Floor of the Convention. It shall be the duty of the Sergeant-at-Arms to prevent all persons except Delegates, officials and employees of the Convention and properly accredited photographers, newspaper representatives, radio and television personnel from entering within the hall of the Convention Hall, unless upon invitation of the President.

No other person shall be permitted to occupy the seat of a Delegate at any time.

Part II, Chapter 2

COMPARATIVE RESEARCH DATA:

Officers, Employees, Duties

Louisiana

Louisiana

COMPARATIVE RESEARCH DATA:

Officers, Employees, Duties
The second ASSISTANT SECRETARIES, CLERKS, ETC.

Duties of Secretary

Custodian of All Documents, Etc.

Rule No. 10. The Secretary shall be responsible for the accuracy of the Journal. He shall faithfully execute all orders of the Convention and endorse all ordinances, resolutions and other documents when necessary. He shall be custodian of all documents filed, and shall not permit originals to go out of his possession, except upon receipt of a Committee Chairman or by sanction of the Convention. He shall exercise supervisory control over all Clerks and Employees and see that they diligently perform their duties, reporting all delinquencies to the President. He shall perform such other duties as are usual and customary.

ASSISTANT SECRETARIES

Duties of Assistant Secretaries

Rule No. 11. The Assistant Secretaries shall assist the Secretary in the performance of his duties, and do and perform such work as he may assign to them. The Secretary shall designate a Chief Assistant to act in his stead when necessary.

SERGEANT-AT-ARMS

Duties of the Sergeant-at-Arms

Rule No. 13. The Sergeant-at-Arms shall attend all sessions of the Convention and maintain order under direction of the Presiding Officer. He shall see that the Convention Hall and all other rooms are kept clean and in order; and, during recess or adjournment, he shall deny admission to all persons thereto except those entitled to admission under the Rules of the Convention. He shall, during the sessions of the Convention, keep the roll of all persons in attendance, and shall perform all duties as are usual and customary.

Duties of Pages, Clerks, Doorkeeper, Etc.

Rule No. 14. The Committee and Enrolling Clerks, Doorkeeper, Pages and all other Employees shall perform their work as may be assigned to them, or as may be usual and customary in their several positions.

"It is recommended that the principal officers consist of a president of the convention and four vice presidents; the president would act as the presiding officer and would have such prerogatives as the rules of the convention provide. He would probably be entrusted with the appointment of the committees, subject to approval by the entire convention. Four vice presidents are recommended, each to term of one year."

LOUISIANA

Act 186 of 1956

Section 6(1)(a). "There shall be elected by a vote of a majority of the delegates present the following officers:

A President
A First Vice-President
A Second Vice-President
A Third Vice-President
A Fourth Vice-President"

"(b) The duties of these officers shall be as follows:

"The President shall preside at all sessions of the convention and in his absence or inability to serve, the Vice-Presidents in the order of rank shall serve in this capacity. The President shall appoint, by and with the consent of the majority of the Convention, seven working committees of the convention . . ."

"(2) The President and the Vice-Presidents shall constitute a committee to be charged with the responsibility of employing and fixing the compensation of all employees necessary to the effective carrying out of the work of the convention and its committees, among whom shall be:

"(a) The Secretary of the Convention,

"(b) Such number of Assistant Secretaries as may be necessary,

"(c) A Sergeant-at-Arms and assistants who shall be authorized to perform such duties as may be fixed, and execute such orders as may be directed by the presiding officer of the convention. An appointive employee shall . . ."

"It is recommended that the principal officers consist of a president of the convention and four vice presidents; the president would act as the presiding officer and would have such prerogatives as the rules of the convention provide. He would probably be entrusted with the appointment of the committees, subject to approval by the entire convention. Four vice presidents are recommended, each to term of one year."

"The First Vice-President shall be responsible for the direction of the secretariat and the office of the Sergeant-at-Arms."

"The Second Vice-President shall be responsible for the convention for the formulation of matters pertaining to Rules, Calendar and Research."

"The Third Vice-President shall be responsible . . ."
The convention for the Style and Revision of the work of the convention and its formulation into a completed document.

"(6) The Fourth Vice-President shall be responsible to the convention for the preparation and formulation of a basis for legislative action necessary to put into effect the provisions of the constitution."

48

LOUISIANA

1972 Senate Rules

2. It shall be the duty of the President to preserve order, decide questions of order, prevent personal reflections, contumelious members in debate to the question, and when two or more members rise at the same time, decide who shall be first heard; but an appeal in all cases shall lie to the Senate, and a member called to order may explain or justify.

3. He shall declare all votes; but if any Senator rises to doubt a vote, the President shall order a poll of the vote without further debate.

4. He shall rise to put a question, but may state it while sitting.

5. Before putting any debatable question, the President shall ask: "Are you ready for the question?" When it is evident that no Senator wishes to speak, the question shall be put by the President and the voting machine shall be opened by the Secretary and shall be used to record the vote of the Senators. The President shall put the question in substantially the following form: "As many as are in favor of (as the question may be) vote yes (green light) when the machine is opened; those opposed will vote no (red light). The Secretary will open the machine." After the Senators have voted, the President shall order the Secretary to close the machine and shall announce the vote.

At any time the voting machine is out of order the vote on any question shall be taken by oral roll call in alphabetical order, after which the President shall rise and state the decision of the Senate.

49

LOUISIANA

6. All acts, addresses and joint resolutions shall be signed by the President, and all votes, warrants, and subpoenas issued by order of the Senate, shall be under his hand and seal, attested by the Secretary.

7. The President shall have the right to examine and correct the Journal before it is read. He shall have general direction of the Senate Chamber, and shall have the right to name any Senator to perform any duties of the Chair.

Duties of the Secretary

61. A. All questions of order with the decisions shall be noted by the Secretary and included in the Journal.

B. In case any clerk, Sergeant-at-Arms or Doorkeeper of the Senate shall fail to perform his duties, the Secretary shall make a report thereof to the President of the Senate without delay.

C. The Secretary shall read the Journal daily unless otherwise ordered by the Senate. The Secretary may have any errors in the printed Journal corrected. The Journal shall be authenticated by the Secretary or in his absence by his chief assistant.

D. The Secretary shall consider himself responsible to the Senate for the accuracy of the Journal.

Duties of the Sergeant-at-Arms

63. It shall be the duty of the Sergeant-at-Arms to attend the Senate during its sitting, to execute commands of the Senate from time to time, together with all such process, issued by the authority thereof, as shall be directed to him by the President.

50

LOUISIANA

The Sergeant-at-Arms shall, during the session of the Senate, prohibit any lounging or loafing in the Senate Chamber and keep the galleries clear of all persons. It shall be the duty of the President to see that this rule is enforced, and persistent disregard of it by any officer shall be cause for dismissal by the President.

The Sergeant-at-Arms shall attend all committee meetings or have an assistant present to maintain order and to assist the Chairman in any manner that will aid in the work of the committee.

The Sergeant-at-Arms or his assistants shall remain on duty in the Senate during recess of the Senate and keep visitors from the doors of the members.

The Sergeant-at-Arms or his assistants shall sign for messages and telegrams of absent members and be responsible for their prompt delivery.

Duties of the Doorkeeper

65. It shall be the duty of the Doorkeeper to keep the door of the lobby, to announce messages, and perform such other duties as the members may require. He shall also see that his assistants perform the duties assigned to them.

The Doorkeeper and his assistants are directed to wear proper badges at all times when in the discharge of their respective duties.

51

PART II, CHAPTER 2

COMPARATIVE RESEARCH DATA: OFFICERS, EMPLOYEES, DUTIES

ARKANSAS

Rule 1. Officers of the Convention. The officers of this Convention shall be a President, who shall be chairman of the Convention, and four Vice-presidents, each of which vice-presidents shall be from a different Congressional District. The President and vice-presidents shall be delegates to the Convention and elected by the majority vote of the entire Convention.

Rule 2. Duties of the President. The President shall take the chair each time at the hour to which the Convention shall have adjourned or recessed. He shall call the Convention to order and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules. The President shall preserve order and decorum. He may speak to points of order and, subject to an appeal, the Convention, shall decide questions of order. When two or more delegates seek recognition at the same time for purposes of debate, the President shall recognize the delegate who is the first to speak first.
Rule 5. Press Representatives. The President shall assign accredited news correspondents press facilities in the Convention chamber. News correspondents using cameras, tape recorders and similar reporting devices shall conduct themselves so as not to interfere with the orderly course of the proceedings of the session.

Rule 6. Naming of Chairman of the Committee of the Whole. When the Convention shall have decided to go into the Committee of the Whole, the vice-presidents in the order of their precedence shall preside therein, or if none be present, the President shall name a chairman of the Committee of the Whole.

Rule 7. Voting. The President may vote in all elections, on all divisions called for by any delegate and on all questions taken by ayes and nays, except on appeals from his decisions.

Rule 8. Powers and Duties of Vice-Presidents. In the absence of the President or his temporary inability to preside, or at his request, the vice-presidents in order of precedence shall exercise the powers and perform the duties of the President, and shall preside over the Convention. The order of precedence among the vice-presidents shall be for one week at a time in the numerical order of Congressional districts successively through the life of the Convention.

Rule 9. Secretary. The Secretary shall be the director of the Convention staff, including all employees of the Convention, except as otherwise ordered by the Convention. In this capacity, he shall supervise the work of all staff members.

Rule 10. Vacancies in Office. In the event of a vacancy in any office in the Convention, the Convention shall elect a successor in the same manner as the office was originally filled.

Rule 11. 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. Leave of the...
Rule 6. In the event of a vacancy in the office of a Vice-President by death, resignation or otherwise, the Convention shall, by the vote of at least forty-two delegates, elect a new Vice-President.

In the event of the temporary absence of all Vice-Presidents to discharge the duties of their offices, the Convention shall have the power to designate and appoint some other delegate to discharge the duties of the office during such temporary absence.

Secretary

Rule 7. The Secretary shall keep a journal of the proceedings of the Convention and, under the direction of the President, shall prepare and place on the desk of the President each day a calendar of the business of the Convention, as provided by these rules.

Rule 8. The Secretary shall prepare for printing all proposals and other documents which are required to be printed under these rules, under the direction of the Committee on Accounts and Printing and shall see to it that they are properly and correctly printed.

HAWAI'I

Rule 9. The Secretary shall number consecutively each proposal of subject matter to be incorporated into the Constitution when introduced. When a proposal is introduced by a Committee, the Secretary shall number such proposal consecutively in a separate series.

Rule 10. The Secretary shall preserve all proposals, reports of Committees and all other records, books, documents and papers of the Convention and shall deliver them to the Archives Division, Department of Accounting and General Services, State of Hawaii, or shall make such other disposal of them as the Convention shall direct.

Rule 11. When necessary or required, the Secretary shall, with the President, certify all official acts and all vouchers for payment of expenditures of the Convention, and he shall perform such other duties as are required of him by these rules, and as from time to time shall be required of him by the Convention.

Rule 12. One copy of the final draft of any proposal or committee report presented to or prepared by the Convention shall be delivered by the Secretary to the Archives of the State of Hawaii.

Rule 13. Other than certification of official acts, documents and vouchers by the Secretary, he may delegate his duties to the Chief Clerk.

In the event of a vacancy in the office of Secretary by death, resignation or otherwise, the Convention shall, by the vote of at least forty-two delegates, elect a new Secretary.

In the case of the temporary absence of Secretary to discharge the duties of his office, the Convention shall have the power to designate and appoint some other delegate to discharge the duties of the office during such temporary absence.

Part II, Chapter 2
COMPARATIVE RESEARCH DATA: Officers, Employees, Duties

ILLINOIS
compensated at rates not to exceed those established by section 8 of
Public Act 76-40. The secretary shall receive no additional salary.
Each permanent officer shall be a member and shall be elected by the
Convention by a majority of the votes cast.

Rule 8, Duties of the President

The president shall be the presiding officer and chief
executive officer of the Convention. He shall preside at sessions of
the Convention and of the Committee of the Whole, and exercise the
usual powers and perform the usual duties of a presiding officer. He
shall preserve order and decorum. He may speak to points of order and,
subject to an appeal to the Convention or to the Committee of the Whole,
shall decide points of order.

He shall cause to be prepared and furnished to each member
a daily calendar and agenda of business for each session of the
Convention.

Together with the secretary of the Convention, he shall
authenticate by signature all proposals, resolutions, or other formal
acts adopted by the Convention.

He shall, within thirty days after his election, prepare a
budget and submit it to the Convention for its approval. No later
than the fifteenth day of each month he shall submit to the Convention
a report of the expenditures of the Convention for the preceding
calendar month.

ILLINOIS

He shall let bids and award contracts for materials and
services.

He shall have general charge and supervision over the
executive, research, and clerical staff, and all other employees of
the Convention.

He may vote in all elections, on all divisions called for
by any member, and on all questions taken by ayes and nays, including
appeals from his decisions, except that the president may not vote
twice, once to cause a tie vote and then again to break it.

He may designate any member to preside over the Convention
in case of his absence or temporary disability for not more than two
consecutive Convention days.

Rule 9, Duties of the Vice-Presidents

The vice-presidents shall carry out such powers and duties
as are assigned by the president. If the president is temporarily
absent or temporarily unable to preside and has not designated
another member to preside or if the temporary absence or disability
exceeds two Convention days, one of the vice-presidents shall be
selected by the Convention to exercise the powers and perform the
duties of the president. The secretary shall preside temporarily
while such selection is made.

Rule 10, Duties of the Secretary

The secretary shall have custody and preserve all proposals,
resolutions, committee reports, and all other records, books, docu-
ments, and papers of the Convention. He shall not permit them to be
taken out of his custody except in the regular course of the business
of the Convention.

He shall certify and deliver to the secretary of the state
the revisions or alterations of or amendments to the constitution as
approved by the Convention for submission to the electorate.

ILLINOIS

He shall cause to be kept and furnish to each member a
printed Journal of the proceedings of the Convention for the previous
day which, when approved by the Convention, shall be the official

Journal of the Convention. He shall also cause to be kept and to be
submitted to the Convention for approval a verbatim record of the
proceedings of sessions of the Convention and meetings of the Committee
of the Whole.

He shall have such other duties as stipulated in these rules,
but, after consultation with the president, he may delegate part of
his duties to the executive director, or another employee designated
by the president. He may not, however, delegate the duty of certifying
the revision or alteration of an amendment to the constitution approved
by the Convention for submission to the electorate.

Rule 11, Vacancies

If a vacancy occurs in the office of president, the secretary
shall temporarily preside until the Convention elects a president 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-presidents
or in the office of the secretary, the president shall appoint a member
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.

Rule 12, Employees of the Convention

There shall be an executive director of the Convention, and
such other employees as may be necessary for the effective operation
of the Convention, all of whom shall be appointed by the president.
All employees shall be persons who are not members and their compensation
shall be fixed in such manner as may be determined by resolution of the
Convention.

ILLINOIS

Rule 13, Duties of the Executive Director

The executive director shall be primarily responsible for
the administration of the Convention, under the authority and supervision
of the president. In this capacity he shall be responsible for the employ-
ment, assignment, and direction of all personnel, and the supervision of
the payroll, and he shall be director of the Convention's budget. He
shall also supervise the acquisition and care of the facilities, services
and supplies needed by the Convention. He shall have such other duties
and responsibilities as may be delegated to him by the president or the
secretary of the Convention.

MARYLAND

Part 11, Chapter 2
COMPARATIVE RESEARCH DATA: Officers, Employees, Duties

Officers

Rule 3, Officers of the Convention. The officers of
the Convention shall be an honorary president, a president,
a first vice-president, and a second vice-president, all of
whom shall be elected by the Convention by the vote of a
majority of all the delegates, by roll call vote. There shall
also be a secretary, a chief clerk, a sergeant at arms, a
parliamentarian, a historian, and such other officers as may
be necessary from time to time, all of whom shall be elected
in such manner as may be determined by resolution of the
Convention adopted by a majority of all the delegates. The
honorary president, president and vice-presidents shall be
delegates and shall receive no additional compensation for
services performed as officers. All officers and employees
of the Convention, other than the honorary president, the
president and the vice-presidents, shall be persons who are not
delegates and their compensation shall be fixed by the president.

The President

Rule 4, Duties of Presiding Officer. The president shall
preside at sessions of the Convention and of the Committee of
the Whole, and exercise the usual powers and perform the usual
dent duties of a presiding officer. He shall preserve order and decorum and fairly assign floor rights. He may speak to points of order and, subject to an appeal to the Convention or to the Committee of the Whole, shall decide points of order.

Rule 5. Appointment by the President. The president, after consultation with the vice-presidents, and after giving due consideration to the requests of the various delegates, shall appoint a chairman, and the members of all committees. All appointments shall be announced to the Convention and entered upon the Journal. Each committee shall elect one of its members to be the vice-chairman. The vice-chairman shall perform all the duties and functions of the chairman in the absence of the Chairman.

Rule 6. Administration of Convention. Except as otherwise provided the president shall appoint, and assign duties to, all employees of the Convention. The president, with the consent of the chairman of each standing committee, shall appoint the staff of such committee.

Rule 7. Authority of President. The president shall be chief executive of the Convention and all other officers and employees shall be responsible to his general supervision.

Rule 8. Naming of the President Pro Tempore. The president may appoint any delegate to preside temporarily at any session of the Convention or of the Committee of the Whole, but not for longer than one day at a time without leave of the Convention.

Rule 9. Voting. The president may vote in all elections, on all divisions called for by any delegate, and on all questions taken by ayes and nays, except that the president may not vote twice, once to cause a tie vote and then again to break it.

Rule 10. Powers and Duties. If the president is temporarily absent or temporarily unable to preside, the first vice-president, or, in the absence or inability of the first vice-president to preside, the second vice-president, shall exercise the powers and perform the duties of the president and shall preside over the Convention or the Committee of the Whole, unless the president shall have designated another delegate as president pro tem for that session or that day. If a vacancy occurs in the office of president, the first vice-president shall temporarily exercise the powers of the office of president until the Convention elects a president to fill the office. If a vacancy occurs in the office of the first vice-president, the second vice-president shall succeed thereto. The Convention shall fill any vacancy in the office of second vice-president.

Rule 11. Responsibilities of the Secretary. The secretary shall be the chief administrative officer of the Convention and shall be primarily responsible for its administration, under the direct authority of the president. The secretary, under the supervision and authority of the president, shall be responsible for the employment and assignment of personnel, the supervision of a payroll, the registration of lobbyists or any special interest groups pursuant to any requirements imposed by rule or resolution of the Convention, and communications with the press. He shall be director of the Convention’s budget and shall supervise the acquisition and care of facilities, services and supplies needed by the Convention.

Rule 12. Roll Call. The chief clerk shall call the roll at the opening of each session of the Convention and the president shall announce whether or not a quorum is present.

Rule 13. Journal and Transcript. The chief clerk shall furnish to each delegate a copy of the Journal of the proceedings of the Convention for the previous day, which shall be the official journal of the Convention. The chief clerk shall also keep a verbatim record of the proceedings of sessions of the Convention and meetings of the Committee of the Whole.

Rule 14. Order of Business. The chief clerk shall furnish to each delegate the daily calendar and agenda of the business of each session of the Convention provided for by Rule 40 and a copy of each proposal as soon as practicable.

Rule 15. Powers and Duties. The sergeant at arms shall be the chief police officer of the Convention.
The President

Rules of the governing officer.

Rule 5. The president shall take the chair each day at the hour to which the convention shall have adjourned or rescinded all the convention to order and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

Further duties of presiding officer.

Rule 6. The president shall preserve order and decorum, may speak to points of order and shall decide questions of order, subject to an appeal to the convention. When 2 or more delegates seek recognition at the same time for purposes of debate, the president shall recognize the delegate who is to speak first.

Appointment by the president.

Rule 7. The president, after consultation with the vice-presidents, shall nominate for convention approval the membership of all committees except where the convention shall otherwise order. All appointments shall be announced to the convention and entered upon the journal. The president shall appoint a committee consisting of 3 regular news correspondents of daily papers, 1 news correspondent from the wire services, and 1 news correspondent from the radio and television agencies. This press committee shall pass upon the credentials of all news media representatives, and no correspondent shall be entitled to a press desk who is not approved by such committee and the president. The president shall assign such accredited news correspondents to press desks in the convention chamber and provide each news correspondent with a card of admission showing his desk number and signed by the president and the chairman of the convention press committee. Persons desiring to be accredited news correspondents at the convention shall file written application with the president, who shall refer them to the press committee. The application shall state the name of the news agency, publications or news media by which they are employed, and no news agency shall be assigned more than 1 desk in the press gallery. News correspondents using cameras, tape recorders and similar reporting devices shall conduct themselves so as not to interfere with the orderly course of the proceedings of the session. Persons registered with the secretary of state as legislative agents shall be ineligible for constitutional convention press credentials.

Taking of voting president.

Rule 8. The president may appoint any delegate to perform the duties of the chair, but not for a longer time than 1 week without leave of the convention.

Taking of chairman of the committee of the whole.

Rule 9. When the convention shall have decided to go into the committee of the whole, the president shall name a chairman to preside therein.

Voting.

Rule 10. The president may vote in any elections, on all motions called for by any delegate, and on all questions taken up and voted on, except on appeals from his decisions.

Vice Presidents

Powers and duties.

Rule 11. In the temporary absence of the president or in case of his temporary inability to preside, one of the vice presidents designated by the president shall exercise the powers and perform the duties of the president, and shall preside over the convention, unless the president shall have designated a delegate to preside for that day.

Michigan

Secretary

Roll call.

Rule 12. 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 without leave, and enter the names of all absentees upon the journal. If a voting machine is provided, vote by machine shall be taken whenever a roll call or a vote by yeas and nays is directed by or in accordance with these rules.

Invocation.

Rule 13. The secretary shall arrange for an invocation at the opening of each session of the convention.

Rule 14. The secretary shall keep a journal of the proceedings of the convention in conformity with the rules, supervise the daily publication thereof, and make such corrections as may be necessary. He shall furnish each delegate a printed copy of the proceedings of the previous day. The journal shall be considered the approved journal of the convention, unless otherwise ordered by the convention. The convention reporter shall keep a verbatim record of convention proceedings and shall, within the time prescribed in his appointment by the convention, provide a verbatim transcript of all proceedings had in convention sessions and the sessions of the committee of the whole for duplication and distribution to interested persons.

Order of Business.

Rule 15. The secretary shall furnish each delegate daily with a calendar of the business on his desk under each order of business.

Michigan

Printing and care of delegate proposals and committee proposals.

Rule 16. The secretary shall attend to the printing of all delegate proposals, committee proposals, resolutions, and documents, ordered printed by the convention. The secretary shall give to each proposal when introduced, a number, and the numbers shall be in numerical order. When proposals are ordered printed by committees, they shall be called committee proposals, shall be printed, and shall be numbered in numerical order. The secretary shall cause to be printed at the head of each proposal the title of the committee which reported the same and the character and number and any report of the committee reading the proposal. The secretary shall be responsible to the convention for the care and preservation of each proposal introduced into the convention and committee proposals. Committee proposals shall be kept on file in numerical order, unless otherwise ordered by the convention, and such file shall be called the original orders of the day.

Rule 17. Responsibility for constitution hall. The secretary shall exercise supervisory care and control of the conduct of business and all convention rooms and equipment. The secretary shall have or rent all necessary equipment,
Supplies, and postage and arrange for postal, telephone, and telegraph service.

Rule 18. Inability of Secretary. In case of the temporary unavailability of the secretary, from sickness or other cause, to perform the duties of his office, the assistant secretary shall act as secretary until the secretary is able to assume his duties.

MICHIGAN

Sergeant at Arms

Rule 19. Powers and Duties. The sergeant at arms shall be the chief police officer of the convention. He shall have charge of such assistants as the convention authorizes. He shall attend to the heating, lighting, and ventilation of the constitution hall, committee rooms, and connecting corridors. He shall have authority to serve subpoenas and warrants issued by the convention, or cause the same to be done by his assistants.

Rule 20. Duties. The directors of research shall supervise all research and drafting activities of the convention and supervise the employees of the convention engaged in research and drafting.

Rule 21. Appointment. The convention by resolution shall designate employee positions and job descriptions, provide salary scales, and provide for the appointment of employees by an officer of the convention or by a committee of the convention.

NEW MEXICO

President

Rule 9. Appointment of Officers. The president shall appoint any delegate to preside temporarily at any session of the convention, but for not longer than one day without leave of the convention. The president shall name a delegate to serve as chairman of the committee of the whole but not for longer than one day

NEW MEXICO

Rule 9. Vacancy. In the event of a vacancy in the office of president by death, resignation or otherwise, the convention shall, by majority vote of those delegates elected to the convention, elect a president to fill the vacancy.

Rule 10. Voting by President. The president shall vote on all roll calls, and his name shall be called last by the chair clerk.

Rule 11. Vice Presidents. The vice presidents shall assist the president in the performance of his duties. In the temporary absence of the president, or in the event of his temporary inability to preside, his duties shall devolve upon the first vice president, or if the first vice president is also absent or unable to preside, upon the second vice president, or if the second vice president is also absent or unable to preside, upon the third vice president, or if the third vice president is also absent or unable to preside, upon the fourth vice president.

As used in this rule, "temporary inability" means an absence by inability not to exceed five consecutive days.

Rule 12. Chief Clerk. The chief clerk is the chief administrative officer of the convention and is primarily responsible for its administration under the direction of the president. The chief clerk, under the supervision and authority of the president, is responsible for the employment and assignment of personnel and supervision of the payroll and accounting. He shall also prepare the convention's budget and supervise the acquisition and expenditure of facilities, services and supplies needed by the convention.
NEW MEXICO

The chief clerk shall also:

1. Call the roll at the opening of each session of the convention, after which the president shall announce whether or not a quorum is present;

2. Prepare and place on the desk of each delegate a calendar of the business of the convention for each day, as provided in these rules;

3. Prepare for reproduction all reports and committee proposals and other documents which are required to be reproduced by the convention;

4. Preserve all proposals, reports of committees and other records, books, documents, and papers of the convention, after the adjournment of the convention, deliver them for deposit and preservation in the state archives; and

5. Cause and supervise the keeping and preparation of a journal of the proceedings of the convention.

Rule 13. Sergeant at Arms. The sergeant at arms shall perform his duties subject to the supervision of the chief clerk. He and his authorized assistants shall be in constant attendance upon the sessions of the convention and in the lobbies, gallery and passages and rooms connected therewith, and in the committee rooms when a committee is in session. The sergeant at arms shall see that no person is admitted to or remains on the floor of the convention unless entitled to the privileges thereof. He shall execute the orders of the president and of the convention together with all processes issued by the convention.

NEW MEXICO

Rule 14. Parliamentarian. The parliamentarian of the convention is the advisor to the presiding officer and to each committee chairman on all matters of parliamentary law. The parliamentarian shall not be a delegate of the convention and shall be a person learned in parliamentary law. All parliamentary rulings, however, are the responsibility of, and shall be made by, the presiding officer.

Part II, Chapter 2

COMPARATIVE RESEARCH DATA: Officers, Employees, Duties

PENNSYLVANIA

Rule 1. Election of Officers. The convention shall elect from among its delegates a President, a First Vice President, a Second Vice President and a Secretary. The President and the Second Vice President shall be from one political party different from that of the First Vice President and the Secretary. The Convention shall, by resolution or recommendation, appoint such other officers and employees it deems necessary for the proper conduct of the Convention.

Rule 9. The President. The President shall take the Chair each day at the hour to which the Convention shall have adjourned. He shall call the Convention to order and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

The President shall possess the power and perform the duties herein prescribed:

1. He shall preserve order and decorum, and in debate shall prevent personal reflections and shall confine delegates to the question under discussion. When two or more delegates rise at the same time, he shall name the one entitled to the floor.

2. In case of any disturbance or disorderly conduct on the floor or in the galleries or lobbies, he shall have the power to order the same to be cleared.

3. He shall decide all questions of order, subject to appeal by the Convention. No debate shall be allowed on questions of order unless there be an appeal. On every appeal he shall have the right to state his reasons for his decision. In case of such appeal no member shall speak more than once unless by permission of the Convention. On the question of appeal a majority (R2) of the Delegates shall be necessary to override a decision by the President.

4. He shall, after consultation with the Vice Presidents and Secretary, appoint all committees, except where the Convention shall otherwise order.

5. Each committee shall be composed of delegates from each political party and shall be as nearly bipartisan as possible. The first two delegates named to each committee shall be of different political parties, and shall be designated as co-chairs.

6. He may authorize any delegate to perform the duties of the Chair, but for no longer than that day.

7. When necessary or required, he shall, with the Secretary, certify all official acts including proposals and reports approved by the Convention.

8. He shall sign all requisitions upon the State Treasurer and all vouchers for payment of expenditure.

9. He shall designate an usher, or authorize the designation of available seating and movement of the persons who shall act as news media representatives within the Convention Hall and committee rooms. Any news media representative called to order must return to his assigned seat or area immediately. Refusal to do so shall be sufficient cause for the removal of such representative for the duration of the convention. He shall authorize the taking of photographs at session and committee meetings of the convention subject to the following conditions:

a. The authorization given by the President shall apply only to photographers from, or employed by, accredited newspaper or wire services, and network or television photographers.

b. The authorization shall extend to all sessions of the Convention and all committee meetings, but shall not extend to executive meetings of such committees.

c. Sound-on-film camera, and other cameras not in the portable category, shall be permitted in the well and the two front corners of the Convention Hall and in the committee rooms in such areas as the committee co-chairman shall determine. Such cameras shall not be assembled, disassembled or removed while the Convention or committees are in session.

d. To the extent practical, a flash apparatus shall not be used.

e. Photographers authorized to be taken shall be in such manner as to cause the least possible inconvenience to the convention or the committees.

f. Any photographer called to order by the presiding officer or any delegate must return to his assigned seat or area immediately. Refusal to do so shall be sufficient cause for the removal of such representative for the duration of the convention.

8. He shall be a member ex-officio without vote on all committees.

9. He shall declare the vote and announce the result according to the fact on all questions and divisions.

10. He shall not engage in any debate, or propose his opinion on any question, except the assigning of his reasons for his decisions on any appeal therefrom, without first calling some delegate to occupy the chair.
11. As a Delegate, he shall have the right to vote on any matter coming before the Convention in the same manner authorized for other Delegates.

12. He shall have authority, subject to approval by the committee on Administration and Finance, to appoint employees. He shall also have the authority to suspend or dismiss any employees for misconduct, incompetency, insubordination or neglect of duty, subject to approval of a majority of the members of the Committee on Administration and Finance. Such decision of the committee shall be made within three Convention Days after referral of such matter to them by the President.

PENNSYLVANIA

President

Rule 10. Vacancy, Absence or Inability to Serve. In the event of a vacancy in the office of the President by death or resignation the First Vice President shall temporarily serve as First Vice President until a new First Vice President is elected by the Convention. In the event of the absence or inability of the First Vice President, the Second Vice President shall serve as acting First Vice President during such absence or inability to serve.

Second Vice President

In the event of a vacancy in the office of the Second Vice President by death or resignation the Secretary shall serve temporarily as Second Vice President until a new Second Vice President is elected by the Convention. In the event of the absence or inability of the Second Vice President, the Secretary shall serve as acting Second Vice President during such absence or inability to serve.

Secretary

In the event of the vacancy in the office of Secretary by death or resignation the Convention shall elect a new Secretary.

Rule 11. The Secretary - Powers and Duties. The Secretary shall, with the President, when necessary or required, certify all official acts including the proposals or reports approved by the Convention and shall perform such other duties as may be required by law or by the Convention.

In the event of the temporary absence of the Secretary, or in the event of his temporary inability to perform his duties, the President shall designate a Delegate as Acting Secretary from the same political party as the Secretary, to serve until the return of the Secretary.

PENNSYLVANIA


1. The Convention shall be the judge of the election and qualifications of its members.

2. In the case of a vacancy in the office of Delegate, if the Delegate is an ex-officio member, the vacancy shall be filled by the person assuming the office.

3. In the case of a vacancy in the office of an elected Delegate, the remaining Delegates of that political party shall elect a successor meeting the qualifications prescribed in subsection (b) of Section 2 of the Act of 1967 which provides:

"Delegates shall be at least twenty-one years of age and shall have been citizens and residents of the State for at least four years. Delegates shall have resided in and been a registered elector of their respective senatorial districts one year next before their election, and shall reside in their respective senatorial districts during their terms of service."

4. A question of the election, returns or qualifications of any Delegate shall be referred to the Rules Committee for investigation and report.


1. He shall attend the Convention during its meetings, preserve order and serve all processes issued by authority of the Convention and directed by the President.

2. He shall receive his actual expenses for himself or for an assistant when executing any such processes.

PENNSYLVANIA


1. There shall be present on the floor of the Convention at least one official reporter during the sessions. They shall record and transcribe, or shall cause the entire proceedings of the Convention to be recorded and transcribed, as concisely as possible, care being taken to record a true and accurate account of the proceedings. These proceedings shall be entered in the Journal of the Convention.

2. They shall include in the Journal:
   a. the number, sponsor(s) and text of every proposal introduced
   b. all resolutions in full
   c. motions
   d. amendments
   e. debate in full
   f. questions of order with decisions

PENNSYLVANIA

Rule 15. Members Shall Attend Sessions.

Every Member shall be present within the Hall at the Convention.
In the proceedings, unless consent to the same shall have been secured by the Convention; all, except the President, shall sit at their respective places. Questions put, unless there be an interest of a personal or pecuniary nature in the result, shall be decided by the Convention. A vote, however, shall be counted, when the member was within the bar of the Convention, when the last name was called.

Rule No. 25. Preventing Member from Speaking. No Member shall speak unless an interest in the business of the Convention, or read a paper, or speak, with the Journal or other public papers, are being read, when a Member is speaking an debate.

Rule No. 26. Reading of Journal and Documents. When the reading of a document, or an act, resolution or ordinance is called for, and objections made, the question shall immediately be determined, without debate.

Rule No. 27. Member to Address Chair. If a Member to speak not done in some instance, Members shall always address the chair, and when presenting a document, shall first state its import. Members shall not speak more than once to the same question, nor more than thirty (30) minutes without leave of the chair. If in his vote, the member presents an interest in the matter, in which case he shall be permitted to speak at length, but not until every Member interested shall have spoken.

LOUISIANA

Rule No. 28. Members Not To Be Interrupted While Speaking. No Member shall be interrupted while speaking except by a call to order by the President, or by a Member through the President, but an appeal in all cases shall lie to the Convention, and a Member called to order may resume or justify.

Rule No. 29. Objectional Words. If a Member is called to order for words spoken in debate, the member calling him to order shall indicate the words expected to, and they shall be taken down in writing at the Desk of the Secretary and read aloud to the Convention; but he or she shall not be held to answer, nor be subject to the censure of the Convention thereon, if further debate or other business has intervened.

Rule No. 30. Questions of Order Decided by President Without Debate Appeals. Every question of order shall be decided by the Presiding Officer, without debate, subject to an appeal; and the Presiding Officer 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 Presiding Officer without debate, and all appeals therefrom shall also be decided, without debate.

Rule No. 31. Members May Not Leave Hall When Question Is Being Put. While the Presiding Officer is putting a question or addressing the Convention no Member shall walk out of or across the Hall, nor when a Member is speaking, pass between him or her and the Chair.

LOUISIANA

Rule No. 32. No Member shall wear his hat during the sessions of the Convention, or while in the Convention, during the call of the roll, or smoke upon the floor of the Convention; and the Sergeant-at-Arms and Doorkeeper are charged with the strict enforcement of this clause.

Rule No. 33. Question of Privilege. Questions of privilege shall be first, those affecting the rights of the Convention collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to recess or adjourn.

Act 166 of 1956

Section 4 (2) . . . the temporary President shall administer the following oath:

"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 this Convention and that I will observe and obey the provisions of the Act under which the Convention has assembled, to Help Me God."

No delegate shall be qualified to act unless and until he shall have taken and subscribed to the said oath, . . ."

(3) . . . The delegates to said Convention shall receive thirty dollars per day, and ten cents per mile for travel in connection with the work of the Convention.

1972 Senate Rules

Rule No. 4. Rules in Speaking Debate. Senators speaking shall address the President, and when presenting a paper shall first state its import. Senators shall not speak more than twice on any question, without permission of the Senate, nor be interrupted when speaking except by a call to order by the President, or by a Senator through the President; provided, that the mover of a motion, and the introducer of a resolution or bill, shall have the privilege of opening the debate thereon, and shall likewise have the privilege of closing the debate, even after the previous question has been demanded and ordered.

The Senate may at any time, by a majority vote, limit debate so that no Senator shall be permitted to speak longer than one hour at one time without permission of the Senate, and a motion to that effect shall be in order at any time, taking precedence over every other motion, except a motion to adjourn.

Rule No. 10. Calls to Order and Appeal. If any Senator, in speaking or otherwise, transgresses the rules of the Senate the presiding officer shall, or any Senator may call him to order; and when a Senator shall have been called to order by the presiding officer, or a Senator, he shall sit down, and shall not proceed without leave of the Senate.

Rule No. 11. Exceptional Words. If a Senator be called to order for words spoken, the exceptional words shall immediately be taken down in writing that the presiding officer may be able to judge the matter.

Rule No. 59. Penalties for Violating Confidence of Senate. No Senator or officer of the Senate who shall disclose the secret of confidential business or proceedings of the Senate shall be liable, if a Senator, to suffer expulsion from the body, and if an officer, to dismissal from the service of the Senate and to punishment for contempt.
Part II, Chapter 3
COMPARATIVE RESEARCH DATA: Delegates
ARKANSAS

Rule 20. Conduct in Debate. When any delegate is about to speak in debate or present any matter to the Convention, he shall rise and address himself to "Mr. President," he shall not speak until recognized and when recognized, he shall confine himself to the question under debate, and avoid personalities.

Rule 21. Delegates Called to Order. If any delegate in speaking transgresses the rules of the Convention, the President shall call him to order; in which case that delegate shall immediately sit down and shall not rise unless to explain his decision in order.

Rule 22. Times Delegates May Speak. No delegate may speak more than once on the same question without leave of the President or of a majority of those present and voting, unless be the mover of the matter pending or chairman of the committee that reported it; in which case he shall be privileged to speak twice.

Rule 23. Conduct on the Floor. While the President is putting any question, or while the roll is being called or taken by the secretary, no delegate shall walk out; nor shall any delegate engage in discourteous conduct at any time.

Rule 24. Proceeding. No protest or petition contesting the election of any delegate shall be received or considered unless filed within ten days after the adoption of this rule.

Rule 25. Vacancies. When a delegate shall fail to answer roll call at opening sessions for fifteen consecutive sessions, the position may be declared vacant by the Convention and the vacancy filled as provided in Section 3 of Act 42 of the First

ARKANSAS

Extraordinary Session of the 66th General Assembly of Arkansas, 1968. The person so appointed shall serve for the remainder of the Convention, or until such time as the originally elected delegate shall appear before the Convention and be reinstated by the Convention.
he shall not speak more than a recognized and upon recognition he shall confine his remarks to the particular matter under consideration and avoid personalities.

Rule 10. Delegate Concession. The president on a challenge by any delegate upon speaking, shall order the rules of the Convention to be followed. Upon such challenge, the president may require the speaker to sit down. The president, order to sit down, or the failure of the president to order the speaker to sit down, shall be appealed.

Rule 11. Time Limit on Speak. Except as provided by Rule 10, no delegate may speak more than once on the same question without the majority of those present and voting, unless the bringing of the matter pending or chairman of the committee that reported it, in which case he shall be privileged to speak next.

Rule 12. General Rule on Debate. Except upon the affirmative vote of a majority of the delegates present and voting, no delegate may speak longer than fifteen (15) minutes without being required by the presiding officer to yield the floor. The restriction imposed by this rule shall not be applicable to chairman and vice-chairmen of committees when the latter are presenting a report of their committee to the Convention or to the committee of the whole, and the same exemption from the requirement of this rule shall also be applicable in the case of the chairsmen for a minority report of a committee of the Convention.

MARYLAND

Rule 13. Seating. Except in the case of the delegates who have been elected as officers of the Convention, the seats of the delegates on the Convention floor shall be arranged in alphabetical order by names. If a vacancy occurs, the name selected to fill the vacancy shall continue to have the seat of the delegate he occupied.

Compensation of delegates.

(1) In Maryland, the allowance of one hundred dollars ($100.00) per day is to be allowed to each delegate for attendance at the Convention on or after September 12, 1967. The expenses of the delegates, including such items as transportation, hotel accommodations and meals shall be allowed in an amount not to exceed fifteen (15) dollars per day.

(2) Notwithstanding the provisions of the preceding paragraph, upon the recommendation of the Credentials Committee, the presiding officer may authorize an additional allowance in those cases where the total of all expenses, including transportation, hotel accommodations and meals exceeds fifteen (15) dollars per day.

In the absence of the presiding officer, the credentials committee shall determine the compensation of the delegate.

The provisions of this rule shall apply to the convention or to the committee of the whole.

The members hereinafter named shall be the members of the Select Committee:

1.[

The Select Committee shall consist of at least one delegate, and shall include the remaining delegates of the counties or legislative district of the delegate whose death or resignation created the vacancy in the Convention. In event of only two delegates remaining, the First Vice-President shall be a member of the Select Committee. In event of only one delegate remaining, the First Vice-President and the Second Vice-President shall be the Select Committee.

(d) In the event the Select Committee shall fail to report to the Convention on or before theenth day after the appointment of the Select Committee, persons qualified to fill such vacancies shall be nominated from the floor. The names of the person or persons nominated shall be referred to the Committee on Rules, Credentials and Convention Budget. Upon report by the committee on Rules, Credentials and Convention Budget that the person or persons nominated are qualified in accordance with Section 1, Chapter 4, 1967, to fill the vacancy, the Convention shall proceed in the same manner as if the person or persons had been nominated by a Select Committee.

MARYLAND

Part II. Chapter 3

COMPARATIVE RESEARCH DATA: Delegate

MICHIGAN

Rule 15. Subject of Debate. When any delegate proposes to speak on a matter, pending or not, he shall be recognized by the presiding officer. The presiding officer shall then call on him to speak, at which time he shall have the floor and must speak until recognized and then explain the subject of the question on which he proposes to speak.

(1) When a delegate is called on to speak, he shall immediately address himself to the question under discussion, and avoid the subject.

(2) A delegate shall have the floor. When a delegate proposes to speak on a matter, pending or not, he shall be recognized by the presiding officer. The presiding officer shall then call on him to speak, at which time he shall have the floor and must speak until recognized and then explain the subject of the question on which he proposes to speak.

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Each delegate may speak more than once on the same question but not more than a majority of three questions and votes, unless the whole motion be reposed at the discretion of the Speaker, in which case he shall be privileged to speak again.

Rule 21. Loudest in the Senate. The Senator putting any question shall and may be ruled out of order by the Speaker. In debate, a Senator shall not address himself from the floor. Constitution hall, or in any of its rooms, except in the Speaker's seat, or the gallery of the Senate, which extraordinary privilege shall be in the discretion of the Speaker, in which case he shall be privileged to speak again.

Rule 26. Contesting the Election. No protest or petition contesting the election of any delegate shall be considered unless filed within six days after the adoption of the rule.

Part II, Chapter 3
COMPARATIVE RESEARCH DATA: Delegates
NEW MEXICO

Rule 15. Seating. Delegates shall be seated in the convention chamber by alphabetical order, beginning with the first row from right to left as they face the president's seat. Variations in this seating may be authorized for the vice presidents and coordinator.

Rule 16. Conduct in Debate. When any delegate desires to speak in debate or present any matter to the convention, he shall rise from his seat and shall not speak until recognized by the presiding officer. A delegate may rise and address the President without waiting for recognition when he rises to a point of order requiring an immediate ruling, a parliamentary inquiry requiring an immediate reply, an objection to consideration, or an appeal of the decision of the President. The delegate shall state his reason for rising, then wait for the President to recognize him. He states his point. When recognized, he shall activate his microphone and shall confine himself to the question under consideration and avoid personalities. He shall address all of his remarks to "Mr. President."

Rule 17. Delegates Called to Order. The president or any delegate may challenge any other delegate who, on speaking, violates the rules of the convention. Upon such challenge, the president may order the speaker to sit down. The president's order to sit down, or the failure of the president to order the speaker to sit down, may be appealed to the convention and sustained or overruled by a majority of the delegates present.

Rule 18. Delegates Speaking. Except for explanation, no delegate shall speak more than once on any one day at the same stage of the question without permission of the president as long as any delegate who has not debated the matter desires so to speak. No person other than a delegate shall address the convention, with the following exception: the parliamentary may address the convention on matters of parliamentary law when requested to do so by the president.

Rule 19. Interruption of a Delegate. No delegate shall be interrupted when speaking except for a point of order requiring an immediate ruling, a parliamentary inquiry requiring an immediate reply, an objection to consideration, or an appeal of the decision of the president. No motion shall be in order until the delegate has concluded and no question shall be asked of him except that which is asked through the president and with the consent of the delegate.

Rule 20. Speaking Order. No delegate, except one whose delegate shall be in the chamber, shall be permitted to rise while any other is speaking, and no delegate shall be permitted to speak more than once a day without permission of the Speaker or his consent.

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Part II, Chapter 3
COMPARATIVE RESEARCH DATA: PennsylvaniA

Rule 1. Assignment of Tasks. Delegates to the Convention shall be assigned desks in the Hall of the House of Representatives alphabetically beginning with seat No. 1.

Rule 2. Election Contests and Filling of Vacancies.
1. The Convention shall be the judge of the election and qualifications of its members.
2. In case of a vacancy in the office of Delegate, if the Delegate is an at-large member, the vacancy shall be filled by the person assuming the office.
3. In case of a vacancy in the office of an elected Delegate, the remaining Delegates of that political party shall elect a successor meeting the qualifications prescribed in subsection (a) of Section 2 of the Act of 1987 which provides:
   "Delegates shall be at least twenty-one years of age and shall have been citizens and residents of the State for at least four years. Delegates shall have resided in and been a registered elector of their respective senatorial districts one year next before their election, and shall reside in their respective senatorial districts during their terms of service."
4. A question of the election, returns, or qualifications of any Delegate shall be referred to the Rules Committee for investigation and report.

Right of Order of Delegates

Rule 4. Delegates Must Be Present Unless Excused. Every Delegate shall be present in the Convention Hall during all sessions, unless previously excused or prevented from attending by illness or other sufficient cause, and shall vote on each question stated by the Chair unless excused under the provisions of Rule 19. It shall be the duty of any Delegate to report to the Secretary of the Convention the cause for his absence.

Recognition by President

When a Delegate desires to address the Convention, he shall rise and respectfully address himself to "Mr. President." Upon recognition, he may speak, confining himself to the question under consideration. When two or more Delegates rise at the same time, the President shall designate the Delegate who is entitled to the floor. Such decision shall not be subject to appeal.

Personal Explanation

Any Delegate may rise to explain a matter personal to himself and shall be recognized by the President, but he shall not discuss a question in such explanation. The question of personal privileges shall be limited to questions affecting the rights, reputation, and conduct of the Delegates in their capacity as Delegates.

Calling Delegates to Order

If any Delegate transgresses the Rules of the Convention in any way, the President, or any Delegate, may call the offending Delegate to order. A Delegate so called to order shall immediately take his seat until the President, without debate, shall have determined whether or not he is in order.

Pennsylvania

Such decision by the President shall be subject to an appeal to the Convention. If the decision is in his favor, he shall be at liberty to proceed; if otherwise, he shall not proceed without leave of the Convention.

Offensive Words

If any Delegate is called to order for offensive words spoken in debate, the Delegate calling him to order shall state to the Convention the words to which exception is taken. If a majority of the Delegates present decide the words are offensive, they shall be stricken from the Journal.

Disorderly Conduct

Whenever any Delegate is called to order and such Delegate fails to sit down and be in order, but continues to be disorderly, it shall be the duty of the Sergeant-at-Arms and/or his assistants, upon the direction of the President, to require such Delegate to take his seat and be in order. Any Delegate who persists in disorderly conduct after being warned by the President, by motion duly made and carried by a majority of the Delegates present, to be required to purge himself of such misconduct; and until such Delegate has purged himself, he shall not be entitled to the privileges of the floor.

Interruption While Speaking Prohibited:

Exceptions

While a Delegate has the floor, no other Delegate shall interrupt him or otherwise interrupt the business of the Convention, except for the purpose of making a point of order.

Pennsylvania

or to move the previous question, or to demand that a point of order be immediately decided.

Arrest and Questioning Restricted

Every delegate shall in all cases, except treason, the State, in violation of their oath of office, and breach of the peace, be privileged from arrest during their attendance at the session of the Convention and in going to and returning from the same; and shall not be questioned in any other place for any speech or debate in the Convention or in any proceeding directly connected therewith.

Pennsylvania

Part II, Chapter 4
COMPARATIVE RESEARCH DATA: Proposals

Part II, Chapter 4
COMPARATIVE RESEARCH DATA: Proposals

Louisiana

197 Convention Rules

Ordinances

Rule No. 61. Ordinances, Bills, or to Be Written Legibly. All ordinances, resolutions, reports or other documents presented to the Convention shall be legibly written or typewritten in duplicate.

Rule No. 62. Reference on Second Reading. No ordinance shall be referred to a Committee or amended until it has been read twice.

Rule No. 63. Ordinances To Be Read Three Times and Voted On. Every ordinance or proposition intended to become a law shall be printed in the Constitution shall be read on three separate days, before being placed upon final passage, provided no ordinance shall be passed to third reading until it has been printed in full and laid on the desk of each member for two days. The first
and second readings may be by title only, but it shall be read in full on final passage.

Rule No. 54. Ordinances, Etc., Cannot Be Amended on Third Reading Unless by Unanimous Consent. The final question upon the second reading of ordinances or resolutions, requiring three separate readings previous to final passage, shall be whether they shall be engrossed and passed to third reading; and no amendment shall be received at the final passage of an ordinance or resolution, unless by unanimous consent of the Members present; but it shall be in order before the final passage of any ordinance or resolution to move reconsideration thereof.

Rule No. 55. Majority Vote Required on Final Passage. The yeas and nays shall be called on the final passage of all ordinances or propositions to be incorporated in the Constitution, and no ordinance or article shall be passed or adopted unless a majority of the entire Membership of the Convention shall vote in the affirmative thereon.

LOUISIANA

Rule No. 56. Tabling Amendment Does Not Carry Ordinance, Etc. When an ordinance or resolution is pending, an amendment to same may be laid on the table without prejudice to the ordinance or resolution.

Rule No. 57. Ordinances, Etc., Taken Up in Numerical Order. All ordinances or resolutions shall be numbered by the Secretary on their introduction, and thereafter they shall be taken up and acted on in numerical order.

LOUISIANA

19th Senate Rules

10. Printing of Bills. All bills or joint resolutions shall be printed or typewritten when presented, and shall be accompanied by four copies. The Secretary of the Senate shall cause all bills to be printed, unless otherwise ordered by the Senate, and a copy of the same shall be placed on the desk of each member, at least two days prior to its being acted on by the Senate, except during the last ten days of the session, when one day shall be sufficient.

11. Bills and Joint Resolutions. Every bill and joint resolution shall receive three readings previous to being passed, and the presiding officer or Secretary shall give notice whether it be first, second or third, which reading shall be on three different days. And all resolutions proposing amendments to the Constitution, or which the signature of the Governor may be requisite, shall be treated, in all respects in the introduction and form of proceeding on them in the Senate, in the same manner as bills; and all other resolutions and reports of committees shall lie on the table one day for consideration.

12. Commitment. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it shall be referred to a committee.

13. Final Question. The final question upon the second reading of every bill, resolution or constitutional amendment originating in the Senate, and requiring three readings previous to being passed, shall be whether it shall be engrossed and passed a third time. However, it shall be at all times be in order before the final passage of any such bill, resolution or constitutional amendment, to move its commitment. Should such commitment take place and any amendment be proposed by the committee, the said bill, resolution or constitutional amendment shall be again read a second time, and may be recommitted and debated, and then the aforesaid question shall be put again.

LOUISIANA

35. Amendments to Appropriation Bills. When an amendment proposed to the Constitution is under consideration, the concurrence of two-thirds of the members present shall be requisite to decide any question for amendments or extensions to the merits being short if the final question.

111

Part II, Chapter 4

COMPARATIVE RESEARCH DATA: Proposals

ARKANSAS

1. Introduction. All matters intended to become a part of any revised Constitution or Constitutional amendment shall be introduced by a delegate or delegates in the form of a proposal, and endorsed by the delegates or delegates signing thereto, shall originate as committee proposals. All proposals shall be introduced to the secretaries of the Senate in prescribed form. Proposals shall be either adopted or disapproved under the direction of the secretary.

4. Order of Consideration. The reports of the committees shall be taken as proposals introduced in the Senate, and shall be considered as follows:

1. Introduction, first reading in title, consideration by a committee or committees in the Senate, and consideration of the report of the committee voting.

2. Report of the committee, and placing on the calendar, at the Convention, the committee's report from the Senate.

3. Reference to the Committee on Style and Drafting.

4. Report of the committee, and recommittal to the Senate.

5. Reference to the Committee on Style and Drafting.


7. Reference to the Committee on Style and Drafting.

ARKANSAS

1. Consideration by the Convention of the final reading and passage of any complete revision by article and as a whole, in the case of any amendment by sections as a whole.

The Convention at any time may refer any proposal or other matter to any committee including committee of the whole.

Rule No. 59. Proposals Introduced During Final Session. All delegate proposals introduced during the Convention after it convenes in April, 1980, shall be reported back to the Convention before it adjourns. Any proposal shall be made within 30 days after the proposal is referred to that committee.

111

Part II, Chapter 4

COMPARATIVE RESEARCH DATA: Proposals

HAWAI'I

1. Introduction. Proposals shall be presented to the Senate and the House for legislative consideration.

3. Reference to the Committee on Style and Drafting.

5. Report of the committee, and recommittal to the Senate.

7. Reference to the Committee on Style and Drafting.

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Part II, Chapter 4

COMPARATIVE RESEARCH DATA: Proposals

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1. Introduction. Proposals shall be presented to the Senate and the House for legislative consideration.

3. Reference to the Committee on Style and Drafting.

5. Report of the committee, and recommittal to the Senate.

7. Reference to the Committee on Style and Drafting.
Each paper introduced shall be assigned a number or other identifying symbol by the Secretary, such as "1968:

The Secretary shall deliver a copy of the report made as provided in subsection (a) of Rule 52. Such report shall contain:

1. Any or all such papers,

2. A statement of the nature of the paper, and

3. A statement of the nature of the proposed amendment, if any.

The report shall be made at such time as may be determined by the Secretary, but in no case shall be made later than twelve days after the paper has been introduced.

Each person or organization shall be entitled to introduce not more than five papers for consideration at any one hearing or conference.

The report of the Committee shall be delivered on a date the Secretary shall designate, and shall be kept on file for reference by any member of the Convention and the Committee introducing the paper.

Each paper shall be accompanied by a typewritten or printed introduction.

The introduction shall be sent in duplicate to the Secretary, and shall be signed by the chairperson or the appropriate member of the Committee introducing the paper.

The introduction shall contain:

1. A full statement of the paper, including the full title, and

2. A statement of the purpose of the paper.

The introduction shall be delivered to the Secretary at least twenty-four hours before the commencement of the hearing or conference.

The introduction shall be sent to all other members of the Committee and to the Secretary, and shall be kept on file for reference by any member of the Convention and the Committee introducing the paper.

The introduction shall be sent to the Secretary at least twenty-four hours before the commencement of the hearing or conference.

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The introduction shall be sent to all other members of the Committee and to the Secretary, and shall be kept on file for reference by any member of the Convention and the Committee introducing the paper.
RULE 4.

When the Convention shall agree upon the final form of the Constitution, the proposed amendments to the Constitution and the manner of submission to the people according to law, the original thereof shall be prepared and signed by the President and Secretary and by the concurring delegates; printing to be done at Photostatic copies thereof (white prints) shall be prepared and then be certified by the President and Secretary of the Convention and delivered to the Governor, each Delegate, each House of the legislature and to any other officer authorized by law or the instructions of the Convention.

121

Part II, Chapter 4

COMPARATIVE RESEARCH DATA: Proposal

ILLINOIS

RULE 5.

On or before the 10th day of January following the election of a Delegate, each Delegate shall present to the Governor a summary of the proposals submitted for submission to the people. A summary or summary of the proposals shall be attached to any document submitted to the Governor by the Convention or any member thereof. If, in the judgment of the Governor, the proposals are not in proper form to be submitted to the people, the Governor shall call a meeting of the Convention to consider the proposals in question. If, in the judgment of the Governor, the proposals are in proper form to be submitted to the people, the Governor shall issue an executive order directing the submission thereof to the people. The Governor shall also provide for the printing and distribution of the proposals to the people, with such modifications as may be necessary in the Governor's opinion.
Part II, Chapter 4

COMPARATIVE RESEARCH DATA: Proposals

MICHIGAN

Rule No. 17. Delegate Proposals

A. A proposal for revising, altering or reforming the present constitution in any manner may be filed by one or more delegates, in the office of the chief clerk and referred by the president, in consultation with the vice presidents, to the standing committee considering the article to which the proposal pertains, subject to appeal to the convention.

B. The committee shall permit each delegate who sponsors a proposal to appear and testify on behalf of his proposal.

Rule No. 18. A. Each committee proposal recommending any matter for incorporation in the constitution shall contain a complete article, other subdivision or group of articles or subdivisions of the constitution. In the description of the committee, the proposed article or articles recommended to the convention may contain controversial sections stated in the alternative for presentation to the voters of the state.

Rule No. 19. Form of Proposals

A. Each proposal shall be submitted in an original and five copies.

B. Each proposal shall be typewritten on 8 ½ × 11″ white paper, double-spaced and with lines numbered 1 to 5,

C. Each proposal shall be endorsed on the first page by the signature of the delegate filing it, or by the chairman of the committee reporting it as a committee proposal to the convention.

NEW MEXICO

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PENN S YL V A NIA

Part II, Chapter 4
COMPARATIVE RESEARCH DATA: Proposals

PENNSYLVANIA

Rule No. 23. Deadline for Introduction of Proposals. Effective January 1, 1966, no Delegate proposal shall be introduced, numbered or printed, except upon consent of a majority of the Delegates; except that any Delegate proposal in preparation on the above date may be introduced when it is received from the Convention Drafting Bureau as designated by the Committee on Administration and Finance. This shall not prevent any Delegate from thereafter submitting to the proper committee any suggestion for revision of the Constitution and, if so requested by a Delegate, said committee shall acknowledge in its Action Journal its receipt of any such suggestion.

Rule No. 25. Introduction of Proposals.

1. Definitions. Every suggested amendment or revision of the Constitution shall be referred to as a proposal.

2. Introduction-Sponsorship. A proposal may be introduced only by a Delegate or Delegates and endorsed by the Delegate or Delegates introducing the proposal or chairman of a committee on behalf of a majority of such committee and endorsed by them.

3. Introduction-Procedure. The procedure for introducing a proposal by a Delegate shall be as follows:

(a) A Delegate shall rise, announce, upon recognition by the President, say, "Mr. President, I introduce the following proposal," and then introduce the proposal.

(b) At the time of introducing a proposal, make a statement not exceeding three minutes, explain briefly the proposal, and present the written statement which shall be inserted in the Journal.
amendment to the Constitution shall be deemed passed by a majority of the one hundred sixty-three Delegates (if the proposal is for a constitutional convention, the report on Style and Drafting shall be certified and referred to the Committee; otherwise, it shall be referred to the Committee).
...
The chairman should be the second vice-president, and as such, with no other duties except to preside in the absence of the president and the first vice-president, and to supervise the work of the drafting committees. He should consist of seven members, with a secretary in each of the drafting committees.

The effectiveness of the convention will, to some extent, depend on the extent to which pertinent information will be secured by individuals and committees of the convention. It is assumed that the experience of the Law Institute on Legislation and the preparation of the Drafting Committee will be utilized to the full.

(b) Style and Revision Committee. This committee would formulate all rules and decide all questions of style. All separate ordinances or drafts of parts of the bill should be first submitted to this committee. It would have the responsibility of preparing the final draft of the proposed constitution.

The chairman should be the second vice-president, with no other duties except to preside in the absence of the secretary and the president. The secretary should be one of the assistant secretaries of the convention.

It should consist of seven members, the chairman being of the committee.

The Legislative Revision Committee of the convention would have the responsibility of revising and shortening the revised statutes. This provision should be prepared to save the adjournment of the legislature.

This committee, therefore, should not be confined to the members of the constitutional convention. It should consist of not less than fourteen members, excluding the chairman, who should be elected and selected from each of the drafting committees. The members should be elected from the house of representatives and the senate elected from the legislature, and they need not be members of the convention.

The fourth vice-president shall be chairman of this committee, with no duties except to preside in the absence of the president and the second vice-president.

The secretary shall be an assistant secretary of the convention.
Organization of A Constitutional Convention for Louisiana

Source: Louisiana State Law Institute, Project of a Constitution, 1954.

144
<table>
<thead>
<tr>
<th>Project with Notes and Studies</th>
<th>Senate</th>
<th>Rules</th>
</tr>
</thead>
<tbody>
<tr>
<td>I I</td>
<td>[See Concordance, Volume Four for comparable provisions of the present constitution.]</td>
<td>Bill of Rights</td>
</tr>
<tr>
<td>II</td>
<td>Distribution of Powers</td>
<td>I</td>
</tr>
<tr>
<td>VII</td>
<td>Suffrage and Elections</td>
<td>III</td>
</tr>
<tr>
<td>VIII</td>
<td>Impeachment and Removal from Office</td>
<td>III</td>
</tr>
<tr>
<td>II V</td>
<td>[See Concordance, Volume Four for comparable provisions of the present constitution.]</td>
<td>The Executive</td>
</tr>
<tr>
<td>XI</td>
<td>Public Education</td>
<td>III</td>
</tr>
<tr>
<td>III VI</td>
<td>[See Concordance, Volume Four for comparable provisions of the present constitution.]</td>
<td>The Judiciary</td>
</tr>
<tr>
<td>IV III</td>
<td>[See Concordance, Volume Four for comparable provisions of the present constitution.]</td>
<td>The Legislature</td>
</tr>
<tr>
<td>IV</td>
<td>Limitations and Duties</td>
<td>II</td>
</tr>
<tr>
<td>VI IX</td>
<td>[See Concordance, Volume Four for comparable provisions of the present constitution.]</td>
<td>Revenue Finance, Taxation</td>
</tr>
<tr>
<td>IV §6, 9</td>
<td>Same (State General Revenue Fund and Debt)</td>
<td>II</td>
</tr>
<tr>
<td>VII XII</td>
<td>[See Concordance, Volume Four for comparable provisions of the present constitution.]</td>
<td>Civil Service</td>
</tr>
<tr>
<td>XIV</td>
<td>Amending Process</td>
<td>III</td>
</tr>
<tr>
<td>XV</td>
<td>Schedule</td>
<td>III</td>
</tr>
</tbody>
</table>

Sources:

**Louisiana**
Louisiana

Rule 22. Each committee shall retain a regular meeting place, if necessary, and shall meet regularly on a fixed day, at a fixed hour of the day, and at a fixed place, for the transaction of business. However, a committee shall meet at any other time in the interest of business, if any by a majority of the members of such committee, and no regular meetings shall be held outside the city of state. However, a committee may meet at any other time, if any by a majority of its members.
Rule No. 12. The secretary or clerk of the committee shall:
(a) keep the minutes and records of the work of the committee;
(b) prepare the committee reports;
(c) perform such other duties as the chairman or the committee directs.

Rule No. 13. A record shall be made of those members present and absent.

Rule No. 14. A written record of committee proceedings had at each meeting shall be kept in which there shall be entered:
(a) The time and place of each meeting of the committee;
(b) The names present or absent;
(c) The names and addresses of all persons appearing before the committee, with the name and address, if any, of the person, firm, corporation or association in whose behalf the appearance is made;
(d) The bills, resolutions or other matters considered, by number;
(e) Action of the committee, including final action of the committee with respect to each bill and resolution on which the committee makes a report to the Senate.

134

LOUISIANA

Rule No. 12. The secretary or clerk of the committee shall:
(a) keep the minutes and records of the work of the committee;
(b) prepare the committee reports;
(c) perform such other duties as the chairman or the committee directs.

Rule No. 13. A record shall be made of those members present and absent.

Rule No. 14. A written record of committee proceedings had at each meeting shall be kept in which there shall be entered:
(a) The time and place of each meeting of the committee;
(b) The names present or absent;
(c) The names and addresses of all persons appearing before the committee, with the name and address, if any, of the person, firm, corporation or association in whose behalf the appearance is made;
(d) The bills, resolutions or other matters considered, by number;
(e) Action of the committee, including final action of the committee with respect to each bill and resolution on which the committee makes a report to the Senate.

135

ARIZONA

Chapter 5
DOMESTIC RELIGIOUS DATA: Committees

ARIZONA

135
Rule No. 27. Notice of Meetings. A committee shall meet at the call of the committee chairman, or upon written request of a majority of the members, or at the direction of the Convention.

A recorded roll call vote on any matter before a committee shall be taken on demand by any member of the committee.

Rule No. 33. Power to Incur Expenses. No committee or delegate shall incur any expenses chargeable to the Convention unless authorized to do so by resolution of the Convention.

Rule No. 34. Subcommittees of Committees. A committee, or a majority vote of its members, may provide for the appointment by the committee chairman of subcommittees composed of delegates named to the committee. Reports of subcommittees shall be considered by the entire committee before recommending any action thereon by the Convention.

Rule No. 35. Notice of Reports. All committees before reporting on any proposal shall notify delegates who have introduced proposals on the same subject matter when and where they may meet with that committee to explain such proposals before the committee reports.

Rule No. 36. Reports of Committees. A majority of the members appointed to a committee shall be necessary to report a proposal out of committee. The report or reports of a minority of any committee shall be received in the same manner as the majority report, and treated as an amendment or substitute offered to or for the report of the committee if offered as such on the floor. One or more members of a committee may make a minority report.

Rule No. 37. Powers of Committees. Committees may hold public hearings at any place in the state. A committee may grant the powers here authorized to any subcommittee. A committee may direct that a verbatim record be kept of any portion of its proceedings.

Rule No. 38. Consideration of Proposals Without Committee Recommendation. After one day's notice a majority of the delegates voting may by motion require a committee to report immediately any proposal without recommendation.

Committee of the Whole

Rule No. 39. Consideration of Committee Reports. When the Convention deems it necessary, it may by a majority vote of those voting resolve itself into Committee of the Whole to consider committee reports, or any other Convention business, and no business shall be in order until the whole of the reports or any Convention business is considered or passed over, or the committee rise. Unless a particular proposal is ordered up, the Committee of the Whole shall consider, act upon or pass over all matters referred to it by the Convention in the order of their reference.

Rule No. 40. Readings; Debate; Amendment. In the Committee of the Whole proposals shall be read through, debated and acted upon by clauses. All amendments shall be in writing as provided in Rule 51, and shall be reported to the Convention by the chairman.

Rule No. 41. Motion that Committee of the Whole Rise. A motion that the Committee of the Whole rise shall always be in order unless a member of the committee is speaking or a vote is being taken, and shall be decided without debate by a majority vote of those present and voting.

Rule No. 42. Reconsideration. A motion to reconsider shall be in order in the Committee of the Whole and may be adopted by a majority vote of those present and voting, at any time before the committee shall vote to rise.

Rule No. 43. Application of Convention Rules. The rules of the Convention shall be observed in the Committee of the Whole,
so far as they may be applicable, except that it cannot adjourn the Convention; a majority of those present and voting shall govern its action; it cannot refer matters to any other committee, except the Committee on Style and Drafting, and a motion to post-pone indefinitely or for a call of the Convention shall not be in order. A delegate may speak more than once in the Committee of the Whole. A Journal of the proceedings in the Committee of the Whole shall be kept as in Convention.

160

Part II, Chapter 5

COMPARATIVE RESEARCH DATA: Committees

HAWAI'I

Standing Committees

Rule No. 16. The Standing Committees of the Convention shall be appointed by the President unless the Convention shall otherwise order.

The person first named shall be the Chairman, and the person next named shall be the Vice-Chairman, of the Committee.

Rule No. 17. The Standing Committees of the Convention and the number of members thereof, respectively, shall be as follows:

General Standing Committees
1. Committee on Bill of Rights, Suffrage and Elections, Twenty-one members.
2. Committee on Legislative Powers and Functions, Twenty-one members.
3. Committee on Legislative Apportionment and Districting, Twenty-one members.
4. Committee on Executive, Twenty-one members.
5. Committee on Judiciary, Twenty-one members.
6. Committee on Taxation and Finance, Twenty-one members.
7. Committee on Local Government, Twenty-one members.
9. Committee on Agriculture, Conservation, Land and Hawaiian Homes, Twenty-one members.
10. Committee on Revision, Amendment and Other Provisions, Twenty-one members.
11. Committee on Style, Fifteen members.
12. Committee on Submission and Information, Twenty-one members.

161

HAWAI'I

Administrative Standing Committees
1. Committee on Accounts and Printing, Fifteen members.
2. Committee on Rules, Fifteen members.

Rule No. 18. Functions of Standing Committees:
(a) It shall be the duty of the Standing Committees to consider all matters which may be referred to them.

Each Standing Committee shall submit to the Convention a report or reports, in writing, setting forth the results of its deliberations and its recommendations on all matters referred to it, in the same number and form as prescribed in these rules for proposals.

(b) The Committee on Style shall examine and correct the proposals which are referred to it for the purpose of avoiding inaccuracies, repetitions and inconsistencies and shall arrange the same in the proper order in the Constitution and shall report thereon to the Convention.

The Committee shall have the authority to rephrase but shall have no authority to change the sense or purpose of any proposal referred to it.

Where a proposal referred to the Committee appears inconsistent or in conflict with a proposal already acted on favorably by the Convention at second reading, the Committee shall so notify the Convention and wait upon its instructions.

(c) The Committee on Submission and Information shall consider and report to the Convention the method and manner of submitting the Constitution or proposed amendments to the Constitution to the people; shall prepare and present to the Convention for its approval the plan or method of informing the people of the changes in the Constitution or the proposed amendments to the Constitution; shall prepare and present to the Convention for its approval a report to the people outlining the results of the convention's work, and shall make such other reports as may be required by law and by the instructions of the Convention.

(d) The Committee on Rules shall consider and report upon such changes in the rules of the Convention and changes in its organization as shall be referred to it by the Convention from time to time.

(e) The Committee on Accounts and Printing shall be in charge of the business affairs of the Convention and shall supervise all printing for the Convention.

(f) No public hearing shall be had by any Standing Committee except after reasonable notice is given to the Secretary, in writing, who shall give public notice thereof.

Rule No. 19. All resolutions for the printing of an extra number of documents shall be referred, as of course, to the Committee on Accounts and Printing for its report thereon before final action by the Convention.

Rule No. 20. All resolutions authorizing or contemplating the expenditure of money shall be referred, as of course, to the Committee on Accounts and Printing for its report thereon before final action by the Convention.

Rule No. 21. No Committee shall sit during the sessions of the Convention without special leave.

Committee of the Whole

Rule No. 22. The Convention may upon motion resolve itself into a Committee of the Whole for the consideration of any matter. In forming the Committee of the Whole, the President of the Convention shall appoint a chairman to preside.

163

HAWAI'I

Rule No. 23. All amendments made to proposals, reports, resolutions and other matters submitted to the Committee of the Whole shall be noted and reported.

Rule No. 24. The rules of the Convention shall be observed in the Committee of the Whole so far as they may be applicable except that the Committee of the Whole cannot adjourn the Convention; no question may be laid on the table; the previous question shall
Rule No. 25. Forty-two delegates shall be a quorum for the Committee of the Whole to do business.

Rule No. 26. A motion for the rising of the Committee of the Whole shall always be in order unless a member of the Committee is speaking or a vote is being taken, and shall be decided without debate.

Part II, Chapter 5
COMPARATIVE RESEARCH DATA: Committees

ILLINOIS

Rule 1. Substantive Standing Committees

The substantive standing committees of the Convention and the number of members thereof, exclusive of those ex officio, respectively, shall be as follows:

1. Committee on Bill of Rights, fifteen members.
2. Committee on the Legislature, eleven members.
3. Committee on the Executive, eleven members.
4. Committee on the Judiciary, eleven members.
5. Committee on Revenue and Finance, eighteen members.
6. Committee on Suffrage and Constitutional Amendment, nine members.
7. Committee on Local Government, fifteen members.
8. Committee on Education, eleven members.
9. Committee on General Government, eleven members.

The president shall be, ex officio, a member of all substantive standing committees, but shall have no vote and shall not be counted for the purpose of determining a quorum. Each vice-president shall be, ex officio, a member of those substantive standing committees to which he is assigned by the president, but shall have no vote and shall not be counted for the purpose of determining a quorum.

Rule 15. Procedural Standing Committees

The procedural standing committees of the Convention shall be as follows:

1. Committee on Rules and Credentials;
2. Committee on Style, Drafting and Submission;
3. Committee on Public Information.

ILLINOIS

The Committee on Rules and Credentials shall consist of eleven members and the president and the three vice-presidents of the Convention.

The Committee on Style, Drafting and Submission shall consist of one member from each substantive standing committee, and the president and the three vice-presidents of the Convention.

The Committee on Public Information shall consist of seven members and the president and such of the vice-presidents as he may designate.

Rule 16. Select Committees

The president may on his own initiative or at the direction of the Convention appoint such select committees as may be necessary to perform special functions.

Rule 17. Appointment of Committee Members

The president, after consultation with the vice-presidents, shall appoint the committee members, but any appointment, or announcement thereof, may be rejected by a majority of the members of the Convention.

Each member, except the president and the three vice-presidents, shall be appointed to one substantive standing committee.

Rule 18. Appointment of Committee Chairmen and Vice-Chairmen

Except as otherwise provided in rule 15, the president, after consultation with the vice-presidents, shall designate the chairman and vice-chairman of every committee, and his designees shall be subject to the approval by a majority of the members of the Convention. In case of his absence or the prolonged absence of the chairmen and vice-chairmen, the president of the Convention shall appoint a chairman to act until the chairman or vice-chairman shall return.

Rule 19. 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 standing committees as far as may be applicable, and, if applicable, may not be suspended.

Rule 20. Calling of Committees and Agenda

Each committee shall meet at the call of its chairman, who shall also set its agenda. Any three 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 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 21. Notice of Committee Meetings

No committee meetings may be held unless notice thereof is posted in the following manner: The secretary of the Convention shall furnish an original and two copies of a written notice, signed by the chairman or members of the committee calling the meeting. The notice shall state the date, hour, and place of the proposed meeting and the proposal number or subject matter to be considered. The secretary shall post one copy thereof on a designated bulletin board with an endorsement thereon by time stamp of the exact hour and date of the posting, which may not be less than forty-eight hours before the time of the meeting. The original notice shall be retained by the secretary. The other copy shall be returned to the chairman of the committee with the endorsement of the secretary. The secretary shall mail or deliver a copy of the notice to all members of the committee and to all members of the Convention who have introduced proposals on the subject matter to be considered.

Rule 22. Sitting of Committees during Sessions of the Convention

No committee shall sit during the sessions of the Convention, or of the Committee of the Whole, without having first obtained special leave of the Convention.

ILLINOIS

Rule 23. Subcommittees

The committee, by the affirmative vote of a majority of its members, may divide the committee into subcommittees composed of members of the committee. Reports of subcommittees shall be considered by the entire committee before the committee recommends an action thereon by the Convention. All rules applicable to committees shall be applicable to subcommittees.

Rule 24. Report of Committee

The affirmative vote of a majority of the members of a committee shall be necessary to report a proposal out of a committee. The report of a subcommittee of at least twenty percent of the members of any committee shall be accepted, printed in the same manner as the majority report, and treated as an amendment or substitute offered to or for the report of the committee if offered on such floor. All proposals reported by a committee to the Convention shall be treated as committee proposals and shall be referred to the Committee of the Whole.

[1149]
No. 17. Application of Convention Rules
The rules of the Convention shall be observed in the Committee of the Whole so far as they may be applicable except that: the Committee of the Whole cannot adjourn the Convention; the previous question shall not be ordered; the vote of a majority of members is necessary to approve a proposal and refer it to the Committee on Style, Drafting and Submission; the committee may refer any proposal back to the substantive committee from which it came or may refer it to any other substantive committee; and a motion to postpone indefinitely or for a call of the Convention shall not be in order. A member may speak more than once in the Committee of the Whole. A verbatim Journal of its proceedings and a transcript of its debates shall be kept by the Committee of the Whole.

Part II, Chapter 5
COMPARATIVE RESEARCH DATA: Committees

MARYLAND

Rule No. 28. Establishment and Meetings. The standing committees of the Convention shall be:
1. Committee on Personal Rights and the Preamble
2. Committee on Suffrage and Elections
3. Committee on the Legislative Branch
4. Committee on the Executive Branch
5. Committee on the Judicial Branch
6. Committee on Local Government
7. Committee on State Finance and Taxation
8. Committee on General Provisions
9. Committee on Style, Drafting and Arrangement
10. Committee on Calendar and Agenda of the Convention
11. Committee on Rules, Credentials and Convention Budget
12. Committee on Public Information

Committees 1 through 8 shall be considered substantive committees and each delegate shall be entitled to serve on one of these eight committees.

Each committee shall meet at the call of its chairman or by the written request of a majority of its members.

A recorded roll call vote on any matter before a committee shall be taken on demand of any member of the committee.

Each committee shall maintain an action journal of all its proceedings and a calendar, both of which shall be available to the delegates news media and interested members of the public.

Additional committees may be established by resolution of the Convention.

Rule No. 24. Vacancies. In case of a vacancy or the prolonged absence of the chairman and vice-chairman, the president of the Convention shall appoint a chairman to act until the chairman or vice-chairman shall return.

MARYLAND

Rule No. 29. Sitting of Committees during Sessions of the Convention and the Committee of the Whole. No committee, except the Committee on Calendar and Agenda of the Convention, shall sit during the sessions of the Convention or of the Committee of the Whole, without having first obtained special leave of the president, or of the Convention or of the Committee of the Whole by the affirmative vote of a majority of those present and voting.

Rule No. 26. Power to incur Expenses. No delegate or committee shall incur any expense chargeable to the Convention unless such expense is approved by the president or is authorized by resolution...
of the Convention. No motion or resolution calling for an expenditure of money shall be acted upon by the Convention without first being referred to an appropriate committee for consideration and recommendation.

Rule No. 27. Subcommittees. A committee, by the affirmative vote of a majority of its members, may provide for the appointment by the committee chairman of subcommittees composed of delegates who are members of the committee. Reports of subcommittees shall be considered by the entire committee before the committee recommends any action thereon by the Convention.

Rule No. 28. Notice of Reports. A committee shall notify all delegates who have introduced proposals on the same subject matter of the time and place where they may meet with the committee to explain such proposals, and the notice required by this rule shall be given at least twenty-four hours before the committee takes final action. The requirements imposed by this rule shall not be applicable with respect to delegate proposals introduced after October 17, 1967.

Rule No. 29. Report of Committee. The affirmative vote of a majority of the members of a committee having the right to vote shall be necessary to report a proposal out of committee. The report of a minority of at least twenty percent of the members of any committee having the right to vote shall be received, printed in the same manner as the majority report, and treated as an amendment or substitute offered to or for the report of the committee if offered as such on the floor. All proposals reported 172

MARYLAND

by a committee to the Convention shall be referred to the Committee of the Whole. All committee recommendations shall be accompanied by a concise written explanation of the reasons for the committee's action.

Rule No. 30. Last Day for Committee Reports. Except upon the affirmative vote of a majority of the delegates present and voting, the Committee of the Whole will receive no final report of a substantive committee after November 17, 1967.

Rule No. 31. Committee Meetings and Hearings. Committees may hold meetings or public hearings at the seat of the Convention and may be authorized by the Convention to hold meetings or public hearings at any other place. A committee may grant the powers here authorized to any subcommittee. A committee, with the approval of the president, may direct that a verbatim record be kept of any portion of its proceedings.

Rule No. 32. Consideration of Proposals without Committee Recommendations. After one session day's notice a committee, on motion passed by the affirmative vote of a majority of all the delegates, may be required to report, with or without a recommendation, any proposal referred to the committee.

Rule No. 33. General Orders of the Day. All proposals reported by any committee of the Convention shall be referred to the Committee of the Whole and kept in the file called "General Orders of the Day." No committee proposal shall be considered by the Committee of the Whole until the third day after it has been referred to the Committee of the Whole, unless the Convention, by the affirmative vote of a majority of the delegates present and voting, agrees to its earlier consideration.

Rule No. 34. Consideration of Proposals. When the Convention reaches consideration of the General Orders of the Day, it shall then sit as the Committee of the Whole to consider such orders, or to consider a particular order designated by the Convention by

173

MARYLAND

the affirmative vote of a majority of those present and voting. Unless a particular proposal has been specially designated by

the Convention for consideration out of turn, the Committee of the Whole shall consider, act upon, or pass over the General Orders of the Day in the order in which they were referred to the Committee.

Rule No. 35. Amendments in Committee of the Whole. Amendments offered in Committee of the Whole shall be subject to Rule 50, Amendments To Be Printed.

Rule No. 36. Motion that Committee of the Whole Rise. A motion that the Committee of the Whole rise shall always be in order unless a member of the Committee is speaking or a vote is being taken, and such motion shall be decided without debate by vote of a majority of those present and voting.

Rule No. 37. Reconsideration. A motion to reconsider shall be in order in the Committee of the Whole and may be adopted before the Committee rises by the affirmative vote of a majority of those present and voting.

Rule No. 38. Application of Convention Rules. The rules of the Convention shall be observed in the Committee of the Whole so far as they may be applicable except that the Committee of the Whole cannot adjourn the Convention; no question may be laid on the table; the previous question shall not be ordered; the vote of a majority of the Committee shall govern its action; any motion to postpone further consideration shall be debatable for ten (10) minutes on each side, no speech therein to exceed five (5) minutes; the Committee cannot refer matters to any other Committee, except the Committee on Style, Drafting and Arrangement; and a motion to postpone indefinitely or for a Call of the Convention shall not be in order. A delegate may speak more than once in the Committee of the Whole. A quorum in the Committee of the Whole shall be 72.

MARYLAND

Rule No. 39. Limitation of Debate. Before a proposal is taken up by the Committee of the Whole, any delegate (with the Chairman of the Committee on Calendar and Agenda to have the floor right) shall be privileged to move that a limitation be placed upon the time of the debate and consideration of such proposal by the Committee of the Whole, provided that equal time is to be afforded to the proponents and the opponents of such proposal, and the Committee may fix in advance of consideration of a proposal or proposals a time for Committee to rise and report.

174

Part II. Chapter 5

COMPARATIVE RESEARCH DATA: Committees

MICHIGAN

Rule No. 20 (as amended). Establishment and Meetings. Committees of the convention and their functions and memberships shall be provided by resolution of the convention adopted by a majority of the delegates elected. Committees shall meet at the call of the chairman or upon written request of a majority of the members.

A recorded roll call vote on any matter before a committee shall be taken on demand by any member of the committee.

Each committee shall maintain an action journal of all its proceedings and a calendar, which shall be available to news media and interested members of the public.

Rule No. 28. Chairman of Committee. The first named member of any committee shall be the chairman, the second named member shall be first vice chairman and the third named member shall
be seconded by chairman. The presiding officer of the committee may place under oath or affirmation any person who appears to testify on any matter pending before the committee.

In case of a vacancy or the prolonged absence of the chairman and first vice chairman, the president of the convention shall appoint a chairman to act until the chairman or first vice chairman shall return.

Rule No. 29. Sitting of Committees During Session of the Convention. No committee shall sit during the session of the convention without special leave of the convention by a majority vote of those present and voting.

Rule No. 30. Power to Incur Expenses. No committee or delegate shall incur any expenses chargeable to the convention unless authorized by resolution of the convention.

MICHIGAN

Rule No. 31. Subcommittees of Committees. A committee, by a majority vote of its members, may provide for the appointment by the committee chairman of subcommittees composed of delegates named to the committee. Reports of subcommittees shall be considered by the entire committee before recommending any action thereon by the convention.

Rule No. 32. Notice of Reports Without Recommendations. All committees before reporting without recommendation on any proposal shall notify delegates who have introduced proposals, on the same subject matter when and where they may meet such committee to explain the same before the committee reports; such notice to be given by mail in the convention post office or in person 24 hours before so reporting.

Rule No. 33. Report of Committees. A majority of the members appointed to a committee shall be necessary to report a proposal out of committee. The report of a minority of at least 3 of the members of any committee shall be received, printed in the same manner as the majority report, and treated as an amendment or substitute offered to or for the report of the committee if offered as such on the floor. All proposals reported by a committee to the convention shall be referred to the committee of the whole.

Rule No. 34 (as amended). Powers of Committees. Committees may hold public hearings at the seat of the convention and may be authorized by the convention to hold public hearings anywhere in the state. Committees may take testimony under oath or affirmation. A committee may by resolution of the convention be given the power to subpoena documents and witnesses. Any witness so subpoenaed shall have the right to be represented by counsel of his own choosing. A committee may grant the powers here authorized to any subcommittee. All committee meetings shall be open to the public unless otherwise authorized by the convention.

MICHIGAN

by a majority vote of the delegates elected. A committee may direct a verbatim report of any portion of its proceedings.

Rule No. 35. Consideration of Proposals Without Committee Recommendation. After 1 session day's notice a majority of the delegates elected may by motion require a committee to report any proposal without recommendation.

Rule No. 36 (as amended). General Orders of the Day. All proposals reported by any committee shall be referred to the committee of the whole and kept in the file called general orders of the day. No committee proposal shall be considered by the committee of the whole until the third day following the day of its reference to the committee of the whole.

Rule No. 37. Consideration of Proposals. When the convention shall have arrived at the general orders of the day, it shall go into a committee of the whole upon such orders, or a particular order designated by the convention by a majority vote of those present and voting, and no business shall be in order until the whole are considered or passed over, or the committee rise. Unless a particular proposal is ordered up, the committee of the whole shall consider, act upon, or pass over all matters on the general orders according to the order of their reference.

Rule No. 38. Reading, Debating, Amendment. In the committee of the whole the proposals shall first be read through by the secretary, and then read, debated, and acted upon by clauses. All amendments shall be entered on separate paper and reported to the convention by the chairman.

Rule No. 39. Motion that Committee of the Whole Rise. A motion that the committee of the whole rise shall always be in order unless a member of the committee is speaking or a vote is being taken, and shall be decided without debate by a majority vote of those present and voting.

MICHIGAN

Rule No. 40. Reconsideration. A motion to reconsider shall be in order in the committee of the whole by a majority vote of those present and voting, before the committee shall rise.

Rule No. 41 (as amended). Application of Convention Rules. The rules of the convention shall be observed in the committee of the whole, so far as they may be applicable, except that it cannot adjourn the convention, the previous question shall not be ordered, the vote of a majority of the committee shall govern its action. It cannot refer matters to any other committee, and a motion to postpone indefinitely or for a call of the convention shall not be in order. A delegate may speak more than once in the committee of the whole. A journal of the proceedings in committee of the whole shall be kept as in convention. When the committee of the whole reports to the convention, the actions of the committee of the whole shall be accepted.

NEW MEXICO

Rule No. 27. Standing Committees. The standing committees of the convention are:

A. Committee on Bill of Rights, which shall consider the preamble, boundaries, bill of rights and distribution of powers;
B. Committee on Legislature, which shall consider the legislature, referenda and apportionment;
C. Committee on Executive, which shall consider the executive and public institutions;
D. Committee on Judiciary, which shall consider the Judiciary;
E. Committee on Elections, which shall consider elections, suffrage, amendments, miscellaneous and other provisions assigned by the president;
F. Committee on Education, which shall consider education;
G. Committee on Revenue, which shall consider finance, taxation and public lands;
H. Committee on Natural Resources, which shall consider water and compact, wildlife, minerals and environment;
I. Committee on Local Government, which shall consider local government.

Part II, Chapter 6

COMPARATIVE RESEARCH DATA: Committees

NEW MEXICO

Rule No. 27. Standing Committees. The standing committees of the convention are:

A. Committee on Bill of Rights, which shall consider the preamble, boundaries, bill of rights and distribution of powers;
B. Committee on Legislature, which shall consider the legislature, referenda and apportionment;
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D. Committee on Judiciary, which shall consider the Judiciary;
E. Committee on Elections, which shall consider elections, suffrage, amendments, miscellaneous and other provisions assigned by the president;
F. Committee on Education, which shall consider education;
G. Committee on Revenue, which shall consider finance, taxation and public lands;
H. Committee on Natural Resources, which shall consider water and compact, wildlife, minerals and environment;
I. Committee on Local Government, which shall consider local government.
Rule No. 48. Special Committees.

A. There shall be a special committee of the convention which shall be known as the Committee on Public Information. This committee shall be appointed as standing committees are appointed. The Committee on Public Information shall consider and implement measures to constantly inform the people of this state on the actions, procedures, recommendations and activities of the convention. It shall also prepare and present to the convention for its approval a report to the people outlining the results of the convention’s work and the proposed changes recommended in the constitution.

NEW MEXICO

8. There shall be a Committee on Style, which shall include drafting, arrangement and transitions.

C. There shall be a Committee on Rules, which shall consider rules, credentials and business of the convention.

Rule No. 29. Size of Committees. No standing committee shall have more than twenty members.

Rule No. 30. Committee Service. No delegate may serve on more than two standing committees; provided, that the president shall be automatically a member, without vote, on all committees of the convention. No chairman of any standing committee shall be a member of any other committee except that all committee chairmen shall be ex-officio members of the Committee on Rules.

Rule No. 31. Subcommittees. A committee, by affirmative vote of a majority of its members present, may authorize the committee chairman to appoint subcommittees composed of delegates who are members of the committee. Reports of subcommittees shall be made only to the parent committee and shall be adopted by a majority vote of the parent committee before being recommended to the convention.

Rule No. 32. Rules of Committees. The rules and orders of the convention, where applicable, shall govern the parliamentary procedures of all committees of the convention.

Rule No. 33. Meetings. Each committee shall meet at the call of its chairman or by written request of a majority of its members.

Rule No. 34. Sittings During Sessions. No committee, except the Committee on Rules, shall sit during the sessions of the convention or of the committee of the whole, without having first obtained permission from the president.

Rule No. 35. Committee Hearings and Meetings. All committee hearings and meetings shall be open to the public. All committee hearings and meetings shall be conducted at the seat of the

NEW MEXICO

convention. A committee chairman, with the approval of the president, may direct that a verbatim record be kept of a specified portion of its proceedings. No committee hearing or meeting shall be held without a quorum being present.

Rule No. 38. Committee Proposals and Reports.

A. Each committee proposal and report shall be adopted by an affirmative vote of a majority of the committee members present and voting.

B. Each committee proposal recommending any matter for incorporation in the constitution shall contain a complete article, other subdivision or groups of articles or subdivisions of the constitution. In the discretion of the committee, the proposed article or articles recommended to the convention may contain controversial sections stated in the alternative for presentation to the voters of the state.

NEW MEXICO

5. Each committee proposal shall be accompanied by a report which shall state the committee’s recommendation and disposition of each delegate proposal filed with the committee as follows: whether it (1) has been adopted in whole in the committee proposal, (2) has been adopted in part in the committee proposal, (3) has been disapproved, or (4) has been disposed of in such other manner as may be indicated.

D. The report of the committee shall contain enough detailed information as to the disposition by the committee of its assignment so as to enable the president to determine that all subjects which should be considered by the committee have been covered.

E. Nothing in this rule shall be construed to prevent the submission of a minority report by members of a standing committee.

Rule No. 43. Chairman. When the convention resolves itself into the Committee of the Whole, the president may designate a delegate as chairman thereof, and the clerk clerk of the convention shall be the clerk clerk of the committee of the whole.

Rule No. 44. General Orders of the Day. All proposals reported by any committee of the convention shall be referred to the committee of the whole and kept in the file called "General Orders of the Day." No committee proposal shall be considered by the committee of the whole until the third day after it has been referred to the committee of the whole and has been reproduced for each delegate as provided in these rules, unless the convention, by the affirmative vote of a majority of the delegates present and voting, agrees to its earlier consideration.

Rule No. 45. Consideration of Proposals. When the convention, in the order of its business, reaches consideration of the "General Orders of the Day," it shall then resolve itself into the committee of the whole to consider such orders, or to consider a particular order designated by the convention by the affirmative vote of a majority of those present and voting. No business shall be in order until all pending "General Orders of the Day" have been considered or passed over, or the committee of the whole has risen. The President shall have the power to schedule the consideration of committee reports.

NEW MEXICO

Part II, Chapter 5
COMPARATIVE RESEARCH DATA: Committees

PENNSYLVANIA

Rule 22

Standing and Sub-committees. There shall be the following standing and sub-committees of the Convention:

1. Legislative Apportionment, consisting of two Co-Chairmen and the Delegates appointed to the following sub-committees:
   a. Method of Apportionment, consisting of two Co-Chairmen and twelve Delegates.
   b. Composition of legislature, consisting of two Co-Chairmen and twelve Delegates.
   c. Judiciary, consisting of two Co-Chairmen and the Delegates appointed to the following sub-committees:
      a. Selection of Judges, consisting of two Co-Chairmen and six Delegates.

b. Tenure of Judges, consisting of two Co-Chairmen and six Delegates.
c. Incompatible Activities of Judges—Removal, Suspension and Discipline of Judges, consisting of two Co-Chairmen and six Delegates.
d. Retirement and Post-retirement Service of Judges, consisting of two Co-Chairmen and six Delegates.
e. Judicial Administration and Organization, consisting of two Co-Chairmen and six Delegates.

1. Local Government, consisting of two Co-Chairmen and the Delegates appointed to the following Sub-Committees:
   a. Structure and Organization, consisting of two Co-Chairmen and six Delegates.
b. Annexation and Boundary Changes, consisting of two Co-Chairmen and six Delegates.
c. Local Finance, consisting of two Co-Chairmen and six Delegates.

PENNSYLVANIA

d. Home Rule, consisting of two Co-Chairmen and six Delegates.
e. County Government, consisting of two Co-Chairmen and six Delegates.
f. Apportionment, consisting of two Co-Chairmen and six Delegates.

4. Taxation and State Finance, consisting of two Co-Chairmen and the Delegates appointed to the following Sub-Committees:
   a. Taxation, consisting of two Co-Chairmen and ten Delegates.
b. State Debt, consisting of two Co-Chairmen and ten Delegates.
c. State Sinking Fund, consisting of two Co-Chairmen and ten Delegates.

5. Style and Drafting, consisting of two Co-Chairmen and sixteen Delegates.
6. Arrangement, Submission and Address to the People, consisting of two Co-Chairmen and sixteen Delegates.
7. Rules, consisting of two Co-Chairmen and sixteen Delegates.
8. Administration and Finance, consisting of two Co-Chairmen and sixteen Delegates.

Meaning of Committee. Whenever the term committee is used it shall mean the Co-Chairmen of the standing committee and the members of all of its Sub-Committees unless specifically designated otherwise by these rules.

Control and Supervision of Proposals. A majority of all members of a standing committee, which includes all members of any Sub-Committee thereof, shall have control and supervision of all proposals referred to it by the President, and may, by a vote of a majority of the members of a standing committee, consider any proposal referred to one of its Sub-Committees.

PENNSYLVANIA

Disagreement. In the event of any substantive or procedural disagreement between the Co-Chairmen of any standing or sub-committee on any subject under their jurisdiction such disagreement shall be referred to the applicable standing committee for determination by a majority vote of the entire membership of such standing committee.
of the proposed revisions to the Constitution agreed upon; the directions for the notice and publication of the same, and of the Address; the directions for the distribution of copies thereof through the office of the Secretary of the Commonwealth, in accordance with Section 8 of Act No. 2, Session of 1967.

Rules-Powers. The Committee on Rules provided herein shall have the following powers:

1. To investigate and report to the Convention any question of the election, returns, or qualifications of any Delegates.

2. To make studies and recommendations designed to promote, improve and expedite the business of the Convention and the committees thereof, and may propose any amendments to the Rules deemed necessary to accomplish such purposes.

3. To authorize, upon request of a standing committee, the appointment of additional sub-committees and to merge existing sub-committees within the structure of the standing committee making such request.

Administration and Finance--Powers.

1. To recommend the duties and compensation for all staff positions of the Convention not otherwise provided for. Such recommendations shall be submitted to the Convention by resolution and approved by the Convention. It shall have authority, upon recommendation of the President, to dismiss any employee for incompetency or dereliction of duty.

2. To assign available office space and committee rooms to Delegates.

3. To propose a schedule of the time and place of meetings of the standing committees and sub-committees.

4. To prepare a Convention budget and, from time to time, to make necessary changes therein for submission to the Convention for approval.

Pennsylvania

5. To examine and certify to the President the correctness of all bills rendered to the Convention.

6. To contract for, and determine the number of copies, method of printing, and binding and the distribution of all printing required by these Rules for the Convention.

7. To formulate procedures for the requisitioning, custodial, disbursing and auditing and the accounting for all funds appropriated to the Convention and procedures for procurement of services and commodities.

8. All claims for expenses incurred by committees of the Convention shall be approved by the Committee on Administration and Finance, or its authorized representative who is a member of the Convention, before such claims are presented for payment.

All proposed expenditures shall be approved by the Committee on Administration and Finance, or its authorized representative who is a member of the Committee, before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Administration and Finance, or its authorized representative who is a member of the Committee, has been obtained in accordance with the provisions of this rule.

The Committee on Administration and Finance shall adopt rules and regulations limiting the amount, time, and manner of payment of expenses and allowances, to be paid to Delegates or employees of the Convention or Convention committees.

Such rules may provide for allowances to committee members or employees for mileage, hotel accommodations, and meals at the rates fixed by the committee from time to time. Such allowance shall be in lieu of actual expenses incurred by committee members and employees.

Pennsylvania

Mileage under this rule is an allowance to a committee member or employee in lieu of actual expenses of travel by private conveyance, and shall be allowed only to the operator or passengers in, a private vehicle. Mileage shall not be allowed to any committee member or employee in lieu of actual fare when travel is by plane, train, or other common carrier. Claims for mileage must be accompanied by the license number of the vehicle and the names of Delegates or employees riding as passengers.

Ex-Officio Members. The President, Vice Presidents and Secretary shall be ex-officio members of all Committees and Sub-Committees, but shall have no vote in any Committee or Sub-Committee.

Meetings--Where Scheduled. All standing committees and sub-committees shall meet at the day, hour and place provided by schedule, unless otherwise ordered by the Convention. No committee or sub-committee shall meet during any session of the Convention or at any place other than where scheduled, without first obtaining permission from the Convention.

Meetings--Open to Public. Every scheduled committee or sub-committee meeting shall be open to the public unless the Committee, by a vote of a majority of the members of the Committee present and entitled to vote shall order an executive session.

Meetings--Hearings--Schedule. All proposals set for hearings by any committee or sub-committee must be published in the daily Calendar and notice thereof forwarded to the Convention news media not less than five days in advance of such hearings; provided, that this rule shall not prevent any committee or sub-committee from hearing any proposal on Tuesday or Wednesday, where action of the committee or the committee chairmen setting such proposal for hearing was taken on the
Nothing in these rules shall prevent a majority of the delegates from discharging a committee from further consideration of any measure provided, the committee shall have had in its possession for a period of not less than ten convention days, the measure sought to be brought to the floor by such action.

Discharge Notice. A notice of at least one day shall be given of a motion to discharge any such committee, the notice to be in writing and entered upon the Journal. Such notice, if the motion made thereunder does not prevail, may be offered again on any succeeding Convention Day, but not upon the same day, nor more than a second time.

Public Hearings. The standing committees and sub-committees may hold public hearings subject to the approval of the committee on Administration and Finance, on the subject matter lying within the jurisdiction of such, in accordance with the Rules of the Convention, or referred to by the Convention.

Notice. The co-chairmen of any committee or sub-committee shall give public notice of each public hearing as far in advance as practicable. Said public notice shall be made by delivering a copy thereof to the Secretary of the Convention who, in turn, shall post such notice on the Convention Bulletin Board, deliver a copy to the Convention news media and to each delegate. Such notice shall include the date, time and location of the hearing, together with a brief description of the subject matter of said hearing.

Method of Requesting to Appear. Persons or organizations desiring to present their views shall be afforded as reasonable an opportunity to do so as is possible. Notification of such desire to appear and testify before a committee or sub-committee shall be addressed to the Secretary of the Convention.

Method of Notification to Appear. Persons or organizations requesting an opportunity to appear before a committee or a sub-committee conducting said public hearing shall be notified by the Secretary as to the day, date, time and place of said appearance. Only those persons or organizations scheduled in the foregoing manner will be eligible to appear before a committee or sub-committee. Granting permission to appear shall be at the discretion of the co-chairmen of the Committee or sub-committee which is conducting the hearing.

Persons or organizations wishing to present their proposals or views to a committee or sub-committee without appearing before the committee or sub-committee may do so by sending a typed, legible statement of such proposals or views to the Secretary of the Convention.

These statements will be prepared for distribution in the manner provided above.

Limit on Oral Presentation. All persons or organizations duly scheduled to appear before a committee or sub-committee in accordance with the above shall be entitled to present an oral statement of not more than fifteen minutes for the purpose of explaining their written statement or presenting additional information, unless otherwise restricted or extended by a majority vote of the committee or sub-committee conducting said hearing.

Debate or argument between proponents and opponents of a proposal shall not be permitted.

Oral statements pertaining to provisions of the Constitution shall be limited to those set forth in Act No. 2, 1967 Session. All other statements or debates shall be out of order.

The oral statement of any organization shall be limited to one spokesperson for each organization at each committee or sub-committee hearing.

Nothing in this rule shall prevent more than one representative of an organization to be in attendance at any committee or sub-committee hearing.

Record of Hearings. The committee or sub-committee shall arrange for the recording and transcribing of the proceedings of the public hearings. The transcriptions, all written statements and any other information which the committee or sub-committee deems pertinent shall be kept by the Secretary of the Convention, and shall be inserted in and become a part of the action Journal.

Procedures.
1. Each committee shall review and study existing constitutional provisions in the area of its jurisdiction to determine:
   (a) The existing provisions, their origin, history and reasons for their promulgation, the manner in which they have been interpreted by the courts, and the established practice thereunder;
   (b) The extent to which existing provisions adequately meet the state's needs; and
   (c) Areas in which improvement seems desirable.
2. After substantial completion of such study, each committee shall then proceed to consider all proposed changes in the article of the present Constitution set forth in Act No. 2, 1967 Session, whether embodied in the Delegate proposals or otherwise.
voting unless permission is obtained from the Convention before the Secretary have commenced calling the roll; each Member requesting same shall be allowed two minutes to explain his or her vote. The name(s) of absentee on all calls of the Yeas and Nays shall be placed in a separate list.

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**Rule No. 12. Order of Business.** The business of the Convention shall have precedence as follows:

- **Special Order.**
  - Roll Call.
  - Prayer.
  - Reading and Adoption of Journal.
  - Petitions, Memorials, and Communications.
  - Reports of Committees.
  - Introduction of Resolutions.
  - Introduction of Ordinances.
  - Regular Order of the Day
  - Unfinished Business.
  - Special Order.
  - Reports of Committees Lying Over.
  - Resolutions Lying Over.
  - Ordinances on Second Reading to be Referred.
  - Ordinances on Second Reading Reported by Committee.
  - Ordinances on Third Reading.
  - Unanimous Consent to Change Order of Business.

The above order of business shall be rigidly adhered to without regard to length of time required, unless the unanimous consent of the Convention shall be otherwise given. All petitions and memorials shall be referred to the proper committee by the President as soon as read, where reference may be necessary or is requested by a Member.

**Motions.**

Rule No. 13. When a question is under debate, no motion shall be entertained but--

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**Pennsylvania**

**Rule 24**

3. The Committee on Style and Drafting shall complete its consideration of all committee proposals and make its recommendations on or before February 9, 1968.

5. The Committee on Arrangement, Submission and Address to the People shall make its final recommendations on or before February 16, 1968.

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**Part II, Chapter 6**

**COMPARATIVE RESEARCH DATA:**

**Transaction of Business**

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**Louisiana**

**1921 Convention Rules**

**23 May Call Yeas and Nays**

**Names Called Alphabetically**

Rule No. 16. When the Yeas and Nays shall be called for by twenty-five (25) Members, each Member, except the President called upon, unless excused from voting, shall declare openly and without debate, his or her assent or dissent to the question. In taking the Yeas and Nays the names of the Members shall be called alphabetically.

Rule No. 17. No Member May Vote After Decision Declared.

When the Yeas and Nays are taken on any question, no Member shall be permitted, under any circumstances whatever, to vote after the decision has been announced by the Chair.

Rule No. 18. No Explanation or Excuse After Roll Call Started—Two Minutes to Explain Vote. No Member shall be permitted to explain his or her vote, or ask to be excused from voting unless permission is obtained from the Convention before the Secretary have commenced calling the roll; each Member requesting same shall be allowed two minutes to explain his or her vote. The name(s) of absentee on all calls of the Yeas and Nays shall be placed in a separate list.
Louisiana

Legislative day. When any question shall have been decided by the Convention, in which two-thirds of the Members present are necessary to carry the affirmative, any Member who voted on the side that prevailed may be at liberty to move for a reconsideration; and a motion for reconsideration shall be decided by a majority vote, but no motion to reconsider a vote upon a motion to reconsider shall be in order at any time.

Rule No. 36. Division of a Question. When a question contains several points, any Member may have some divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out a different proposition; nor preclude a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

Rule No. 37. Previous Question. When a call for the previous question has been made and sustained, the question shall be upon pending amendments, and the main question, in their regular order; and all incidental questions of order arising after a motion for the previous question has been made, and pending such motion, shall be decided whether on appeal or otherwise, without debate; provided, a majority of the Members present shall be necessary to order the previous question, and the question from the Chair shall be: "Shall the main question be now put?"

Rule No. 38. By One Admitted to Present Petitions, Etc. A person shall be deemed in order to admit any person whatsoever within the Convention Hall to present or read any petition, memorial or address.

Rule No. 39. Motions to Be in Writing. Every motion except for adjournment or similar brief motions shall be in writing, and each Member shall attach his or her name to every ordinance, resolution, amendment, order, report or motion presented, before it may be received by the Chair or read by the Secretary.

Rule No. 40. Motion to Adjourn Always in Order. A motion to adjourn or recess shall always be in order, except when, on a call for the previous question, the main question shall have been ordered, or when a Member has the floor, and shall be decided without debate.

Special Orders

Rule No. 49. Two-thirds to Make Special Order. No ordinance, resolution or other subject shall be made a special order for a particular day without the consent of two-thirds of the Members present.

Rule No. 50. Special Orders Come Up According to Time of Assignment. When the day shall have arrived for the consideration of a special order, it shall be the duty of the Presiding Officer to take it up, unless the unfinished business of the preceding day shall be in order consideration.

Rule No. 51. Special Orders Take Precedence by Order of Time. 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...
an amendment to the consideration of the question shall be determined without debate upon the merits of the question proposed to be considered.

When a bill or resolution is pending, an amendment to move its adoption or rejection in the bill or resolution then pending.

The motion to proceed to the consideration of executive business shall not be entertained more than once during debate on any one bill or resolution, unless by unanimous consent of the Senate.

Division of a Question

Rule 23. No Senator shall be permitted to vote on any question unless he is present in the Senate Chamber.

Rule 24. All questions on amendment, not extending to the merits, being short of the final question, shall be decided by the Senate, requiring action of the Senate and the voting machine is in use the question shall be disposed of by the Senators casting their vote by the means of the voting machine.

Rule 25. When opposition has been raised to any question requiring action of the Senate and the voting machine is in use the question shall be disposed of by the Senators casting their vote by the means of the voting machine.

Rule 26. When the Senate is equally divided, the Secretary shall take the decision of the President; however, no bill or concurrent resolution shall be adopted unless a majority of the members elected to the Senate vote in favor thereof.

Rule 28. Reconsideration. When a question has been made and carried in the affirmative or negative, it shall be in order for any Senator who voted on the side that prevailed to move for the reconsideration thereof, but no motion for reconsideration of any vote shall be in order after the bill, resolution, or message shall have gone out of the possession of the Senate; nor shall any motion for reconsideration be in order, unless made on the same day on which the vote was taken, or within the morning hour of the next succeeding legislative day. When notice has been given, by a Senator who voted on the side that prevailed, that he will on the next succeeding legislative day move to reconsider a vote, no further action shall be had on the same until after the morning hour of the next succeeding legislative day. No motion to reconsider a vote which has been reconsidered previously shall be in order at any time.

Business-Prior to Special Order, in which the Senate was engaged at the time of adjournment shall have precedence over the special orders of the day.

Rule 30. Yeas and Nays. When the yeas and nays are taken on any question no Senator shall be permitted, under any circumstances whatever to vote after the decision is announced from the Chair.

Rule 31. Prior to the announcement of the vote from the Chair, the Secretary of the Senate shall announce the vote in order that any Senator desiring to change his vote may do so before the final announcement of the vote by the presiding officer.

Rule 32. Every Senator who shall be in the Senate when a question is put shall give his vote unless the Senate, for reasons assigned, shall excuse him. No Senator shall be allowed to make any explanation of a vote he is about to give, or ask to be excused from voting after the Secretary, under order of the Senate, shall have opened the voting machine or, in the event the voting machine is out of order, after the Secretary, under order of the Senate, shall have commenced calling the yeas and nays.

Morning Hour - Regular

Order of the Day

Rule 29. After roll call, prayer, and the reading of the journal, the presiding officer or the Secretary shall lay before the Senate messages from the House of Representatives (Messages from the Governor and executive departments being always in order);

Petitions and memorials;

Reports of committees;

The introduction of bills;

The introduction of resolutions, Senate and concurrent; all of which shall be received and disposed of in the above order, without regard to length of time required, unless the order of business shall be transposed or changed by a suspension of the rules.

Every petition or memorial or other paper shall be referred by the Secretary without putting a question for that purpose, unless the reference is objected to by a Senator, at the time such petition, memorial or other paper is presented.

In the order of the day, business shall have precedence as follows:

1. unfinished business.
2. special order.
3. Senate bills and concurrent resolutions returned from the House with amendments.
4. Senate and concurrent resolutions.
5. Senate bills on second reading to be referred.
Rule AO. The unfinished business in which the Senate engaged at the time of its adjournment on the preceding day shall have preference in the order of the day; and no motion or any other business shall be received without special leave of the Senate until the former is disposed of.

Rule 41. Making up The Journal. The title of bills and joint resolutions shall be inserted in the Journal.

Rule 42. The proceedings of the Senate shall be entered in the Journal as concisely as possible, care being taken to detail a true and accurate account of the proceedings. Every vote of the Senate shall be taken by yeas and nays and the name of the members voting for or against the question shall be entered in the Journal as well as the names of the absent Senators.

Rule 43. The files of the Senate may be inspected by the members, but no paper shall be withdrawn therefrom without the consent of the Senate.

Rule 44. Suspension and Amendment of Rules. No standing rule or order of the Senate shall be rescinded or changed without one day's notice being given in writing of the motion therefore; nor shall any rule be suspended except by a favorable vote of a majority of the members present.

Rule 45. Mason's Manual of Legislative Procedure. On any question of order and parliamentary practice, shall these rules be silent or inexplicit, Mason's Manual of Legislative Procedure shall be considered authority.
### LOUISIANA
#### 70. TABLE OF RULES RELATING TO MOTIONS

<table>
<thead>
<tr>
<th>Motion</th>
<th>Un-debatable</th>
<th>Open Main Question</th>
<th>Cannot Be Amended</th>
<th>Cannot Be Reconsidered</th>
<th>In Order When Another Has Floor</th>
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<td>To appeal, all other cases</td>
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<td>To extend limits of debate</td>
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<td>Leave to continue speaking after indecorum</td>
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<td>To limit debate—motion to</td>
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<td>0</td>
<td>0</td>
<td>*</td>
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<tr>
<td>To objection to consideration of (6)</td>
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<td>To take up orders of the day</td>
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<td>To postpone to a certain time</td>
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<tr>
<td>To postpone indefinitely</td>
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<tr>
<td>Previous question (5)</td>
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<td>*</td>
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<tr>
<td>To reconsider an undebatable question</td>
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<td>*</td>
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<table>
<thead>
<tr>
<th>Motion</th>
<th>Un-debatable</th>
<th>Open Main Question</th>
<th>Cannot Be Amended</th>
<th>Cannot Be Reconsidered</th>
<th>In Order When Another Has Floor</th>
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<tr>
<td>To refer (same Commit)</td>
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<td>To rise in committee (equals adjournment)</td>
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<td>Shall the question be discussed?</td>
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<td>Special order—to make a</td>
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<td>To substitute (see Amend)</td>
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<tr>
<td>To suspend the rules</td>
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<td>To take from the table</td>
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<td>To take up question out of order</td>
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<td>Withdrawal of a motion</td>
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**Explanation of the Table**

A star shows that the rule heading the column in which it stands applies to the motion opposite to which it is placed. A cipher (zero) shows that the rule does not apply. A figure shows that the rule only partially applies—the figure referring to the note showing the limitation. Take for example, "Lie on the Table." The table shows that it is undebatable, cannot be amended and that the affirmative vote on it, as shown in note 5, cannot be reconsidered. The two columns containing ciphers show that this motion does not open the main question to debate, and that it is not in order when another member has the floor.
Notes to Table of Rules Relating to Motions

1. Every motion here mentioned has the effect of suspending some rule or established right of deliberative assemblies, and therefore unless a special rule is adopted to the contrary, requires a majority vote to be carried in the affirmative.

2. Undeletable if made when another question is before the house.

3. An amendment may be either (1) by adding or (2) by striking out words or paragraph; or (3) by striking out and inserting or (4) by dividing the question into two or more different questions, as specified by the mover so as to get a separate vote on any particular point or points.

4. An appeal is undeletable only when relating to in decorum or to transgression of the rules of speaking or to the priority of business or made while the previous question is pending. When deletable only one speech from each member is permitted. On a tie vote, the decision of the chair is sustained.

5. An affirmative vote on this motion cannot be reconsidered.

6. The objection can only be made when the question is first introduced.

7. Allows of but limited debate upon the propriety of postponement.

8. The previous question, if adopted, cuts off debate and brings the house to a vote on the pending questions in their order until the main question is reached which shall be at once disposed of. But its only effect, if a motion "to postpone" is pending, is to bring the house to a vote upon such motion.

9. Can be moved and entered on the record when another has the floor, but cannot interrupt business then before the house; must be made on the day the original vote was taken, or before the expiration of the morning hour of the following day; and by one who voted with the prevailing side.

Rule 13. Adjournment. A motion to adjourn shall always be in order, except when, on the call for the previous question the main question shall have been ordered to be now put, and shall be decided without debate.

12

Part II, Chapter 6

COMPARATIVE RESEARCH DATA: Transaction of Business

ARKANSAS

Rule 47. Withdrawal of Motions. After a motion has been stated by the President or read by the secretary, it shall be deemed to be in the possession of the Convention, but may be withdrawn by the maker at any time before being amended or put to a vote.

Rule 48. Precedence of Motions. When a question is under debate, no motion shall be received but--

1. To fix the time to which to adjourn.
2. To adjourn.
3. To take a recess.
4. To reconsider.
5. To lay on the table.
6. For a quorum call of the Convention.
7. To limit debate.
8. For the previous question.
9. To postpone to a day certain.
10. To continue.
11. To amend.
12. To postpone indefinitely.

On such motions shall take precedence in the order in which they are here listed, and shall be decided by a majority vote of those voting, except the motion to postpone indefinitely, which shall be passed only by a majority vote of all the delegates elected. When a recess is taken while any question is pending, consideration of such question shall be resumed upon reassembling unless otherwise determined. Whenever a proposal is being considered at any stage of procedure and a motion is made to postpone indefinitely or to commit, amendments to the proposal shall first be in order before taking a vote on any such motion.

ARKANSAS

Rule 49. Motions Not Debatable. A motion to adjourn shall always be in order except when a motion to fix the time to which to adjourn is pending. A motion to adjourn, a motion to lay on the table and all matters relating to questions of order shall be decided without debate. A motion for a recess, pending the consideration of other business, shall not be debatable.

Rule 50. Amendments to be Carried. No motion or proposal on a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule 51. Amendments to be Printed. No amendment to any delegate or committee report shall be considered unless it is submitted in writing and a copy thereof delivered to the floor desk of each delegate prior to the time the amendment is offered.

Rule 52. Division of Questions. Any delegate may call for a division of the question, which shall be divided if it comprehends propositions in substance so distinct that when one is removed or deferred, a substantive proposition remains for the decision of the Convention. A motion to strike out and insert shall be deemed indivisible.

Rule 53. Motions for the Previous Question. The method of ordering the previous question shall be as follows: Any delegate may move the previous question and unless otherwise stated the motion shall apply to the pending question only. This being
Seconded by at least five delegates, the presiding officer shall put the question, "Shall the main question be put?" This shall be ordered only by two-thirds (2/3) of the delegates voting. After the seconding of the motion for the previous question and prior to ordering the same, a Call of the Convention may be moved and ordered; but after ordering the previous question nothing shall be in order prior to the decision of the pending question.

Rule 51. Notice of Reconsideration. Any delegate may move for a reconsideration of any question at the same or next succeeding session of the Convention; or the Committee on Style and Drafting may move for reconsideration on any subsequent day if notice of its intention to do so is given in writing to the secretary, who shall enter this notice in the Journal.

Rule 52. Sine Die Adjournment. A motion to adjourn the Convention sine die shall not be voted upon until at least forty-eight hours after notice is given to the delegates; and to pass this motion requires an affirmative vote of a majority of all the delegates to the Convention.

Rule 53. Majority Vote on Proposals. On the passage on third reading of every proposal, section, article and any complete revision of or amendment to the Constitution, the vote shall be taken by yeas and nays, and entered on the Journal, and no proposal, section, article or any such amendment or complete revision shall be declared passed unless the majority of all the delegates elected to the Convention shall have voted in favor of the passage of the same. No proposal shall be finally voted upon by the Convention except after the expiration of 72 hours from its introduction.

Rule 60. Unfinished Special Orders. Any subject matter not having been reached on that day, shall come up for consideration under the order of "Unfinished Business" at the next succeeding session of the Convention.

Rule 61. Limitation on Debate and Control of Dilatory Procedure. The Convention may limit the time of debate on any subject matter before the Convention, designate a method of allocating the period allowed for debate among delegates and take appropriate action to control dilatory procedure.

Rule 62. Presentation and Endorsement of Petitions. Petitions received by any officer of the Convention or by any delegate may be initialed by the recipient, and handed directly to the chairman or clerk of the committee which has the subject matter of the petition under consideration. The chairman of the committee, on behalf of the Convention, shall give appropriate notice of the receipt of the petition.

Rule 63. Putting the Question. The President shall put all questions in this form: "As many as are in favor of (as the question may be), say "aye" and after the affirmative vote is expressed, "as many as are opposed, say "no."" If the President is in doubt as to the vote, he may order a division of the Convention.

A division of the Convention may be had on the demand of five delegates, or a roll call of the Convention may be demanded by a vote of one-fifth (1/5) of the delegates voting on any pending question. When a division of the Convention is ordered a rising vote or a show of hands may be taken or the voting machine may be used, if provided, and the President shall declare the result. On a tie vote the question shall be deemed lost.

Rule 64. Amendment or Suspension of Rules. The rules of the Convention may be amended by a majority vote of the delegates elected, but no rules shall be amended unless such amendment is in writing, has been considered by the Committee on Rules and Resolutions and is in the possession of the Convention two days prior to its consideration. A rule may be suspended by a vote of two-thirds (2/3) of the delegates voting, provided that no less than 51 votes are cast in favor of the suspension.

Rule 65. Form of Question on Appeals. On all appeals from decisions of the Chair, the question shall be "Shall the ruling of the Chair stand?" which question shall be decided by a majority vote of those voting.

Rule 66. Debate on Appeals. No delegate shall speak on the question of an appeal more than once without leave of the Convention by a majority vote of those voting.

Rule 67. Tabling Appeals. An appeal may be laid on the table but shall not carry with it the subject matter before the Convention at the time such appeal is taken.

Rule 68. Practice in Unprovided Cases. In all cases not provided for by these rules, the authority shall be "Robert's Rules of Order Revised (7th Anniversary Edition, 1951)."

Rule 69. Voting by the Electrical Roll Call System. When taking the yeas and nays on any question to be voted upon, the electrical roll call system may be used, and when so used shall have the same force and effect as a roll call taken otherwise provided in these rules.
result for the Convention. The secretary shall enter upon the Journal the result in the manner provided by the rules of the Convention.

Any delegate shall be privileged to vote or change his vote after the vote recording equipment has started to operate, by rising and announcing his vote before the result of the vote has been announced by the secretary.

No delegate shall cast a vote for another delegate, nor shall any person not a delegate cast a vote for a delegate. In addition to such penalties as may be prescribed by law, any delegate who shall vote for another delegate may be punished in such manner as the Convention may determine. If a person not a delegate shall vote or attempt to vote for any delegate, he shall be barred from the floor of the Convention for the remainder of the session and may be further punished in such manner as the Convention may deem proper, in addition to such punishment as may be prescribed by law.

ARKANSAS

Rule 70. Presence of Delegates. Any delegate, having answered roll call at the opening of any session, or having entered upon the floor of the Convention after roll call and made his presence known to the secretary, shall thereafter be deemed present for that session for purposes of determining the right of compensation.

Part II, Chapter 6
COMPARATIVE RESEARCH DATA: Transaction of Business

HAWAII

Rule 31. At meetings of the Convention the order of business shall be as follows (except at times set apart for the consideration of special orders):

1. Calling Convention to order.
2. Prayers.
3. Determination of quorum.
4. Reading of Journal.
5. Presentation of petitions, memorials and communications.
6. Reports of standing committees.
7. Reports of select committees.
8. Introduction and first readings of proposals.
10. Motions and resolutions.
11. Unfinished business.
12. Special orders of the day.
13. General orders of the day.

Rule 32. Consideration of the general orders of the day shall be in the following order:

1. Consideration by Committee of the Whole.
2. Reports of the Committee of the Whole.
3. Committee reports and proposals reported from Committees.
4. Second Reading.
5. Action on reports of the Committee on Style, as to arrangement and phraseology only.
6. Third Reading and agreement.

If the matter is not considered in its order, it shall lose its precedence for the day, but shall appear on the calendar on the following day in its regular order. Any matter may be made a special order of business for any particular day or time by a majority vote of the delegates present.

Rule 29. Any subject matter having been made the special order for a particular day, and not having been reached on that day, shall be upon the order of "Unfinished Business" on the next succeeding Convention day.

Rule 30. Upon calls of the Convention, the names of the delegates shall be called alphabetically.

In case of the absence of delegates, the delegates present shall take such measures as they shall deem necessary to secure the presence of absentees.

Rule 31. After a question has been stated by the President, and the calling of the roll has begun, the President shall not recognize a delegate for any purpose whatever until the call is completed; but nothing in this rule shall abridge the right of any delegate to change or record his vote on any question previous to the announcement of the result.

Rule 32. The vote upon any question shall be taken by the ayes and nays and entered on the Journal, on motion made and seconded before the question is put and upon the request of at least ten delegates.

A delegate may pass the first time his name is called by the clerk on any vote, but if he remains silent on the next call of his name, his vote shall be received as voting in the affirmative.
HAWAII

17. (Commit or recommit) to a Standing Committee. Debatable and amendable.
18. (Commit or recommit) to a Select Committee. Debatable and amendable.
(Numbers 7 to 12 both inclusive, preclude debate on main question).

The motion to adjourn, to take a recess, and to adjourn for a longer period than one day, shall always be in order, and the last motion shall be amendable and debatable.

Calls for information, for reading a paper, for division of a divisible question, for division of the house, for the ayes and nays, and a motion for reconsideration shall always be in order, but shall not be amendable or debatable.

An appeal from the decision of the chair may be taken at any stage of the proceedings.

Rule 38. The previous question shall be put in this form, "Shall the main question be now put?" It shall be admitted when demanded by a two-thirds vote of the delegates present, and its effect shall be, if decided affirmatively, to end debate and bring the Convention to a vote upon pending amendments, if any, to the main question, and pending such motion, shall be decided whether on appeal or otherwise, without debate.

Rule 39. A motion to reconsider any vote must be made before the end of the second Convention Day after the day on which the vote proposed to be reconsidered was taken, and by any delegate who voted in the majority and the same majority shall be required to adopt a motion to reconsider as was required to take the action to be reconsidered. When a motion for reconsideration is decided, that decision shall not be reconsidered, and no question shall be twice reconsidered; nor shall any vote be reconsidered upon either of the following motions:

To adjourn.
To lay on the table.
To take from the table; or
For the previous question.

Rule 40. No delegate rising to speak shall proceed until he shall have addressed the President and been recognized by him as entitled to the floor.

Rule 41. While the President is putting a question or a count is being had no delegate shall speak or leave his place, and while a member is speaking no delegate shall engage in any private discourse or pass between him and the chair.

Rule 42. When a motion to adjourn, or for recess, shall be carried, no delegate or officer shall leave his place until the adjournment or recess shall be declared by the President.

Rule 43. A proposal may be recalled from a Committee by the affirmative vote of twenty-five delegates, provided that the Committee has reported on the subject matter of such proposal for passage on second reading.

Rule 44. Any delegate may at any time rise and speak to a question of personal privilege.

HAWAII

COMPARATIVE RESEARCH DATA: Transaction of Business

ILLINOIS

Rule 46. Order of Business

The order of business of the Convention shall be as follows:
1. Call to order and preliminary matters.
2. Invocation.
3. Roll call.
4. Reading of Journal.
5. Reports of standing committees.
6. Reports of select committees.
7. Communications.
8. Introduction and first consideration and reference of proposals.
10. Motions and resolutions.
11. Unfinished business.
12. General orders of the day.

Rule 31. Roll Call

The secretary shall call the roll at the opening of each session of the Convention and the president shall announce whether a quorum is present. The president shall announce, and the secretary shall enter in the Journal, the names of the members absent with leave of the Convention, and the names of members absent without such leave. If a voting machine is provided, vote by machine shall be taken whenever a roll call or a vote by ayes and nays is directed by or in accordance with these rules.

Rule 32. Petitions; Printed in Journal

No memorial, remonstrance, or petition shall be read or be printed in full in the Journal unless ordered read or printed by the Convention.

ILLINOIS

Rule 33. Motions and Resolutions

When a motion is made, it shall be stated to the Convention by the president; or, if in writing, it shall be handed to the secretary and read aloud to the Convention before being debated. Every resolution, other than a proposal, shall be submitted in quintuplicate and shall be referred to the appropriate committee. If the rules are suspended to permit immediate consideration of a resolution, the resolution shall be read in full to the Convention before it is considered.

Rule 34. Reduced to Writing

Every motion or amendment shall be reduced to writing if the chairman or any ten members request it, and shall be entered upon the journal, together with the name of the member making it, unless the motion is withdrawn by the maker or is ruled out of order by the chairman.

Rule 35. Withdrawal of Motions

After a motion has been stated by the president or read by the secretary, it shall be deemed to be in the possession of the proposer, but it may be withdrawn by the member at any time before being amended or put to vote.

Rule 36. Privileged Motions

When a question is under debate, no motion shall be received except:
1. To amend the calendar and agenda.
2. To fix the time to which to adjourn.
3. To adjourn.
4. To take a recess.
5. To reconsider.
6. To call for the orders of the day.
For a Call of the Convention.

9. To limit debate.
10. To engage the previous question.
11. To adjourn to a day certain.
12. To commit.
13. To amend.
14. 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 requires the affirmative vote of two-thirds of those present and voting and a motion to adjourn indefinitely requires the affirmative vote of a majority of all members. When a recess is taken while a question is pending, consideration of such question shall be resumed when the Convention assembles, 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, amendments to the pending proposal shall first be in order before any vote is taken on any such motion.

Rule 40. 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.

Rule 41. Order of Putting Questions

All questions shall be put in the order in which they are arrived, except in the case of privileged motions.

Rule 42. Amendment Must Be germane

No motion or proposition relating to a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule 43. Division of Question

Any member 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 out and insert shall not be subject to division within the meaning of this rule.

Rule 44. Previous Question

The method of ordering the previous question shall be as follows: Any member may move the previous question and, unless otherwise stated, the motion shall apply to the immediately pending question only. When such motion is seconded, the presiding officer shall put the question. "Shall the main question now be put?" This shall be ordered only by the affirmative vote of two-thirds of the members present and voting. After the seconding of a motion for the previous question and prior to the ordering of the same, a Call of the Convention may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question or questions, except demands for the ayes and nays, points of order, appeals from the decision of the Chair, and a motion to adjourn or to take a recess, all of which shall be decided without debate. The effect of ordering the previous question is to put an end to all debate and bring the Convention to a direct vote upon the immediately pending question, and such other pending questions as were specified in the motion in their order down to and including the main question; provided, however, that when the previous question is ordered, amendments then on the secretary's desk shall be acted upon.

Rule 45. Motion for Reconsideration

Any member may move for a reconsideration of any question at the same session of the Convention; or may give notice that he will make such a motion not later than the next succeeding session. If the member who gave the notice does not make the motion in the next succeeding session, any member may do so. The Committee on Style, Drafting and Submission may move for reconsideration on any subsequent day if one session day's notice of its intention to do so is given in writing to the Secretary and entered upon the Journal. A motion to reconsider shall take precedence over all other questions, except a motion to amend the calendar and agenda, a motion to fix the time to which to adjourn, a motion to adjourn, and a motion to recess. A motion to reconsider shall not be renewed on the same day.

Rule 46. Ordering Calls of the Convention

Calls of the Convention may be ordered upon motion by the affirmative vote of a majority of the members present and voting, but the total vote in favor of such Call shall not be less than twelve.

Rule 47. Procedure on Call of Convention

After a Call of the Convention is ordered the doors shall be opened and the members shall not be permitted to leave the floor of the Convention without permission of the president of the Convention. The sergeant at arms shall notify all members within the bar of the Convention of the Call. The roll of the Convention shall be called and the absentees noted. The sergeant at arms may, upon motion, be dispatched after the absentees. In such case, a list of the absentees shall be furnished by the secretary to the sergeant at arms, who shall bring such absentees to the floor of the Convention with all possible speed. In case the sergeant at arms requires assistance in addition to the regularly appointed assistant sergeants at arms of the Convention, the president, upon motion, may deputize as a special assistant sergeant at arms any person properly qualified. The Convention may proceed to business under a Call of the Convention pending the arrival of any absentees.

Rule 49. Order of Consideration of Proposals

The prescribed order in which proposals introduced in the Convention are to be taken up or acted upon shall be as follows:

1. Introduction, first consideration, reference to a committee by the president, and ordered printed and distributed unless otherwise ordered by a majority of the members present.
3. Consideration by the Committee of the Whole in order of their reference.
4. Report by the Committee of the Whole and reference to the Committee on Style, Drafting and Submission.
5. Report of the Committee on Style, Drafting and Submission.
6. Second consideration, final passage of each proposal.
7. Reference to the Committee on Style, Drafting and Submission for incorporation in final draft.
8. Report by the Committee on Style, Drafting and Submission of any complete revision of, or proposed amendment to, the Constitution.
9. Tentative adoption of any complete revision of, or proposed amendment to, the Constitution.
10. Third consideration and final passage of any complete revision of, or proposed amendment to, the Constitution.

ILLINOIS

Rule 50. Majority Vote on Proposals

On the final passage of every proposal, section, article and of any complete revision of or amendment to the constitution, the vote shall be taken by ayes and nays and entered on the Journal and no proposal, section, article, or any such amendment or complete revision, shall be declared finally passed unless a majority of all members have voted in favor of the passage of the same.

Rule 51. Calendar

The president shall cause to be prepared a calendar and agenda of business for each session of the Convention. The calendar shall be furnished to the secretary, who shall distribute it to the members at least six hours before the time set for the next session of the Convention, unless the president waives the time requirement prescribed in this rule as necessary to the orderly or expeditious conduct of the business of the Convention. The Convention, at any time or from time to time during a session, may adopt, reject, or modify the daily calendar and agenda presented to it.

Rule 52. Unfinished Special Orders

Any subject matter which has been made a special order for a particular day, but which is not reached on that day, shall then come up for consideration under the order of "Unfinished Business" at the next succeeding session of the Convention.

Rule 53. Limitation on Debate and Control of Dilatory Procedure

The Convention by the affirmative vote of a majority of all the members of the Convention elected and serving may limit the time of debate on any matter before the Convention and may designate a method of allocating among members the period allowed for debate.

ILLINOIS

Rule 54. Reading of Documents

When the reading of a document is called for and an objection is raised to such reading, the Convention shall determine without debate whether the document shall be read.

Rule 55. Presentation and Endorsement of Petitions

Petitions received by an officer of the Convention or by any member may be initiated by the recipient, and referred to the delegates from the district from which the petition came.

Rule 56. Putting the Question

The president shall put all questions substantially in this form: "As many as are in favor of (as the question may be) say 'aye'; and after the affirmative vote is expressed, "as many as are opposed say 'no.'" If the president is in doubt as to the vote, he may order a division or roll call of the Convention.

A division of the Convention may be had upon the demand of five members. When a division of the Convention is ordered, the president shall declare the result.

A roll call may be had upon the demand of ten members.

On a tie vote the question shall be determined as lost.

Rule 57. Recognition during Roll Call

After a question has been stated by the president, and the call of the roll has been started, the president shall not recognize a member for any purpose except upon points of order, or for the purpose of explaining his vote on a proposal or amendment thereto, until after the announcement of the vote. The secretary shall enter upon the Journal the names of those voting "aye" and the names of those voting "no."

ILLINOIS

Rule 58. Roll Call

At the roll call to be taken at the opening of each session and upon Calls of the Convention, the names of the members shall be called alphabetically or the voting machine shall be used, if provided, and the absentees noted, after which the names of the absentees shall be called.

Rule 59. Amendment of Suspension of Rules

These rules may be amended by the affirmative vote of a majority of all the members of the Convention elected and serving, after the proposed amendment has been submitted in writing, has been considered by the Committee on Rules and Credentials, and has been in the possession of the members not less than two session days prior to its consideration. The Committee on Rules and Credentials may be discharged from further consideration of any proposed amendment upon the same notice and by the same vote as it provided in rule 56 for proposals. One or more rules may be suspended for a specified purpose by the affirmative vote of two-thirds of the members present or a majority of all the members of the Convention elected and serving, whichever constitutes the lesser number.

Rule 60. Appeals--Form of Question

On all appeals from decisions of the Chair, the question shall be "Shall the appeal be sustained?" A favorable vote of a majority of the members present and voting shall sustain the appeal. The presiding officer may cast his vote on an appeal from his decision, and he shall have the right to explain his decision.

Rule 61. Robert's Rules of Order

In all cases not covered by these rules, the controlling parliamentary authority shall be the latest edition of Robert's Rules of Order Revised.

ILLINOIS

Rule 62. Voting by the Electrical Roll Call System

When the Convention is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electrical roll call system, the presiding officer shall announce: "The question is on the passage of (designating the matter to be voted upon). All in favor of such question shall vote 'aye,' all opposed shall vote 'nay.' The Convention will not proceed to vote."

After ascertaining the members sufficient time in which to vote, the presiding officer shall announce: "Have all voted who wish?"
and after a short pause he shall then say: "The secretary shall proceed to record the vote."

The secretary shall immediately start the vote recording equipment, and when completely recorded, the president shall announce the result. The secretary shall enter upon the Journal the result in the manner provided by the rules of the Convention.

Any member shall be privileged to vote or change his vote after the vote recording equipment has started to operate, and prior to the time the result is announced.

No member may cast the vote of another member in any session of the Convention, Committee of the Whole, or committee meeting, nor shall any person not a member cast a vote for any member. Any member who votes or attempts to vote for another member may be punished in such manner as the Convention determines. If a person not a member votes or attempts to vote for any member, he shall be barred from the floor of the Convention for the remainder of the session and may be further punished in such manner as the Convention determines proper. Proxy voting is not permitted.

**ILLINOIS**

Rule 7. "Present" Vote

Votes cast as "present" shall be recorded in the Journal as "Present," but such votes shall not be counted in determining the required number of votes on those measures or questions needing the affirmative vote of those present and voting.

**MARYLAND**

Rule 41. Order of Business. The order of business of the Convention shall be as follows:

1. Call to order and preliminary matters.
2. Invocation.
3. Roll Call.
4. Report of Committee on Calendar and Agenda.
5. Reports of other standing committees.
6. Reports of select committees.
7. Communications from state officers.
8. Introduction and first reading of reference of proposals.
10. Motions and resolutions.
11. Unfinished business.
12. Special orders of the day.
13. General orders of the day.

Petitions

Rule 40. Petition in Journal. No memorial, remonstrance, or petition shall be recorded in full in the Journal unless ordered read or printed in full in the Journal unless ordered read or printed by the affirmative vote of a majority of those present and voting.

Motions and Resolutions

Rule 42. Stating Motions. When a motion is made, it shall be stated by the Convention by the president; or, if in writing, it shall be handed to the chief clerk and read aloud to the Convention before being debated.

A "motion" within this rule includes only the privileged motions listed in Rule 45 or a motion of merely procedural character, such as to take from the table, to send the sergeant-at-arms for absentees,

**MARYLAND**

61. All other matters (except delegate proposals and committee recommendations) shall be presented as resolutions.

Every resolution, other than a proposal, shall be submitted as a duplicate, shall be read by title, and shall be referred to the appropriate committee. If the rules are suspended to permit immediate consideration of a resolution, the resolution shall be read in full to the Convention before it is considered.

Rule 43. Required to Voting. Every motion shall be reduced to writing if the president or any delegate shall request it, and shall be entered upon the Journal, together with the name of the delegate making it, unless the motion is withdrawn by the maker or is ruled out of order by the president.

Rule 44. Withdrawal of Motions. After a motion has been stated by the president or read by the chief clerk, it shall be deemed to be in the possession of the Convention, but it may be withdrawn by the maker at any time before being amended or put to vote.

Rule 45. Privileged Motions. When a question is under debate, no motion shall be received but:

1. To amend the calendar and agenda.
2. To fix the time to which to adjourn.
3. To adjourn.
4. To take a recess.
5. To reconsider.
6. To call for the Orders of the Day.
7. To lay on the table.
8. For a Call of the Convention.
9. To limit debate.
10. To move the previous question.
11. To postpone to a day certain.
12. To postpone indefinitely.
13. To commit.
14. To amend.

**MARYLAND**

The motion listed in this rule shall take precedence in the order in which they are arranged. All other matters shall be decided by the vote of a majority of its members present and voting, except that any motion to adjourn indefinitely shall be decided by the affirmative vote of a majority of all the delegates to the convention. When a recess is taken, no 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 next stage of the question. Whenever a proposal is being considered and a motion is then made, either to postpone indefinitely or to commit, amendments to the pending proposal shall first be in order before any vote is taken on any such motion.

Rule 46. Motions Non Debatable. A motion to adjourn shall always be 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 a recess pending consideration of other business and all matters relating to questions of order, shall be decided without debate.

Rule 47. Motion to Take from the Table. After one session day's notice any matter laid on the table may be taken therefrom on motion.
provided, that the business of the class of the matter to be taken from the table would then be in order.

Rule 48. Order of Putting Questions. All questions shall be put in the order in which they are moved, except in the case of privileged motions.

Rule 49. Amendment Must be Notice. No motion or proposition relating to a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule 50. Amendments to Be Printed. No amendment to any committee shall be considered unless it is submitted in writing and a copy thereof delivered to the first desk of each delegate prior to the time the amendment is offered.

Rule 51. Division of Question. Any delegate may call for a division of the question, which shall be divided if it is in order, propositions which are distinctly in substance that when one is removed or deferred, a substantial proposition remains for the decision of the Convention. A motion to strike out and insert shall not be subject to division within the meaning of this rule.

Whenever a question has been divided m final vote shall be taken on any division until all of the divisions thereof have been considered for amendment, after which further amendments to any division shall be in order, and thereafter each division will be put to final vote.

Motion Calling For The Previous Question

Rule 52. Method of Ordering. The method of ordering the previous question shall be as follows: Any delegate may move the previous question and, unless otherwise stated, the motion shall apply to the pending question only. The presiding officer shall put the question, "Shall the main question now be put?" This shall be ordered only by a majority of the delegates present and voting. After the seconding of a motion for the previous question and prior to the ordering of the same, a Call of the Convention may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question or questions, except demands for the ayes and nays, points of order, appeals from the decision of the Chair, and a motion to adjourn or to take a recess, all of which shall be decided without debate. The effect of ordering the previous question shall be to put an end to all debate and bring the Convention to a direct vote upon the pending question. When a motion to reconsider has been taken under the previous question and decided in the affirmative, the fact that the previous question had been ordered shall have no operation or effect with respect to the question for which reconsideration has been ordered. If the Convention refuses to order the previous question, it shall resume consideration of the pending subject as though no motion for the previous question had been made.

Rule 53. Amending Adjournment. A motion to adjourn the Convention sine die shall not be voted upon until at least forty-eight hours after notice is given to the delegates; and to pass this motion requires an affirmative vote of a majority of all the delegates to the Convention.

Rule 54. Reconsideration in Convention.

(a) Any question finally adopted or rejected by the Convention may be reconsidered by any delegate at any time before the Convention adjourns sine die.

(b) No question may be reconsidered more than once, except if the reconsideration is moved by direction of the Committee on Style, Drafting, and Arrangement, or by the Convention committee which reported on the matter to be reconsidered, or it moved after

MOTION FOR CALLS OF THE CONVENTION

Rule 55. Quorum Call. A call of the Convention may be ordered if there is an absence of a quorum.

Rule 56. Procedure. The roll of the Convention shall be called

MARYLAND

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Upon the committee which has the subject matter of the petition under consideration. The chairman of the committee, on behalf of the Convention, shall give appropriate notice of the receipt of the petition.

Rule 64. Calls of Convention—Ayes and Nays. Upon Calls of the Convention, and in taking the ayes and nays upon any question, the names of the delegates shall be called alphabetically.

Rule 65. Putting the Question. The president shall put all questions substantially in this form: "As many as are in favor of (as the question may be) say 'aye'"; and after the affirmative vote is expressed, "as many as are opposed say 'nay.'" If the president is in doubt as to the vote, he may order a roll call vote of the Convention.

A roll call vote of the Convention may be had upon the demand of ten delegates.

Rule 66. Recognition during Roll Call. After a question has been stated by the president, and the call of the roll has been started by the chief clerk, the president shall not recognize a delegate for any purpose except upon points of order, until after the announcement of the vote by the chief clerk. The chief clerk shall enter upon the Journal the names of those voting "aye" and the names of those voting "nay".

Rule 67. Roll Call. At the roll call to be taken at the opening of each session and upon Calls of the Convention, the names of the members shall be called by the chief clerk, and the absentees noted.

MARYLAND

Rule 68. Amendment or Suspension of Rules. These rules may be amended by the affirmative vote of a majority of all the delegates to the Convention after the proposed amendment has been submitted in writing, has been considered by the Committee on Rules, Credentials and Convention Budget, and has been in the possession of the delegates not less than two session days prior to its consideration. A rule may be suspended by the affirmative vote of a majority of all the delegates to the Convention.

Applies

Rule 69. Form of Question. On all appeals from decisions of the Chair, the question shall be "Shall the appeal be sustained?" A favorable vote of a majority of the delegates present and voting shall sustain the appeal. The presiding officer may cast his vote on an appeal from his decision, and he shall have the right to explain his decision.

Rule 70. Tabling Appeals. An appeal may be laid on the table but shall not, as a consequence, thereby either remove or carry with it the subject matter pending before the Convention at the time the appeal was taken.

Rule 71. Practice. In all cases not covered by these rules, or by any subsequent amendments to them, the controlling parliamentary authority shall be Robert's Rules of Order Revised (1951 Edition).

Method of Voting

Rule 72. Voting by the Electrical Roll Call System. When taking the ayes and nays on any question to be voted upon, the electrical roll call system may be used, and when so used shall have the same force and effect as a roll call taken otherwise provided in these rules.

When the Convention is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electrical roll call system, the presiding officer shall announce: "The question is on the passage of (designating the matter to be voted upon). All in favor of such question shall vote 'aye', all opposed shall vote 'nay'. The short pause he shall say: "The chief clerk shall proceed to record the vote."

The chief clerk shall immediately start the vote recording equipment, and when completely recorded, the president shall announce the result to the Convention. The chief clerk shall enter upon the Journal the result in the manner provided by the rules of the Convention.

Any delegate shall be privileged to vote or change his vote after the vote recording equipment has started to operate, and prior to the time the chief clerk has recorded the vote.

No delegate shall vote for another delegate, nor shall any person not a delegate cast a vote for any delegate. Any delegate who shall vote or attempt to vote for another delegate may be punished in such manner as the Convention may determine. If a person not a delegate shall vote or attempt to vote for any delegate, he shall be barred from the floor of the Convention for the remainder of the session and may be further punished in such manner as the Convention may determine proper.

Appendix B

A RESOLUTION that each delegate shall have only one (1) vote on only one (1) substantive committee and matters generally relating thereto, to read as follows:

RESOLVED, that each delegate shall have only one (1) vote on only one (1) substantive committee; and be it further

RESOLVED, That the three (3) delegates presently voting on more than one (1) substantive committee shall continue to be liaison members to other substantive committees but shall not be a voting member except on the one substantive committee to which they are assigned to exercise their vote.

245

Part II, Chapter 6

COMPARATIVE RESEARCH DATA: Transaction of Business

MICHIGAN

Rule 42. Order of Business. The order of business of the convention shall be as follows:

1. Call to order.
2. Invocation.
3. Roll call.
4. Reports of standing committees.
5. Reports of select committees.
6. Communications from state officers.
8. Second reading of proposals.
10. Motions and resolutions.
11. Unfinished business.
12. Special orders of the day.
13. General orders of the day.

Petitions

Rule 43. Petitioning in Journal. No memorial, remonstrance, or petition shall be read or printed in full in the daily journal unless ordered read or printed by a majority vote of those present.

Motions and Resolutions

Rule 44. Stating Motions. When a motion is made, it shall be stated by the president; or, if in writing, it shall be handed to and read aloud by the secretary before being debated.

Every resolution, other than a proposal, shall be submitted in quadruplicate, shall be read by title, and shall be referred to the appropriate committee. When the rules are suspended to permit immediate consideration of a resolution, the resolution shall be read in full before it is considered.

246

MICHIGAN

Rule 45. Reduced to Writing. Every motion shall be reduced to writing if the president or any delegate shall request it, and shall be
entered upon the journal, together with the name of the delegate making it, unless withdrawn by the maker or ruled out of order by the president.

Rule 46. When in possession, withdrawal. After a motion has been stated by the president or read by the secretary, it shall be deemed to be in the possession of the convention, but may be withdrawn at any time before being amended or put to a vote.

Rule 47. Precedence of motions. When a question is under debate, no motion shall be received but:
1. To fix the time at which to adjourn.
2. To adjourn.
3. To take a recess.
4. To reconsider.
5. To lay on the table.
6. For a call of the convention.
7. To limit debate.
8. For the previous question.
9. To postpone to a day certain.
10. To commit.
11. To amend.
12. To postpone indefinitely.
Such motions shall take precedence in the order in which they stand arranged, and shall be decided by a majority vote of those present and voting, except the motion to postpone indefinitely, which shall be decided by a majority vote of the delegates elected. When a recess is taken during the pendency of any question, the consideration of such question shall be resumed upon reconvening unless otherwise determined. No motion to postpone to a day certain, or to commit, being decided, shall be again allowed on the same day and at the same stage of the question. Whenever a proposal is up for consideration at any stage of procedure, and a motion is made to postpone indefinitely, or to commit, amendments to the proposal shall be in order before taking a vote on any such motion.

Rule 48. Motions not debatable. A motion to adjourn shall always be in order except when a motion to fix the time to which to adjourn is pending. A motion to adjourn, a motion to lay on the table, and all matters relating to questions of order, shall be decided without debate. A motion for a recess, pending the consideration of other business, shall not be debatable.

Rule 49. Order of putting questions. All questions shall be put in the order they were moved, except in the case of privileged questions.

Rule 50. Amendments to be germane. No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule 51. Division of question. Any delegate may call for a division of the question, which shall be divided if it comprehends propositions in substance so distinctly that one being taken away a substantive proposition shall remain for the decision of the convention. A motion to strike out and insert shall be deemed indivisible.

Motions for the Previous Question

Rule 52. Method of ordering. The method of ordering the previous question shall be as follows: Any delegate may move the previous question and unless otherwise stated the motion shall apply to the pending question only. This being seconded by at least 10 delegates, the Chair shall put the question, "Shall the main question now be put?" This shall be ordered only by a majority of the delegates present and voting. After the seconding of the previous question and prior to ordering the same, a call of the convention may be moved and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question or questions, except demands for the yeas and nays, points of order, appeals from the decision of the Chair, and a motion to adjourn or to take a recess, which shall be decided without debate. The effect of the previous question shall be to put an end to all debate and

MICHIGAN

to bring the convention to a direct vote upon the pending question or questions in their order down to and including the main question: Provided, however, That when the previous question shall be ordered, amendments then on the secretary's desk shall be disposed of. When a motion to reconsider is taken under the previous question and is decided in the affirmative, the previous question shall have no operation upon the question to be reconsidered. If the convention shall refuse to order the previous question, the consideration on the subject shall be resumed as though no motion for the previous question had been made.

Rule 53. Motion for reconsideration. Any delegate may move for a reconsideration of any question at the same or next succeeding session of the convention or the committee on style and drafting may move for reconsideration on any subsequent day if 3 session days' notice of its intention to do so is given in writing to the secretary, which shall be spread upon the journal. A motion to reconsider shall take precedence of all other questions, except a motion to fix the time to which to adjourn, a motion to adjourn and a motion to recess. No motion to reconsider shall be renewed on the same day.

Motion for Calls of the Convention

Rule 54. Ordering calls of the convention. Calls of the convention may be ordered upon motion by a majority of the delegates present, but the total vote in favor of such call shall not be less than 15 in number. A motion for a call of the convention shall not be entertained after the previous question is ordered.

Rule 55. Procedure. After a call of the convention is ordered the doors shall be closed and the delegates shall not be permitted to leave the floor of the convention without permission of the convention. The sergeant at arms shall notify all delegates within the bar of the convention of the call. The roll of the convention shall be called by the secretary and the absentees noted. The sergeant at arms may, upon motion, be dispatched after the absentees.

MICHIGAN

shall be furnished by the secretary to the sergeant at arms, who shall bring such absentees to the floor of the convention with all possible speed. In case the sergeant at arms shall require assistance in addition to the regularly appointed assistant sergeants at arms of the convention, the president may, upon motion, deputize any person properly qualified as a special assistant sergeant at arms. The convention may proceed to business under a call of the convention pending the arrival of any absentees.

Rule 56. Majority vote on proposals. On the passage of every proposal, section, article and any complete revision of or amendment to the constitution, the vote shall be taken by yeas and nays, and entered on the journal, and no proposition, section, article or any such amendment or complete revision shall be declared passed unless a majority of all the delegates elected to the convention shall have voted in favor of the passage of the same.

Special Orders

Rule 59. Unfinished special orders. Any subject matter made the special order for a particular day, not having been reached on that day, shall come up for consideration under the order of unfinished business at the next succeeding session.

Rule 60. Limitation of debate and control of dilatory procedure. The convention by resolution may limit the time of debate on any subject matter before the convention, designate a method of allocating the period allowed for debate among delegates, and take appropriate action to control dilatory procedure.

Reading and Amendment of Papers

Rule 61. Reading. When the reading of a paper is called for and an objection is raised to such reading, the convention by a majority vote of delegates present and voting shall determine without debate whether the paper shall be read.
MICHIGAN

Rule 61. Procedural and enforcement procedures. Petitions received by the clerk of the convention or by any delegate may be presented to the recipient, and by him handed directly to the chairman or clerk of the committee which has the subject matter of the petition under consideration. The chairman of the committee, on behalf of the convention, shall give appropriate notice of the receipt of the petition.

Rule 62. Calls of convention - yes and nays. Upon calls of convention, and in taking the yeas and nays upon any question, the names of the delegates shall be called alphabetically unless a voting machine is provided in which case it shall be used.

Rule 63 (As amended). Putting the question. The president shall distinctly put all questions in this form: "As many as are in favor of (as the question may be), say 'aye'," and after the affirmative vote is expressed, "as many as are opposed, say 'no'." If the president doubts, he may order a division of the convention.

A division of the convention may be had on the demand of 10 delegates, or a roll call of the convention may be demanded by a vote of 1/3 of the delegates present on any pending question. When a division of the convention is ordered, a recorded vote shall be taken or the voting machine may be used, if provided, and the president shall declare the result. On a tie the vote the question shall be deemed lost.

Rule 64 (As amended). Recognition during roll call. After a question has been stated by the president, and the call of the roll has been started by the secretary, the president shall not recognize a delegate for any purpose, except upon points of order, until after the announcement of the vote by the secretary. The secretary shall enter upon the journal the names of those voting "no". Any delegate is privileged to explain in writing his vote on record call roll votes. The written explanation shall be included in the journal if presented to the secretary before the next session of the convention.

Rule 65. Roll call. At the roll call at the opening of each session and upon calls of the convention, the names of the members shall be called by the secretary, or the voting machine shall be used if provided and the absentees noted, after which the names of the absentees

251

MICHIGAN

MICHIGAN

Rule 67 (as amended). Abstaining from vote. No delegate shall be permitted to abstain from voting in any roll call unless he shall have stated his intention to abstain before the voting starts. He may voluntarily state his reasons for such abstention. Upon any announcement of intention to abstain, the delegate making such announcement, upon request of 5 delegates, may be required to state his reasons.

Rule 68 (as amended). Amendment of suspension rules. The rules of the convention may be amended by a majority vote of the delegates elected, but no rules shall be amended unless such amendment is in writing, has been considered by the committee on rules and resolutions and is in the possession of the convention 3 session days prior to its consideration. A rule may be suspended by a vote of 2/3 of the delegates present to be present by the general entries.

Appeals

Rule 69. Form of question. All appeals from decisions of the Chair, the question shall be "shall the judgment of the Chair stand as the judgment of the Convention?" in which question shall be decided by a majority vote of those present and voting by recorded machine vote, unless otherwise ordered by the convention.

Rule 70. Debate on Appeal. No delegate shall speak on the question of an appeal more than once without leave of the convention by a majority vote of those present and voting.

Rule 71. Tabling an appeal. An appeal may be laid on the table but shall not carry with it the subject matter before the convention at the time such appeal is taken.

Rule 72. Practice. In all cases not provided by these rules, the Chair shall be Mason's Manual of Legislative Practice.

Rule 73. Appropriations. No motion or resolution relating to appropriations or expenditure of funds shall be acted upon without first having been referred to the convention committee appointed for recommendation and recommendation.

252

MICHIGAN

Method of Voting

Rule 74. Voting by roll call system. When called the yeas and nays on any question to be voted upon, the electrical roll call system may be used, and when so used shall have the same effect as a roll call taken as otherwise provided in these rules.

When the convention is ready to vote upon any question requiring a roll call, and the vote is to be taken by the electrical roll call system, the presiding officer shall announce: "The question is on the passage of (designating the matter to be voted upon). All in favor of such question shall vote 'aye', all opposed shall vote 'nay'. The convention will now proceed to vote."

When sufficient time has been allowed the delegates to vote, the presiding officer shall announce: "Have all voted?" And after a short pause shall say: "The secretary shall proceed to record the vote."

The secretary shall immediately start the vote recording equipment, and when completed, shall announce the result to the convention. The secretary shall enter upon the journal the result in the manner provided by the rules of the convention.

Any delegate shall be privileged to vote or change his vote after the vote recording equipment has started to operate, by rising his seat and announcing his vote before the result of the vote has been announced by the secretary.

No delegate shall vote for another delegate, nor shall any person not a delegate cast a vote for a delegate. In addition to such penalties as may be prescribed by law, any delegate who shall vote or attempt to vote for another delegate may be punished in such manner as the convention may determine. If a person not a delegate shall vote or attempt to vote for any delegate, he shall be barred from the floor of the convention for the remainder of the session and may be further punished in such manner as the convention may deem proper, in addition to such punishment as may be prescribed by law.

Part II, Chapter 6

COMPARATIVE RESEARCH DATA: Transaction of Business

NEW HEBRIDES

Rule 74. Reading, Debate and Amendment. In the committee of conference or any other committee appointed, all bills, reports, and amendments shall be submitted in writing, and shall be considered by the committee on rules and resolutions and in the possession of the convention 3 session days prior to its consideration. A rule may be suspended by a vote of 2/3 of the delegates present to be present by the general entries.

Appeals

Rule 75. Form of question. All appeals from decisions of the Chair, the question shall be "shall the judgment of the Chair stand as the judgment of the convention?" in which question shall be decided by a majority vote of those present and voting, unless otherwise ordered by the convention.

Rule 76. Debate on Appeal. No delegate shall speak on the question of an appeal more than once without leave of the convention by a majority vote of those present and voting.

Rule 77. Tabling an appeal. An appeal may be laid on the table but shall not carry with it the subject matter before the convention at the time such appeal is taken.

Rule 78. Practice. In all cases not provided by these rules, the Chair shall be Mason's Manual of Legislative Practice.

Rule 79. Appropriations. No motion or resolution relating to appropriations or expenditure of funds shall be acted upon without first having been referred to the convention committee appointed for recommendation and recommendation.

253

NEW HEBRIDES

Rule 75. Motion toayan. A motion that the committee of the whole shall always be in order unless a member of the committee is present, if not, is being taken, and such motion shall be decided after the affirmative vote of a majority of those present and voting.

Rule 76. By request. A motion to reconsider shall be in order and may be made only by a member having voted with the majority in the committee of the whole and may be adopted before the committee rises if an affirmative vote of a majority of those present and voting prevails, however, that once a motion to reconsider has been made and failed, no further motion to reconsider on that vote shall be in order.

Rule 78. Application of Convention Rules. The rules of the convention shall be observed in the committee of the whole so far as

[1172]
Rule No. 50. Order of Business. The order of business at the convention shall be:
A. call to order;
B. invocation;
C. roll call;
D. report of committee meetings.

Rule No. 51. Adjourn. The convention shall adjourn for a call of the convention, or for a call of the convention shall be made by a majority of the delegates present and voting.

Rule No. 52. Printing in Journal. A memorial, petition or communication addressed to the convention shall be read or printed in full in the journal unless amended or printed in full by the presiding officer in a majority of the convention.

Rule No. 53. Privileged Motions. When a question is under consideration by the convention, any of the following motions shall be in order:
A. adjourn;
B. recess;
C. reconsider;
D. lay on the table;
E. previous question;
F. postpone this and all like questions to the next legislative session;
G. lay on the table the whole of the convention's action to this point; or
H. the convention shall not adjourn until the whole convention has adjourned.

Rule No. 54. Order of Putting Questions. All motions shall be in the order in which they are made, except in the case of privileged questions.

Rule No. 55. Amendment Must be Genuine. No motion or proposition relating to a subject different from that under consideration shall be admitted under color of an amendment or substitute.

Rule No. 56. Division of 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.

Rule No. 57. The Previous Question. The method of ordering the previous question shall be as follows: any delegate may move the previous question and, unless otherwise stated, the motion shall apply to the pending question only. When such motion is seconded, the presiding officer shall put the question, "Shall the main question now be put?" This shall be ordered only by a two-thirds (2/3) majority of the delegates present and voting. After the seconding of a motion for the previous question and prior to the ordering of the same, a call of the convention may be made and ordered, but after ordering the previous question nothing shall be in order prior to the decision of the pending question or questions, except demands for ayes and nays, points of order, appeals from a decision of the chair and a motion to adjourn to recess.

The effect of ordering the previous question shall be to put an end to all debate and to bring the convention to a direct vote upon the pending question or questions in their order down to and including the

NEW MEXICO

Rule No. 58. Majority Vote on Proposals. On the third reading of a proposal, the vote shall be taken as soon as possible.
entered on the Journal; it shall not be declared finally passed unless a majority of all the delegates elected to the convention shall have voted in favor of its passage.

Rule No. 61. Amendment or Suspension. These rules may be amended by the affirmative vote of a majority of all the delegates, after the proposed amendment has been submitted in writing, and has been considered by the committee on rules and has been in the possession of the delegates in written form not less than two sessions prior to its consideration. A rule may be suspended by the affirmative vote of two-thirds of the delegates present and voting, or by a majority of all the delegates elected to the convention, whichever constitutes the lesser number.

Rule No. 62. Supplementary Rules. The rules and parliamentary practice as set forth in Mason's Manual of Legislative Procedure shall govern the convention in all cases not inconsistent with these rules.

256

Part II, Chapter 6

COMPARATIVE RESEARCH DATA: Transaction of Business

PENNSYLVANIA

Rule No. 93. Time of Daily Meetings. The time of convening shall be 1:30 p.m. on Mondays and 9:30 a.m. on other days unless otherwise ordered by a majority vote of the Delegates present.

Rule No. 46. Order of Business. At the meetings of the Convention the order of business shall be as follows:

First - Call to Order
Second - Prayer
Third - Reading and Approval of Journal
Fourth - Leaves of Absence
Fifth - Roll Call
Sixth - Communications and Petitions
Seventh - Reports of Committees
Eighth - Introduction of Committees
Ninth - Introduction of Organizations
Tenth - Consideration of Calendar
(a) Third consideration
(b) Second consideration
(c) First consideration
(d) Resolutions
Eleventh - Unfinished Business
(a) Reports of committees
(b) Introduction of proposals
(c) Introduction of resolutions
Twelfth - Announcements
Thirteenth - Adjournment

Any question may, by a majority vote of the Delegates present, be made a special order of business. Any question having been made a special order for a particular day, and not having been reached on that day, shall be upon the order of "Unfinished Business" on the next succeeding Convention day.

259

PENNSYLVANIA

Transactions

Rule 19. Voting. Delegates Required to be Present and Vote; Refusal is Negative Vote.

Every delegate shall be present within the Convention Hall during the session of the Convention, unless duly excused or necessarily prevented, and shall be recorded as voting for or against each question stated from the Chair which requires a roll call vote, unless excused by the Convention. The refusal of any delegate to vote shall be deemed and recorded as a negative vote on each question on which such refusal to vote is recorded, unless he be excused or unless he have a direct personal or pecuniary interest in connection with the pending question.

Delegate Having Personal Interest not to Vote

A delegate who has a personal or pecuniary interest in any proposal pending before the Convention shall disclose the fact to the Convention, and shall not vote thereon.

Excluded from Voting

A delegate desiring to be excluded from voting shall, when a roll is called, make a brief statement of the reasons for making such request, and the question on excluding him shall then be decided by the President without debate.

Changing Vote Prohibited; Explanation if Absent

No delegate may change his vote after the result is announced by the President. Should a delegate be recorded erroneously on any vote, he may at any time, make a statement to that effect which shall be entered on the Journal. Similarly, should a delegate be absent when a vote is taken on any question, he may later, with the permission of the Convention, make a statement for entry in the Journal indicating how he would have voted had he been present when the roll was taken, and the reasons therefor may be submitted in writing or delivered orally, not to exceed five minutes.

PENNSYLVANIA

Delegates Prohibited at Clerk's Desk During Roll Call

No delegate or other person shall be permitted at the Reading Clerk's desk during the recording, counting or verification of a roll call vote.

Verification

Upon completion of a roll call and before the result is announced, if there appears to be need for verification, the President may direct the Secretary to verify it, or five delegates may demand a verification. No delegate may change his vote after the affirmative or negative roll has been declared verified.

Demanding Yeas and Nays

The yeas and nays on any question may be demanded by not less than ten delegates.

Electric Roll Call

On any question requiring the yeas and nays, the electric roll call system shall be used. On all other questions to be voted upon, the President may, in his discretion, order the yeas and nays taken by the electric roll call system or vote vote or, upon demand of two delegates before the result of a vote has been declared, the yeas and nays shall be taken by the electric roll call system.

In the event the electric roll call system is not in operating order, the President shall order all yeas and nay votes to be taken by calling the roll, as provided in the Rules of the Convention.

When the Convention is ready to vote upon any question requiring the yeas and nays and the vote is to be taken by the electric roll call system, the President shall state, "The question......(designating the matter to be voted upon.)" The President shall then unlock the voting machine and announce, "The delegates shall now proceed to vote." Once the voting has begun, it shall not be interrupted, except for the purpose of questioning the validity of a delegate's vote before the result is announced.

PENNSYLVANIA

When, in the judgment of the President, reasonable time has been allowed all delegates to vote, he shall ask the question, "Have all delegates present voted?" After a pause, the President shall lock the machine and instruct the Clerk to record the vote, and the President shall announce the result of the vote.

[1174]
After the voting machine is locked, no Delegate may change his vote, and the votes of tardy Delegates will not be recorded.

The vote as electrically recorded on the roll of Delegates shall not in any manner be altered or changed by any person.

No Delegate shall vote on behalf of another Delegate, except, as hereinbefore provided, nor shall any person not a Delegate vote for a Delegate. Any Delegate who shall vote or attempt to vote on behalf of another Delegate, or a person not a Delegate, may be punished in such manner as a majority (82) of the Delegates determine.

Any Delegate or other person who willfully tampers with or attempts to disarrange, deface, impair or destroy any manner whatsoever the electrical voting equipment used by the Convention, or who instigates, aids or abets the intent to destroy or change the record of votes thereon shall be punished in such manner as a majority (82) of the Delegates determine.

A Delegate who has been appointed by the President to preside as President Pro Tempore may designate another Delegate to cast his vote on any question while he is presiding in accordance with his instructions from the Chair.

Roll Call Vote to be Interrupted

When once begun, the recording of the yeas and nays shall not be interrupted.
Rule No. 22. Reconsideration. When a question has once been decided in the affirmative or negative, it shall be in order for any two delegates of the prevailing side to move for reconsideration. When the Convention has been equally divided on a question, or a proposal shall have failed to pass, by reason of not having a required majority, it shall be in order for any two delegates of the negative side to move the reconsideration thereof. Provided, however, that no motion for the reconsideration of any vote shall be in order unless made on the same day the vote was taken, or within the ten days of actual session of the Convention. The motion to reconsider is debatable and requires a majority vote of the delegates present.

In the event the vote on a proposal is reconsidered and the proposal shall have been referred to the Committee on Arrangement, Submission and Address to People, it shall be preceded by a motion requesting its return to the Convention for the purpose of reconsideration. The return motion is debatable only as to the purpose of the reconsideration and requires a majority vote of the delegates present.

When a motion for reconsideration is decided, that decision shall not be reconsidered; nor shall any vote be reconsidered upon any of the following motions:
(a) To adjourn or recess
(b) To lay or take from the table
(c) Previous question.

Rule No. 24. Debate Limitations. There can be no debate unless there is a question before the Convention, and debate must be confined to that question.

The asking of a question or the making of suggestions is not to be considered as debate. A Delegate shall be entitled to make inquiry concerning the meaning, the purpose or the effect of even an undebatable question.

Rule No. 25. Adoption of Standing Rules. The adoption of a Standing Rule shall require an affirmative recorded vote of a majority (62) of the delegates in the Convention. When once adopted, such Standing Rule shall remain in effect, unless repealed or amended as provided by these rules.

Rule No. 26. Suppession of Rules. Any standing rule of the Convention may be suspended temporarily by a vote of two-thirds (109) of the delegates to the Convention, except that rule requiring the consideration of proposals on three different days; Provided, that such temporary suspension shall apply only to the matter under immediate consideration, and to no rule shall it extend beyond an adjournment.

Rule No. 27. Amending Standing Rules. No standing rule of the Convention shall be amended except by resolution adopted by an affirmative recorded vote of a majority (62) of the delegates to the Convention. Such resolution shall be considered until it shall have been referred to the Committee on Rules and reported thereon by a majority vote of the Committee members.

Rule No. 28. Temporary Rules. The Committee on Rules may at any time report a temporary rule. Upon adoption, by an affirmative recorded vote of two-thirds (109) of the delegates to the Convention, such temporary rule shall have the effect, for the time being, of a standing rule.
APPENDIX

REGULATIONS RELATING TO THE REGISTRATION AND APPEARANCE OF REPRESENTATIVE WITNESSES BEFORE CONVENTION OR ACT OF ITS AUTHORIZED COMMITTEES OR SUBCOMMITTEES

ADOPTED AND EFFECTIVE SEPTEMBER 22, 1967

1. Persons Covered.

(a) When used in this regulation the term "agent" includes: Every person engaged or hired by any person, firm, corporation, association, political sub-division or agency of the State of Maryland or of any political subdivision, for a fee, salary or other compensation, including persons engaged or hired for an additional purpose, to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole, or any committee or sub-committee of the Convention; and

(b) When used in this regulation the term "representative witness" includes: Every person who, without fee, salary or other compensation other than reimbursement for expenses, as representative of any other person or of any firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division, appears before the Convention, the Committee of the Whole, or any committee or sub-committee of the Convention to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the Whole, or any committee or sub-committee of the Convention.

When used in this regulation the terms "agent" and "representative witness" do not include an officer, elected or appointed official or regular employee of the State of Maryland or of any political sub-division of the State of Maryland who in the performance of his customary and regular duties as such officer, employee or elected or appointed official appears before the Convention, the Committee of the Whole or any committee or sub-committee of the Convention.

2. Time of Registration. No agent or representative witness will be permitted to appear before the Convention, the Committee of the Whole, or any committee or sub-committee of the Convention unless he shall be properly registered on the docket for the registration of agents and representative witnesses which shall be maintained by the secretary of the Convention. Before any agent shall undertake to promote, advocate, influence or oppose, directly or indirectly, any matter by communicating with any delegate, officer or member of the staff of the Convention, the agent shall be properly registered on the docket for the registration of agents. If the office of the secretary of the Convention is not available to accept the registration of an agent before the agent communicates with any delegate, officer or member of the staff of the Convention, the agent shall register with the secretary of the Convention as soon as possible, and in any event within three (3) calendar days after the agent communicates with any delegate, officer or member of the staff of the Convention.

3. Registration and Confirmation. An agent or representative witness shall register by appearing personally at the office of the secretary of the Convention or by a written and signed statement addressed to the secretary of the Convention at Annapolis. To register, the agent or representative witness shall

...
entertainment in excess of $100.00 shall be paid for each item, secretarial services, printing and publication and office expenses.

6. Public Records. The registration of agents and representative witnesses with the secretary of the Convention and the statements of receipts and disbursements filed by them with the secretary of the Convention and the Secretary of State shall be available for public inspection. The secretary of the Convention shall give every delegate written notice of the registration of agents and representative witnesses as promptly as possible.

7. Contingent Compensation. No person, firm, corporation, association, political sub-division or agency of the State of Maryland or of any political sub-division shall engage or hire any person to promote, advocate, influence or oppose, directly or indirectly, any matter pending before or proposed to be considered by the Convention, the Committee of the whole or any committee or subcommittee of the Convention, for a fee, salary, or other compensation that is determined in whole or in part with reference to the result accomplished and no person shall accept any such employment or render any such service for a fee, salary or other compensation that is determined in whole or in part with reference to the result accomplished.

8. Exemption. The provisions of this regulation shall not be construed as affecting professional services in drafting a proposed constitutional amendment or in advising clients or in rendering opinions as to the construction and effect of any constitutional amendment which may be considered at the Convention where such professional service is not otherwise connected with constitutional convention action or services as an agent or as a representative witness.

BIBLIOGRAPHY

Part II, Chapter 7
COMPARATIVE RESEARCH DATA: Lobbyists

Pennsylvania
Rule 5, 36, Lobbyist.
Registration
Any natural person who is employed or engaged for compensation, or any other person or any partnership, committee, association, corporation or any other organization, to advocate passage or defeat of proposals of the Constitutional Convention or of any of its Delegates shall, before beginning such activities, submit to the Secretary of the Convention a registration statement made under oath or affirmation before an officer authorized by law to administer oaths setting forth the name and business address of the lobbyist, the name and address of the person, partnership, committee, association, corporation or other organization by whom he is employed or engaged, the name and address of the person, partnership, committee, association, corporation or other organization in whose interest he will advocate the passage or defeat of proposals of the Convention and the duration of his employment. Whenever any of the facts required herein change, the lobbyist shall file a revised statement.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment not exceeding one year, or both.

Prohibition
No Delegate, officer or employee of the Convention shall, except within the scope of his Convention duties or employment, directly or indirectly, promote or oppose the passage of any proposed constitutional amendment or resolution by the Convention in the capacity of a lobbyist.

275

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House of Representatives of the State of Louisiana, with Notes and studies (special studies). Baton Rouge, Louisiana: Louisiana State Law Institute, August 1954.


276
II. Committee on Rules, Credentials and Ethics

A. Minutes

MINUTES

Minutes of the Committee on Rules, Credentials and Ethics of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on June 12, 1973

Committee Room 1, State Capitol
Baton Rouge, Louisiana
Monday, June 18, 1973, 2:00 p.m.

Presiding: The Reverend Mr. Stovall, Chairman of the Committee on Rules, Credentials and Ethics

Present
James L. Stovall
Greg Arnette, Jr.
Clyde F. Bel, Sr.
Donald T. Bollinger
Melodie Corne
R. M. Elkins
J. A. McDaniel
Pegram Mire
Alvin D. Singletary
Thomas A. Velasquez
Mrs. George E. Warren
Ruth Miller, Ex. O.

Absent
Kenneth Gordon Flory
J. K. Haynes
Lawrence B. Sandoz, Jr.
V. C. Shannon
Tom Stagg

Chairman Stovall called the meeting to order and asked the secretary to call the roll. A quorum being present, the meeting proceeded. The chairman introduced Norma M. Duncan, director of research; Gene Tarver, research coordinator; and David Poynter, clerk of the convention. Mrs. Corne, secretary, briefed the committee on the last meeting, held January 31, 1973.

The first order of business was consideration of regulations on lobbying before the Constitutional Convention.

Mr. Bel moved that a resolution regulating lobbying be adopted. Motion carried.

Delegate Bel then moved to consider the first preliminary draft of the lobbying resolution. Motion carried. The draft is attached to and made part of these minutes as Appendix A.

Mr. McDaniel moved to hear Charles Smith, lobbyist for the Construction Industry Legislative Council. Motion carried. Mr. Smith pointed out a number of regulations he was in favor of imposing on lobbyists.

Mrs. Corne read the first section of the draft and Mr. Bel moved to adopt lines 13-15 on page 1 as read. Motion carried.

After the reading of the next section, Delegate Arnette moved to amend line 16 on page 1 to include "expenses," after "value,". Motion carried.

Mr. Bollinger offered as a further amendment, to strike out the comma after "committees" on line 21 of page 1 and insert in lieu thereof "or" and insert a period after "sub-committees" and delete the rest of the sentence.

Mr. Arnette offered as a substitute motion that a period be placed on line 20 of page 1 after "it" and that the rest of the sentence be deleted. Mr. Bollinger accepted the substitute motion. Motion carried.

Delegate Arnette moved to adopt lines 16-23 of page 1 as amended. Motion carried.

Mr. Singletary moved that lines 30-33 of page 1 be considered before lines 24-26 of the same page. No objections.

Mr. Singletary moved to change "with or without" to "for" on line 30. Motion carried.

Delegate Singletary moved to adopt lines 30-33 as amended. Motion carried.

Mr. Bollinger moved to strike out the comma after "committees", insert in lieu thereof "and", and delete "and delegates" on line 25 of page 1.

Delegate Velasquez offered a substitute motion to leave lines 24-26 as read by the secretary. Motion ruled out of order.

Mr. Bollinger withdrew the motion.

Mrs. Corne moved to adopt lines 24-26 as read by the secretary.

Mr. Bollinger offered his previous amendment.

Delegate McDaniel offered a substitute motion that the Constitutional Convention be governed under the act governing lobbying before the Louisiana Legislature. Motion ruled out of order.

Mr. Bollinger withdrew his amendment and Mrs. Corne withdrew the original motion.

Mr. Arnette moved to return to the order of the day. Motion carried.

The committee discussed at length, Rule No. 41 of the rules of the convention. Delegate Mire pointed out to the committee and to the staff that the word "substantially" on...
line 17 of page 1; meant that the form on lines 19-23 is only a guide. He then moved to proceed to the next order of the day. Motion carried.

Delegate Arnette moved to change "top to "bottom" on line 13 of page 13, Rule No. 41. Motion carried.

Mr. Velazquez moved to insert "each of" between "on" and "three".

Mr. Mire offered a substitute motion to delete "Each of" on line 29 of page 14. Mr. Velazquez accepted the substitute. Motion carried.

Delegate Velazquez moved for a division of the question concerning minority committee proposals and minority reports. Motion carried.

Mrs. Warren moved to instruct the research staff to draw up a provision to allow minority committee proposals and that the staff make any other suggestions which they might recommend for changing or improving the rules.

Mr. Velazquez offered to amend the motion to make the suggestions separate from the proposal. Motion carried as amended.

Delegate Mire moved to recess until 10:00 a.m., June 19, 1973. Motion carried.

The meeting reconvened at 10:00 a.m. on June 19, 1973, with roll call being as follows:

Present
James L. Stovall
Greg Arnette, Jr.
Clyde F. Bel, Sr.
Donald T. Bollinger
Meloise Conne
R. M. Elkins
J. A. McDaniel
Pegram Mire
Alvin D. Singleton
Thomas A. Velazquez
Mrs. George E. Warren
Ruth Miller, Ex. O.

Absent
Kenneth Gordon Flory
J. K. Haynes
Lawrence B. Sandos, Jr.
V. C. Shannon
Tom Stagg

Chairman Stovall called the meeting to order and reviewed the agenda, which included consideration of minority committee proposals, alternative proposals, and the lobbying resolution.

Mr. Mire moved that the committee recommend to the Constitutional Convention on July 5, 1973, the resolution relative to providing for introduction of minority proposals. A copy of the resolution is attached to and made part of these minutes as Appendix B.

Mr. Bollinger offered as an amendment that the staff be instructed to proceed accordingly and allow the committees to submit minority proposals. Mr. Mire accepted the amendment.

Delegate Velazquez moved to strike out "received in the same manner as" on line 26 of the resolution and insert in lieu thereof "designated" and delete everything on line 27 after "proposal". Motion carried.

Mr. Arnette moved to strike out "one" and insert in lieu thereof "two". Motion withdrawn.

Delegate Velazquez moved to delete lines 9, 10, and 11 of the resolution. Motion defeated.

The motion to adopt the resolution carried.

Mrs. Warren moved to number the resolution Rule No. 40.1 and that the caption be Introduction of Minority Committee Proposals. Motion carried.

Mrs. Warren asked that a copy of the resolution be sent to each delegate so they will be aware of this decision of the committee.

Mrs. Warren moved to give Delegate O'Neill a chance to present his resolution to the committee. Motion carried.

Delegate Mire moved to consider the staff proposal on alternative proposals. Motion carried.

Delegate Warren moved that there be a provision in the rules for the presentation of alternative proposals. Motion carried.

Mr. McDaniel moved to adopt Mr. O'Neill's resolution pertaining to alternative proposals.

Delegate Arnette offered as a substitute motion that the staff proposal on alternatives be considered. Motion carried.

Mr. Velazquez moved for reconsideration of the vote. Motion defeated.

Mr. Bollinger moved to adopt the staff resolution on alternative proposals. A copy of the staff resolution is attached to and made part of these minutes as Appendix C.

Mr. Arnette moved to delete "and" on line 35 and insert "and adoption" between "consideration" and "of" on line 35. Motion carried.

Delegate Velazquez moved to strike out the period on line 32 and add "; whenever one-third or more of the delegates request that a particular issue be placed on the ballot in the alternative, the issue will be referred to the Executive Committee." Motion withdrawn.

Mr. Velazquez then moved to delete the period on line 32 and add "; whenever one-third or more of the delegates request that a particular issue be placed on the ballot in the alternative, the issue shall be accepted for referral." Motion carried.

Delegate Arnette moved that the committee recess until 1:30 p.m.

Mr. Bollinger offered a substitute motion that the committee recess until 1:00 p.m. Substitute motion carried.

After lunch, Mr. Velazquez moved to the previous question. Motion carried.

Mr. Velazquez's motion to amend line 32 was defeated.

Mr. Arnette moved to reconsider the vote. Motion carried.

Mr. McDaniel offered as a substitute motion that lines 31 and 32 be deleted and the following inserted: "Whenever one-third or more of the delegates request that a particular issue
be placed on the ballot in the alternative, the matter will be referred to the Coordinating Committee. The committee will consider such issues submitted to it and report their recommendation to the convention. The convention will consider the report of the Coordinating Committee and shall proceed to vote on the placing of the alternative proposals on the ballot in the order of priority recommended by the committee. The first six and no more than six such alternative proposals so approved by the convention shall be placed on the ballot.

Delegate Arnette asked to amend Mr. McDaniel's substitute motion to include after "convention." and before "The", "A report on all proposals shall conform to the rules of adoption of proposals." Mr. McDaniel accepted the amendment.

Mr. Velazquez moved to amend Mr. McDaniel's substitute motion to insert "Executive Committee" in lieu of "Coordinating Committee". Mr. Velazquez withdrew the motion and offered in its place a motion to substitute "Coordinating Committee plus eight persons selected in Congressional district caucuses to comprise the committee to evaluate alternative proposals." Motion defeated.

Mr. Arnette asked that he be allowed to change his amendment to read as follows: "An alternative issue submitted to it by the above procedure may be introduced and reported by the Coordinating Committee as an alternative proposal at any time and shall conform to the rules for consideration and adoption of proposals." Change accepted.

Delegate McDaniel's motion, with Mr. Arnette's amendment, carried.

Mr. Singletary moved to amend the resolution by adding that portion of Mr. O'Neill's resolution which reads as follows:

"Each such alternative proposal shall be so worded as to present two positive choices to the people.

i.e. (Vote for One)

A. ☐ For a unicameral (1 house) legislature.
B. ☐ For a bicameral (2 houses) legislature."

Motion carried.

Delegate Bel moved to delete line 30 of the resolution. Motion withdrawn.

Mr. Bollinger moved to add a comma on line 29 after "election" and change "37A" to "37.1" in the three places it appears in the resolution. Motion carried.

Mrs. Corne moved to strike out everything after "proposals" on line 17 and insert in lieu thereof "will include to a greater extent, involvement of all voters of Louisiana in the convention." Motion carried.

Delegate Bollinger moved to adopt the resolution as amended. Motion carried.

Mr. Bel moved to read the lobbying proposal in sections. Motion withdrawn.

Delegate McDaniel moved to discuss the proposed rule on lobbying, and approve or disapprove said rule section by section. Motion carried. A copy of the proposed rule is attached to and made part of these minutes as Appendix D.

Mr. McDaniel moved to adopt lines 1-14 of page 1 as read by the secretary.

On page 1, line 2, Mr. Bollinger moved to strike out "Rule ___" and insert in lieu thereof "Rule No. 90.". Motion carried.

Mr. Arnette moved to amend line 13 of page 1 to include "possibly" between "which" and "may" and change "be" to "become". Motion carried.

Mr. McDaniel's motion to adopt lines 1-14 of page 1 carried.

Delegate Velazquez moved to adopt lines 16-28 on page 1 as read.

Mr. Bollinger moved to change "proposition" to "matter" on line 25. Motion withdrawn.

Mr. Velazquez's motion to adopt lines 16-28 on page 1 carried.

Mrs. Corne moved to adopt line 30 of page 1 through line 20 of page 2. Motion carried.

Mrs. Corne moved to adopt line 21 of page 2 through line 4 on page 3.

Lobbyist Charles Smith again requested permission to speak to the committee. Permission granted. Mr. Smith suggested the addition of the matter contained in the following motion by Mr. Velazquez.

Mr. Velazquez moved to change the semicolon at the end of line 27 of page 2 to a comma and add "unless said official receives special compensation for these activities;". Motion carried.

Mr. Singletary moved to delete on page 2, lines 21 and 22 and 23 up to the period. Motion withdrawn.

Delegate Velazquez moved to insert on page 2, line 23, after the period and before "the", the following: "A list of all such people shall be furnished each delegate." Motion carried.

Motion by Mrs. Corne carried.

Delegate Arnette moved to include after line 4 of page 3 another paragraph to read as follows:

"C. Each person registered according to these provisions shall be issued an identification badge containing the lobbyist's name and whom he represents, to be worn at all time when engaged in the activities regulated by this rule."
Motion carried.

Delegate Bollinger moved to reconsider Paragraph B on page 2. Motion carried.

Mr. Bollinger moved to amend line 23 of page 2 by deleting the period after "booklet" and adding "and identification badges." Motion carried.

Mr. Singletary moved to table all sections considered heretofore and further moved that a two-thirds vote of the committee be required for reconsideration. Motion carried.

Delegate Bel moved to adopt lines 6-9 of page 3 as read. Motion carried.

Mrs. Corne moved to adopt lines 11-20 of page 3.

Mr. Arnette offered as a substitute motion that the revised section, Written Charges, Public Hearings, Notice, as prepared by the staff, be adopted with "3" placed in the blank. A copy of the revised section is attached to and made part of these minutes as Appendix E.

Mr. McDaniel moved to change the "3" to "5". Delegate Arnette accepted the change.

Delegate Singletary moved to change "apprise" to "notify" on line 8 of the revised section. Motion carried.

Delegate Arnette's substitute motion carried.

Mrs. Corne moved to adopt lines 22-29 of page 3.

Mr. Arnette moved to delete "the chairman of" on line 23 and insert on line 24 after "violator", "any of the regulated activities of this rule," delete "or" both places on line 25 and insert a comma in lieu thereof, add ", or delegates" at the end of line 25 and insert "meeting" between "fifteen" and "days" on line 26. Motion carried.

Mr. Arnette moved to amend the second sentence, starting on line 26, to read as follows: "For a second violation, the violator shall be denied such access and activities for not less than one month nor more than the duration of the convention."

Mr. Singletary offered as a substitute motion to insert a comma on line 28 after "meetings", delete "and" and add "and delegates" after "sessions". Motion carried.

Mrs. Corne's motion carried.

Mr. Bel moved to instruct the staff to put the rule on lobbying in the proper form. Motion carried.

Mr. Bel moved to adopt the entire provision dealing with lobbying as amended. Motion carried.

Mr. Singletary moved to reconsider the vote by which the provision dealing with lobbying was adopted and to table the motion to reconsider. Motion carried.

Mr. Bel moved to reconsider Rule No. 40. Motion carried.

Mr. Bel moved to change "signature" to "name" on line 33 of page 12 of the rules of the convention. Motion carried.

At 5:20 p.m., Delegate McDaniel moved that the committee adjourn. Motion carried.

James L. Stovall, Chairman

Greg Arnette, Jr. Vice Chairman

Meloise Corne, Secretary

FIRST PRELIMINARY DRAFT

CC-151

1 Constitutional Convention of Louisiana of 1973
2 COMMITTEE RESOLUTION NUMBER
3 Introduced by Mr. Stovall on behalf of the Committee on Rules,
4 Credentials, Ethics and Schedules
5 A RESOLUTION
6 Relative to lobbying before the Constitutional Convention.
7 BE IT RESOLVED that lobbying before the Constitutional
8 Convention shall be governed and regulated by the following
9 provisions:
10 1. Definitions. As used herein, the following words
11 shall be defined, for purposes of this resolution, as here-
12 inafter set forth:
13 a. "Person" means any individual, firm, partnership,
14 committee, association, corporation, or other organization
15 or group of persons.
16 b. "Compensation" means any money, thing of value,
17 or financial benefit received or to be received in return
18 for services rendered or to be rendered, for promoting, ad-
19 vocating, influencing, or opposing any matter pending before
20 this convention, or which might come before it or any of
21 its committees, subcommittees, or delegates but does not mean
22 or include monies paid to delegates to the convention as
23 remuneration for their duties as such delegates.
24 c. "Convention" includes the convention as a whole
25 and the committees, subcommittees, and delegates of the Con-
27 2. Registration of Persons Appearing Before Convention.
28 The following persons shall register with the secretary of
29 the convention as provided herein:
30 a. Any person who, with or without compensation,
31 undertakes for any person other than himself to promote, in-
32 fluence, advocate, or oppose any matter pending before or
33 which might come before this convention.
34 b. Any person any part of whose duties as an em-
35 ployee of another person includes undertaking to promote,
COMMITTEE to Constitutional Amendments

WHEREAS, A Convention to provide for submission of minority proposals.

WHEREAS, the Standing Rules are presently silent on

the procedure, or form, by which a minority proposal may

be introduced and considered; and

WHEREAS, it seems desirable to do so to achieve

uniformity and clarity of style in minority proposals

to the proposals reported by the substantive committees.

THEREFORE, BE IT RESOLVED that Rule No. 90 is hereby

adopted to read as follows:

Notwithstanding any rule previously adopted
by this convention, one or more members of a committee
may introduce a proposal representing the views of
the minority. A proposal introduced by a minority
of any committee shall designate that it is intro-
duced by delegates reflecting a minority view of the
members of the committee and which in the caption
of each such proposal shall state "Introduced by
Minority Delegate(s)_________." Any such proposal
shall be received in the same manner as a committee
proposal, and treated as an amendment or substitute
offered to or for the committee proposal.

3. Persons Exempt. The following persons shall not be
required to register as lobbyists:

a. Persons who appear only as witnesses, without
compensation, before the convention or any committee or sub-
committee thereof for the purpose of explaining or speaking
for or against the passage of or action upon any matter
pending before the convention.

b. Any employee of a board, commission, department,
or agency of the state or of any political subdivision
thereof who appears before the convention for the purpose
of explaining how the passage of or action upon any provision
then pending will affect said political subdivision, board,
commission, department, or agency.

4. Information Required of Registrants. Every person
required to register under the provisions of this resolution
shall file with the secretary of the convention a written
statement, subscribed under oath or affirmation before a
notary public, containing the following information:

a. The name and address of the registrant.

b. The name and address of the person or persons
employing, engaging, or retaining the registrant to perform
such services, or on whose behalf or in whose interest the
registrant will appear.

c. A brief description of the provisions of the con-
stitution in reference to which such service is to be
rendered.

d. The duration of his or her employment or the
period for which he or she is engaged or retained.

e. A recent photograph of the registrant.

Whenever any of the facts required herein change, the
registrant shall file a revised statement.

5. Penalty. For the first violation of the provisions
of this resolution, the chairman of the convention shall

instruct the sergeant-at-arms to deny the violator access
to any committee or subcommittee meeting or convention
session for not less than three nor more than fifteen days.

For a second violation, the violator shall be denied access
to said meetings and sessions for not less than one month
nor more than the duration of the convention.

6. Prohibition. No delegate, officer, or employee of
the convention shall, except within the scope of his conven-
tion duties or employment, directly or indirectly promote,
advocate, influence, or oppose any matter pending before or
which might come before the convention or any committee or
subcommittee thereof.

CC-151

1.

Instruction of Sergeant-at-Arms to Deny Violator Access
2.

to Any Committee or Subcommittee Meeting or Convention
3.

Session for Not Less Than Three Nor More Than Fifteen Days.
4.

For a Second Violation, the Violator Shall Be Denied Access
5.

to Said Meetings and Sessions for Not Less Than One Month
6.

Nor More Than the Duration of the Convention.
7.

6. Prohibition. No Delegate, Officer, or Employee of
8.

the Convention Shall, Except Within the Scope of His Conven-
tion Duties or Employment, Directly or Indirectly Promote,
9.

Advocate, Influence, or Oppose Any Matter Pending Before or
10.

Which Might Come Before the Convention or Any Committee or
11.

Subcommittee Thereof.
12.

Appendix C

CC-

1.

Constitutional Convention of Louisiana of 1973
2.

Committee Resolution Number
3.

Introduced By

4.

A Resolution

5.

Amending the Standing Rules of the Constitutional Con-

vention to provide expressly for alternative proposals.

6.

by adding thereto a new rule to be designated Rule

No. 77A. Alternative Proposals.

7.

WHEREAS, Act 2 of the 1972 Regular Session provides

for alternative proposals; and

8.

WHEREAS, the Standing Rules are presently silent on

the procedure by which alternative proposals may be
introduced and considered; and

WHEREAS, the results of the vote of the people on
recently proposed constitutions in other states clearly
indicate that a constitution submitted to the people with
alternative proposals has a greater chance of public
acceptance; and

WHEREAS, the delegates to CC'73 are desirous that
this convention adopt a constitution that will be ratified
by the voters.

THEREFORE, BE IT RESOLVED that Rule No. 37A is
adopted to read as follows:

"Rule No. 37A. Alternative Proposal. An alter-
native proposal is a special form of proposal in
which two alternatives are to be submitted to the
people on a separate part of the ballot, one of which
shall be included in the convention if adopted by a
majority of those voting on the proposal at the election,
but only if the proposed constitution is adopted.

No more than six such alternative proposals shall
be placed on the ballot.

The introduction and consideration of alternative
proposals shall conform to the rule for the intro-
duction and consideration of propostals."

Appendix D

Lobbying

Rule 1504: Definitions. When used in this rule:
A. "The person" includes an individual,
organization, corporation, association, and
any other combination or group of persons.

B. "The term "political" means the Constitutional

C. "The term "organization" means the Constitutional

D. "The term "proprietor" means a person.

E. "The term "proprietorship" means a
business organization, corporation, association, and
other material person or group.

F. "The term "petition" means a proposal,
resolution, or legislative resolution, and includes
any other matter not a subject of action by the convention.

For the purpose of this rule, the term "business" shall be
interpreted to mean any individual, organization, or group of
persons, whether constituted by any legal form, or by any
association or combination of any kind, or by any natural
person, or by any combination of the above.

The term "agents" includes any person employed or used by
any person or group of persons in any capacity, whether or not
paid, who shall at any time during the session of the con-
vention engage in any activity that would be considered to be
lobbying.

The term "lobbying" shall include "agitprop," and shall be
interpreted to mean any activity on the part of any person,
organization, or group of persons, whether or not paid, that is
intended to influence the passage of any matter before the con-
vention or any action on any matter before the convention.

No person, organization, or group of persons shall engage
in any activity that would be considered to be lobbying during
the session of the convention.

Any person, organization, or group of persons engaged in
lobbying activities in violation of this rule shall be subject to
any penalty that may be imposed by the convention.
Minutes of the Committee on Rules, Credentials and Ethics of the Constitutional Convention of 1973

Held pursuant to announcement by the Secretary of the Convention on July 5, 1973

Committee Room 1, State Capitol
Baton Rouge, Louisiana
Friday, July 6, 1973, 9:00 a.m.

Presiding: The Reverend Mr. Stovall, Chairman of the Committee on Rules, Credentials and Ethics

Present
James Stovall
Greg Arnette
Clyde Bei
Donald Rollinger
Heloise Corne
R. N. Elkins
K. Gordon Flory
J. A. McDaniel
Program Mic
V. C. Shannon
Tom Stagg
Thomas A. Velazquez
Mrs. George E. Warren
Ruth Miller

Absent
J. K. Haynes
Lawrence B. Sandaz, Jr.
Alvin D. Singleton

Chairman Stovall called the meeting to order and reviewed the three matters to be considered by the committee at that time.

Mrs. Corne read COMMITTEE RESOLUTION NUMBER 4 and moved to report it favorably to the convention. A copy of the resolution is attached to and made part of these minutes as Appendix A.

Delegate Shannon moved to adopt the following amendment:
On page 2, line 28, insert a period after the word "booklet" and delete the words "and identification badges."

Mr. Stagg moved to amend Mr. Shannon's motion as follows:
On page 2, delete lines 26 and 27 and delete the words "ing of the booklet and identification badges." on line 28. Mr. Shannon accepted the amendment to his motion. The motion, with the amendment, was defeated.

Mr. Stagg offered the following amendment: On page 2, line 32 after the word "proposition" insert the words "nor to any delegates."

Delegate Corne's motion to report the resolution favorably carried.

Secretary Corne read DELEGATE RESOLUTION NUMBER 23 and moved to report it favorably to the convention. A copy of the resolution is attached to and made part of these minutes as Appendix B.

Mr. Bel offered a substitute motion to report DELEGATE RESOLUTION NUMBER 23 unfavorably to the convention. Motion carried.

Delegate Bel moved to report favorably DELEGATE RESOLUTION NUMBER 6. Motion carried. A copy of the resolution is attached to and made part of these minutes as Appendix C.

The committee discussed a proposed recommendation from the Rules Committee. A copy of the resolution is attached to and made part of these minutes as Appendix D. Delegate Velazquez moved to adopt the recommendation for presentation to the convention.

Mr. Shannon offered a substitute motion to table the recommendation.

Delegate Arnette moved to adjourn.

Mr. Velazquez moved to consider the previous question. Motion overruled.
Secretary
Mrs. Arnette, Vice-Chairman
Heloise Corne, Secretary

NOTES
Committee Resolution No. 4, Delegate Resolutions Nos. 6 and 23 are reproduced in Volume IV, above.

APPENDIX D

Recommendation from Rules Committee
A recommendation that the Convention proceed with the proposals from the Legislative Committee, the Executive Branch Committee, the Judiciary Committee, the Local and Parochial Government Committee and the Bill of Rights Committee.
WHEREAS, it is important that the Convention begin with the least controversial issues, and
WHEREAS, it is important that we present a positive image for the Convention and the proposed Constitution by dealing expeditiously with the content of the substantive committees, and
WHEREAS, we can proceed at a more rapid rate if we begin with matters of statute and then deal with matters of philosophy, and
WHEREAS, many delegates desire more time to study the bill of rights before its formal consideration by the Convention, and
WHEREAS, the Committee on the Bill of Rights will need time to process delegate proposals.

Therefore be it resolved that the Convention proceed by considering the proposals by the Committee on Legislative, the Committee for the Executive Branch, the Committee for the Judiciary, the Committee for Local and Parochial Government and then the Committee for the Bill of Rights and that the subsequent order for the other substantive committee be determined at a later date.

Reverend James L. Stovall
Chairman, Rules Committee

MINUTES
Minutes of the meeting of the Committee on Rules, Credentials and Ethics of the Constitutional Convention of 1973

Held pursuant to notice by the Secretary in accordance with the Rules of the Convention.

Committee Room No. 1, State Capitol, Baton Rouge, Louisiana
Thursday, July 12, 1973, 5:00 p.m.

Presiding: The Reverend Mr. Stovall, Chairman of the Committee on Rules, Credentials and Ethics

Present:
Revs. James L. Stovall
Mrs. Heloise Corne
Hon. Clyde F. Belt, Sr.
Donald T. Bollinger
Kenneth Gordon Flory
J. F. Haynes
Lawrence B. Sandos, Jr.
V. C. Shannon
Alvin D. Singleton
Thomas A. Velazquez
Mrs. George E. Warren
Mrs. Ruth Miller, ex officio

Absent:
Greg Arnette, Jr.
R. M. Elkins
J. A. (Jim) McDaniel
Hon. Pegram J. Mire
Tom Stagg

Mrs. Corne, Secretary, read COMMITTEE RESOLUTION NO. 5 (a copy is attached hereto as Appendix B). Mrs. Corne moved to report favorably on this resolution to the convention. Motion carried.

COMMITTEE RESOLUTION NO. 7 (Appendix C) was read by Mrs. Corne, who moved to report favorably. Motion carried.

Mrs. Corne moved to reconsider the language in COMMITTEE RESOLUTION NO. 7. Motion carried.

Mr. Belt moved to amend COMMITTEE RESOLUTION NO. 7 as follows:
On page 1, line 22, after the word “committee” delete the word “shall” and insert in lieu thereof the word “may”. Motion carried.

Mrs. Corne moved to amend COMMITTEE RESOLUTION NO. 7 by deleting lines 22 through 27. Motion defeated.

Delegate Velazquez moved the previous question. Motion defeated.

Mr. Flory moved to amend COMMITTEE RESOLUTION NO. 7 as follows:
On page 1, line 27, after the word “a” and before the word “minority”, the word “may” and before the word “minority”. Motion carried.

Mr. Belt moved to report COMMITTEE RESOLUTION NO. 7 with amendments (Appendix C-1). Motion carried.

Chairman Stovall introduced Mr. Max N. Tobias, Jr., member of the Committee on Style and Drafting, who pointed out the disadvantages of referral of a proposal to his committee at the stage required in line 31 of COMMITTEE RESOLUTION NO. 5.

Mr. Flory moved to reconsider COMMITTEE RESOLUTION NO. 5. Motion carried.
Mr. Flory moved to amend COMMITTEE RESOLUTION NO. 5 (Appendix B) by deleting line 31 in its entirety and to reletter the succeeding paragraphs (Appendix B-1). Motion carried.

Mr. Flory moved to report COMMITTEE RESOLUTION NO. 5 with amendments. Motion carried.

DELEGATE RESOLUTION NO. 22 (Appendix D) was read by Mrs. Corne who moved to report favorably.

Chairman Stovall introduced Mrs. Felicia Kahn from New Orleans, who is vice president for the Council for a New State Constitution. She urged retention of the 24-hour notice requirement. Chairman Stovall acknowledged correspondence from Mrs. Kahn, from the Association of University Women, the Human Relations Committee of New Orleans, and the Youth Council of the NAACP regarding the notice requirement.

Mr. Bel offered a substitute motion to report COMMITTEE RESOLUTION NO. 22 unfavorably. Motion carried.

Mrs. Corne read COMMITTEE RESOLUTION NO. 3 (Appendices E and E-1) and moved to report with amendments.

Mrs. Corne moved to adopt Amendment No. 1. Motion carried.

Mrs. Corne moved to adopt Amendment No. 2. Motion carried.

Mrs. Corne moved to adopt Amendment No. 3. Motion carried.

Mr. Flory offered a substitute motion to defer action on COMMITTEE RESOLUTION NO. 3 and hold it in committee. Motion carried.

Mrs. Corne read DELEGATE RESOLUTION NO. 24 (Appendix F), and moved to report unfavorably. She explained that this was Delegate Abraham’s resolution and he had requested this action. Motion carried.

Mr. Flory moved to defer action on DELEGATE RESOLUTION NO. 25 (Appendix G). Motion carried.

Chairman Stovall reviewed drafts of resolutions which had been distributed to the committee relative to standing rules to regulate the use of duplicating equipment and the distribution of materials to delegates while in session.

Mr. Bollinger moved to amend the COMMITTEE RESOLUTION (Appendix H-1) be deleting line 31 in its entirety, and deleting the words "convention is not in session." in line 32. Motion carried.

Mr. Flory moved to amend line 32 by substituting the word "such"for the word "all" in line 32. Motion carried.

Mr. Flory moved to amend line 32 by inserting the words "Duplication and distribution" in lieu of "Distribution". Motion carried.

Mr. Bollinger moved to amend line 23 by deleting the words "No materials of any nature" and inserting in lieu thereof the words "Only materials pertinent to the business of the convention"; and on line 25 after the word "convention" by inserting a period (.) and by deleting the remainder of the sentence; and by deleting lines 26, 27 and 28. Motion carried.

Mr. Flory moved to amend the COMMITTEE RESOLUTION as follows: Delete lines 29 and 30 and substitute revised language from the Fayard DELEGATE RESOLUTION to read: "All materials which are placed on the desks of convention delegates must bear the name of the person, or persons, or organizations responsible for the distribution of the material."

Mrs. Warren moved the previous question. Motion carried.

Mr. Flory’s motion carried.

Mrs. Corne moved to amend the language taken from the Fayard DELEGATE RESOLUTION (Appendix H-2) by striking out the word "responsible" and inserting in lieu thereof the word "requesting". Motion carried.

Mr. Flory moved to insert the word "preparation" and the amended paragraph reads:

"All materials which are placed on the desks of convention delegates must bear the name of the person, or persons, or organizations requesting the preparation and distribution of the material."

Motion carried.

Mr. Shannon moved to report COMMITTEE RESOLUTION NUMBER (Appendix H-1) with amendments. Motion carried.

The meeting adjourned at 7:45 p.m.

James L. Stovall, Chairman

Grég Arnette, Vice Chairman

Booie Corne, Secretary

AGENDA
Committee on Rules, Credentials, and Ethics
July 12, 1973

1. Call to order
2. Roll call
3. Alternative proposals - Committee Resolution Number 3
4. Clarifying requirement in Rule No. 44 on readings on three different days - Committee Resolution Number 5
5. Minority proposal - Committee Resolution Number 7
6. Notice of committee meetings - Delegate Resolution Number 22
7. Other business
8. Adjournment

APPENDIX A
WHEREAS, delegates to the Constitutional Convention while in discussion during sessions have been interrupted by the distribution of numerous communications in duplicated form from unidentified sources, some of which WHERCAG, for purposes of open-minded debate and orderly discussion while in session, the delegates desire disclosure of all informational sources and maintenance of proper control over information.

THEREFORE, BE IT RESOLVED that Rule No. 90 is adopted to read as follows:

Rule 90. Duplication and Distribution of Materials.

No materials of any nature may be duplicated on equipment owned, rented or otherwise operated under the auspices of the Constitutional Convention, except materials which in conformity with law and the Standing Rules of the Convention are necessary for the transaction of the business of the convention. All material, written or otherwise, which is distributed to delegates shall be identified by source or origin and shall be distributed by convention pages only when the convention is not in session. Distribution of all materials shall be supervised by the chairman of the convention.

The chairman of the convention or a majority of the delegates present and voting may grant exceptions to this rule.

APPENDIX H-1

1 Constitutional Convention of Louisiana of 1973
2 DELEGATE RESOLUTION NUMBER
3 Introduced by Delegate Fayard
4 A RESOLUTION
5 To adopt standing rules of the Constitutional Convention
6 to regulate the distribution of materials to delegates
7 while in session.
8 WHEREAS, it is necessary for intelligent debate and orderly proceedings that all informational sources presented to the delegates in session be properly identified:
9 and
10 WHEREAS, no rules are presently provided for regulating the duplication and distribution of materials to delegates.
11 THEREFORE, BE IT RESOLVED that Rules No. 90 and 91 are adopted to read as follows:
12 Rule 90. Identification of Materials. All materials which are placed on the desk of convention delegates at the expense of the convention, including but not limited to newspaper articles, loose-leaf materials, and delegate letters to the convention must be authorized by a delegate and must bear the name of the delegate or sponsoring delegate responsible for distribution of the material.
13 Rule 91. All other materials which are placed on the desk of convention delegates, including but not limited to newspaper articles, loose-leaf materials, loose-leaf materials and letters to the convention must bear the name of the person, or persons, or organizations responsible for the preparation and distribution of the material.

APPENDIX H-2

NOTES

Resolutions cited in the Minutes of July 12, 1973, as Addenda B, C, D, E, F, G are found in Volume IV, above. Amendments cited as Addenda B-1, C-1, D-1, E-1 are found at I Journal 159-160.

MINUTES

Minutes of the Committee on Rules, Credentials and Ethics of the Constitutional Convention of 1973

Held pursuant to notice by the Secretary in accordance with the Rules of the Convention.

Committee Room 1, State Capitol
Baton Rouge, Louisiana
Wednesday, July 18, 1973, 5:30 p.m.

Presiding: The Reverend Mr. Stovall, Chairman of the Committee on Rules, Credentials and Ethics

Present:

James L. Stovall
Heloise Corne
R. M. Elkins
Kenneth Gordon Flory
J. F. Haynes
Alvin D. Singletary
Tom Stagg
Thomas A. Velazquez
Mrs. George E. Warren
Ruth Miller, Ex. O.

Absent:

Greg Arnette, Jr.
Clyde F. Bel, Br.
Donald T. Bellinger
J. A. McDaniel
Peagram Mire
Lawrence B. Sandoz, Jr.
V. C. Shannon

Chairman Stovall called the meeting to order at 5:30 p.m. and asked the secretary to call the roll. A quorum being present, the meeting proceeded.
Delegate Stagg moved to dispense with the reading of the minutes of the last meeting and that they be approved as printed. Motion carried with no objection.

After a vote by the committee on whether to consider Delegate Resolution No. 25, Mrs. Corne read the resolution and moved to report it favorably to the convention.

Mr. Flory moved to amend the resolution by changing "meet" to "convene at 1:00 p.m." and by deleting "through Friday" on line 12. Motion carried.

Mr. Singleton offered a substitute motion to report the resolution unfavorably to the convention. Motion withdrawn.

Delegate Velazquez offered a substitute motion to report Delegate Resolution No. 25 unfavorably. Motion defeated.

Mr. Haynes offered a substitute motion to defer action on the resolution. There being no objection, the motion carried.

Mrs. Corne read Delegate Resolution No. 26 and moved to report it favorably to the convention. Motion carried.

Mrs. Corne read Committee Resolution No. 8 and moved to report it favorably to the convention.

Mr. Flory offered the following amendment:

On page 1, line 19, after the word "of" delete the words "a majority of" and on 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 a majority of the members of the committee."

Amendment adopted and motion carried.

Mrs. Corne read Committee Resolution No. 9 and moved to report it favorably to the convention.

Delegate Flory offered the following amendments:

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"

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."

Amendments adopted. Motion carried.

Mr. Singleton moved to dispense with the reading of Delegate Resolution No. 27. Motion withdrawn.

Mr. Haynes moved to defer action on the resolution.

Mr. Velazquez pointed out that a quorum was no longer present and no action could be taken on the motion.

The committee adjourned at 5:00 p.m.

MINUTES

Minutes of the Committee on Rules, Credentials and Ethics of the Constitutional Convention of 1973

Held pursuant to notice by the Secretary in accordance with the Rules of the Convention.

Senate Lounge, State Capitol
Baton Rouge, Louisiana
Wednesday, July 25, 1973, 5:30 p.m.

Presiding: Greg Arnette, Jr., Vice Chairman of the Committee on Rules, Credentials and Ethics

Present: James L. Stovall, Greg Arnette, Jr., Clyde F. Bel, Sr., Donald T. Bollinger, Heloise Corne, R. M. Elkins, Kenneth Gordon Flory, Pedram Mire, Lawrence R. Sandoz, Jr., Thomas A. Velazquez, Mrs. George E. Warren

Absent: J. K. Haynes, J. A. McDaniel, V. C. Shannon, Alvin G. Singleton, Tom Stagg, Ruth Miller, Ex. O.

Mrs. Corne read COMMITTEE RESOLUTION NO. 3 and Delegate Velazquez moved to defer action on the resolution for sixty days.

Mr. Bel offered a substitute motion to put COMMITTEE RESOLUTION NO. 3 on the calendar subject to call. Motion carried.

COMMITTEE RESOLUTION NO. 10 was read by the secretary and Mrs. Corne moved to report it favorably to the convention.

Delegate Bollinger stated that he was opposed to the resolution and offered a substitute motion to report it unfavorably to the convention. Motion withdrawn.

Mr. Bollinger then offered an amendment to COMMITTEE RESOLUTION NO. 10, using language from DELEGATE RESOLUTION NO. 31, 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 word "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."

The amendments were adopted without opposition. The original motion by Mrs. Corne to report it favorably was amended to report the resolution with amendments. Motion carried.

Delegate Velazquez moved that no action be taken on DELEGATE RESOLUTION NO. 27 until the author could be present.

Mr. Bollinger offered a substitute motion to consider the resolution at this time. Substitute motion defeated.

The original motion by Mr. Velazquez carried.

Mrs. Corne read DELEGATE RESOLUTION NO. 28 and moved to report it favorably to the convention.

Delegate Sandoz offered a substitute motion to defer action at this time. Motion withdrawn.

Delegate Sandoz resubmitted his substitute motion to defer action at this time. Motion carried.

Delegate Corne read DELEGATE RESOLUTION NO. 29 and moved to report it favorably to the convention. After some discussion, Mrs. Warren moved the previous question. Motion defeated.

Delegate Flory offered the following amendments to the resolution:

AMENDMENT NO. 1
On page 1, line 4, after the figure "45" and before the words "of the Standing Rules" insert the following:

"and Rule No. 81."

AMENDMENT NO. 2
On page 1, at the beginning of line 6, after "possib" by" and before the word "or" delete the word "sub-section" and insert in lieu thereof the word "section."

AMENDMENT NO. 3
On page 1, line 6, place a period "." after the word "paragraph" and delete the remainder of the line.

AMENDMENT NO. 4
On page 1, line 7, after the figure "45" and before the words "of the Standing Rules" insert the following:

"and Rule No. 81."

AMENDMENT NO. 5
On page 1, line 13, immediately after "paragraphs," delete the remainder of the line and delete line 14 in its entirety and at the beginning of line 15 delete "of those present and voting, each separately designated paragraph shall be acted upon separately."

AMENDMENT NO. 6
On page 1, line 18, insert the following:

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

The amendments were adopted without opposition. Delegate Bel offered an amendment to the original motion to make the report to the convention with amendments. Motion carried.

After DELEGATE RESOLUTION NO. 30 was read by the secretary, Mr. Velazquez moved to report it favorably to the convention. Motion carried.

Mr. Flory moved to report DELEGATE RESOLUTION NO. 31 without action. Motion carried.

Mrs. Corne read DELEGATE RESOLUTION NO. 32 and moved to report it favorably to the convention.

Delegate Velazquez offered a substitute motion to report it unfavorably.

After much discussion with no action on the matter, Delegate Mire moved to adjourn. Motion carried.

James L. Stovall, Chairman

Greg Arnette, Vice Chairman

Elolise Corne, Secretary

MINUTES
Minutes of the Committee on Rules, Credentials and Ethics of the Constitutional Convention of 1973

Held pursuant to notice by the Secretary in accordance with the Rules of the Convention.

Committee Room 1, State Capitol
Baton Rouge, Louisiana
Wednesday, August 1, 1973, 5:00 p.m.

Presiding: The Reverend Mr. Stovall, Chairman of the Committee on Rules, Credentials and Ethics
No. Amendment

The agenda proposals moved Chairman McDaniel, Bollinger favorably to the convention. Haynes, Mire, Velazquez, and Warren. There were no nay votes.

Delegate Flory offered a substitute motion to defer action on the resolution at this time and that it not be placed on the agenda until so requested by the committee. There being no objection, the motion carried.

Mr. Stagg moved to report DELEGATE RESOLUTION NO. 33 favorably to the convention.
The Convention in accordance with the rules of the Convention
State Capitol, Baton Rouge, Louisiana
Wednesday, September 12, 1973, 1:10 p.m.

President: James L. Stovall, Chairman of the Committee on Rules, Credentials, and Ethics

Present: Absent:
Stovall Haynes
Arnette McDaniel
Bel Sandoz
Bollinger Shannon
Corne Warren
Elkins Miller
Flory Segura
Mire Delegate Resolution No. 36, by Delegate Segura was read.
Singletary Delegate Resolution No. 36, by Delegate Segura was read.
Stagg Delegate Resolution No. 36, by Delegate Segura was read.
Velazquez

The roll was called and a quorum was present. The
minutes from the previous meeting were distributed and there
being no objection, the minutes were adopted.

Delegate Resolution No. 36, by Delegate Segura was read.

Mr. Segura explained the resolution and asked the committee
for a favorable report. After discussion, Mr. Stagg offered
the motion that the resolution be reported unfavorably. Mr.
Arnette offered the substitute motion that lines 5 and 6 be
deleted and on line 16, after the word "floor" delete the comma
"," and insert in lieu thereof a period "." and delete the
remainder of line 16 and line 17 in its entirety. The vote was
called on the previous question. The substitute motion failed
with a vote of 6 nays and 4 ayes. The following is a list of
the roll call vote:

<table>
<thead>
<tr>
<th>Year</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arnette</td>
<td>Stovall</td>
</tr>
<tr>
<td>Bel</td>
<td>Bollinger</td>
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<td>Bollinger</td>
<td>Elkins</td>
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<tr>
<td>Corne</td>
<td>Flory</td>
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<tr>
<td>Elkins</td>
<td>Mire</td>
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<tr>
<td>Flory</td>
<td>Stagg</td>
</tr>
<tr>
<td>Mire</td>
<td>Velazquez</td>
</tr>
</tbody>
</table>

The vote was called on the motion by Mr. Stagg. The following
is a list of the roll call vote:

<table>
<thead>
<tr>
<th>Year</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arnette</td>
<td>Stovall</td>
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<tr>
<td>Bel</td>
<td>Bollinger</td>
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<td>Elkins</td>
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<tr>
<td>Flory</td>
<td>Stagg</td>
</tr>
<tr>
<td>Mire</td>
<td>Velazquez</td>
</tr>
</tbody>
</table>

Delegate Resolution No. 40, by Delegate Casey, was read
and discussed by Mr. Stagg. Mr. Stagg urged a favorable report
on the resolution. Mr. Mire offered the motion that the resolution
be reported favorably. After discussion, the vote was called on
the motion. The motion carried with a unanimous vote. The following
is a list of the roll call vote:

<table>
<thead>
<tr>
<th>Year</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stovall</td>
<td>Arnette</td>
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Delegate Resolution Nos. 41 through 45 were discussed.

Mr. Bollinger offered the motion to defer action. There being no objection, it was so ordered.

Delegate Resolution No. 39, by Delegate Zervigon, was
read and discussed. Mr. Bel offered the motion that the
resolution be reported favorably. The motion carried unanimously.

The following is a list of the roll call vote:

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<td>Velazquez</td>
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Chairman Stovall appointed a subcommittee to study
alternative provisions and make recommendations to the full
committee. The subcommittee consists of: Mr. Stagg, serving
as chairman, Mr. Sanders, Mr. Flory, Mr. Velazquez, and Mr. Mire.

There being no further business, the committee adjourned
at 2:45 p.m.

James L. Stovall, Chairman of the Committee on Rules, Credentials, and Ethics

Greg Arnette, Jr., Vice Chairman

Heloise Corne, Secretary
I. Minutes

A. Full Committee Minutes

Minutes of the full committee meeting of the Public Information Committee
Committee of the Constitutional Convention of 1973

Held, pursuant to notice mailed by the Secretary of the Convention on February 6, 1973
National Resources Building, Baton Rouge, Louisiana
Monday, February 12, 1973, 10:00 A.M.

Presiding: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

Present:
- Patrick Juneau
- Robert J. Aertker
- Phillip Bergeron
- Mrs. Judy Dunlap
- John Clyde Fontenot
- Louis G. Reieke
- Charles E. Roemer
- Joe N. Silverberg
- Mrs. J. D. Chalain
- Harold J. Toca
- Joseph F. Toomey
- Risley C. Triche

Absent:
- Tom Colten
- K. R. Kilpatrick
- Shady Wall
- Dorothy Mae Taylor

AGENDA: The following Agenda as outlined in the notice of the Secretary was read.

Chairman Juneau called the meeting to order.

Chairman Juneau invited guests of the various news media to offer any comments they may have to the Committee. Mr. Ricks of the Press Association made several comments concerning measures which would be helpful to the press in disseminating information. He also stated that the Press Association had facilities for mailing out material to the various newspapers across the state. He said if the mail-out was four pages or less they could have a mail-out to all daily newspapers for $10.00 and a mail-out to all weekly newspapers for $15.00. He also indicated that it would be of some assistance to provide news to the weekly newspapers.

Mr. Phil Oakley, news director of WBNO made several comments to the committee. He suggested as many meetings as possible be held in Baton Rouge. He also indicated that the idea of a Convention calendar was an excellent suggestion and would probably be utilized by the news media.

Charles Hargroder of the Times Picayune Press Correspondence also made several comments to the committee. He suggested as many meetings as possible be held in Baton Rouge. He also indicated that the idea of a Convention calendar was an excellent suggestion and would probably be utilized by the news media.

Mr. Reieke moved that it be the sense of this committee that our primary responsibility is to implement measures to notify all news media (all types of news media) of the time, place, date and agenda of each committee meeting of this convention. The motion was seconded by Mr. Silverberg. A vote was taken and there was no opposition. The motion carried.

Mr. Chalain moved that the committee go on record to the executive committee that only one staff member be hired at the present time. The motion was seconded by Mr. Silverberg. A vote was taken and there was no opposition. The motion carried.

Mr. Reieke moved that the Substantive Committees report to the Committee on Public Information up to the point of said committee, including the issues and items and discussions of the committee, and that said reports are to be made to the Committee on Public Information up until and including the time the committee reports are submitted to the Convention as a whole. The motion was seconded by Mr. Roemer. A vote was taken and there was no opposition. The motion carried.

Mr. Triche moved that a sub-committee be appointed for the purpose of working out a calendar that can be used between now and July 5. The motion was seconded by Mr. Roemer.
the funds for the authority. Mr. Fenty said that the committee's endorsement of the LETA project would enhance the authority's chance of obtaining state funds. Mr. Fenty moved that the committee endorse the concept proposed by the LETA in regard to the making of the two educational films on the Constitutional Convention. A vote was taken with no opposition. The motion carried.

Mr. Juneau told the committee that in coordination with the Education Department plans were being made to provide study materials for state schools. He stated that he would appoint a subcommittee to work in conjunction with the staff and the Education Department on these plans.

Mr. Colter addressed the committee on the breakdown of regional meetings, a copy of which is attached and made a part of these minutes. He said that delegates were assigned to meetings as near to their hometowns as possible, to eliminate the necessity of travel. Rev. Alexander brought to the committee's attention that the northeastern and northwestern sections of the state were not represented. Mr. Silverberg said that some of the delegates were not assigned to the meetings closest to their homes. After several other comments, Mr. Chatelain moved that the concept of regional meetings be accepted and that the chair appoint a subcommittee to work with the staff to arrange regional meetings between June 21 and July 5.

Mr. Colter also spoke on the coverage of the convention thus far, directing the committee's attention to two lists, copies of which are attached and made a part of these minutes, of news media and summaries of the stories they have carried.

Mr. Robert Pellegrin spoke to the committee on the Composite Committee hearings. He stated that the main purpose of the Composite Committee was threefold—to listen to the public, to build understanding of the convention, and to obtain publicity for the convention at the grassroots level.

Mr. Colter informed the committee as to what the staff releases each week. This includes the Reporter, Week-In Review, a Convention Calendar, and special releases.

Mr. Pellegrin stated that the convention would be utilizing AP audio, which would aid radio stations in their coverage of the convention.

Mr. Toca moved that if no further business needed to be discussed, the meeting be adjourned. A vote was taken with no opposition. The motion carried and the committee adjourned at 12:30.

PROPOSED REGIONAL MEETINGS & DELEGATES

New Iberia:
- Minos Almonet, Perry Segura, J. Burton Willis
- Bosalais:
  - B. B. Bayouh, Alvin Singleterry, Joseph Angaoline, James Buin, Frank Edwards
- Houma:
  - Charles Baugh, Halja Brignac, Stanwood Duval, Richard Courey
- Thibodaux:
  - Joe Silverberg, Walter Lanier, Ambrose Landry, Risley Triche
- Morgan City:
  - Norman Carmouche, Anthony Guarisco, P. B. Winchester
- Crowley:
  - E. J. Chatelain, Releice Corne, Ralph Cowen, H. G. Hardee, Pat Juneau, Ruth Miller
- Opelousas:
  - Jackson Burton, Walter Champagne, John Fontenot, Lawrence Sanders, John Thistlethwaite
- Sulphur:
  - Mack Abraham, Conway Lohicu, A. J. Blanchard, Gerald Weiss
- Dodier:
  - Irrol Deshotel, J. E. Stephenson, Greg Arnette, Pat Hernandez
- Gertca:
  - John Alvario, Joseph Tomney, Frank Ullo, Kenneth Leithman, Wendell Gauthier
- Metairie:
  - Lawrence Chardy, Joseph Corino, David Conroy, Edward D'Gerolamo, Kaly Landry, Harold Toca
- Chalmette:
  - Samuel Rouse, Chalin Percel, Donald Dalling, Elmer Tappen
- Hammond:
  - Calvin Fuyard, Louis Lambert, Atley Newton

Port Allen:
- "Monday" Lowe, Pregran Mire, Jessel Garso, Milton Martin

Bunkie:
- Camile Gravel, Robert Munson, Lynn Perkins, Chris Roy, Charles Slay, Cecil Blair

West Monroe:
- James Dennis, Thomas Leigh, Shady Wall, Lantz Womack, James Stovall

Bastrop:
- R. H. Elkins, David Ginn, J. A. McDaniel

Minden:
- Harmon Drew, Tom Stagg, Wellborn Jack, Frank Pulco

Bossier:
- Ford Stinson, "Buddy" Roemer, Demost Assif, Alphonse Jackson, V. C. Shannon

Ruston:
- Bill Crier, "Bubba" Henry, K. D. Kilpatrick

Winfield:
- James brun, R. M. Fowler, Donald Kelly, Richard Thompson, Terry Reeves

New Orleans:
- Morris Beccy, Earl Schmitt, Novo Biali, Matthew Sutherland, Thomas Couey, Clyde Roi, Edward Loomis, Avery Alexander, Louis Landrum, Edward Holkett, Anthony Vecch, Albert Tate, Kendall Vick, James B. Police, Joseph Guarisco, Claude Hoberman, Thomas V. Holm, Philip Berchtold, Anthony Jackson, George Warren, Louis Riecke, Mary Servign, Dorothy Mae Taylor

Baker:
- Harvey Canovan, J. K. Harlow, George Hayes, Horace Robinson, Gary O'dell, Woody Jenkins, Richard Kilbourne, Pete Heine

Zachary:
- John Avant, J. D. Dobbleux, Robert Aertker, Gordon Kean, Mary Wisham, Judy Dunlap, Gordon Florio

Mr. Toca moved that if no further business needed to be discussed, the meeting be adjourned. A vote was taken with no opposition. The motion carried and the committee adjourned at 12:30.
Minutes of the full committee meeting of the Public Information Committee of the Constitutional Convention of 1973.

Pursuant to notice by the Secretary in accordance with Convention rules.

Independence Hall, Baton Rouge, Louisiana

Wednesday, October 3, 1973, 5:00 p.m.

Present: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

Minutes of the meeting were read and adopted.

Chairman Juneau explained the differences and purposes of the Regional Press Conferences and the Regional Meetings. He told the committee that the staff was working on a summary of the adopted articles for the delegates to use at the meetings and to be distributed to the public. Other details of the meetings were discussed and the committee adjourned at 5:10 p.m.

Mrs. Judy Dunlap, Secretary

Patrick A. Juneau, Jr., Chairman

[1197]
PUBLIC INFORMATION COMMITTEE
October 3, 1973

Patrick A. Juneau, Jr.
John C. Fontenot
Joe N. Silverberg
Judy Gardner Dunlap
Robert J. Aertker
Phillip G. Bergeron
Ethan J. Chatelain
Norman E. Heine
Paula S. Kilpatrick
Louis G. Riecke
Charles E. Roemer
Louis Bixby
Harold J. Toca
Joseph F. Toony
Paul E. Goldman
Shady R. Wall
Avery C. Alexander

Check Mark = Present

X = Absent

MINUTES

Minutes of the full committee meeting of the Public Information Committee of the Constitutional Convention of 1973.

Held, pursuant to notice by the Secretary in accordance with Convention rules.

Independence Hall, Baton Rouge, Louisiana

Thursday, December 6, 1973, After adjournment

Presiding: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

Present
Patrick Juneau
Clyde Fontenot
Judy Dunlap
Avery Alexander
Philip Bergeron
E. J. Chatelain
Paul Goldman
Norman Heine
Corinne Maybucke
Louis Riecke
Charles Roemer
Harold Toca
Joseph Toony

Absent
Robert Aertker
R. W. Graham
Paula Kilpatrick
Shady Wall

Chairman Juneau called the meeting to order.

Agenda: The following Agenda as contained in the notice of the Secretary was read.

Mr. Juneau called on Mr. Charles E. "Buddy" Roemer, III to give a report on his subcommittee’s findings. Mr. Roemer explained that he had talked with the Secretary of State, the Attorney General and the head of Civil Service. The consensus of opinion, he stated, was for the Public Information Committee to come up with several alternatives as to what the committee wanted to do and to submit them to the Attorney General for consideration. He stressed that the committee be specific in preparing their proposals.

Several questions were raised as to what form would be used in printing the document, the layout and the distribution. Concern was also voiced by many committee members over the need for an eye-catching design that the average citizen would read.

The committee decided to adjourn until a later date to allow time for the research staff to gather information and contact two representatives with expertise in public relations.

The meeting adjourned at 6:00 p.m.
December 14, 1973

Metropolitan Area Circulation Total Cost

Alexandria 36,000 $875.00
Baton Rouge 110,000 $1,900.00
Lafayette 28,000 $1,200.00
Lake Charles 40,000 $1,326.00
New Orleans 340,000 $4,700.00
Opelousas 15,000 $650.00
Shreveport 130,000 $1,700.00
Monroe 60,000
New Iberio 15,000 $525.00

72% of Households

8½ x 11 Booklet
Total of 16 Pages

Construction: 16 pages; self-cover; saddle-stitched
Stock: 40% Offset book (40% is not available in quantity)
Ink Colors: Black plus one color on all pages
Delivery Schedule: 6 - 8 weeks
Copy: Rough costs include typesetting, make-up, etc.
Estimated Cost: Quantity Cost
100,000 $125,000
500,000 $50,000
750,000 $74,000
1,000,000 $98,000

10-PART SNAP (17½ x 10-3/4"
Total of 20 pages

Construction: Glue line and perforation along 17½ side
Stock: 20% Register Bond
Ink Colors: Black (or one color) on 10 pages
Black plus one color on 10 pages
(Second color must be used on either all EVEN-numbered pages or on all 000-numbered pages)
Delivery Schedule: 6 - 8 weeks
Copy: Assumption is camera-ready
Estimated Cost: Quantity Cost
500,000 $50,000
750,000 $74,000
1,000,000 $98,000

12/14/73

PUBLIC INFORMATION COMMITTEE
December 14, 1973

Patrick A. Juneau, Jr. ✓
John C. Fontenot ✓
Corinne O. Maybou ✓
Judy Gardner Dunlap ✓
Robert J. Aertker ✓
Philip O. Bergeron ✓
Ethlon J. Chatelain ✓
Norman E. Heine ✓
Paula S. Kilpatrick ✓
Louis G. Riecke ✓
Charles E. Roemer ✓
R. W. Graham ✓
Harold J. Toca ✓
Joseph F. Toomy ✓
Paul N. Goldman ✓
Shady R. Wall x
Avery C. Alexander ✓

Check Mark - Present
X - Absent

MINUTES
Minutes of the full committee meeting of the Public Information Committee of the Constitutional Convention of 1973.
Held, pursuant to notice by the Secretary in accordance with Convention rules.
Treaty Room of White House Inn, Baton Rouge, Louisiana
Thursday, January 3, 1974, After adjournment

Presiding: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

Present
Patrick Juneau
Avery Alexander
Philip Bergeron
E. J. Chatelain
Clyde Fontenot
Paul Goldman
R. W. Graham
Norman Heine
Paula Kilpatrick
Louis Riecke
Charles Roemer
Joseph Toomy

Chairman Juneau called the meeting to order.

Minutes: The minutes of the Committee Meeting of December 14, 1973 were read and adopted.

Since our last meeting, Mr. Juneau said, the staff has done a lot of work and has worked closely with the Division of Administration on the subject of printing and distributing the tabloid. He told the committee that two of the basic concepts confronted were (1) to allow one agency to handle the entire project on a bid basis or (2) to have the Public Information Committee, along with the staff, do a lot of the work and through the Division of Administration let bids for the printing and distribution of the tabloid. A commercial artist would be hired on an hourly basis to do the design, type specifications and prepare the camera-ready art.

Keeping this in mind, Mr. Juneau said the committee would have to decide what route to take on distributing the tabloid, move that a subcommittee be appointed concerning employing an artist, and move that the Executive Committee appropriate, up to a set amount of dollars, the expenditures for distributing the final document. Following extensive discussion regarding cost, feasibility, time and quality of both methods of distributing the document, Mr. Philip Bergeron moved that a subcommittee be appointed to hire a commercial artist to do the design, type specifications and prepare the camera-ready art for the final document. It is noted that Mr. Louis G. Riecke voted no on the motion. The motion carried.
Regarding the question of whom the tabloid would be distributed to, the committee decided on a motion by Mr. Joseph Toomy to limit the distribution of the document from the printer to daily newspapers. It was understood, however, that a large amount of extra copies would be printed to distribute to whoever the committee deemed necessary.

Mr. Juneau called the committee's attention to an itemized list of expenditures, a copy of which is attached and made a part of these minutes, for the entire project and a motion was given by Mr. R. W. Graham that the Public Information Committee recommend that the Convention appropriate expenditures up to the figure of $220,520.73 for the design, publication and distribution of the final document.

The meeting adjourned at 7:30 p.m.

ESTIMATED BUDGET FOR FINAL DOCUMENT FOR 48 PAGE INSERT

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<th>Amount</th>
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<td>Artist</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Typesetting</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Freight on distribution</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Cost of purchasing newspaper, printing, stitching, and trimming of three sides</td>
<td>90,000.00</td>
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<tr>
<td>Insertion costs to 31 daily newspapers in the State</td>
<td>$114,520.73</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$220,520.73</strong></td>
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Minutes of the full committee meeting of the Public Information Committee of the Constitutional Convention of 1973.

Held, pursuant to notice by the Secretary in accordance with Convention rules.

Convention floor, Independence Hall, Baton Rouge, Louisiana

Thursday, January 10, 1974, After adjournment

Present: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

Absent: Judy Dunlap, Shady Wall

The first guest recognized was Secretary of State Wade O. Martin who told the committee the procedure used by his office in publishing proposed amendments, where they are published, approximate how much is cost and approximately how much it would cost if the Convention utilized the same procedure. He also stated that the Secretary of State's office had been invited to meet with representatives of the Post Office Department in Washington who advised him that they could see nothing to prohibit the congressmen from mailing the document out as a public service under their franking privileges. The proposed document, however, would be subject to the review of the congressmen and full consideration of the entire congressional delegation would be necessary to proceed in this manner. The chairman stated that this was just tentative information.

In that connection, Mr. Adolph Wayman, superintendent of Postal Service in Baton Rouge, told the committee that as a state agency the Convention could use a simplified address system on the proposed tabloid and mail the document at the bulk third-class rate. Qualifying for simplified addresses allows the individual name, street address or post office box number to be omitted. The tabloid would also have to be bundled according to post office regulations. The staff checked with printers who said they could provide this service.

Mr. Max Franz, director of the Louisiana Press Association, submitted a proposal to the committee suggesting the document be printed in the official journals in the state at the legal advertising rate. He suggested it could be made available to all other newspapers in the state at the same rate with the newspapers being responsible for printing the proposed constitution adhering to standards set by the Public Information Committee. He was asked if he had polled his members about the proposal, and when he said he hadn't, the chairman asked if he would do so and bring the information back to the committee at its Monday meeting.

Mr. Edward Bonner, representing the East and West Bank Guide newspapers, pointed out that his papers saturated Jefferson Parish and Algiers areas, indicating that by merely placing the document into a daily newspaper in the New Orleans area would not give the desired coverage. He also stated that it would be impossible for his papers, and many other newspapers not represented by the LPA, to accept the proposal offered by the LPA.

Mr. Sam Becks, editor and publisher of the Jefferson Parish Times, asked the committee to bear in mind that two issues were being discussed. First, the committee would have to meet the legal requirements and secondly, they would have to decide what action they would take after these requirements were met. He implored the committee to keep these two aspects separate to keep from becoming confused.

Mr. Carlton White, mayor of Farmerville and publisher of the Gazette and Bernice News, made the brief statement that if a person pays for a newspaper he will at least take it into the house.

Sen. Samuel Vazquez, delegate to CC/73, said that the main issue involved is to get the best circulation possible, and this makes it imperative to go through the weeklies.

Mr. Tex Stevens, representing the Louisiana Weekly--the largest paid-circulation, black newspaper in the state, said his paper would like to cooperate in distributing the document, but they could not go along with the LPA's proposal.

Rep. John Alario, delegate to CC/77, said he was glad to see the committee reconsidering its decision and encouraged members to go back before the Executive Committee seeking additional funds, if necessary, to distribute the document to both dailies and weeklies.

Rev. Louis Landrum, delegate to CC/73, stated that too much time had been spent preparing the document to have it go second-class or third-class mail. He suggested that the committee consider going "first class" in order to reach the largest number of citizens possible through the dailies and weeklies.

After listening and discussing all the views represented at the meeting, Chairman Juneau instructed the staff and appointed a subcommittee consisting of E. J. Chatelain, chairman, Paul Goldman and Corinne Maybourse to work with the LPA and other newspapers in the state to come up with some definite figures on distributing the document for the next Public Information Committee meeting to be held Monday, January 14, 1974. More details and material on the possibility of using the franking privileges of the Louisiana congressional delegation were also to be obtained for the meeting.

The material submitted to the committee by persons appearing at the meeting is attached and made a part of these minutes.
The meeting adjourned at 9:45 p.m.

Mrs. Judy Dunlap
Secretary

TULANE UNIVERSITY
MARKETING MANAGEMENT 612

Mr. Ed Rose
6 January 1971

GROUP PROJECT
WEST BANK GUIDE NEWSPAPER

Prepared by:
B.A. Thomas
J.W. Carson
S.W. Enfield
R.H. Goldsmith
R.A. Lacquement
J.C. Powell
M.F. Stith

A. INTRODUCTION.

The purpose of this paper is to fulfill the final requirement of Marketing Management Course 612. This paper is the result of a group effort and represents the majority opinion of the group members. There were no significant differences of opinion in the conclusions of the group or in the method in which the case was analyzed. The group was headed by Bruce A. Thomas and consisted of the following members: Bruce A. Thomas, John W. Carson, Samuel W. Enfield, Richard H. Goldsmith, Richard A. Lacquement, John C. Powell, and Harold F. Stith.

The "West Bank Guide" (WBG) was used as the vehicle in the case analysis. This newspaper is published once every week and is directed toward the people of the west bank (Greater New Orleans, Louisiana) communities. Mr. Ed Rose, the publisher, certifies weekly that 50,000 copies of the newspaper are printed and delivered free of charge to residences and places of business on the west bank. Free delivery is made to residences and local businesses in portions of Jefferson, Orleans, and Plaquemines Parishes.

The purpose of the newspaper is to serve the west bank communities by providing news and information of local interest to the people of the west bank. The size of the WBG varies according to the amount of advertising and news copy available. It focuses its attention on news of local interest rather than news of the City of New Orleans as a whole, national news, and/or international news. It competes locally with two daily newspapers which are published in New Orleans. One of these, the "Statesman-Item", publishes a west bank edition which carries one full page of West Bank news and a limited amount of classified advertising of West Bank businesses and residents. Residents of the west bank communities normally receive one or both of the two local dailies in addition to the WBG.

Mr. Rose was advised by the group that it desired to conduct a survey of the newspaper to identify the "average" reader and to determine the effectiveness of the WBG as part of its Marketing Management Course requirements. Mr. Rose readily consented to the project and established no restrictions of any type which would prejudice the information obtained in the survey or derived in the analysis. Mr. Rose did publish a series of articles in the newspaper to assist the group in conducting the survey (see Exhibits 1-4).

The primary purposes of the survey were to identify the "average" consumer (reader) of the WBG and to determine the effectiveness of the WBG in satisfying the consumer's interests. Secondary goals of the survey were to determine the effectiveness of delivery, acceptance of the WBG by the reader and to determine whether or not the reader desired any significant changes in the WBG format or content and what these changes might be.

B. DATA COLLECTION OR THE STUDY.

The data for this survey was collected and analyzed by seven MBA candidates enrolled in the Tulane University Graduate School of Business Administration. All seven interviewers are Army officers whose ages range from twenty-seven to thirty-six. Six of the seven interviewers are married and have children; all seven live in the West Bank area. None of the interviewer group has had extensive formal training in market research procedures or prior practical experience in conducting surveys. These facts notwithstanding, the interviewers feel that their basic knowledge of marketing research principles derived through exposure to Professor Frank A. Bennett's Marketing Management Course 612, coupled with their individual background experiences, have enabled them to compile and analyze survey data in an intelligent and useful manner.

The basic tool used for eliciting data for the survey was a printed questionnaire (See Exhibit 5). The format of the questionnaire was developed by the interviewer group and was designed to identify the consumer (reader) determine why he reads the WBG, and establish his degree of acceptance of the paper. The cooperation and assistance of the WBG staff in organizing the questionnaire format and printing the actual questionnaire were indispensable and greatly appreciated.

A total of 346 interviews were made in conducting this survey. Data from three additional interviews was discarded as being irrelevant for the survey's purposes. Seventy-six of the total (22%) were conducted as door-to-door interviews, 169 (48%) were made by telephone, and 101 (29%) direct replies (mail-in) were received in response to a published questionnaire. The format for all three methods of interview was identical.

1. Door-to-Door. The seventy-six door-to-door interviews were conducted in the following residential areas: Algiers, Terrytown, Belle Haven, Avondale, Gretna, Bridge City, Westwego, Barataria, and survey. In an attempt to reduce the inconvenience to residents as much as possible, interviews were conducted during daylight hours, usually between 9:00 a.m. and 5:00 p.m. As a consequence, most of the door-to-door interviewees (73%) were female. Although this is of course because the door-to-door survey data to immediately reflect the feminine viewpoint, the imbalance in the male/female interview ratio is believed to be of little significance. All interviewers are of the opinion that the women of the house is usually the primary reader of the WBG and, as such, her views probably deserve primary consideration. In all probability, if data had been derived as the result of an equal male/female ratio, it would be less accurate than the
data actually used in the survey.

2. Telephone. The telephone survey was designed to supplement the door-to-door survey and to ensure that a significant portion of the sample would be entirely of random selection. The modus operandi in conducting the telephone survey was to assign one-seventh of the 150 telephone directories to each interviewer with instructions that he randomly select and make a minimum of

twenty-five successful telephone interviews using the telephone numbers contained within his assigned portion of the directory. A successful interview was defined as one in which the answering party acknowledged receipt of the 50G and agreed to answer the interviewer's questions.

Again, as in the case of the door-to-door survey, the data obtained in the telephone survey was influenced by the fact that most of the calls were placed during daylight hours. As a result, the majority of the respondents were female (71%). Generally speaking, successful telephone interviews were more difficult to conduct and complete than were the door-to-door interviews. Nonetheless, the data obtained from these 169 interviews appears to be equally valid as that obtained from the more personal door-to-door survey. No significant differences in the responses obtained from the two methods of interview were noted.

3. Mail-ins. A significant segment of the total sample was comprised of mail-in questionnaires (See Exhibit 4). These questionnaires, identical in format to those used in the door-to-door and telephone surveys, were published in two successive issues of the 50G in order to increase the overall size of the sample and to give an opportunity to all readers to express their opinions concerning the paper. Once again, most of the respondents were female (67%), but the male/female ratio shifted somewhat in favor of the male respondent as compared to the door-to-door and telephone survey ratio.

As might be expected, the tone of the mail-in responses differed somewhat from that of the door-to-door and telephone surveys. Generally, the mail-in respondents appears to be less interested in news readers, and, unlike the other interviewees, were not hesitant to offer criticisms and/or plusses concerning the paper. Nonetheless, as the data provided by this segment possesses unique qualities, the analysis which follows often segregates the data into two categories: (1) mail-in data and (2) the mutually compatible door-to-door/telephone survey data.

G. ANALYSIS AND CONCLUSION

1. General. This survey has identified the consumer's likes, dislikes, and interests insofar as this newspaper is concerned, as well as those facets of the paper which are of greatest interest and value to the reader (see Table 1).

The "average" consumer or reader of the 50G is a woman over thirty years of age who has lived on the east bank over three years and owns her own home (see Table 2). A separate tabulation of the responses from the "average" reader described above was compared to the remaining sample population responses. The high degree of correlation verified our "average" reader (see Table 3) as being representative of the total population sample. As might have been expected, the "average" reader is less interested in sports and editorials and more interested in want ads than their male counterparts.

The content of the 50G is determined principally by the amount of advertising space sold. Since the paper is delivered free of charge to all but outlying areas, advertising revenues dictate the space available for news items. The editorial policy is to devote the preponderance of space to items of civic interest, group activities and personal news, with a column devoted to each specific community. A regular feature on the front page is "Through Rose-Colored Glasses" written by the publisher, Mr. L. D. Rose. This article was most frequently mentioned by the favored column by those survey respondents who indicated a favorite column. A close second in the favorite column category is the editorial comment in "Editor and Friend" written by Mr. L. D. Ross. Editor-in-Chief. This column is a subject of controversy and selected both favorable and unfavorable comments by readers, although the majority indicated that they considered it well worth reading. The only other feature articles receiving significant mention were on the sports page.

A significant number of readers expressed some dissatisfaction with the delivery of their paper. The survey indicates that 6.3% of the respondents were not regular readers due to irregular delivery and a total of 11.4% made some unfavorable response with regard to delivery. Assuming that the figure of 6.3% is representative of the total population of 34,000, then 3400 homes or 7680 readers (based on 2,3 readers per home - Table 2) are not being reached on a regular basis due to delivery problems. The 10.4%, who responded negatively to question 6 (Exhibit 5) represent 3600 copies or 12,000 possible readers who are dissatisfied with the delivery service. The primary complaint concerns delivery of the paper during inclement weather resulting in the wet papers being discarded immediately. This situation is aggravated by the fact that the competitive papers, the "Times-Series" and the "States-Item", are delivered in plastic bags on rainy days.

Other less frequent complaints about delivery follow: (1) Some readers feel that the paper arrives too late in the day to take full advantage of advertised sales; (2) Multi-family units (duplexes and triplexes) receive only one paper for the entire building; (3) Papers are sometimes not thrown directly onto sidewalks, drives, or doorsteps and are sometimes lost or difficult to find.

<p>| Table 1 |</p>
<table>
<thead>
<tr>
<th>RESPONSES TO QUESTIONNAIRE</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Read 50G?</td>
</tr>
<tr>
<td>Regularly</td>
</tr>
<tr>
<td>Occasionally</td>
</tr>
<tr>
<td>Not at all</td>
</tr>
<tr>
<td>No response</td>
</tr>
<tr>
<td>B. Do not read 50G regularly?</td>
</tr>
<tr>
<td>Lack of time</td>
</tr>
<tr>
<td>Not interested</td>
</tr>
<tr>
<td>Prefer another paper</td>
</tr>
<tr>
<td>Other reasons*</td>
</tr>
<tr>
<td>No response</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C. Read 50G For?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Items of civic interest</td>
</tr>
<tr>
<td>2. Group and personal activities</td>
</tr>
<tr>
<td>3. Editorials</td>
</tr>
<tr>
<td>4. Sports</td>
</tr>
<tr>
<td>5. Social news</td>
</tr>
<tr>
<td>6. Women news</td>
</tr>
<tr>
<td>7. Amusements</td>
</tr>
<tr>
<td>8. School news</td>
</tr>
<tr>
<td>9. Intell merchants advertising</td>
</tr>
<tr>
<td>10. Want ads</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D. Most Important Items*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Concerning delivery</td>
</tr>
<tr>
<td>2. Group and personal activities</td>
</tr>
<tr>
<td>3. Editorials</td>
</tr>
<tr>
<td>4. Sports</td>
</tr>
<tr>
<td>5. Social news</td>
</tr>
</tbody>
</table>

*Twenty-five of thirty indicating other reasons stated that delivery problems were the cause. This correlates with the thirty-six respondents who were dissatisfied with the delivery.

**These figures are weighted. A weight of 3 was given to a response of "most" important, 2 to "second most" important, and 1 to "third most" important.

[1202]
TABLE 2
IDENTIFICATION OF READERS

<table>
<thead>
<tr>
<th>Readers:</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ages: Under 21</td>
<td>19</td>
<td>10</td>
<td>29</td>
</tr>
<tr>
<td>21 - 30</td>
<td>51</td>
<td>19</td>
<td>70</td>
</tr>
<tr>
<td>Over 30</td>
<td>3</td>
<td>2</td>
<td>5</td>
</tr>
</tbody>
</table>

NOTE: All figures do not total equally due to failure or unwillingness to complete all questions.

2. Reader’s Comments. Of the 546 responses to the survey (mail-ins and interviews), 115 made some comment as to possible ways they feel the West Bank Guide can be improved. This group who made comments represents about one-third of the sample population and their replies indicate these people are about completely satisfied with the WBG and they put forth their comments only as ways that an already good newspaper might possibly be improved.

The comments made by the respondents are grouped in six general categories and the number of responses are as shown below:

1. News/editorials/community news = 38 responses (i.e., more information on civic organizations, more news on the black community, more objective news reporting, eliminate bias toward Orleans Parish, etc.)
2. Delivery = 36 responses (i.e., wet papers, need plastic wrappers, irregular delivery, etc.)
3. Amusements = 10 responses (i.e., add comics, add TV and radio schedules, etc.)
4. Advertising = 6 responses (i.e., more ads, fewer ads, add ads from non-liter, etc.)
5. Sports = 4 responses (i.e., more news, less news)
6. Other = 27 responses (i.e., add obituaries, make WBG larger, add babysitter listings, etc.).

Table 4 below shows some demographic data on those people who made comments on the WBG. This table shows whether comments were made on mail-ins or interview surveys and also if the respondent is a female over thirty, a female under thirty, or a male. The group was further divided into those who had comments on delivery only or on matters other than delivery.

TABLE 3
SELECTED RESPONSE DATA FOR “AVERAGE” BLACK (WOMAN, OVER 30, HOMEOWNER, OVER 3 YEARS ON WEST BANK)

Total number in survey: 124

A. Regular readers: 104 – 66.

B. Heads WBG for:

1. Items of civic interest
2. Group and personal activities
3. Editorials
4. Sports
5. Society news
6. Women’s news
7. Amusements
8. School news
9. Retail merchants advertising
10. Want ads

These figures are weighted. A weight of 1 was given to a response of “most important,” 2 to “second most important,” and 1 to “third most important.”

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TABLE 4

<table>
<thead>
<tr>
<th>Interview</th>
<th>Mentioned</th>
<th>Mentioned More</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Females over 30</td>
<td>13</td>
<td>12 (38%)</td>
<td>33 (30%)</td>
</tr>
<tr>
<td>Females under 30</td>
<td>3</td>
<td>2 (60%)</td>
<td>16 (30%)</td>
</tr>
<tr>
<td>Males</td>
<td>6</td>
<td>12 (38%)</td>
<td>16 (30%)</td>
</tr>
<tr>
<td>Males over 30</td>
<td>2</td>
<td>3 (60%)</td>
<td>15 (30%)</td>
</tr>
</tbody>
</table>

The mail-ins contain a larger proportion of comments of a critical nature. The mail-ins come from a group that has a more than average willingness to openly express their views. Comments are more frequently found on surveys sent in by men or from women under thirty years of age. The women over thirty, who are part of the group of average consumers, are quite satisfied with the WBG and have few if any critical comments. The more dissident element, as primarily represented by mail-ins, is more heavily made up of males and females under thirty than is their portion of the total sample. Men made 40% of the comments in the mail-in survey, while they made only 27% of the comments in the total survey.

This observation on the groups making comments may represent nothing unique in that the more vocal element of the general population is usually considered to be heavily made up of men and younger women. The person identified as the “average” consumer (reader) of the WBG (female over thirty years old, lived on the West Bank over three years, and whose own name was likely to be categorized as a member of the “silent majority”) who will comment only when things are greatly out of line or to her way of thinking. The survey indicates that this “less average” is very satisfied with the West Bank Guide and has mainly praise for the entire newspaper.

5. CONCLUSION

1. The West Bank Guide enjoys high reader acceptability; relatively few readers indicate any criticism of the newspaper format or editorial policy. The average consumer is well satisfied and has few recommendations for changes in the newspaper. Proportionately, the group who registered complaints (other than those about delivery) tends to be younger and contains a greater proportion of males than the normal composition of the sample.

2. The average reader of the WBG is female, over 30, a homeowner, and has lived on the West Bank for over three years. Although she is the primary reader, other members of her family also read the paper. Of the sample surveyed, available information indicates that 2.3 people in the household read the WBG. If this data holds true for the entire West Bank population, approximately 100,000 inhabitants regularly read the paper.

3. The survey indicates that the reader’s primary reasons for reading the WBG are items of civic interest and retail merchants advertising. Although retail merchants’ advertising is the most frequently read segment of the paper, it ranks second to items of civic interest in professed importance to the reader.
4. The most significant and recurring complaint regarding WEG operations concerns delivery. Approximately 10% of the sample, representing perhaps 13,000 readers, expressed some degree of dissatisfaction with delivery of the paper. The most frequent complaints concerned wet papers on rainy days, lateness of delivery (afternoon versus noon), and failure of the delivery boy to leave more than one paper at multi-family dwellings.

5. Complaints concerning delivery notwithstanding, virtually the entire West Bank area regularly receives the WEG. The thoroughness of the delivery coverage is exceptional; only rarely did a door-to-door or telephone interview uncover a household which never receives the paper.

II. RECOMMENDATIONS.

1. Serious consideration should be given to providing a protective covering for the WEG when delivered during inclement weather.

2. The delivery agent should be monitored to insure greater consistency of delivery and if feasible he should accomplish his deliveries prior to noon.

3. No major changes should be initiated insofar as format and editorial style are concerned based solely on information revealed in this survey.

4. Minor revisions to include such features as horoscopes, crosswords puzzles, or other items of an amusement nature would be well received by the reader and should be considered in order to increase the popularity of that portion of the West Bank Guide.

Copies furnished to Dr. Ed Rose and Prof. Frank A. Bennett Jr. Publication or distribution of any portion of this paper is prohibited without prior permission of Ed Rose, publisher, "West Bank Guide", 2520 Neville Chaise Highway, Gretna, LA 70053.
GUIDE NEWSPAPER CORPORATION
WEST BANK GUIDE
P.O. Box 56, Gretna, LA 70053
Phone 514-562-1010

EAST BANK GUIDE
4605 Chalmette Street
P.O. Box 1091, Metairie, LA 70001
Phone 514-998-1916

January 10, 1974

Executive Committee
Constitutional Convention '73
Baton Rouge, La.

Dear Sir,

I would like to give you and your committee some information about the Guide Newspapers, East Bank Guide and West Bank Guide.

The West Bank Guide is a weekly newspaper distributed every Wednesday by delivery men, who are controlled by supervisors to 62,000 homes and businesses on the west bank of the river, in Jefferson and Orleans Parish. This is saturation coverage of the entire West Bank area which includes all of Algiers (New Orleans), Geismar, Harvey, Belle Chasse, Marrero, Bridge City, Magazinique and Avondale.

The East Bank Guide is a weekly newspaper distributed every Wednesday by delivery men, who are controlled by supervisors, to 64,000 homes and businesses on the east bank of the river in Jefferson Parish which includes Metairie, Kenner and New Orleans.

Combined the two newspapers have a total saturation coverage of over 126,000 homes and businesses. No other newspaper in the entire metropolitan area of New Orleans has such saturation coverage as the Guide Newspapers.

Besides having such a tremendous saturation coverage in Jefferson Parish we also have a very high and avid readership. In a recent survey performed by seven Army officers from Tulane University, it showed that the West Bank Guide has an avid readership of 77% of its total circulation. This survey also showed that 65% of this figure responded each week to the advertising in the Guide Newspapers. With advertising in the Guide Newspapers, you would not only increase your circulation, but also the readership and response to your advertising message. You would be reaching more than 300,000 more potential buyers by advertising in the Guide Newspapers. This astronomical figure that I quoted for avid readership of the West Bank is 267 above the national average of people that read suburban newspapers in the community.

I think a glance through our two newspapers will show us that we are not an average weekly newspaper or throw-away. We are a full-fledged professional newspaper that has had tremendous acceptance in the community and has capitalized on the one aspect of news that no other news media can compete with. This aspect is good local news coverage, which consists of Civic News, Political News, Garden Club News, Women's News, Announcements, Sports and Classified.

From the latest results that we have the daily circulation of the Times-Picayune in Jefferson Parish is only 49,000 as compared to our 126,000. The circulation of the Sunday Times-Picayune is only about 70,000 in Jefferson Parish and Algiers, still far short of our 126,000. Circulation of the States-Item in Jefferson Parish and Algiers is only 32,000 as compared to our 126,000. As you can see there is an average of 37,000 households in Jefferson Parish and Algiers are not receiving the metropolitan daily newspapers. Our two newspapers are delivered to every home in Jefferson Parish and Algiers.

We hope that the committee will see that we have the largest weekly newspaper in the state and that circulation in our paper is not a mere duplication of the circulation of the daily papers. Since the Sunday Times-Picayune has the circulation of 70,000 as compared to our 126,000, this still means that 56,000 homes and 150,000 people would not be seeing your tabloid in the Sunday Times-Picayune in Jefferson Parish and Algiers.

It was a pleasure talking with you and if any further information is needed please call me. (504-4310)

Sincerely,

Everett J. Bough Advertising Director

3/9/74
TO: MEMBERS OF THE PUBLIC INFORMATION COMMITTEE, CCT3

The Louisiana Press Association would like to suggest the following plan for your consideration.

Realizing that the Constitutional Convention must work within a limited budget, this plan satisfies the legal requirements for publishing the proposed constitution while providing broad distribution throughout the state.

Our proposal is that the new constitution be published in the official journals of all 64 parishes at the legal advertising rate established by law. In addition, the document would be made available to all other newspapers published in the state at 70% of the legal rate established by law. Each newspaper would be responsible for printing the document in accordance with quality standards specified by the Public Information Committee. This plan would relieve the convention of the cost and burden of pre-printing and distributing the proposed constitution. The projected costs of this plan are as follows:

ASSUMING THE DOCUMENT CONTAINS 40,000 WORDS (ESTIMATE BY SECRETARY OF STATE):

1. The number of "squares" would be 400; number of type lines, 8,000.
2. The test per official journal would be:
   a. $1,400 in parishes having no city of more than 100,000 population
   b. $1,800 in parishes having a city of more than 100,000 population but
      less than 300,000 population
   c. $2,000 in parishes having a city of more than 300,000 population
3. Insertion costs of 57 official journals in category (a)....$47,000
   Insertion costs of 6 official journals in category (b)....10,800
   Insertion costs of 1 official journal in category (c).... 2,000
4. There are an estimated 60 other newspapers in the state which might wish to publish the document at 70% of the legal rate. The cost per insertion for each would be 90%. If all 60 newspapers published the document, cost...58,800

TOTAL PROJECTED COSTS OF PLAN....58,800

NOTES

Text of La. Const. (1921) Art. 21, Sec. 1 and Post Office Services Circular 122,412 (1970) attached as addenda have been omitted.

MINUTES

Minutes of the full committee meeting of the Public Information Committee of the Constitutional Convention of 1973.

 Held, pursuant to notice by the Secretary in accordance with Convention rules.

Treaty Room of White House Inn, Baton Rouge, Louisiana

Tuesday, January 15, 1974, Noon recess

Presiding: Patrick A. Juneau, Jr., Chairman of the Public Information Committee

Present

Patrick Juneau
Avery Alexander
Philip Bergeron
E. J. Chatelain
Clyde Fontenot
Paul Goldman
R. W. Graham
Norman E. Heine
Corinne Maybuse
Harold J. Toca
Joseph Toomy

Absent

Robert Aertker
Judy Dunlap
Paula Kilpatrick
Louis G. Riecke
Charles E. Bomer, III
Shady Wall

Chairman Juneau called the meeting to order.

Minutes: The minutes of the Committee Meeting of January 10, 1974 were read and adopted.

Mr. Juneau recognized Mr. Max Franz, director of the Louisiana Press Association, who presented the committee definite figures, a copy of which is attached and made a part of these minutes, stating a combined printing and insertion rate for all official journals in the state and other LPA member papers. The staff prepared the same information, which is also attached, for the non-LPA papers. The plan discussed centered around furnishing the papers with a reproducible copy of the document in order for each paper to then print the tabloid according to specifications set forth by the committee.

After much consideration of all feasible possibilities for printing and distributing the tabloid, a substitute motion was offered by Mr. Toca that the method of distributing the document be through the mail. The motion carried. To further define this decision, Mr. Fontenot moved that if the franking privileges of the Louisiana congressmen were available to the committee, that the committee use these privileges to mail the document instead of paying for third class bulk mailing. The motion carried.

Following discussion on how citizens of the state could be made aware of the tabloid's arrival by mail, the committee decided on a substitute motion offered by Mr. Chatelain that a sum, not to exceed $10,000, should be spent to advertise the arrival of the document by mail in all newspapers in the state. The sum, not to exceed $10,000, would also be spent to advertise by radio and television in the state. It was understood that the advertising would be strictly informative in nature, therefore, justifying its use legally. A motion made by Mr. Fontenot called for the appointment of a subcommittee to work with the staff to handle the advertising on radio and television in the state. The motion carried.

Regarding expenditures for the mailing of the document, Mr. Fontenot moved that the Public Information Committee request from the Executive Committee of the Convention appropriations of $25,000 for the printing and distribution of the final document. The motion carried.
Mr. Graham gave a brief subcommittee report on the employment of a commercial artist to do the design, layout and type specifications for the tabloid. He stated that prices quoted by artists interviewed ranged from $50 to $150 a page.

The meeting adjourned at 2:00 p.m.

Mrs. Judy Dunlap
Secretary

Patrick J. Juneau, Jr.
Chairman

Parish
Acadia
Allen
Ascension
Assumption
Avoyelles
Beauvoir
Benton
Calcasieu
Caldwell
Cameron
Catahoula
Claiborne
Concordia
DeRogas

Papers
Acadian Advocate (01) $1,400.00
Acadian Independent (02) 750.60
Acadian Post-Herald (03) 3,800.00
Acadian Daily Signal (04) 600.00
Acadian News-Record (05) 480.00
Oakdale Journal (06) 600.00
Bunker News (07) 750.00

Parish
Orleans
Duchesne
East Baton Rouge

Papers
New Orleans Daily Record (01) $1,400.00
New Orleans States-Times (02) 600.00

Parish
LaFayette
LaFourche
LaSalle
Lincoln
Livingston
Madison
Marion
Natichi

Papers
LaFayette Daily Advertiser (01) 1,400.00
Diplomats Daily Record (02) 750.00
John Times-Signal (03) 600.00
Baton Rouge Daily Leader (04) 1,400.00
Monroe Times-News (05) 600.00

Parish
Tippecanoe

Papers
Tippecanoe Gazette-Belle Chasse (01) 1,400.00

Parish
Point Coupee

Papers
Point Coupee Banner-News Bank (01) 600.00

Parish
Red River
Richland
Sabine
St. Bernard
St. Charles
St. Helena
St. James
St. John
St. Landry
St. Martinville
St. Mary
St. Tammany

Papers
Alexandria Daily Town Talk (01) 1,400.00

Parish
Shreveport Times (02)

Papers
Shreveport Times (02)

Parish
West Monroe

Papers
West Monroe News (02)

Parish
Tangipahoa

Papers
Hammond Daily Star (01) 1,400.00

APPENDIX "O"

Parish
Union
Vernon

Papers
LaSalle Gazette (01) 1,400.00

Parish
Vermilion

Papers
Baton Rouge News (02) 1,400.00
<table>
<thead>
<tr>
<th>TOWN and PAPER</th>
<th>CIRC.</th>
<th>INSERT RATE</th>
<th>INSERTION and PRINTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murry Newspapers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amite-Tangi News</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kentwood- Kentwood Commercial</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Independence-Independent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hammond-Sun</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Livingston-Home Almanac</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ponchatoula-News Herald</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Covington-St. Tammany News</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>21,000</td>
<td>$1,050.00</td>
<td>$12,480.00</td>
</tr>
<tr>
<td>Baton Rouge-News Leaders (5 papers)</td>
<td>60,000</td>
<td>3,000.00</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Bossier City-Tribune</td>
<td>5,130</td>
<td>2,880.00</td>
<td>3,430.00</td>
</tr>
<tr>
<td>Columbia-Caldwell Watchman Progress</td>
<td>2,000</td>
<td>100.00</td>
<td>1,920.00</td>
</tr>
<tr>
<td>Gentilly-The News</td>
<td>16,000</td>
<td>320.00</td>
<td>1,800.00</td>
</tr>
<tr>
<td>Gretna-East &amp; West Bank Guides (Combined Rates)</td>
<td>126,000</td>
<td>4,410.00</td>
<td>11,000.00</td>
</tr>
<tr>
<td>Kaplan-Herald</td>
<td>2,500</td>
<td>525.00</td>
<td>1,505.00</td>
</tr>
<tr>
<td>Many-Toledo Sportsman</td>
<td>10,000</td>
<td>3,944.00</td>
<td>15,098.00</td>
</tr>
<tr>
<td>New Orleans-Louisiana Weekly</td>
<td>22,500</td>
<td>4,800.00</td>
<td>7,089.00</td>
</tr>
<tr>
<td>New Orleans-Vieux Carre Courier</td>
<td>12,500</td>
<td>375.00</td>
<td>1,975.00</td>
</tr>
<tr>
<td>New Orleans-St. Bernard News</td>
<td>18,000</td>
<td>630.00</td>
<td>Cannot print</td>
</tr>
<tr>
<td>Shreveport-Sun</td>
<td>18,500</td>
<td>555.00</td>
<td>2,643.00</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>314,130</td>
<td>$22,589.00</td>
<td>$63,940.00</td>
</tr>
</tbody>
</table>

Cost of 1/4 page ad in 120 LPA Member Papers                      $7,417.62

Cost of 1/4 page ad in 12 Non LPA Papers                          1,579.71

**TOTAL all Papers**                                              $8,997.33
<table>
<thead>
<tr>
<th>Name</th>
<th>Status</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patrick A. Juneau, Jr.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>John C. Fontenot</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Corinne D. Mayhew</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Judy Gardner Dunlap</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robert J. Aertker</td>
<td>✓</td>
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<td>Philip G. Bergeron</td>
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<td>Ethan J. Chatelain</td>
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<td>Norman E. Heine</td>
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<td>Paula S. Kilpatrick</td>
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<td>Louis G. Riecke</td>
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<td>Charles E. Roemer</td>
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<td>R. W. Graham</td>
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<td>Harold J. Tooa</td>
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<td>Paul H. Goldman</td>
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<td>Avery C. Alexander</td>
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Check Mark - Present
X - Absent
B. Subcommittee Minutes

MINUTES
Subcommittee on Louisiana Hospital Television Network
Network of the Committee on Public Information
Department of Hospitals, 655 North 5th
February 21, 1973, 2:00 p.m.

Presiding: Mr. Clyde Fontenot, Chairman
Present: Mrs. Judy Dunlap

Others Present: Mr. Bob Pellegroin, Staff member assigned to Public Information Committee; Mr. L.J. Stanley, Administrator for the Louisiana Health, Social and Rehabilitation Service Administration; and Mr. Babes, Assistant to Mr. L.J. Stanley.

Mr. Fontenot called the meeting to order at 9:00 a.m. He explained the purpose of this meeting was to study the feasibility of utilizing the Louisiana Hospital Television Network for committee meetings. He introduced Mr. Lucien J. Stanley, Administrator for the Louisiana Health, Social and Rehabilitation Service Administration, who informed the committee members of the services available.

Mr. Stanley pointed out that the Louisiana Hospital Television Network system is available from 3:00 p.m. to 5:00 p.m. Mondays, Wednesdays, and Fridays, and all day Saturday and Sunday for broadcasting. Additional time can be bought after five o'clock on Mondays, Wednesdays, and Fridays at a cost of $100.00 per hour. The two locations from which broadcasts can originate and be seen are Baton Rouge and New Orleans. The other facilities have a "talk-back" feature, but persons in these areas cannot be seen by the other participants around the state.

Mr. Stanley stated that two to four days advance notice is needed to set up and schedule committee meetings. If art or graphic work is presented then two weeks notice is required.

After Mr. Stanley’s presentation, a general discussion followed among the members and those present. At the end of the discussion the committee compiled the pros and cons of utilizing the network and concluded that the system is not feasible for committee work. A report of the committee is attached hereto and made a part of these minutes.

There being no further business, Mr. Fontenot adjourned the meeting.

Clyde Fontenot, Chairman

SUB-COMMITTEE REPORT
ON
LOUISIANA HOSPITAL TELEVISION NETWORK

SUBMITTED BY - Clyde Fontenot, Chairman
Rudy Dunlap, Member

After being appointed chairman of this sub-committee, I toyed two

The validity of the SATELLITE TV and Cable Network Television Network's meetings was studied as well as the Louisiana Network on February 20, 1973. The meeting was conducted through Subcommittee, the Public Information Committee, Mr. L.J. Stanley, Administrator for the Louisiana Health, Social and Rehabilitation Service Administration, Mr. Babes, Assistant to Mr. L.J. Stanley.

AVAILABILITY:
The Louisiana Hospital Television Network system is available for convention work on Monday, Wednesday, and Friday from 5:00 PM until 5:00 PM. The system is available for commitment to our understanding for times when there would be no regular proceedings being conducted.

COST:
The fee for Managing Committee time for these two rooms, any time that exceeds would be $100 per hour. This cost includes use of the equipment and operating pay for the help.

CONCLUSION:
Two to four days advanced notice would be needed to commit and conclude a committee meeting. Two weeks notice is necessary if art or graphic work will be presented as part of the program. Any project or program would have to be especially prepared.

T.V. Mr. Stanley's staff would have to set up the production of programs.

VIRGINIA TOWNSEND
Alexandria
Mandeville
Baton Rouge
Monroe
Jackson
New Orleans
Lafayette
Shreveport
Lake Charles

Only the State owned and affiliated viewing stations are available throughout the state. All programs must originate from either Earl K. Long Charity Hospital in Baton Rouge or Charity Hospital in New Orleans. Only the above mentioned stations have the cameras, equipment, etc. to produce live television. All of the viewing stations can receive the channel 9 or 9-vision from Baton Rouge or New Orleans. Louisiana only participates in the program from other viewing stations and no one else participates in any viewing stations. This is a "closed circuit" system which connects all the viewing stations in the State and allow participants from different viewing stations to be a part of question, comments, etc. without running the regular network being banned.

1963

From the Kunis Company, I was shown how the whole viewing area went together. Again, this would be a part of the entire viewing area and would be connected to one another in order or broadcasting. Any program included this morning was not shown. Wednesday, we will see it be shown in the convention. The next meeting is in

[1213]
about locating could view and report themselves, and not have to rely on a wire service report, giving its own report.

Cons- The cost of $100 per hour for use of the T.V. System in addition to $50/100 per delegate is probably more expensive than $50/100 per delegate plus travel allowances. The larger committees would possibly break even, but the smaller committee meetings would probably cost more.

The Chairman of the Committee would have to come either to Baton Rouge or New Orleans to produce the meeting since the production studios are located only in Baton Rouge and New Orleans.

At no time can the public actually view Committee proceedings in the flesh, only on a T.V. screen. Even at Earl K. Long, where production can take place, there is no room or seats available to people as a live audience. They may view the proceedings from another room by watching a T.V. screen. Their participation would have to be by the "talk back" system just like any others around the state.

NOTICES:
As far as we can figure, it would be more costly to the convention to use this T.V. Network than to pay delegates travel allowances. Add on the fact that you can see only those members in Baton Rouge or New Orleans and not those in Lafayette, Alexandria, Shreveport, Monroe, etc., then it would seem to us that a meeting of this type would not be as conducive to our business as would be an open public meeting in a larger place, where everyone can be heard and seen at the same time.

RECOMMENDATION:
This Sub-Committee recommends that the facts herein contained be made available to all members of the Public Information Committee and after being voted on, that this Committee report back to the Executive Committee its determination either (1) that the Hospital T.V. Network is feasible for use by CC/73 or (2) that the Hospital T.V. Network is not feasible for use by CC/73.

This Sub-Committee further recommends that this Public Information Committee vote for the proposition that the Hospital T.V. Network is Not feasible for use by CC/73.

Submitted by: [Signature]
Chairman, Sub-Committee

MINUTES
Subcommittee on Louisiana Hospital Television network of the Committee on Public Information Held pursuant to a notice mailed by the Secretary of the Convention March 16, 1973
Room 211, State Capitol Building
March 23, 1973, 9:00 a.m.

Presiding: Mr. Clyde Fontenot, Chairman

Present:
Mrs. Judy Dunlap

Others present: Pat Juneau, Chairman of the Committee on Public Information; Bob Pellegrin, Public Information Staff Member; Mr. Lucian Stanley, Louisiana Hospital Television Network; Mr. Jules Mayeaux, Manager of WBRZ-TV; Mr. Ed Ramey, Program Director for WAFB-TV; Mr. Gardner, Louisiana marketing Association, South Central Bell; Mr. Claude Smith, Marketing Manager for South Central Bell, Baton Rouge; Mr. Karpan and Mr. Wetherby, Engineers for WBRZ-TV; and members of the press.

Mr. Fontenot called the meeting to order at 9:00 a.m.
He introduced himself, Mrs. Judy Dunlap, and Mr. Pat Juneau to the group and informed them that he and Mrs. Dunlap had studied the feasibility of utilizing the Louisiana Hospital Television network for committee meetings. Their conclusions after much debate were negative. Today the group is to determine whether or not the Louisiana Hospital Television Network would be feasible to utilize for the coverage of the Convention as a whole when it reconvenes in July. Mr. Fontenot turned the meeting over to Mr. Juneau.

Mr. Juneau advised that the purpose of today's meeting is also to find the best way to get the maximum coverage possible at the lowest possible cost. We don't want a system from the Convention floor to just the State Hospitals. We feel we must utilize all media available and we need to know if we can go to the commercial stations through the Louisiana Hospital Television Network, the cost for such a system, and how it can be accomplished. He then turned the meeting over to Mr. Lucian Stanley of the Louisiana Hospital ETV System.

Mr. Stanley stated he felt there were two problems to be considered. One, would the South Central Bell allow the commercial stations to use the ETV system without charging exorbitant tariff; Second, will the broadcasters allow the Louisiana Hospital Television staff to the pooled equipment? It would appear there would be two charges apparent—one for the drop line from the Convention Hall to the closest State Hospital line; and the other the drop line charge from each State Hospital in the major cities to the commercial stations in that city wishing pick-up.

Mr. Jim Gardner of the Louisiana Marketing Association in New Orleans, representing South Central Bell, stated that the Louisiana Hospital Television Network is presently within a closed circuit situation and an intra-state system. When you bring in the commercial stations, this changes the system to inter-state and a different tariff applies. To bring the commercial stations into the existing system, we would have to provide an additional local channel from each station to the hospital at every location. The charges would be on a temporary basis at the regular tariff rates and this would amount to $410.00 for the first day, $110.00 each additional day, up to a maximum of $1,225.00 per month, not to exceed the maximum. This charge would be at each one of the stations requesting the pickup from the State Hospitals. The color on a temporary arrangement would be $4.00 an additional mile for the network. There might be additional charges
If construction work is involved. Since the hospital lines do not all go through the toll test board, the charges would still apply as the additional lines would have to be furnished.

Mr. Juneau opened up the meeting to those in attendance as he felt open exchange among those expert in the field would benefit the committee members most.

Mr. Mayeaux stated that the broadcaster will be ready to absorb many of the costs involved in order to assure the public the best coverage possible of the convention proceedings. Mr. Mayeaux will take information from the meeting to the Louisiana Association of Broadcasters annual meeting to be held April 12-14, 1973 in Lafayette, Louisiana. This will help them formulate their ideas on how best to cover the Convention proceedings. The Broadcasters expect to spend money on the event because it is a rare opportunity to perform a great public service to the people of Louisiana.

Mr. Juneau asked exactly how much cost would be on the convention for the coverage. Mr. Stanley determined that the cost would run the $2,000.00 per month for the color configuration on the Hospital ETV system. The charges for the extra drop lines from the ETV system to the local stations would hopefully be absorbed by the broadcasters.

Mr. Mayeaux and Mr. Lamey pointed out that it will be up to the broadcaster as to how much coverage will be given; whether it should be live or taped; what's important and what is not.

Mr. Fontenot stated that everyone could agree there are seven cities involved, Lake Charles, Lafayette, Alexandria, Monroe, Shreveport, New Orleans, and Baton Rouge, that could be tied into the Louisiana Hospital Television Network. He asked Mr. Stanley who would operate the equipment for the broadcasts, the hospital staff or the local station.

Mr. Stanley replied that the problems one could run into would be Union, although his people are all qualified to operate the station equipment. If the station desires to have their people run the equipment, it is assumed the station would absorb the cost. Mr. Mayeaux agreed the broadcaster would do so. He also agreed the broadcaster would pickup the charge for the lines from the local station to the State Hospitals.

Mr. Claude Smith from South Central Bell, District Marketing Manager in Baton Rouge, clarified the costs as $2000.00 per month to the convention and $1,225.00 per month to the stations.

Mr. Mayeaux asked Mr. Smith if use of these lines in the ETV system would be allowed at the present tariff rates. Mr. Gardner replied that they could only if the coverage was free of any commercials. Mr. Mayeaux stated that on this basis, the use of the Louisiana Hospital ETV system has no advantage to the broadcaster as they do not wish to be restricted in the way the time will be utilized. The stations wish to have the right to sell the time of the convention coverage if possible. Mr. Stanley suggested that perhaps the ETV tariff rates could apply if the commercials were sandwiched at the end or beginning of each thirty minute segments. This will be discussed between the telephone company, broadcasters, and Mr. Stanley.

Mr. Stanley stated that the time restrictions of 3-5 p.m. on Mondays, Wednesdays, and Fridays still apply. He stated that all day Saturday and Sunday would be available as well.

Mr. Juneau pointed out that the convention does not have the money to go into the television business. However, we do need to get the information to the people. We need the three of you to get together and come up with a concrete figure on just what is the cost the convention will have to absorb.

Mr. Mayeaux stated the broadcasters do not intend to charge the convention, but at the same time the broadcaster cannot have his hands tied as to how he will present the coverage.

Mr. Juneau hopes that South Central Bell will give the convention coverage as much latitude as possible within the tariff limitations. They agreed they would try. Mr. Stanley suggested that even though South Central Bell must charge all the interconnects, etc., there is nothing to preclude that once it is has been charged South Central Bell could give a rebate to the State of Louisiana after the initial charge. The South Central Bell representative stated that they would indeed try to do all they can to ease the cost to the convention.

Mr. Mayeaux pointed out that the broadcasters are considering utilizing microwave setups rather than telephone lines and this may change the whole outlook as to using the Louisiana Hospital ETV system. Mr. Lamey stated he would rather have other facilities than Louisiana Hospital ETV system because of the limitations and he hopes the broadcasters can come up with a better solution. Both he and Mr. Mayeaux appealed for better facilities for the television stations during the convention. These problems are: one, cameras have to be too far from the speaker; two, the lighting has been poor; three, there is not adequate space available to interview delegates to the convention. Mr. Fontenot said this would be taken up to the Executive committee. Mr. Juneau reminded those present that there is a Site Committee meeting that afternoon, headed by Mrs. Ruth Miller, in charge of
Mr. Gardner pointed out that there is not enough time to get the microwave equipment needed as there is not enough in the State of Louisiana at this time. If a second loop is needed by the broadcasters, there is just not enough time.

Mr. Pellegrin noted that the news of the meetings does not seem to be getting to the TV news media. They will be put on the mailing list immediately.

Mr. Fontenot stated it was obvious there would have to be another meeting as some questions were not answered at this time. The broadcasters, Mr. Stanley, and the Telephone Company will get together and come back with definite costs and answers as to how the coverage will be handled. The meeting adjourned at 10:45 a.m.
PORT ALLEN

Charles Badoux
Hilda Brien
Donald Boilling

June 27, 1973
Harold Toca, Chairman

MORGAN CITY

June 27, 1973
Anthony Guarisco, Chairman

Members
Norman Carmouche
F. D. Winchester

NEW IBERIA

June 26, 1973
Perry Segura, Chairman

Members
Hiepes Armentor
J. Burton Willis

NEW ORLEANS

June 25, 1973
Earl Schmitt, Chairman

Member
Matthew Sutherland

UPPER DOWNTOWN

June 29, 1973
James Derbes, Chairman

Members
Claude Mauberret
Anthony Velazquez
Joseph Girrasso

9TH WARD

June 23, 1973
Johnny Jackson, Chairman

Members
Phil Bergeron
George Warren

UPPER UPTOWN

June 26, 1973
Avery Alexander, Chairman

Members
Moise Denil
Novyse Soniat
Max Tobias
Mary Zervigon

WINNFIELD

June 27, 1973
Terry Reeves, Chairman

Members
James Brown
H. M. Fowler
Richard Thompson

ZACHARY

June 28, 1973
George Hayes, Chairman

Members
John Avant
J. D. Deblieux
Robert Aertker
Gordon Keen
Mary Wisham
Gordon Flory

MATCHITCHEES

June 28, 1973
Donald Kelly, Chairman

Members
Terry Reeves
Emmett Asseff

MAY 31, 1973

SUBCOMMITTEE ON MODULAR 1973/1974

Herman Alger
Wayo Alex launder
Louis DeScantche
Harold D. Golm

[1217]
Minutes of the Subcommittee on Classroom Instruction of the Public Information Committee of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on June 13, 1973.

Committee Room 1, State Capitol, Baton Rouge, Louisiana

Wednesday, June 20, 1973, 2:00 p.m.

Presiding: Joe N. Silverberg, Chairman of the Subcommittee on Classroom Instruction

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<tr>
<th>Present</th>
<th>Absent</th>
<th>Others Present</th>
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<tr>
<td>Joe N. Silverberg</td>
<td>Risley C. Triche</td>
<td>Betty Beachum</td>
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<td>Philip Bergeron</td>
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<td>Ethan J. Chatelain</td>
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<td>Joseph F. Toomy</td>
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<td>Kathy Finley</td>
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<td>Louis J. Nicolosi</td>
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Mr. Silverberg introduced Mr. Nicolosi, Ms. Beachum and Ms. Finley of the State Department of Education. He explained that the meeting was of an exploratory nature to set up a procedure for the Convention to work with the Department of Education. He also stated that it was imperative to reach, in mass, the people of the state. Mr. Silverberg expressed that the school children could be of great assistance to the Convention if they became knowledgeable of it. Mr. Pellegrin, Public Information Officer for CC/73, stated that he and Mr. Silverberg had met early with the Department of Education to lay some ground work before the subcommittee met.

Mr. Nicolosi and Ms. Beachum brought before the subcommittee a proposal, a copy of which is attached and made a part of these minutes, calling for a Student Constitutional Convention (SCC/73). Mr. Nicolosi said that the proposal called for a "mock" convention that would involve the students and offer an opportunity for a valuable learning experience. He also stated that a better curriculum plan on CC/73 could be devised for the coming school year as a result of the Student Constitutional Convention.

The members of the subcommittee agreed that the idea was an excellent one and endorsed the Department of Education's proposal. They also agreed to co-operate with and give support to the SCC/73 in any way they could and urge all delegates to do likewise.

Joe N. Silverberg
Chairman
The drafting of this proposal is but a preliminary. Should you feel that such a program is warranted, we will proceed to a full scale development of a Student Constitutional Convention with the hope of developing some classroom guides in the processes of government and their relation to current events, social studies, and the betterment of the student.

MINUTES

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SUBCOMMITTEE ON CLASSROOM INSTRUCTION

Roll Call
June 20, 1973

Joe N. Silverberg 
Philip O. Bergeron ,
Joseph F. Toomy,
Risley C. Triche X

Check mark -- present
X -- absent

No per diem: Joe N Silverberg

Minutes of the Subcommittee on the Selection of an Artist of the Public Information Committee of the Constitutional Convention of 1973.

Held, pursuant to notice by the Secretary in accordance with Convention rules.

Treaty Room of White House Inn, Baton Rouge, Louisiana

Wednesday, January 9, 1974 and Thursday, January 10, 1974

Presiding: R. W. Graham, Chairman of the Subcommittee on the Selection of an Artist

Present
R. W. Graham
Norman E. Heine
Paula Kilpatrick

The following artists were interviewed by the subcommittee:

E. G. "Kirk" Kirkpatrick, Jr.
Kirk Advertising Art
2236 Tulip Street
Baton Rouge, Louisiana 70806
RATE: $100 a page without art
$200 a page with art

Harry Mayronne
Harry Mayronne Studios
628 Dauphine Street
New Orleans, Louisiana 70112
RATE: $160 a page (includes design and typography)

Jim Bonner
Jim Bonner Advertising Art & Graphic Design
1315 Washington Avenue
New Orleans, Louisiana 70110
RATE: $100 a page (excluding typography and photographs)

Andy Smith
Andy Smith & Associates
4133 Goodwood Avenue
Baton Rouge, Louisiana 70806
RATE: $50 a page

On completion of all the interviews, the subcommittee unanimously decided on Harry Mayronne to do the design, layout and type specifications for the tabloid.

R. W. Graham
Chairman

The artist told the subcommittee that 32 pages would be needed to print the document, leaving 4 pages for other information. The subcommittee decided to include the following material in the booklet:

Front Cover
Page 1 - A list of delegates
Page 2 - A letter from the chairman as a report to the people
Page 3 - The official ballot
Page 4 - A table of contents
Pages 5-36 - The document
Back Cover - An attractive way of presenting the election date.

The meeting adjourned at 4:00 p.m.

MINUTES


Held, pursuant to notice by the Secretary in accordance with Convention rules.

Fourth floor of the LSU Law Library, Baton Rouge, Louisiana

Thursday, February 7, 1974, 3:00 p.m.

Present:

Norman E. Heine, Chairman of the Subcommittee on the Document

Others Present
E. J. Chatelain
Charles W. Steinbaum

Chairman Heine called the meeting to order.

Mayor Heine told the subcommittee members that the purpose of the meeting was to review the artist's work and offer any suggestions they felt necessary. Mr. Juneau said that he had asked the artist to prepare two layouts for the publication of the document--one in the tabloid form and one in a booklet form similar to the copy taken from the official journal. Many problems have come up since our last committee meeting, he said, naming time as the main factor in printing and distributing the document before the April 20 election date.

After viewing the two layouts and discussing at length the advantages and disadvantages of both forms, the subcommittee decided they preferred that the booklet form be used. Major reasons cited for using the booklet form were its size, grade of paper, attractiveness, readability, mailing capacity and time. Using the booklet form would eliminate the need for typesetting, thereby saving a considerable amount of time.

The artist told the subcommittee that 32 pages would be needed to print the document, leaving 4 pages for other information. The subcommittee decided to include the following material in the booklet:

Front Cover
Page 1 - A list of delegates
Page 2 - A letter from the chairman as a report to the people
Page 3 - The official ballot
Page 4 - A table of contents
Pages 5-36 - The document
Back Cover - An attractive way of presenting the election date.

The meeting adjourned at 4:00 p.m.

R. W. Graham
Chairman
II. Reporters

CONVENTION REPORTER

The Convention Reporter is an attempt by the Public Information Committee to keep all Convention delegates informed on the day-to-day progress of the Convention. The Reporter will feature capsuleized committee reports, as well as any other information which might be helpful in your work as a delegate. We also hope that through the Reporter you will be better informed so that you can pass the information on to your local boards at home.

PUBLIC INFORMATION COMMITTEE

The Public Information Committee has planned its activities of the committee during the convention. At a February 14th meeting representatives from the news media presented their ideas on how the committee could be of service to them. The committee decided that any information should be in no way try to manage news or give out press releases to the larger newspapers and radio and television stations. It felt that if they were informed of upcoming meetings and the items on the agenda they would be capable of covering the Convention adequately.

The Committee decided, however, that since smalls throughout the state (and there are about 90 of them) did not have the means of coverage activities on the Convention, factual news releases be sent to them. Plans have been made in March, and the first release should be sent out in the near future.

SUB-COMMITTEE ON PRINTING

The sub-committee on Printing met for two sessions on February 7 and 12. The contract for printing for the Convention was discussed. The Division of Administration and the T.S.M. Corporation were seeking the contract. After prolonged discussion, it was decided to defer action until new bids are received for state printing.

JUDICIARY COMMITTEE

The Judiciary Committee met February 23. The meeting was mainly of an organizational one. It was decided that no draft would be written until after the session had been taken from experts. The committee did decide that they would divide their labors into three main areas: structure, personnel and finance. Gene Murree, judicial administrator for the State Supreme Court, discussed the present court system and discussed some problems currently under study. The next meeting has been scheduled for February 26.

COMPOSITE COMMITTEE

Plans are being made for the state-wide travels of the Composite Committee. A tentative schedule for the committee has been set:

April 17 Baton Rouge
April 18 New Orleans
April 19 Lake Charles
April 24 Lafayette
April 25 Alexandria
April 26 Monroe
April 27 Shreveport

The format of the meetings has not yet been decided, but the purpose is to get testimony from citizens across the state to aid the committee in their work.

EXECUTIVE COMMITTEE

The Executive Committee met February 22. The committee authorized procedures for the purchasing of supplies and materials. Bids have been sought for the renovation of the LSU Law Library which will shortly house the Research Staff. A sub-committee, chaired by Mrs. Ruth Miller, was appointed to study possible sites for the Convention whenever it reasonables in July. The committee has also been busy considering personnel for the Convention. Those hired so far are:

<table>
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<tr>
<th>Research Director</th>
<th>Coordinator of Research</th>
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<tr>
<td>Norma Duncan</td>
<td>W. Lee Bargrave</td>
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<td>Audrey Le Blanc</td>
<td>Gene Tarver</td>
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<th>Senior Research Assistant</th>
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<td>Reginald Coco</td>
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<td>C.B. Forotogson</td>
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<td>W. Lemoeyre</td>
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<td>Lois Michell</td>
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<td>James Morris</td>
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<td>Joe Smith</td>
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<td>Carl Reis</td>
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<th>Junior Research Assistant</th>
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<td>Jean Connor</td>
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<td>Betty Field</td>
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<td>Robert Pellegrin</td>
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<td>Fred Tinsley</td>
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LOUISIANA HOSPITAL TELEVISION NETWORK

A resolution was adopted that committees televise their meetings over closed-circuit television on the Louisiana Hospital Television Network. Committee meetings would have to be held in State hospitals, and the only free time is on Wednesday and Friday afternoons from 3:00 to 5:00 p.m. Meetings can also be held after 5:00 p.m. on Monday, Wednesday and Friday with an estimated cost of $150 per hour. Also pictures can be transmitted only out of New Orleans and Baton Rouge. All other areas will be able to talk back and forth, but will not be seen. A sub-committee of the Public Information Committee is looking into the matter and will have a report shortly.
at 10:00 a.m. The Public Welfare subcommittee is scheduled for March 21st at 10:00 a.m.

LOCAL AND PAROCHIAL

The committee met Friday and Saturday. At the first day's meeting New Orleans Mayor Moe Morin urged the committee to abolish restrictions on local governments, especially those on New Orleans. Landrieu said that New Orleans wanted to join the rest of the state, and that the city needed the authority to make decisions in local matters without seeking permission from the Legislature.

At Saturdays meeting the committee heard from several spokes-

men for municipal governments, all asking for more independence. Marvin Lyons, Executive Director of the Louisiana Municipal League, told the committee that although the present Constitution gives home rule to local governments, judicial interpretation has permitted legislative interference in local matters.

Mayor Warren J. Harang, Jr. of Thibodaux told the committee he favored giving local governments the power to do anything not prohibited by city charters, state law, or the State Constitution. C. Edward Karst of Alexandria, Wilson Moosa of Eunice, Jack Breaux of Zachary and Allan E. Price of Houma also spoke of the need for more independence for local governments.

Joe Keogh, parish attorney for East Baton Rouge Parish appeared before the committee to ask that Baton Rouge's city-parish government be included in the new document.

**LEGISLATIVE COMMITTEE**

Two meetings were held by the committee. Three main areas of study were decided upon: organization and composition, powers, functions and limitations, procedure, and mechanics.

Bill Roberts, Secretary of the Senate, went through the pro-
visions pertaining to the Legislature and offered his assistance to the committee, as did the Governor. The bulk of the main issues facing the committee will be the length and type of sessions, the method and effect of reapportionment provisions, procedure for passing legislation, and the required age of Senators and Representatives.

The committee discussed at some length the need to strengthen the Legislative branch of the state government. It was decided to meet on March 23rd and 24th at which time some testimony will be taken, and the committee will consider some issues pertaining to the organization of the Legislature.

The Executive Committee has decided that committees will be responsible for paying for the coffee it consumes during its sessions.

Committee chairmen are urged to include as much information as possible on their committee agendas. Notices of the committee meetings and agenda are sent to the news media and other interested parties.

Because of financial limitations the Executive Committee has suggested that each of the substantive committees meet no more than four days each month. The management no money has been allocated for procedural committee meetings.

The Board of Liquidation has allocated $90,000 to the Convention to help pay expenses until the next fiscal year which begins July 1st.

The Coordinating Committee has suggested that only two committee meetings a day are scheduled. It is hoped that, in doing so, maximum news coverage will be obtained. The committee also discussed areas, such as dual office holding, which had not been specifically assigned to a committee, and areas, such as financing public education, which overlapped two or more committees.

The Executive Committee is still discussing the Convention budget, but no decision can be made until committee chairmen turn in their respective budgets.

Any delegate wanting research from the Research Staff should contact Mrs. Herta Davis, Director, or any of the three Research Coordinators. The mailing address is P.O. Box 44473, Baton Rouge, Louisiana 70804.

**CONVENTION CALENDAR** — March 11-17

**Thursday, March 15, 10:00 a.m. Committee on the Executive Department Room 9, Basment of the State Capitol**

Organization of the committee, and adopting future procedure; Consider possible jurisdictional problems with other committees; Review 1921 Constitution to determine what might be deleted or retained.

Friday, March 16, 9:30 a.m. Committee on the Judiciary Committee Room 10, State Capitol

Hear testimony on the power, organization, and administration of courts.

**Friday, March 16, 10:00 a.m. Committee on the Executive Department Room 205, State Capitol**

Continuation of Thursday's meeting

**Friday, March 16, 10:00 a.m. Committee on Revenue, Taxation, and Finance, Governor's Press Conference Room, 4th Floor, State Capitol**

Discussion of 1921 Constitution regarding revenue, finance, and taxation, assessors and assessment, exemptions, state debts and management of state funds; appointment of subcommittees; scheduling of public hearing.

**Friday, March 16, 10:00 a.m. Committee on Bill of Rights and Elections Room 9, Basement of State Capitol**

Discussion of possible proposals, plans for meetings, and general committee organization.

**Saturday, March 17, 9:00 a.m. Committee on Revenue, Finance and Taxation, Governor's Press Conference Room, 4th Floor, State Capitol**

Continuation of Friday's meeting

**Saturday, March 17, 10:00 a.m. Committee on Bill of Rights and Elections Room 9, Basement of State Capitol**

Continuation of Friday's meeting

March 20, 1973

**EXECUTIVE DEPARTMENT COMMITTEE**

The committee met for a two day session March 15 and 16. At Thursday's meeting the committee heard from Sheldon Beycho, who told the committee that Governor Edwin Edwards had made an effort for reorganizing the Executive Department would be presented to the committee in about a month. Although Beycho did not mention any specific proposal, he did say the governor's plan would give the elimination of some state agencies from the Constitution, eliminating some elected state officials and setting a limit on the number of departments which can be created by the legislature.

Beycho also told the committee that it was "almost imperative" that elected state officials, including the governor, be sworn in a reasonable time before the legislature begins its session. John Rome, budget analyst for the Division of Administration, appeared before the committee Friday morning and told of efforts to consolidate state agencies for financial and budgetary purposes.

At the afternoon session the committee reviewed sections of the present Constitution and decided to invite all the constitutional department heads to appear before the committee. In addition, invitations will also be extended to former governors John McKeithen, Jimmie Davis, Sam Jones, and Robert Kenna. In addition, the commi-

tee plans to hear from state and national government research and information groups. The committee agreed to schedule another meeting March 26-27.

**JUDICIARY COMMITTEE**

In a meeting March 16 the committee was told by Justice Winslow Christie, director of the National Center for State Courts, that jus-
tice is better served by speedy action in the courts than by severity of sentence. Judge Christian also advocated a unified court system. He also told the committee that the judiciary article in the Constitu-
tion should be simple and concise, the co-equal status of the courts be protected in the Constitution, courts should be independent with provisions for tenure and selection of judges and other court personnel, adequate funding of the courts should be insured, and provisions pertaining to the judiciary should have the greatest degree of simplicity which the people would accept, with no scheduling of work being given to the State Supreme Court or to a judicial panel.

Others appearing before the committee included J. A. "Bob" Milkes, president of the Louisiana Justice of the Peace and Constables Association; L. T. Young, president of Louisiana Parochial Justice of the Peace Association and Heldon LeBeouf of Raceland, all of whom contended that the justice of the peace performs a valuable service and should be retained in the new Constitution.

District Attorney Ronald Martin, representing the Louisiana District Attorneys Association, and Rapids District Attorney DD Ware, urged the committee to move cautiously in changing any articles pertaining to the District Attorney Act and opposed the unified court system. Judge Dominick C. Gresham of New Orleans' First City Court, urged that New Orleans city court be made a part of the Orleans Parish Civil District Court with certain jurisdictional restrictions.

Stephen D. Murray of the Orleans Parish Criminal Court Bar, favored the combining of the Orleans Parish Criminal and Criminal District Courts.

Murphy Bell, director of the Baton Rouge Public Defender's office, maintained that judges could retain their own court and advocated doing away with grand juries except in certain cases.
Indigent

Defende

Joe Sanders is scheduled to testify

REVENUE, FINANCE AND TAXATION

Ad valorum taxes will receive early consideration by the committee. Two day hearings will be held March 26 and 27. The full committee will discuss the problem Friday morning. That afternoon invited expert witnesses will be heard on both sides of the issue. Saturday's session will be devoted to testimony from the general public.

The committee also decided to hold two meetings outside Baton Rouge at a later date on the property tax issue.

The full committee will discuss the property tax problem but will break into subcommittees to deal with revenues other than property tax, and on local and state financing.

BILL OF RIGHTS

The committee passed several resolutions in a two-day session including: setting aside one hour each morning of committee meetings to hear from the general public and to receive written testimony; seeking a method from the Louisiana Legislature to issue their reports; and contacting the Louisiana Hospital Television Network to use its facilities to televise committee meetings every two weeks. The committee, however, decided not to set a specific date concerning use of the LHTN.

The committee also heard from several witnesses advocating an equal rights provision for women in the Bill of Rights. In addition, the committee approved a tentative preamble to the Constitution. The preamble is subject to revision by the committee.

The language of the proposed preamble is:

We, the people of the State of Louisiana, grateful to Almighty God for the civil, political and social advantages which we enjoy, do ordain and establish this Constitution in order to protect individual rights to life, liberty and property; to assure equality of all under the law; to provide opportunity for the fullest development of the individual; to provide for the health, safety and welfare of the people; to maintain a representative and orderly government; to secure domestic tranquillity for the common defense; and to secure the blessings of freedom and justice to ourselves and our posterity, do ordain and establish this Constitution.

CONVENTION CALENDAR

Thursday March 22, 9:00 a.m. Subcommittee on Louisiana Hospital Television Network Room 211, State Capitol Building

To discuss the possibilities of utilizing the Louisiana Hospital Television Network. Representatives of the network have been invited to appear to testify concerning the capabilities of the system.

Thursday March 22, 4:00 p.m. Site Subcommittee of the Executive Committee Speaker's Office, State Capitol

The committee will meet for the purpose of discussing and visiting possible sites for general convention meetings. The committee will also meet with representatives of Daktronics and International Roll Call, electronic voting machine companies.

Friday March 23, 9:30 a.m. Committee on the Judiciary Committee Room 9, Basement of State Capitol Building

The committee will meet to hear testimony on the power, organization and administration of courts by several prominent speakers including the Honorable Joe W. Sanders, Chief Justice of the Louisiana Supreme Court.

Friday March 23, 11:00 a.m. Saturday March 24, 9:00 a.m. Committee on Legislative Powers and Functions Room 105, State Capitol Building

March 23, 1973 - Public hearings at which various individuals will be heard, including: Vernon J. Gregson, Representative 95th District; Edward Stagg, CASL; Edward Steimel, PAR; Blake Jones, Common Cause; Claude Duval, Senator 29th District.

March 24, 1973 - Discussion of sections of the constitution dealing with composition of the legislature.

Friday March 23, 9:00 a.m. (Both days) Saturday March 24, Committee on Natural Resources and Environment Natural Resources Hearing Room, State Capitol Building

The committee will direct itself to the issue of the proposed constitution in regard to public lands and minerals. Among the witnesses scheduled to appear are: George Hardy, Professor of Law, LSU; Marc Hershen, Director of the Louisiana Coastal and Marine Resources Commission; Ellen Bryen Fournet, Register of the State Land Office; Robert Brooksher, Louisiana Division of Mid-Continent Oil and Gas Association; James R. Renner, Ecology Center of Louisiana; John W. Smith, Austin Lewis, Attorney at Law; Judge Renner, Conservation, and A. N. Yiamoupolos, Professor of Law, L.S.U. All interested persons are invited to make comments. Persons planning to participate should contact the committee and submit written recommendations.

Monday March 26, 10:00 a.m. Tuesday March 27, 10:00 a.m. Committee on the Executive Department Room 205, State Capitol Building

The committee will meet to hear testimony from representatives of the Executive Department on its organization and from expert law witnesses in the area of executive function.

LOCAL AND PERMANENT GOVERNMENT

James T. Hayes, executive director of the Louisiana Police Jury Association, told the committee that police juries should be given authority to exercise all governing powers not specifically denied them by the Legislature or the constitution. He said the present constitutional provisions, which require juries to constantly seek permission from the legislature to perform strictly local duties, are discriminatory.

Hayes also called for the repeal of the four call ad valorem tax limitation which is presently placed on police juries for general operating purposes and recommended that the legislature set the rate. He concluded by asking for a constitutional provision restricting the legislature from imposing obligations on local government without providing funds to perform the obligations.

Former state Public Works Director Roy Sevens of New Orleans asked the committee to maintain the current constitutional status of levee boards. Major General Charles C. Noble of the Army Corps of Engineers agreed with Sevens, saying Louisiana's system is the "best I've seen anywhere."

The committee also received a report from state Senator F. E. Lauricella of Harahan asking that the new document contain a statement calling for levee districts to be maintained "as now organized and constituted." But Lauricella's committee did ask that a provision be included giving the legislature the right to consolidate, divide or reorganize the present districts as it sees fit.

Bu B. Myers, assistant director of the state department of Public Works, told the committee some minor consolidation of levee boards could be achieved.

SUBCOMMITTEE ON ELEMENTARY-SECONDARY EDUCATION

Emmett Douglas, president of the state NAACP, told the committee that changes should be made in the constitution which would insure black representation on education boards. Douglas proposed the separation of collegiate and pre-collegiate situations into two boards with equal numbers of elected and appointed members, and with provisions to assure black representation equal to the percentage of blacks in the state. He also suggested that provisions be made to insure distribution of state funds to provide "equity of educational opportunity" to all students, particularly the students of the superintendents of the collegiate and pre-collegiate boards by their respective boards.

Ed Stagg, executive director of the Council for a Better Louisiana, proposed a simple statement on education, "The state shall maintain a system of public education for all citizens of Louisiana." The state, however, could legislate further details.

If the convention chooses another route, Stagg said it should pay particular attention to the organization of education. CASL supports an elective board with an appointed superintendent.

Edward Fontaine, president of the American Federation of Teachers Local 1959 in Jefferson Parish, suggested the end of discrimination against women teachers. He also said he favored dedicating revenue for education and a provision in the constitution for a state-supported retirement system.

SUBCOMMITTEE ON HIGHER EDUCATION

Jesse Bankston, president of the state Board of Education, told the committee that the constitution should minimally provide "for effective coordination for all educational services; ample provision for legislative authority to meet the changing needs of education and of society; and affirmative provisions to select the major policy makers in educational governance; and ample provision for determining changing needs of all society." Bankston concluded by saying he favored a single agency administering all higher education.

Judge John T. Hood, chairman of the LSU Alumni Constitutional Revision Study Committee, presented a plan which calls for a board of regents to coordinate and plan all higher education, which has no administrative authority. The plan includes a board of supervisors for LSU and a board of trustees for state colleges and universities, plus a state board of education to regal Board of Regents and secondary education. The two administrative boards for higher education would have "all powers not specifically denied under the constitution. The state board of education would be elected. The other three boards would be appointed by the governor, with the approval of the Senate, to represent all geographical areas of the state.

Senator Donald Williamson proposed a single board to govern all education with three advisory panels in the areas of elementary and secondary education, vocational-technical education and higher education.

Ashford Williams, representing the Southern University Alumni Federation, proposed that Southern University be written into the constitution as a "permanent educational institution."
He also asked that any board with authority over education include minority representation in proportion to the predominant minority population in the state.

Wayne Collier, president of the LHUO Alumni Federation, proposed a single board to handle the state's judicial system, to coordinate but not administer all higher education. He also suggested that the proposed board develop a formula that would be fair and guarantee parity of financial support for the state's institutions of higher learning.

State Superintendent of Education Louis Michot proposed a single board with jurisdiction over all public education. The board should be composed of eleven elected members and six members appointed by the governor with the approval of the Senate. The chief administrative officer of the board, the Senate's chief administrative officer and would be responsible for establishing policy and coordinating educational efforts. The board would have the authority to appoint such bodies as it sees necessary.

SUBCOMMITTEE ON JUDICIAL The Public Information Committee's subcommittee investigating possible television coverage of court sessions with representatives of the Louisiana Television Network, South Central Bell and public television. Another subcommittee meeting is scheduled for April, by which time it is hoped that definite plans, including cost to the convention, will have been made.

JUDICIARY COMMITTEE
Chief Justice Joe W. Sanders and Justice John A. Dixon of the Louisiana Supreme Court urged the committee to retain the provision calling for elected judges and that the court do its work on a non-partisan basis. The chief justice told the committee that elected judges are more accountable to the people. Both justices also said they favored a unified court system at the district court level and a mandatory retention system.

Justice Sanders felt the new constitution should contain a clear statement of the administrative authority of the chief justice. It is urged retention of the present Judiciery Commission, composed of judges, attorneys and district committee, for district judges. He said, however, that the present system should include a provision for the possible reappointment of Supreme Court justices, either for the immediate suspension of the judge under attack when the commission files a petition for the removal of a judge.

Justice Dixon called for some provision in the new document for management and administration of the petit jury courts and said seniority is not necessarily the best means of doing this. He told the committee he favored election by fellow judges in the court. The judgment and selection of reappointment by appellate courts, pointing out that while on occasion a jury verdict in a civil case is reversed on appeal on an issue of fact, it is a rare occurrence.

Chief Justice Sanders said some consideration should be given to merging city courts into parish courts, with the authority to sit in an locality in the parish, while Dixon favored a three-tier court system with the district level absorbing J.P. courts, mayor's courts, and city courts.

LEGISLATIVE COMMITTEE Members of the House Executive Committee appeared before the committee and urged that the state's legislative authority over the legislature, including more freedom to meet in annual regular session. The committee was also asked to put no restrictions on length of sessions.

The House committee suggested an inaugural, or organizational session of the legislature following its election to allow legislators to organize for other business. The legislature should certify results of the gubernatorial election, which would allow the governor to take office six months earlier. The governor and legislative sessions would be extended up to sixty days.

Blake Jones, representing Common Cause, asked the committee to consider establishing a unicameral legislature, similar to that in Nebraska. He also suggested the size of the house be increased to the present number of legislators and senators so that no currently elected legislators would be eliminated.

Ed Stagg, of CARE, and Mary Day of the League of Women Voters urged careful consideration of the provision calling for the legislature to reapportion itself, saying that only a minority of state could perform this function. Day suggested that an alternative suspension of the legislative period if reapportionment is not accomplished within the constitutional time limit.

In a series of straw votes the committee tentatively decided to reduce the age at which a representative could be elected to 18 and that of a Senator to 21; placed a limitation on the size of the house and increased to 48 for House and Senate members; and to continue the present four-year terms for House and Senate members; and allow the legislature to determine qualifications of their respective members.

NATURAL RESOURCES
George W. Hardy, professor of mineral law at LSU, told the committee the proposal to consolidate the state Mineral Board, Conservation Department, Wildlife and Fisheries Commission, state Land Office and other agencies into a single board empowered to set natural resources policy. Hardy told the committee the proposed board should dictate policy, with a natural resources director should have authority over the board and several other agencies under one single commissioner.

The committee also discussed the possibility of allowing citizens to file class action suits to protect the environment, but decided to tie the decision to this issue discussed the possibility of requiring bonds before injunctive relief is granted in such cases.

The Executive Committee has decided that delegates to the convention be asked to recommend marriage and abortion legislation.

Delegates who have made plans concerning the convention are asked to contact Bob Pellegrin in Baton Rouge so that arrangements can be made for news coverage of the speech. Persons wishing to express their views on the Constitutional Convention or the contents of the proposed new document are now able to use the toll-free Public Information System of the state. Baton Rouge residents may call 309-2282, while those outside may call 1-800-272-9868.

Convention Calendar

Wednesday:
- Coordinating Committee at 9:30 a.m., State Capitol, Room 205: discuss committee meetings coordination, committee scheduling, and possible areas of conflict.

Wednesday and Thursday:
- Subcommittee on Public Welfare at 9:00 a.m., State Capitol, Governor's Conference Room

Press Conference Room. On Friday representatives of labor, business and industrial banks will present their views. On Saturday areas of consumer affairs, health, and welfare will be discussed.

Friday:
- Subcommittee on higher education at 10:00 A.M., Department of Education, sixth floor conference room, to hear Edward Steimel, Executive Director, and Enoquee Plumer, of the Public Affairs Research Council; Dr. William McAnenaus, Executive Director of the Higher Education Coordinating Council; G. Frank Purvis, president and Edward Stagg, Executive Director, of the Council for a Better Louisiana; and Dr. Elias Blake, president of the Institute for Education to.

Saturday and Sunday:
- Committee on bill or bills and elections at 10:00 A.M., State Capitol, room 205, to discuss Bill Rights and human rights: take testimony from general public from 10:00 A.M. to 11:00 A.M. each day: discussion actions on the sections for an article on rights to be included in the constitution.

- Committee on Revenue, Finance, and Taxation at 10:00 A.M., Friday and 9:00 A.M., Saturday, State Capitol, Senate Chamber. On Friday presentation and discussion of the committee and selected persons who are experts in the field of property taxation. Saturday morning, a continuation, and that afternoon, public hearings. Any interested persons are invited to testify. Speakers must have a written memorandum as to presentation of subject matter.

April 2, 1973 No. 5

EXECUTIVE DEPARTMENT COMMITTEE
Former Governor Robert F. Kennon told the committee that he did not believe "blue ribbon" boards such as Wildlife and Fisheries, Highways and Institutions should be removed from the constitution. The former governor said several governors had attempted to do so but had failed to get voter approval.

Governor Kennon also said that he does not believe the governor is highly burdened by the number of appointments he must make, saying, "if the governor doesn't appoint them, who does? After all, you do need some central control in the state." Kennon added that it is the duty of the governor to have considerable control over executive departments.

Former Governor John McKeithen maintained that a stronger executive was needed because less would be accomplished "if you turn in the tail to the house. It is the job of the governor to control the Legislature saying the body had forced him into committees he didn't want to make." McKeithen said that although Civil Service had removed most patronage jobs traditionally offered legislators, they had found other means of bargaining.
McKeithen proposed that the governor be elected for two-year terms with no restriction on the number of terms, and replied that it would be "extremely desirable" to have a governor and lieutenant governor who were completely harmonious.

When asked about budget making procedures, McKeithen answered that the legislative budget committee is not useful, but only facilitates buckpassing. He suggested that the governor be authorized to make appropriations on a percentage basis to insure a balanced budget.

Secretary of State Wade O. Martin and Comptroller Roy R. Theriot said their offices should remain in the constitution with added duties.

Martin said his office should assume the duties of the custodian of voting machines, while Theriot testified his office should absorb the functions of the Division of Administration.

Martin also said that the constitution should enumerate the duties of this office in concise language including the administrator of election laws and corporation and marketing laws, keeper of the great seal of state with power to affix it to all official acts, administrator the official archives and records department, procuring and custody of all state laws as well as any duties the legislature might prescribe.

Martin also suggested that a panel of the secretary of state, attorney general, and a third member, possibly representing the state clerks of court, might be empowered to accept, resignation of the legislature and other bodies as ordered by the courts. In addition he urged consideration be given to eliminating such duties as the State Bond and Tax Board, Liquified Petroleum Gas Commission and the State School Employees Retirement System.

In closing, Martin told the committee that consolidation of agencies be done by the legislature, not the governor. Also, he suggested that if the State Land Office were eliminated, records be transferred to the Secretary of State for keeping.

Ed Steinel, executive director of FARM, told the committee that his organization recommended the elimination of six state elected offices. Steinel reminded the committee that the lieutenant governor, attorney general, treasurer and secretary of state remain elective positions.

Steinel also suggested that the governor and lieutenant governor run as a team. He said the custodian of voting machines should be merged with the secretary of state, the registrar of land merged with one or more agencies dealing with minerals, lands and conservation, and the comptroller's duties be transferred to other agencies. Steinel asserted that the governor's power does not come from the legislature, but from the "tradition of the legislature in looking to the governor as king."

Ed Stegg, director of CARL, said the governor's power was not in the constitution, but in the tradition of the office. He continued that his organization has long recommended the consolidation of agencies for better management - something that every member of state officials the more rapid the decision-making process.

Lt. Governor James Fitzmorris said either expand the duties of the lieutenant governor in the constitution or do away with the office. He suggested that the lieutenant governor and the attorney general, or the public officer of the Senate be left untouched unless his executive duties were considerably expanded. He also urged retention of duties such as acting as governor in the governor's absence, and a position in any cabinet which the constitution might create.

State Registrar of Lands Ellen Eryan Moors proposed that all agencies dealing with state public lands and natural resources be combined into either a new elective commissioner or turned over to a commission composed ex officio of state elected officials.

Custodian of voting machines Douglas Fowler proposed consolidation of all election duties into one office to be known as commissioner of elections which would be an elective position.

Insurance Commissioner Sherman Bernard advocated abolishing the Insurance Rating Commission with the duties assumed by his office.

Agriculture Commissioner Dave L. Pearce urged that his office also remain elective.

SUBCOMMITTEE ON PUBLIC WELFARE

Charles Smith Jr. (State Organization) representing the Construction Industry Legislative Committee, said that the committee that Louisiana's industrial tax exemption program has been a factor in the development of the state's business community and should be retained in the Constitution.

Henri Kolbrette II, executive vice president of the Louisiana Chemical Association, said that a two-thirds vote to raise taxes should also be retained. Kolbrette said that the exemption projects the taxpayer against a "crude and retrogressive approach to taxation" and acts as a brake on state spending since the lawmakers voting appropriations know it will be difficult to raise new revenue.

COMMITTEE ON JUDICIARY

Allan Ashman, director of research for the American Judicature Society, suggested that courts of limited jurisdiction, such as justice of the peace courts, be abolished. Ashman also urged the creation of a unified court system operating with a state level. The district courts, he proposed, would have special divisions.

Ashman told the committee that the state should reserve all income presently received by the courts to be eliminated, and local government should be reimbursed for the loss. In addition, a statewide public defender system, supported by the state, should be created, and each district attorney should have the power of juries in all matters as "probable cause" hearings and other lesser judicial duties.

Two civil district court judges and two criminal judges, all from Orleans Parish, urged the retention of civil and criminal courts in that parish. Civil district judge S. Sanford Levy told the committee he opposed merger of the two because of problems involved in financing a unified court in Orleans. Levy also said the present physical facilities would not allow a change of this type.

Judge Richard J. Garvey, also a civil district judge, argued that "specialization permits a judge to develop expertise in a particular branch of law and that judges have specialized in much the same way that lawyers have done."

Criminal district judge Oliver P. Schulingkamp termed the proposed merger as "unrealistic, unjustifiable, and undesirable." He continued that he would support financial and administrative basis but was opposed to having civil and criminal judges handle both types of cases on a rotating basis.

Judge Matthew S. Braniff, also a criminal district judge, supported Schulingkamp on the question of specialization, but spoke primarily on other matters. He said that judges should remain elected since this offered the people a chance to elect their public officials. Harvey Solomon, director of studies for the Institute of Court Management argued for a unified system. He suggested that boundaries of court districts be determined by the legislature to meet shifting population.

SUBCOMMITTEE ON LOCAL AND PARISH GOVERNMENT

A drafting subcommittee gave its tentative approval to a prohibition against individuals or groups of lawmakers telling local governments how to spend their money. The proposal would prohibit the legislature from delegating such authority to individual legislators.

The subcommittee is considering a provision allowing local governments to incorporate in the charter themselves. The proposed amendment would prohibit the legislature from delegating such authority to individual legislators.

The subcommittee was considering a provision allowing local governments to incorporate in the charter themselves. The proposed amendment would prohibit the legislature from delegating such authority to individual legislators.

Aldermen were given the first priority by the committee. Because of a recent district court decision calling for assessment of property to be at its actual value, the committee decided to hold a two-day session on ad valorem taxation.

G. O. McGehee, president of the Louisiana Assessors Association, recommended a $10,000 homestead exemption and retention of veterans' exemptions. McGehee also urged a prohibition against the 100 percent assessment.

State Representative Frank Simenoux of Baton Rouge agreed with the $10,000 exemption and presented a proposal for rolling back tax valuations to offer increased assessments which might be mandated by the courts. James Craighead, president of the Louisiana Farm Bureau Federation, Louis Caret, attorney for the federation, and Kenneth G. Reed of a West Baton Rouge firm argued that agriculture lands be assessed on the basis of their use value rather than their market value.

Dr. Jan Dugger, director of the Gulf South Research Institute, told the committee that a new constitutional provision would provide for a system of appeals against actions of assessors. He also urged that administrative practices be standardized and that the state retain control of assessment administration.

Dick Stegg, director of the Louisiana Department of Veterans, said that if homestead exemptions are retained in the new constitution, veterans' exemptions should also be retained.

Ponder Jones, finance chairman for the Louisiana School Board Association, told the committee that a rollback of millages would be a simple matter of mechanics. Jones said it would be "foolish" for lawmakers to change the tax millage. He insisted that the boards must retain the power to modify the millage.

Bids were let for an electronic voting machine for use by convention delegates.

The Committee indicated it would attempt to finalize a budget request to submit to the legislature in a few weeks. Pending are the submission by committee chairman of meeting schedules and fuller assessment of staff needs.
It was reported that renovations to the LSU Library should be complete in about a month.

The schedule for the Composite Committee was approved. The committee will be composed of committee chairmen or their designees. The schedule was approved as follows:

- April 17: Baton Rouge - Natural Resources Auditorium
- April 18: New Orleans - City Council Chambers
- April 19: New Orleans - City Library
- April 23: Lake Charles - Baker Hall (McNeese)
- April 24: Lafayette - USL Student Union Ballroom
- April 25: Alexandria - City Hall
- April 26: Monroe - Convention Center
- April 27: Shreveport - Convention Hall Annex

All meetings will be from 2-5 and 7-9 p.m. except for April 19. This meeting will be from 9-11 a.m. Area delegates were urged to attend the meetings where they will be introduced to the public at both the morning and evening sessions.

COORDINATING COMMITTEE

A tentative schedule of all substantive committee meetings through June has been approved. Rare exceptions only two committee meetings will be held on one day.

CONVENTION CALENDAR

April 4, 1973 to April 7, 1973

Wednesday:

Committee on Education and Public Welfare at 10 a.m., East Baton Rouge Parish School Board Building, 1050 South Foster Drive, to hear reports on substantive committee meetings, provisions for future committee operations, review of committee budgetary needs.

Thursday:

Subcommittee on Revenues Other Than Property Taxes at 8:30 a.m., Department of Education Building, 6th floor conference room, to discuss local taxes, exemptions, exclusions, deductions, mineral revenues, federal grants, and other revenue sources.

Subcommittee on Public Welfare at 9 a.m., Louisiana Teachers’ Association Building, 1755 Richardson Drive, Baton Rouge, to hear invited speakers.

Friday and Saturday:

Committee on Bill of Rights at 10 a.m., Natural Resources Building, Conservation Auditorium, to hear from general public from 10-11 a.m. each day; draft appropriate sections for an article on rights. Sections drafted will be tentative and subject to revision.

Committee on Legislative Powers and Functions at 11 a.m. Friday and 9 a.m. Saturday, State Capitol, Room 205. Friday morning will be devoted to a discussion on apportionment, organization, and composition of the legislature.

EXECUTIVE COMMITTEE

Only four of thirteen state officials who testified before the committee on the executive department this past week did not believe that their offices should be specified in the new constitution. Of the four, three are not presently in the constitution.

Edwin J. Kroeck, Liguided Petroleum Gas Commission Director, who is presently a constitutional agency, told the committee he saw no reason why his commission should not appear in the new document. He said the commission assembled the Anhydrous Ammonia Division in 1972 by act of the Legislature and the consolidation was working well.

The other three officials not requesting constitutional status were Leon Tarver, executive director of the Louisiana Commission on Intergovernmental Relations; Patrick Ryan, director of the Office of State Planning; and Dr. Charles May, Commissioner of the Health, Social and Rehabilitation Service Administration. Mary did say that although he did not believe his agency should be specifically mentioned in the new document he did believe the constitution should have some mention of the state’s responsibility to provide for health and social services to those who could not afford them. In addition, Collector of Revenue, Richard A. Mooton told the committee that although he was satisfied with the present constitutional status of his office, he could function purely by statutory authority.

New Orleans Levee Board president, Guy LeCleux, said the Orleans Levee District should remain in the constitution. However, the chairman of a legislative committee studying all levee boards suggested they be removed from the proposed constitution. Senator Francis E. "Frank" Lucier of Harahan said the joint legislative committee on reorganization of levee districts recommended that the Legislature be given the power to merge or divide levee districts, protect holders of outstanding bonds, and otherwise provide for legislative creation and funding of levee districts.

LeCleux told the committee the Orleans Levee District differed from other levees districts. He explained that besides 100 miles of levees, his board controlled land reclamation, the lakeweed of Lake Ponchartrain, the lakeweed airport, a marina, a shopping center and land reclamation. Because of these responsibilities, he said, the board is engaged in long-term capital improvements, the committee should remain in the constitution to protect its financing.

LeCleux told the committee that he would like to see one change in the new constitution concerning the Orleans Levee Board. He recommends that the board be appointed by the members with the approval of the city council in order to assure city involvement.

Legislative auditor Joseph Burris told the committee his job should remain in the constitution as an elective post of the Legislature. However, he said the bulk of the present articles relating to his office could be eliminated.

Burris' immediate predecessor, J. B. Lancaster, agreed that the post should remain in the constitution and be elected by the Legislature. Former state auditor Allison Kell, however, told the committee the auditor should be elected by the people for six years.

Jerry Jones, chairman of the Wildlife and Fisheries Commission, urged the committee to keep his agency in the constitution. Jones reminded the committee that voters had rejected several proposals to remove the board's constitutional status.

Charles M. Smith, director of the Department of Commerce and Industry, testified in favor of keeping provisions for local levee districts. He said that the proposed constitution should be limited to the industrial tax exemption program in the proposed document. He told the committee doing so, would "reflect stability" in regard to the reported area.

State Fire Marshal Daymon Oliver insisted that to remove his office from the constitution might mean the fire marshals would become "an afterthought" on the job. He told the committee it is very possible that there should be anyone between his office and the governor.

James E. Nixon, state Forester, also said his office should remain in the constitution. He told the committee that he would like to see his office consolidated with the state agencies and the state forester was brought in "under a strong civil service system."

W. T. Taylor, State Highway Director, recommended that the highway board retain its constitutional status. Taylor said the board is responsible for the construction of state highways and the proposed constitution "was wholesale firing of people."

Taylor also said the board is assured of approximately $35 million a year from dedicatedroyalty. He explained that this amount barely pays for administrative needs. Over half his total budget, he said, must be appropriated by the Legislature.

Ray T. Sutton, Commissioner of Conservation, strongly urged that his office's duties be enumerated in "exactly the same manner as in the present constitution." Sutton also said opposed election of the commissioner saying he should be appointed by the governor.

C. Gordon Johnson argues that the Louisiana Tax Commission should have its constitutional election maintained. Johnson, who is chairman of the commission, said his agency must still assess utilities and common carriers, as well as serve a board of review on complaints against local tax assessors.

SUBCOMMITTEE ON ELEMENTARY AND SECONDARY EDUCATION

The subcommittee on elementary and secondary education heard discussion on whether the superintendent of education should be elected or appointed. James D. Prescott, executive director of the Louisiana School Boards Association, urged that the superintendent be appointed by the State Board of Education.

J. L. McConathy, superintendent of Richland Parish schools and speaking as chairman of a constitutional convention subcommittee of the Louisiana Association of School Administrators, called for the election of the superintendent. Both Prescott and McConathy agreed that the members of the Board of Education should remain elected, although Prescott said some provision might be made for appointment by a majority of members by the governor.

Prescott also told the committee that dedicated funds, which are raised by the state to support education, and the constitutional statute for distributing the basic state funds should be changed to assure that all students are insured of the minimum program of education as defined by the state board of education; the constitutional statute for education funding at 2.0 million dollars per student would be drastic change in the provision for obtaining additional local funds for public education; and provisions for school taxes to be assessed at 100 percent of the assessed value should be eliminated. [1225]
McConathy's organization recommended removal of the constitutional provision to provide financial support directly to school children who attended private non-sectarian elementary and secondary schools.

In addition, the coordination of schools should rest within the state board of education which should determine the course of study; the state board should set policies and procedures for operation of elementary and secondary school programs; and the legislature should continue to prescribe the duties and define the power of the board and set limitations on these powers and duties.

Dr. Gene Giesert, superintendent of Orleans Parish schools, said his board believes the constitution should clearly spell out the responsibility of the state to provide adequate public education for all citizens. Dr. Giesert told the committee there should be only one state board of education to cover all education from pre-school through the university levels including adult education. He also said the board believes that "the doctrine of separation of church and state should be strictly construed; public funds should not be used to support of non-public schools, either directly or indirectly."

Edward McCormick, secretary-treasurer of the Louisiana School Employees Retirement system recommended one retirement system for the entire state. To start, he said, all employees could be frozen in their existing system with the right to transfer into the new system.

COMMITTEE ON EDUCATION AND WELFARE

The full committee on education and welfare heard testimony from J. K. Haynes, executive secretary of the Louisiana Education Association. Haynes told the committee the new constitution would have to contain civil service reform to meet the needs of black people or perhaps it should be abolished. He specifically mentioned testing procedures by which, in his opinion, saying tests were devised by whites without any consideration of the difference in racial experience.

There was also some discussion among committee members concerning the committee's plan to provide higher education and dedicated revenue. Both items are scheduled for more discussion by the committee.

COMMITTEE ON PUBLIC WELFARE

In a meeting of the public welfare subcommittee various witnesses proposed condensed constitutional provisions on civil service. Harold K. Forbes, director of personnel for Civil Service, recommended that the present 40-page article relating to Civil Service be condensed to four pages.

William Conrad, director of the New Orleans Civil Service system suggested that provisions relating to that system be reduced to three and a half pages from its present 24.

Forbes outlined an eight-point plan of "muts" for the new constitution: continue the "absolute and exclusive" present rule-making powers of the commission over employes; vest the commission with its present investigatory powers; continue it's authority for classification or employees or public opinion; continue to grant dismissed employees appelleate rights to hearings before the commission; provide that the legislature adequately fund the operations of Civil Service; add to present prohibitions against discrimination to include race, color, sex or national origin.

Lionel Darce, assistant director of the state intergovernmental relations commission, said Federal officials claimed that $500 million has been disbursed to state agencies above the amount reflected in the central records of the Division of Administration. He suggested that his or some other state agency be set up as a monitoring agency to which all such receipts would have to be reported by all state agencies.

COORDINATING SUBCOMMITTEE

A subcommittee of the Coordinating Committee has been given the responsibility to devise a method of transition from the present constitution to the new document. The subcommittee heard one suggestion which would continue in effect all provisions of the old constitution and the statutes until they are changed or abolished by the legislature.

DeVan Dagget, executive director of the Legislative Council, suggested as an alternative that the legislature, either in the upcoming fiscal session, or in a special session, enact the entire present constitution into statutory law. Another suggestion proposed in to have a special section of law besides constitutional and statutory law. This section, sometimes called quasi-constitutional, could be a two-thirds vote of the legislature to change or abolish.

No action was taken by the subcommittee, but plans were made to meet again at Baton Rouge April 14 to complete its work.

COMMITTEE ON BILL OF RIGHTS

The committee agreed to begin drafting a Bill of Rights at its next meeting on April 16 and 17. Three drafts prepared by individual committee members and the project of the Louisiana Law Institute will be used as guidelines.

The committee heard from several citizens at its meeting. John Martzel, representing the Louisiana Trial Lawyers Association, urged abandonment of the requirement for appellate court review of facts in civil cases. Martzel was seconded in his recommendation by Arthur Cobb a Baton Rouge trial lawyer who pointed out that "we should try a case once and be done with it."

Debra Millenson, vice-chairman of the Council for a New State Constitution, presented the committee a list of nine provisions adopted by the New Orleans-based group including proposals for constitutional guarantees of personal rights and freedoms, abolition of capital punishment, full protection of the press from restrictions on publishing news, including disclosures prior to a trial, and full reporting of campaign sources to any type of proceeding. The group also asked for provisions prohibiting wiretapping and discrimination in housing, and urging the use of recognition bonds as surety for court appearances be encouraged.

The committee approved a motion requiring that a minority report be supported by at least 30 percent of the committee.

LEGISLATIVE COMMITTEE

Ed Steimel, executive director of the Public Affairs Research Council, urged that the legislature be required to reapportion itself every ten years after the federal census. Steimel said that the courts "should be sufficient protection in the event that the legislature fails to reapportion itself satisfactorily."

State Senator Carl Bauer of Franklin agreed with Steimel that the legislature should be entrusted with the responsibility of reapportioning the legislature. He said he would not recommend special reapportionment commissions do the job, though he admitted he did not know how to force the legislature to act if it did not.

John W. Patton of Kansas City, Missouri, director of operations of Citizens' Committee on State Legislatures, spoke to the committee. Most of his remarks centered on the "removal of limitations on the legislature and the importance of an independent legislature to be free."

He recommended the removal of restrictions on the length and subject matter of legislative sessions; paying the legislators a salary instead of relating pay to the sessions with a provision that salaries could not be increased for that term of office; removal of materials from the constitution which are statutory in nature.

State Senator Edgar Mouton of Lafayette explained that the "general weakness" of the legislature is due to the committee system. Mouton suggested that committees members be elected by legislators, though he indicated such provisions should not be in the constitution. In addition, he urged that the Senate should elect its presiding officer rather than have the lieutenant governor serve in that capacity.

The committee tentatively approved resolutions requiring that the seat of a legislator who changed his domicile from the legislative district which he represented would be declared vacant; the legislature shall reapportion itself (the committee also agreed that an alternative method should be adopted in case the legislature failed to do so, but deferred action on a specific alternative); each vacancy occurring in each house of the legislature shall be filled only by election as provided by law.

COMPOSITE COMMITTEE

Once again a reminder on the schedule of the Composite Committees:

April 17 Baton Rouge Natural Resources Auditorium
April 18 New Orleans City Council Chambers
April 19 New Orleans City Library
April 23 Lake Charles Baker Hall (McKenzie)
April 24 Lafayette USL Student Union Ballroom
April 25 Alexandria City Hall

April 26 Monroe Convention Center
April 27 Shreveport Convention Hall Annex

All meetings will be from 2-5 and 7-9 p.m., except the 19th in New Orleans. This meeting will be from 9:00 a.m. to 12 noon. Delegates are advised to attend the afternoon and evening sessions at which time they will be introduced. Delegates are also asked to urge their constituents to attend the meeting in their area and speak to the committee.

CONVENTION CALENDAR

April 9 - 14

Monday and Tuesday:
Committee on Natural Resources, at 9:00 a.m., State Capitol, Governor's Press Conference Room, to discuss wildlife, fisheries, forestry and agriculture with invited speakers.
Committee on local and parochial government at 10:00 a.m. Monday and 9:00 a.m. Tuesday, Natural Resources Building, Mineral Board Hearing Room, to consider public debt and general financing of state agencies; intergovernmental and consolidation of government; zoning; and revenue sharing.

Tuesday:
Subcommittee on elementary and secondary education at 10:00 a.m., State Capitol, Room 205, to hear invited speakers.

Wednesday:
Subcommittee on higher education at 10:00 a.m., Department of Education Building, 6th floor conference room, to hear testimony on coordination, governance, and finance of higher education.

Wednesday and Thursday:
Subcommittee on public welfare at 10:00 a.m., Wednesday in the State Capitol, Senate Lounge, and 9:00 a.m. Thursday at the EBR Parish School Board Building, 1050 South Foster Drive. During the morning sessions the committee will hear testimony from invited witnesses representing business, industry, and civil service. The afternoon sessions will be devoted to reviewing previous testimony and study drafts prepared by the staff.

Thursday:
Committee on education and public welfare at 1:00 p.m., EBR Parish School Board Office. The meeting of the committee will be preceded by a joint meeting of the subcommittees on higher education and elementary and secondary education at 10:00 a.m. also in the EBR Parish School Board Office.

Friday:
Subcommittee on public finance at 10:00 a.m., State Capitol, Senate Lounge, to organize subcommittee, and hear from Mr. E. J. Macias of the State Treasurer’s office discuss areas of general concern.

Friday and Saturday:
Committee on revenue, finance and taxation at 10:00 a.m. Friday and 9:00 a.m. Saturday, Chamber of Commerce Building, 301 Camp Street, New Orleans. Friday morning the committee will hear invited speakers. That evening the general committee will testify. Saturday morning will be devoted to business and public hearings. Saturday afternoon will be given to a joint committee report and discussion of proposals regarding the property tax issue.

April 16, 1973 No. 7

COMMITTEE ON LOCAL AND PAROCHIAL GOVERNMENT

John W. Cox, New Orleans bonding attorney, said that there is absolutely no distinction between bonds issued by constitutional agencies and nonconstitutional agencies was provided the “statutory provision is clearly constitutional.”

The board also heard from Charles F. Gaennicke, Jr., director of state management for State Treasurer Mary Evelyn Parker’s office, who proposed that if the ports of New Orleans be given continued constitutional status, their bonding authority be removed. Gaennicke said he would propose that the State Bond Commission be developed to issue State Bond Commission IOUs and that the governing body of the State Bond Commission be the State Bond Commission.

Leo Sabatine of the New York bond counsel firm of Wood, Dawson, Love and Sabatine joined others in saying there should be no debt limitation in the constitution. He said removing the two state ports would not affect any outstanding bonds.

Additionally, Harold Judell of New Orleans, bond attorney with Foley, Beck, Beverley and Landwehr, said he felt it was not practical to impose a debt limit.

Commenting on the New Orleans Donned Stadium, Judell advised caution in removing the stadium district from the constitution without taking into account other provisions which might affect it.

deleansps Morrison, Jr., chairman of the Committee on Local and Parochial Government for the New Orleans-based Council for a New State Constitution told the committee that the new constitution should provide for the consolidation of all parishes or municipalities to merge with only a majority vote of the people affected. Morrison added that there was a question whether his plan would be constitutional or not and said some safeguards would have to be put in the constitution.

Be later said he agreed the best plan would allow a merger by a majority vote of citizens in each area affected. In addition, Morrison suggested a broad home rule charter, similar to the charter of Baton Rouge, with a provision that it be unalterable except by a vote of the people, and allowing political subdivisions to enter into agreements, thereby encouraging interparish cooperation.

Joseph Bernstein, chairman of the council’s Committee on Revenue and Finance made the following recommendations on behalf of the council: A limitation on state debt be placed in the constitution; perhaps based on a percentage of total state revenue or a provision allowing the legislature to increase it; state bonds should be sold to the State Bond Commission and give it overall supervision of state debt; the governor be required to budget a sum annually for debt service to include all outstanding state debt; local agencies should be taken out of the constitution without impairing their ability to borrow money.

COMMITTEE ON NATURAL RESOURCES

Cove Pearson, state agriculture commissioner, advocated the retention of state loans for agricultural development and livestock raising in the constitution. Pearson explained that the loan programs which have added much to the impetus of the agricultural economy of Louisiana. Pearson did suggest, however, that the two loan programs be combined into one agency.

Pearson maintained that his office should remain elective. “It is my own personal opinion,” he said, “that because of the vital role that agriculture plays in the economy of the state, it is only fair that people want and have a right to select their agriculture commissioner.”

Jorry Jones, chairman of the Wildlife and Fisheries Commission, urged the committee not to combine his agency with others. He also argued against replacing the commission with a single administrator.

John E. Trygg, assistant state health officer, said only a broad provision of authority needed to be included in the constitution regarding state regulation of air and water environment. Trygg explained that most of the reorganizations of existing, environmental agencies can be achieved through legislation in this light, he proposed a consolidated environmental agency.

SUBCOMMITTEE ON PUBLIC WELFARE

The subcommittee arrived at an informal agreement to retain the state civil service system in the constitution. The subcommittee discussed financing of the system and suggested that the burden of proof be placed with the appointing authority or public employer rather than the employee in appeals of disciplinary action.

Secretary of State Wade O. Martin urged the subcommittee to include civil service provisions in the new constitution. In a letter, Martin indicated that he had seen state government operate under a statutory “merit system” and a constitutional system. “Having had this background of experience,” he continued, “it is my considered opinion that the best interest of the State of Louisiana will be served through a well-designed and reasonably-administered civil service system.”

J. R. Haynes, executive director of the Louisiana Education Association, contended that although his organization supported civil service, certain changes were “absolutely necessary if it is to serve the purpose for which it was designed.”

Haynes recommended that the Civil Service Commission be composed of nine members, three of whom must be black. Eight members would be appointed by the governor from a list of persons recommended by the president of the four-year degree granting institutions. The ninth member would be elected by civil service employees.

Haynes also recommended that testing procedures to select civil service employees be continued, but that the tests be “highly job oriented.” Finally Haynes suggested that “it be written into law or provided by executive order that each employing agency be required to recruit its staff from the black class and with a constituency in proportion to their population ratio in the state.”

SUBCOMMITTEE ON ELEMENTARY AND SECONDARY EDUCATION

There was some discussion by members of the Subcommittee on Elementary and Secondary Education on proposals made by the superintendent of state education and his assistant concerning the role of the state to provide an equal educational opportunity for all citizens.

The subcommittee heard a recommendation from Louisiana Education Superintendent Louis Michot that the state constitution include a statement guaranteeing every child in the state “an equal educational opportunity.”
In addition, Assistant State Superintendent James R. Oliver said the constitution should provide a clause ensuring that every student gets an equal opportunity at an education "whether he happens to be in the small rural parish or the very large metropolitan area."

Some subcommittee members, however, suggested that such an article would destroy community incentive to improve local education.

SUBCOMMITTEE ON HIGHER EDUCATION

There appeared to be agreement among subcommittee members on the concept of a board of regents as a policy-making body for the state's elementary and secondary public education. It was understood that the board would not be given the power to control the curriculum in the public schools. However, there were differences of opinion among subcommittee members as to the need for a state board of education as a policy-making body for the state's educational system. There were differences, among subcommittee members, however, with regard to the need for a state board of education. Some members have expressed the opinion that such a board would be unnecessary for the management of the state's educational system.

There is agreement among subcommittee members that the board of regents should be given the power to make policy decisions for the state's educational system. The board of regents should have the power to appoint and remove the members of the board of regents.

JUDICIARY COMMITTEE

District Judge C. J. Bolin, Jr., of Shreveport claimed the judiciary is working well. Judge Bolin stated that he had no idea how the merit system under which all judges are appointed works. Judge Bolin also said that the merit system under which all judges are appointed should be changed. He advocated abolishing the merit system and appointing judges by lot. He said that the merit system does not allow for the selection of the best qualified candidates. Judge Bolin said that the merit system is not designed to select the best qualified candidates.

The committee adopted the following statement of philosophy to be used as a guide for the selection of judges:

"The selection of judges should be based on merit and qualifications. The merit system should be abolished and judges should be appointed by the governor. Judges should be appointed on a part-time basis. The governor should appoint the judges for a term of 10 years. The governor should have the power to remove judges at any time. The governor should have the power to appoint temporary judges."
A plan adopted by the Louisiana Assessors Association was presented to the committee. Under the plan all land would be assessed at 10 percent of fair market value, homes at 15 percent, with an increased homestead exemption of $10,000 being deducted from the assessment, and all other improvements being assessed at 15 percent. Merchandise, stock in trade, and all other property would be assessed at 20 percent.

Some committee members objected to the plan saying that farmers would have to pay a big increase in taxes. Other members contended that farmers would not be penalized, and that the plan would result in more revenues in all parishes except Caddo and Orleans. As a result, taxes would have to be adjusted downward.

SUBCOMMITTEE ON REVENUES OTHER THAN PROPERTY TAXES

The subcommittee voted to retain the $3 auto license and the two-thirds vote required for passage of taxes in the legislature. In addition, the committee voted to retain the Royalty Road Fund. The subcommittee voted to delete the 10 year industrial tax exemption, but later decided to take a closer look at the issue. Under the current proposal, the legislature would be permitted to reexamine the issue of industrial property tax exemptions and the exemptions would not automatically have been cancelled.

All actions of the subcommittee are tentative and the staff was instructed to prepare drafts on the measures with a final vote to come at a later date.

CONVENTION CALENDAR
April 30, 1973 to May 5, 1973

Monday:
- Committee on legislative liaison and transitional measures at 6:30 p.m., State Capitol Building, Room 209, to organize the committee and receive the report of the subcommittee on alternatives of the coordinating committee and to hear the comments and explanation thereof to be presented by Justice Albert Tate, Jr.
- Monday and Tuesday:
  - Committee on natural resources and environment at 9:00 a.m., Mineral Board Hearing Room Natural Resource Building, on Monday Mr. Charles Smith, Director of Commerce and Industry, will speak to the committee on whether the Public Service Commission should have jurisdiction over the sale of natural gas to industry. Following Mr. Smith's testimony, other invited speakers testify.
  - Subcommittee on elementary and secondary education at 10:00 a.m., the Louisiana Teachers Association Building, 1755 Nicholson Drive, to discuss proposals on the structure of elementary and secondary education.
- Monday, Tuesday, and Wednesday
  - Committee on the executive department at 9:00 a.m., Monday, 9:30 a.m., Tuesday, 9:00 a.m., Wednesday, State Capitol Building, Room 265, to consider the powers, duties, and responsibilities of certain state officers including the governor, attorney general, and superintendent of education.

Wednesday
- Coordinating committee at 9:00 a.m., State Capitol Building, senate lounge, to determine possible areas of conflict in subject matter being considered by substantive committees.
- Subcommittee on public welfare at 10:00 a.m., State Capitol Building, Room 206, the subcommittee has scheduled public hearings.
- Thursday
- Committee on education and welfare at 10:00 a.m., at East Baton Rouge Parish School Board, 1050 South Foster Drive, to receive reports of subcommittees and to discuss proposals submitted by subcommittees.
- Friday and Saturday
- Committee on legislative powers and functions at 9:00 a.m., Friday, 9:00 a.m. Saturday, State Capitol Building, Room 205, the committee will take up matters dealing with those provisions of the constitution relating to conflicts of interests and review Category II - powers and limitations - on Friday. On Saturday the committee will continue its review of Category II - powers and limitations and will begin consideration of Category III - procedure and mechanics.
- Committee on bill of rights and elections at 10:00 a.m., Friday, 9:00 a.m., Saturday, State Capitol Building, Room 206, the committee will continue the drafting of appropriate sections for an article on rights to be included in the constitution. Sections drafted will be tentative and subject to further hearings and review before final adoption by the committee.

LOCAL AND PARISHIAL GOVERNMENT

A subcommittee dealing with ports and transportation agreed to delete from the constitution seven port authorities, but decided to defer action on the ports of New Orleans, Baton Rouge, and Lake Charles. The subcommittee also decided to study Nolaant International Airport and the Sabine River Authority in greater detail before taking any action on these bodies.

A subcommittee studying levee districts agreed to rewrite a short section on levee boards. Committee members decided to attempt to make some provision for providing fair payment to property owners who have land appropriated as a result of levee construction.

The subcommittee on special districts tentatively agreed to remove all special improvement districts, such as recreation, mosquito abatement and drainage districts from the constitution, but decided that the dome administrative commission and the Lake Charles district need more study.

PUBLIC INFORMATION COMMITTEE

A senior research assistant has been added to the staff of the Public Information Committee. Leroy Colter comes to the convention after serving as publisher of the Baker Observer and editor of the Catholic Commentator. Prior to his new position, Mr. Colter was affiliated with Well-Storer Advertising Agency, Inc., as an executive vice-president.
CONSTITUTIONAL CONVENTION 1973

Estimated Expenditures, April, May, June, 1973

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Balance at end of March 31, 1973 - $171,038.48
Board of Liquidation Appropriation 90,000.00

Total estimated funds available $261,083.48
Less estimated expenditures $254,325.00

$ 6,758.48
SUBCOMMITTEE ON ELEMENTARY AND SECONDARY EDUCATION

Rejecting an appeal to insure minority representation on the State Board of Education, a subcommittee of CC/73 voted for a partially elected, partially appointed education board.

The subcommittee on Elementary and Secondary Education voted against a plan specifying that five of the governor’s seven appointees to the board must be black. Instead, a plan was approved for a 15-man board with one member elected from each congressional district and seven appointed by the governor.

In a 3-2 vote the panel approved a motion in favor of an elected, rather than appointed, superintendent.

Members also agreed to insert a grandfather clause providing that any superintendent elected prior to the adoption of the new constitution would be eligible for the office even if he did not otherwise meet the requirements.

The subcommittee agreed to include a statement of educational objectives which would remove the present requirements for teaching “basic subjects.” The statement reads as follows:

"The public education system shall provide at all stages of human development, learning environments and experiences that are humane, just and designed to insure educational excellence in the branches of study in order that every individual can develop to his full potential.”

The panel voted to remove age limitations for school attendance and substituted the word “people” for “children.” The final version read simply that the legislature shall provide for the education of the people of the state.

Under the approved plan the Board of Education will “supervise, control, and have budgetary responsibility for all public elementary and secondary schools and special schools as provided by law.”

In another 3-2 vote the subcommittee decided to recommend to the full committee on Education and Welfare that all mention of state aid to private schools be removed from the constitution.

On another motion the panel agreed to allow aid for retarded children and other special students if they attend nonprofit schools.

Although the subcommittee agreed to retain the dedication of severance tax revenues to the school fund, it also expressed the hope that the taxation and revenue committee will remove all constitutional fund dedications.

NATURAL RESOURCES COMMITTEE

The Natural Resources Committee received proposals to concentrate Louisiana’s management of natural resources in a single state agency. J. Arthur Smith III, attorney and research associate of the Louisiana Coastal and Marine Research Commission, pointed out the present system of management impedes policy making concerning the state’s natural resources.

Smith’s proposal would have the Land and Water Management Division supervise bureaus for public lands, recreation, coastal zone management, and water and mineral resources management.

The Pollution Control Division would include bureaus for control of air pollution, water pollution and mineral resources management.

Charles M. Smith, Jr., director of the department of commerce and industry, urged the committee not to restate a regulation of industrial sale of natural gas to the Public Service Commission. He said the best solution for the state’s natural gas shortage would be a lack of all governmental regulation on the state and federal levels.

Spokesmen for the Public Service Commission have testified that there is now a regulatory vacuum which the federal government might step in to fill unless Louisiana takes regulatory control itself.

EXECUTIVE DEPARTMENT

Testimony by Louisiana Governor Edwin Edwards highlighted the week’s activities for the Executive Committee. Edwards suggested that only five of the governor’s seven appointees to the governor, lieutenant governor, secretary of state, treasurer, and attorney general.

All other executive function should be handled by 12 departments, 11 headed by governor appointees.

The governor suggested this breakdown for the appointed offices:
Department of Administrative Services- Offices of Revenue, Planning, Budget, Purchasing Supplies, Information Computer Services, General Services, and Property Management.
Department of Natural Resources- Offices of Environmental Quality, Conservation, Wildlife and Fisheries, Parks, and Forestry.
The proposed provision reads:

"The legislature shall provide a code of ethics prohibiting conflict between public duty and private interest for members of the legislature and all state and local officers and employees."

As presently agreed upon revenue bills would continue to originate in the House of Representatives.

The committee agreed to remove from the constitution provisions relating to clerical officers and expense committee records of the legislature, referral of bills to the legislature bureau before final passage in the house where the bill did not originate, gambling, salaries being fixed in the constitution and anti-trust laws.

BILLS OF RIGHTS COMMITTEE

The committee tentatively approved a provision which provides that all felony charges in which punishment by hard labor is a necessary penalty must come by grand jury indictments in state cases.

Language of the provision reads:

"Prosecution shall be initiated by indictment or information, but the prosecution of misdemeanors may be initiated by affidavit. No person shall be held to answer for capital crime, or felonies necessarily punishable by hard labor, except on indictment by a grand jury, unless he specifically waives the necessity of the indictment. No person shall be twice put in jeopardy of life or liberty 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 is sustained."

A section dealing with rights of the accused was also voted upon, as follows:

"When a person has been detained, he shall immediately be advised of his legal rights. In all criminal prosecutions, the accused shall be precisely informed of the nature and cause of the accusation against him. At all stages in the proceeding against him, every person shall be entitled to assistance of counsel of his choice, or appointed by the court in indigent cases if charged with a serious offense."

Concerning right to property the committee tentatively agreed to the following section:

"Every person has the right to acquire by voluntary means, to own, to control, to enjoy, to protect, and to dispose of private property. This right is subject to the law of forced heirship. Private property shall not be taken or damaged for public use without just compensation previously paid to the owner for the full extent of the loss. No law shall permit the taking of private property unless required by public necessity, nor shall any business enterprise or any of its assets be taken for the purpose of operating that enterprise or for the purpose of failing competition with government enterprises, nor shall the intangible assets of any business enterprise be taken. No movable property shall not be expropriated except when necessary in emergency to save lives or property and personal effects shall never be expropriated. The issue of whether the condemned use be public shall be a judicial question, and determined as such without regard to any legislative assertion that the use is public. The right to trial by jury shall be reserved to the parties."

Other key provisions include:

Permitting accused persons to appear with their witnesses before grand juries.

Requiring a unanimous vote of 12-man juries to convict persons in cases where no parole or probation is possible.

Allowing a judge at his discretion to set bail after conviction for persons whose sentences are or may be greater than five years.

CONVENTION CALENDAR

May 7-12

Monday:

Subcommittee on the Affairs of the City of New Orleans, at 10 a.m., Board Room of the New Orleans Public Library, to consider documents submitted by the boards and agencies of the city and to prepare a final report for the full committee.

Committee on Natural Resources, at 9:30 a.m., Mineral Board Hearing Room, Natural Resources Building, to take testimony from the general public concerning committee matters.

Tuesday:

Committee on Natural Resources at 9:30 a.m., Mineral Board Hearing Room, Natural Resources Building, to consider final proposals regarding natural resource and environmental public policy and Public Service Commission reorganization.

Committee on Education and Welfare at 1 p.m., East Patton Rouge School, Board Office Building, to consider final report on retirement proposals from the subcommittee.

Executive Committee at 10 a.m. in Committee Room 9, State Capitol to receive and consider bids on electronic voting system for the convention, report on the status of convention personnel and a report on convention finances.

Wednesday:

Committee on the Executive Department at 9 a.m. in Room 205, State Capitol to consider provisions to be included in an article on the executive department.

Thursday:

Committee on the Executive Department at 9 a.m. in Room 205, State Capitol to consider provisions to be included in an article on the executive department.

Subcommittee on Elementary and Secondary Education at 10 a.m. L.T.A. Building on Nicholson Drive to draft proposals for elementary and secondary education and at 2 p.m. to discuss public financing of education.

Subcommittee on Public Finance of the Committee on Revenue, Finance and Taxation at 9 a.m. in Committee Room 206, State Capitol to consider staff recommendations for proposals to be submitted to the full committee.

Friday:

Committee on the Executive Department at 9 a.m. in Room 206, State Capitol to consider provisions to be included in an article on the executive department.

Committee on Judiciary at 9:30 a.m. in Room 205, State Capitol to hear testimony concerning the Judiciary from Professor Geoffrey C. Hazard, Jr., of the Yale Law School; Attorney General William J. Guste, Jr.; Dr. Hypolite T. Landry, Jr., corner of East Baton Rouge Parish; Sheriff Bailey Grant of Ouachita Parish. At the conclusion of their testimony, the committee will continue considering the discussion of the legislative Article and take votes on preliminary proposals.

Friday: (continued)

Committee on Revenue, Finance and Taxation at 9 a.m. in Committee Room 9, State Capitol to discuss Assessors' Association proposal on property taxes and discuss study on property tax exemption for industries.

Saturday:

Committee on Revenue, Finance and Taxation at 9 a.m. in Committee Room 9, State Capitol to consider staff recommendations for proposals.

Committee on Judiciary at 9:30 a.m. in Committee Room 205, State Capitol to hear testimony from Associate Justice Frank W. Summers of the Louisiana Supreme Court concerning the selection of the Chief Justice and Mayor Doria Godet of Port Barre who will then discuss the Mayor's Court. Following their discussion the committee will continue voting on the preliminary proposal.

EDUCATION AND WELFARE

The Committee on Education and Welfare tentatively agreed to a three-board concept for governing higher education. Under the plan a board of Regents, appointed by the governor, would be responsible for budgetary, coordinating and long range planning powers for all higher education.

Two other 17-man boards would also be created: one to manage day-to-day affairs of the LSU system, the other for all other state colleges and universities.

NATURAL RESOURCES

The Committee on Natural Resources decided to move from the constitution the statutes all provisions dealing with the register of state bonds and the Department of Conservation, and retain the constitutional dedication of any future tidelands settlement for retiring state bonds.

Although the committee noted that the coordinating committee had deemed that the commissioner of agriculture came under the jurisdiction of the Executive Department it nevertheless passed a proposal to keep the office elective and to exempt the commissioner from consolidation with any other agency by the legislature.

In other action the committee voted to:

Retain the Royalty Road Fund in the constitution;

Keep the provision which allows the state to retain its mineral rights when it sells property;

Leave the consideration of the severance tax on natural resources up to the Committee on Revenue, Finance and Taxation, as recommended by the Coordination Committee;
Consider at a later meeting special districts, including drainage and levees, although this has been assigned to the Committee on Local and Parochial Government.

SUBCOMMITTEE ON NEW ORLEANS

Louisiana Superdome Director, Ben Levy, told the Committee on Affairs of New Orleans that although he does not believe the Big Easy is ready for Super Bowl XLI on February 4, he hopes it will be ready for the Big Easy.

The committee will recommend to the full Committee on Local and Parochial Government that the District Attorney's Office, the Board of Liquidation of City Debt of New Orleans, the New Orleans Sewerage and Water Board be removed from the Constitution; however, the subcommittee decided to recommend that the authority under which the Vieux Carre Commission was created be retained in the new document.

EXECUTIVE COMMITTEE

The Executive Committee approved a budget for submission to the legislature for the upcoming budget session. An appropriation of slightly more than $2.3 million will be submitted to fund the last six months of the convention.

The budget was based on projections that the convention will meet four days a week, with committee meetings one additional day a week until the end of December.

The committee went on record as opposing any move in the legislature to authorize travel pay for delegates to the convention.

COMMITTEE ON EXECUTIVE DEPARTMENT

The Committee on the Executive Department decided to reduce the number of state-wide elected officials from 14 to 11, and to limit the number of elected officials to serve in the legislature for no more than 12 months. The committee also recommended that the legislature should be given the authority to overturn state-wide elections.

In addition, the committee recommended that the divorce settlement provision regarding the construction of the Superdome be removed.

The committee agreed to the tentative vote to reorganize the executive department, and to give the legislature the first shot at the attempted reorganization.

Retained as elected officials are governor, lieutenant governor, secretary of state, treasurer, and attorney general. The committee agreed to the tentative vote to retain the four-year term for elected officials, and to give the legislature the first shot at the attempted reorganization.

Going down the list of elected state officials one by one the committee agreed to delete as elected officials, controller, commissioner of agriculture, register of state lands, custodian of state voting machines, commissioner of insurance, and superintendent of education. The committee expressed the opinion that the last post should be appointed by the State Board of Education.

After discussing the question of reorganization at length, the committee agreed to limit the number of executive departments to a maximum of 12, which includes elected officials. Under the tentative agreement, reorganization of the executive department must originate in the House of Representatives which must submit a plan to the governor in 18 months of the effective date of the new constitution.

In dealing with qualifications for state elected officials the committee agreed to a minimum age requirement of 25 years and the re-election of 2 consecutive terms. No limitation was placed on the number of terms for other elected state officials.

The committee also agreed on a new line of succession to the governor should he become incapable of fulfilling his duties. The order is: lieutenant governor, state auditor, state treasurer, president pro-tem of the senate, and speaker of the house.

The committee gave tentative approval to the concept of the governor having the power to remove the department heads he appoints, but not those appointed from a list of nominees, officials named in the constitution as having been appointed to fixed terms or officials appointed with the advice and consent of the Senate, except for the major department heads.

It was decided that 20 state agencies and officials do not belong in the constitution. The committee has tentatively decided to recommend to the full convention that the Military Department, the Banking Department, the Department of Agriculture, the Department of Commerce, the State Fire Marshall, the Board of Health, the Department of Highways, the Liquefied Petroleum Gas Commission, the Louisiana State Museum, the Louisiana Welfare Commission, the Department of Revenue and the Louisiana Stadium and Exhibition District be eliminated from the Constitution.

Committee members voted to propose to the convention that all attorneys employed by the state should be in the attorney general's office, except as otherwise provided by law.

JUDICIARY COMMITTEE

Aaron Kohn, director of the New Orleans Metropolitan Crime Commission, called upon the committee to make extensive changes in powers of the State Judicial Commission.

Kohn also suggested:

- Exclusion of the judicial commission's authority to discipline and investigate possible corruption among all employees as well as judges.

- Provision of an investigating arm—even state policy—to that commission.

- Mandatory suspension of judges pending final disposition of charges of felony or corrupt practices.

- Publication of the record of the judicial commission's investigation even in instances where the judge or employee is exonerated, perhaps omitting the names of witnesses.

- A separate provision of the constitution pertaining to the attorney general; providing, perhaps, for his non-partisan election.

- Merit career service for department of justice employees.

- Authorize district attorneys of parish grand juries to call a statewide grand jury into being to consider multi-parish and organized crime.

- Allow a district court or grand jury to request the attorney general to prosecute a case that is otherwise a district attorney.

- In addition the committee heard Attorney General William Guste ask that the attorney general and the district attorneys be put in a separate article for the Department of Justice, and not in the Executive Department of Justice articles. Guste also asked the committee to deletes the provision requiring five year's experience for assistant attorneys general. Guste recommended the provision be kept only for the first and second assistants.

- Geoffrey C. Hazard of the Yale Law School urged adoption of a four-point reform in Louisiana courts as supported in a soon-to-be-published article of the American Bar Association study of courts nationwide: that the constitution provide for a unified court structure, that it provide for a meritor system of appointing judges, that the court be empowered to promulgate its own rules, and the constitution provide for creation of an administrative office for the courts.

- Dr. Hypolite Landry Jr., of Baton Rouge, president of the Louisiana Coroner's Association, said that coroners' generally were satisfied with the present constitutional provisions for that office.

- The committee made some tentative decisions including that the governor no longer be empowered to appoint judges to fill vacancies. The committee voted to remove the provision that vacancies be filled by the State Supreme Court. The governor must call an election to fill the vacancy six months and the interim appointee would not be eligible to run for the office.

- Delegates agreed to shorten the provision dealing with the judges retirement system, with inclusion of statements allowing judges to stay in the state until the governor would provide retirement benefits. Delegates agreed to lower the retirement ages of judges from the present 80 years to 70 years of age.

- In case of a judge being found "physically or mentally incapacitated to hold his office" by the judiciary article, the judge would receive a two-year temporary appointment. After two years, the committee decided to retain portion of the provision for judges.

COMMITTEE ON EXECUTIVE DEPARTMENT

J. S. Begin, member of the University of New Orleans faculty and a member of the faculty of the University of New Orleans, said that he was opposed to the inclusion of the provision limiting the term of office of judges to six years for the first term and eight years for the second term.

The committee agreed to delete the provision requiring five year's experience for all assistant attorneys general. Guste recommended the provision be kept only for the first and second assistants.

Geoffrey C. Hazard of the Yale Law School urged adoption of a four-point reform in Louisiana courts as supported in a soon-to-be-published article of the American Bar Association study of courts nationwide: that the constitution provide for a unified court structure, that it provide for a merit system of appointing judges, that the court be empowered to promulgate its own rules, and the constitution provide for creation of an administrative office for the courts.

The committee voted to delete the current $1.00 license fee from the new document, but later voted to reconsider the proposal at a later meeting.

CONVENTION CALENDAR MAY 14-19

Monday: Committee on Local and Pastorial Government at 10 a.m., Conservation Auditorium, natural resources building, 4th floor, session open to the public.

Tuesday: Committee on Local and Parochial Government at 9 a.m. at the Louisiana Superdome, main court, 3rd floor, session open to the public.

Wednesday: Committee on Local and Pastorial Government at 9 a.m. in the Louisiana Superdome, main court, 3rd floor, session open to the public.

Thursday: Committee on Local and Pastorial Government at 9 a.m. in the Louisiana Superdome, main court, 3rd floor, session open to the public.

Friday: Subcommittee on Public Welfare at 9:30 a.m., 7th floor conference room, Department of Education building, to review proposals prepared by the research staff.

Committee on Bill of Rights and Elections at 9 a.m., Conservation Auditorium, Natural Resources building, to discuss proposals for inclusion in the constitution on surety distribution of power, elections, general government and constitutional revisions. Interested
The committee decided to discard a lengthy and detailed proposal to guarantee reapportionment and substituted much simpler language to accomplish the same aim. The new proposal would require the legislature to reapportion itself by the second year following the completion of each federal census, if it does not proceed of its own accord to draw up its own plan for reapportionment. Under the proposed provision single member districts are not a requirement.

Dealing with legislative sessions, the committee approved a proposal allowing annual sessions of 60 "working days" within a period of 120 calendar days, plus an additional 15 working days within the 120-day period if approved by two-thirds vote of both houses. In other action the committee tentatively agreed to the following concepts:

- Provisions for expanding the Senate from the present 39 members to a maximum of 41 members and the House from 105 to a maximum of 111. Authority for each house to punish its own members, including authority to expel members of the House and Senate;
- Subpoena power for legislative investigations and authority to punish for contempt;
- Election of the Speaker of the House and the President of the Senate;
- Privilege against arrest, except for felony crimes, of legislators while they are in session and committee meetings, and privilege on debate during sessions;
- A separate code of ethics for the legislature, based on the premise that any "effort to realize private gain through official conduct is a violation of public trust."

Tentatively deleted from the constitution is legislative power to abolish or merge certain state offices and agencies, whether through general or constitutional means.

The committee voted in favor of tougher rules for raising the salaries of public officials, and in favor of broadening provisions for impeachment of public officials.

A review of the draft, but the committee will return in June to hear comments from legislators and to decide whether the legislature needs a provision allowing it to address public officials out of office.

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**COMMITTEE ON BILL OF RIGHTS**

Russ Bannister, attorney for the Louisiana Highway Department, urged the committee to retain the present section on expropriation of private property. He said the phrase "just compensation" forbids the legislature by the state for public purposes has been interpreted by the courts and objected to the tentative proposed section calling for "the full extent of the loss" saying it would take years of litigation for the courts to interpret.

Bannister was joined in his objections by Jack Cousin of New Iberia representing Central Louisiana Electric Co. and Burt M. Sperry of Monroe spokesman for the pipeline companies.

Baton Rouge city-parish attorney Joseph Kegh opposed another tentatively approved section calling for the expanded jury trial provisions. He said he wanted the parishes and municipalities to have a "quick take" authority under which property can be taken for public use with the price to be determined by the courts.

Ben Shieber, LSU constitutional law professor, told the committee that in certain limited instances there is a need for electronic surveillance. However, he noted that it should be done only after a show of probable cause and issuance of a judicial order. The committee removed the following sentence from the article: "No person shall permit the interception of any private communication or message."

The committee approved the following provision:

- "No person 18 years of age or older who is a resident of or domiciliary of the state shall be denied the right to vote except that this right may be suspended while a person is interdicted or under an order of imprisonment for conviction of a felony."

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**CONVENTION CALENDAR**

May 21-26

Monday:

- Committee on Public Information at 10:00 a.m., Mineral Board Hearing Room Auditorium, Natural Resources Building to consider the following agenda:
  1. Approval of the report concerning utilization of LA Hospital TV Network.
  2. Presentation by commercial television and radio as to coverage of convention.
  3. Consideration of regional meetings throughout the state open to the public, to inform on what’s going on in the convention.
  4. Coordination with Education Department on feasibility of providing information on convention for use in public schools as teaching aids.

- Report from committee staff on work of staff to date.
Wednesday:
Subcommittee on Elementary and Secondary Education at 4:00 p.m., LTU Building, to review the proposals for Elementary and Secondary education.

Subcommittee on Higher Education at 10:00 a.m., Department of Education Building, Fifth Floor Conference Room, to consider language and recommended changes in the subcommittee higher education proposal and to consider constitutional provisions relating to higher education not previously considered by the subcommittee.

Friday:
Subcommittee on the Public Welfare at 9:10 a.m., Department of Education Building, Sixth Floor Conference Room, to review proposals prepared by the research staff.

Committee on the Judiciary at 9:30 a.m., Room 306 of the LSU Law School, to hear Mr. Joseph M. Joachim, Executive Vice President and General Counsel of the City Marshall's and City Constable's Association and Representative of Community Action for Corrections, New Orleans chapter, speak on the provisions relating to the Judiciary Department. The committee will continue to take votes on preliminary proposals.

Committee on Revenue, Finance and Taxation at 10:00 a.m., Room 205, State Capitol. The committee will meet in room 205 and then separate into subcommittees, one of which will move into room 206. Both will discuss proposals.

Committees on Drafting General Provisions for Local and Parochial Government and Local Finance at 12:00 p.m., Second Floor Board 209, Baton Rouge Savings and Loan, to consider draft proposals relating to assigned subject matter.

Subcommittee on Special Districts: Transportation, Ports, and Harbors at 12:00 p.m., Senate Lounge, State Capitol, to consider and take action on the Ports of New Orleans, Baton Rouge, Lake Charles, and the Sabine River Authority.

Committee on the Judiciary at 9:30 a.m., Room 306 of the LSU Law School, to hear Judge William W. Acuff, Division B, City Court of Baton Rouge, speak concerning provisions relating to the Judiciary Department. At 11:00, Justice Frank E. Coussoule, retired Justice of the Louisiana Supreme Court, will discuss his ideas concerning the Judiciary Department. The committee will continue taking votes on preliminary drafts.

Committees on Revenue, Finance and Taxation at 9:00 a.m., Room 205, State Capitol, for a final vote on the $3.00 license plate and to discuss the subcommittee proposals.

Subcommittees on Drafting General Provisions for Local and Parochial Government and Local Finance at 9:10 a.m., Second Floor, Board 209, Baton Rouge Savings and Loan, to consider draft proposals relating to assigned subject matter.

Subcommittee on Special Districts: Transportation, Ports, and Harbors at 9:00 a.m. to continue Friday's meeting.

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The committee also covers community action by Max Fuchs, Director of the Educational and Social Participation in the federal government and was now in the process of getting matching funds from the state.

SUBCOMMITTEE ON HIGHER EDUCATION

The CC 73 subcommittee made some word changes in their proposed section on higher education and eliminated some controversial provisions.

On the amendment was the substitution of the word "managing" for "operating." It was described as "deskilling the board to the proposers board of regents." The report would have planning, coordinating, and regulatory responsibility for public higher education.

Subcommittee members felt this change in wording would make it clear that "the sub-boards, such as the LSU Board of Supervisors and the Board of State Colleges and Universities, would be administrative.

Under the proposal each of the three boards would consist of two members from each congressional district plus one member-at-large.

SUBCOMMITTEE ON ELEMENTARY AND SECONDARY EDUCATION

The subcommittee finished its proposals and prepared for a joint meeting with the subcommittee on higher education. The panel proclaimed its decision to ban use of public funds for private and parochial schools, but added an exception for federal funds supplied to the state for non-public education.

The group also completed wording on the public schools' retirement fund. As previously discussed it would protect each member's equity in his and her employer contributions to the system and would guarantee benefits as provided by law.

Other proposals setting up the State Board on Education, an effective educational system, local school operation and school financing with adapted with minor word changes.

JUDICIARY COMMITTEE

The committee tentatively agreed to retain in the constitutional provisions for a judiciary department, but with some changes. The present commission is composed of one court of appeal judge, three district judges, and one circuit judge appointed by the Supreme Court. The two members of the Louisiana State Bar Association selected by the association's board of governors, and one citizen appointed by the Judicial Council.

Under the new proposal the membership would consist of one appeal court judge and two district judges to be appointed by the state Supreme Court, three attorneys to be appointed by the Court of Appeal Judges' Association and three citizens to be appointed by the District Judges' Association.

The duties of the commission would be to make recommendations to the state Supreme Court on action to be taken against judges found guilty of misconduct. Upon the commission's recommendation, the Supreme Court "may censure, suspend with or without pay, remove from office or retire inactively a justice or judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public excuse, adjudicated by the administrative hearing initiated by the Supreme Court in which the judicial office is involved, or conduct while in office which would constitute a felony or conviction when in office of a felony." The committee agreed to require that supreme court, court of appeal and district judges must have been admitted to practice law at least five years prior to taking office and must have resided in the district they represent for two years.

The committee heard testimony from Joseph M. Joachim, executive vice president of the Louisiana City Marshal's and City Constables Association, who urged the standardization of the terms of office and programs for city marshals and constables and for an "adjustment" of their jurisdictions.

A group representing the New Orleans chapter of Community Action for Corrections made several recommendations including:

Deletion of special references to the election of a criminal sheriff for Orleans Parish so that the matter can be turned over to local government.

Reduction of the number of judges in the criminal district court in Orleans Parish from 12 to 10.

Establishment of a board or panel to appoint persons to fill the vacancies on the district courts where vacancies exist within one year of election.

Establishment of a full time professional pardon board with full authority to grant reprieves or pardons.

That the constitution should specifically vest the right to vote, of persons with a record of conviction, where those convictions are not for crimes of violence or that produce a specific deterrent to criminal behavior.

Former state Supreme Court Justice, Frank M. Hawthorne of Bastrop, asked for a strong parole board to control parolees. He proposed then for the crimes of willful murder, rape of a juvenile by an adult, second offense robbery involving a juvenile, and any drug related to juveniles.
/SUBCOMMITTEE ON DRAFTING

The Subcommittee on Drafting held its meeting in the Education Building at 9:00 a.m. on Friday, April 30th, to consider and report on the draft of the proposed Constitution. The following members were present:

Subcommittee Chair: John Doe
Subcommittee Members:
- Alice Smith
- Bob Johnson
- Carol Evans
- David Wilson

The Subcommittee discussed the various drafts submitted by the various regional committees and decided to allocate a total of 10 days for the final drafting process. The Subcommittee is scheduled to meet again on April 30th to finalize the draft Constitution.
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Page 2 - Expenditures by Committee 4/30/73
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<td><strong>Employer's Share Fringe Benefits</strong></td>
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<tr>
<td>Staff Travel</td>
<td>224.55</td>
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<td></td>
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<tr>
<td><strong>Total Fringe Benefits</strong></td>
<td>224.55</td>
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<td>3,361.52</td>
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<td>LSU Renovation - Law Building</td>
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<td>Moving of Research Staff to LSU</td>
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<td>133,658.22</td>
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<td>58,059.32</td>
<td>259,169.86</td>
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**NOTE:** Board of Liquidation approved & will be appropriated May 14.

90,000.00
180,890.14
## Estimated Expenditures, April, May, June, 1973

<table>
<thead>
<tr>
<th></th>
<th>April</th>
<th>May</th>
<th>June</th>
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**OTHER EXPENSES:**
- Equipment Rental: 1,000.00
- Printing: 400.00
- Office Supplies: 800.00
- Postage: 500.00
- Tel & Tel - 1st bill 2/25 - 3/25: 875.00
- Move to LSU: 250.00
- Renovation of Law Building LSU: 12,000.00

**Total estimated funds available:** $261,083.48

**Less estimated expenditures:** 254,325.00

**Balance at end of March 31, 1973:** $171,038.48

**Board of Liquidation Appropriation:** $90,000.00

**Total estimated funds available after Board of Liquidation Appropriation:** 261,083.48

**Less estimated expenditures after Board of Liquidation Appropriation:** 254,325.00

**Balance at end of March 31, 1973:** $6,758.48
### Expenses

<table>
<thead>
<tr>
<th>Expenses</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
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<tr>
<td>Salaries:</td>
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<td>3,000.00</td>
<td>3,000.00</td>
<td>18,000.00</td>
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<td>2,000.00</td>
<td>2,000.00</td>
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<tr>
<td>Delegates Per Diem</td>
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<td>136,850.00</td>
<td>137,650.00</td>
<td>137,650.00</td>
<td>137,650.00</td>
<td>144,100.00</td>
<td>837,200.00</td>
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<td>2,000.00</td>
<td>12,000.00</td>
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<td>10,000.00</td>
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<td>10,000.00</td>
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<td>Printing &amp; Office Supplies</td>
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<td>3,000.00</td>
<td>18,000.00</td>
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<td>500.00</td>
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<td>Telephone &amp; Telegraph</td>
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**Total Expense:**

$2,311,180.00

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**NOTE:** The above expenses were incurred prior to the finalization of final expenses. This information is provided for reference only.
### Convention Meetings

<table>
<thead>
<tr>
<th>Description</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>129 Delegates @ $50 ea.</td>
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<td>109,650.00</td>
<td>109,650.00</td>
<td>109,650.00</td>
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<tr>
<td><strong>Total Per Diem</strong></td>
<td>136,850.00</td>
<td>136,850.00</td>
<td>137,650.00</td>
<td>137,650.00</td>
<td>144,100.00</td>
<td>144,100.00</td>
<td>837,200.00</td>
</tr>
</tbody>
</table>

### Other Meeting Expense

#### Convention Meetings:

- 1 Sgt. at Arms @ $50  | 50.00
- 13 Asst. Sgt. at Arms @ $30 | 390.00
- 12 Pages or Messengers @ $15  | 180.00
- Rental Meeting Rooms        | 250.00
- Contingencies               | 1,000.00
- **Total**: 1,870.00

#### Committee Meetings:

- 1 Asst. Sgt. at Arms @ $30  | 30.00
- 1 Page or Messenger @ $15 | 15.00
- Contingencies               | 100.00
- **Total**: 145.00

### Estimated number of meetings per month:

- **Convention meetings**: 17 17 17 17 18 18 104
- **Committee meetings**: 34 34 35 35 35 35 208
SUBCOMMITTEE ON REGIONAL MEETINGS

The subcommittee decided to hold meetings in 27 localities during the week of June 25-29. Chairman for the various hearings were appointed and delegates assigned to local panels. (See attached list for dates, locations and panel membership.) The time for individual meetings and format will be decided by the respective chairman. Delegates are urged to attend as many meetings as possible. The meetings will be unofficial and no per diem will be drawn.

COMMITTEE ON EDUCATION AND WELFARE

The committee voted to make no reference against using public funds for private education and voted to have an elected state superintendent of education rather than an appointed one.

LEGISLATIVE COMMITTEE

The committee adopted a provision that the legislature 'shall pass no special or local act when a general act is or can be made applicable.' No specific date was placed in the Constitution for calling the legislature into session. Rather it was decided to allow the legislature to set its own date.

The committee amended its section on reapportionment. Last month it decided to require the legislature to reapportion itself by the end of the first year following the completion of the state's first census. To date Supreme Court has directed to draw up its own plan if the legislature fails to act. Amended the provision provides that the attorney general must initiate the Supreme Court action and places a time limit within which the attorney general must act.

The committee proposal allows the legislature to hold a veto session 25 days following the adjournment of the legislature if a majority of both houses vote for such a session by a mail ballot. The session could not last more than five days.

The committee changed the length of time which the governor has to veto a bill. Presently only ten days are allowed for veto. Under the present proposal the governor would have only ten calendar days to veto during a session, and 20 days after the session.

The section on impeachment prescribes automatic suspension while the impeachment proceedings are being conducted for any official except the governor or lieutenant governor. The governor would make appointments to fill the vacancy during the impeachment proceedings. Deleted from the section were two causes for impeachment under the present law-high crimes and misdemeanors in office. Also deleted from the proposal is the provision for 'addressing out of office.'

The committee's report also provides that laws enacted by the legislature 'shall be published as provided for in the official state journal and will take effect 60 days after adjournment of a session.'

The committee completed its draft, which will be presented to the full convention, and also made plans to have another meeting if legislators so request to discuss the article.

JUDICIARY COMMITTEE

The line of succession for four elected officials was approved by the committee. Under the proposals the first assistant would replace the district attorney, the chief criminal deputy would take over for the sheriff, and the chief deputy for a clerk of court and coroner. These would be interim appointments until an election can be held. If there were no chief assistant in a position which became vacant, the local governing authority would make the temporary appointment. Committee members set the same qualifications for clerks of district courts as in the present constitution. The legislature would also be directed to set statewide uniform office hours for all clerks of courts.

Another proposal given temporary approval would provide that no salary or retirement decreases during the terms of office of the attorney general, district attorney, or clerk of court could be made. Other proposals given tentative approval were:

- District attorneys must have five years of experience prior to their election and live in their district a minimum of two years.
- Providing for a grand jury or juries in each parish of the state, whose duties, qualifications and responsibilities shall be provided for by law. The legislature shall further provide for the secrecy of the proceedings, including the identity of witnesses appearing before a grand jury.
- Making women subject to jury duty. The article on jury duty reads:

  "A citizen of the state, upon reaching the age of majority shall be eligible for service as a jury. The Supreme Court by rule shall provide the selection and drawing of jurors for the trial of civil and criminal cases." Under this proposal the legislature would no longer have authority to make exemptions to jury duty.

- All court proceedings shall be recorded verbatim upon request.

Suggested to the Coordinating Committee that language from the Model State Constitution be used in dealing with the problem of special legislation and that certain subjects on which special legislation is forbidden in the present constitution be included in the new constitution.

COMMITTEE ON LOCAL AND PAROCHIAL GOVERNMENT

Committee members tentatively approved a provision giving governing authorities power over agencies they create. Besides those powers which are granted by the legislature, the local bodies would have the authority to appoint and remove members of the agencies' governing bodies, to exercise budgetary and fiscal controls, abolish the agencies' governing bodies and abolish the agency if the obligations or indebt- edness of the agency would not be impaired.

In other sections tentatively approved by the committee:

- Political subdivisions are permitted to enact land use and zoning ordinances.
- Political subdivisions are allowed to assist industry, subject to restrictions imposed by the legislature.
- The legislature is empowered to create special districts, boards and agencies to perform functions and duties of political subdivisions, and to grant rights and privileges to those special bodies.

The legislature by general law shall provide for recall of state, district, parish, municipal or ward officers, except judges of courts of record except as provided elsewhere in the constitution.

Parish seats may be changed in the following manner: on petition of 25 per cent of electors, certified by the registrar of voters, the local governing authority would call an election on the issue, with two-thirds vote required for passage.

Changes in parish boundary lines would require two-thirds vote in each parish affected.

REGIONAL MEETINGS

ABBEVILLE: June 28, 1973
Chairman, H. G. Harder, Patrick Juneau, Heloise Corne

BASKERVILLE: June 27, 1973

BASTROP: June 27, 1973
Chairman, David Ginn, R. M. Elkins, J. A. McDaniel

BEGALAUS: June 26, 1973
Chairman, Alphonse Jackson, Ford Stinson, "Buddy" Dornier, V. C. Shannon

BUNKIE: June 28, 1973
Chairman, Chris Ray, Camille Gravelot, Robert Muson, Lynn Perkins, Charles Slay, Cecil Blair

CHALMETTE: June 28, 1973
Chairman, Chalin Perez, Samuel Munoz, Ester Tapper

CROWLEY: June 26, 1973
Chairman, Ralph Gallow, E. J. Chatelain, Ruth Miller

DEPOT: June 28, 1973
Chairman, J. E. Stephenson, Errol Deshotels, Greg Arnette, Pat Hernandez

GRETNA: June 26, 1973
Chairman, Kenneth Leithman, John Alario, Joseph Toomy, Frankullo, Wendell Gauthier

HAMMOND: June 27, 1973
Chairman, Austin Newton, Calvin Fayard, Louis Lambert

HOUMA: June 26, 1973
Chairman, Stanwood Duval, Charles Badeaux, Hilda Brien, Donald Bollinger

METAIRIE: June 27, 1973
Chairman, Harold Toya, Lawrence Chehardy, Joseph Comino, David Conroy, Edward D'Geraldoz, Euel Landry

Minden: June 26, 1973
Chairman, Harmon Drew, Tom Stagg, Wellborn Jack, Frank Fulco

MORGAN CITY: June 27, 1973
Chairman, Anthony Guirrico, Norman Carmouche, F. D. Winchester

MCCUTCHEON: June 28, 1973
Chairman, Donald Kelly, Terry Reeves, Dwett Asseff

NEW IBERIA: June 26, 1973
Chairman, Perry Segura, Minos Armento, J. Burton Willis

NEW ORLEANS: June 28, 1973
Chairman, Earl Schmidt, Matthew Sutherland
UPPER COUNCIL: June 26, 1973
Chairman: Clyde Bel, Noise Denney, Hovysdependence, Max Tobias, Mary Jervis

LOWER COUNCIL: June 26, 1973
Chairman: Avery Alexander, Tom Casey, Louis Landrum, Edward LeFleurs, Edward Lomax, Dorothy Taylor

UPPER COUNCIL: June 29, 1973
Chairman: James Derbes, Claude Maubreter, Anthony Rachal, Anthony Wesch, Kendall Vick

CENTURY: June 27, 1973
Chairman: Louis Leick, Thomas Velazquez, Joseph Giarrusso

9th Ward: June 23, 1973
Chairman: Johnny Jackson, Phil Bergeron, George Warren

OFFICERS: June 27, 1973
Chairman: John Thistlewaite, Jackson Burson, Walter Champagne, John Fontenot, Lawrence Sandoz

POST ALLEY: June 26, 1973
Chairman: "Monday" Lowe, Peggy Hires, Jessel Orsso, Gordon Martin

BUTCHER: June 28, 1973
Chairman: K. D. Kilpatrick, Bill Grier, "Bubba" Honary

SULPHUR: June 27, 1973
Chairman: A. J. Blanchard, Ack Abraham, Conway LeBlanc, Gerald Weiss

TIGEROUX: June 28, 1973
Chairman: Joe Silverberg, Walter Lanier, Ambrose Landry, Risley Thibe, Richard Guidry

WEST MONROE: June 26, 1973
Chairman: Shady Wall, James Dennis, Thomas Leigh, James Stovall

WINSFIELD: June 27, 1973
Chairman: Terry Reeves, James Brown, H. M. Fowler, Richard Thompson

W HAMMOND: June 28, 1973
Chairman: Lanta Monnack, Judy Dunlap, James Brown

ZACHARY: June 28, 1973
Chairman: George Hayes, John Avant, J. D. Deblieux, Robert Aertker, Gordon Hoon, Mary Wisham, Gordon Floyer

CONVENTION CALENDAR
June 3-9

Thursday: Subcommittee on Various Elected Officials and Executive Boards and Commissions at 9:00 a.m.
in Room 301, LSU Law School, to discuss drafting of provisions relative to assigned subject matter.

Friday: Subcommittee on Various Elected Officials and Executive Boards and Commissions at 9:00 a.m.
in Room 301, LSU Law School, to continue Thursday’s meeting.

SUBCOMMITTEE ON PUBLIC WELFARE: 10:00 a.m.
in the 9th Floor Conference Room, Department of Education Building, to review proposals prepared by the research staff.

Committee on Bill of Rights and Elections at 10:00 a.m.
in the Conservation Auditorium, Natural Resources Building. The subject matter of the meeting will be constitutional revision and general government provisions including initiative, referendum and miscellaneous provisions. The committee will draft appropriate sections on the above matter and will review its past action on rights, distribution of powers and elections. Sections drafted will be tentative and subject to further hearings and review before final adoption by the committee.

Saturday: Committee on Bill of Rights and Elections at 9:00 a.m.
in the Conservation Auditorium, Natural Resources Building, to continue Friday’s meeting.

[1244]
CONVENTION CALENDAR

June 10-16

Sunday: Subcommittee No. 1 of the Executive Department at 1:00 p.m. in Room 306, LSU Law School.

Monday: Subcommittee No. 1 of the Executive Department at 9:00 a.m. in Room 306, LSU Law School.

Wednesday: Committee on Education and Welfare at 10:00 a.m. in the East Baton Rouge Parish School Board to discuss proposals of the Public Welfare Subcommittee and discuss minority reports.

Subcommittee on Public Finance at 9:00 a.m. in the LSU Law Center, to review proposals prepared by the staff.

Committee on Bill of Rights at 9:30 a.m. in Room 5, State Capitol, to consider and draft proposals related to assigned subject matter.

Subcommittee on Local Finance at 2:00 p.m. in Committee Room 5, State Capitol, to consider and draft proposals related to assigned subject matter.

Committee on Executive Department at 9:00 a.m. in Room 306, LSU Law School, to consider and draft proposals and reports from the various subcommittees.

Subcommittee on Special District Transportation, Post and Electric Vehicles at 10:30 a.m. in conference room 306, State Capitol, to consider and draft proposals related to assigned subject matter.

Saturday: Committee on Executive Department at 9:00 a.m. in Room 306, LSU Law School, to consider and draft proposals and reports from the various subcommittees.

Regional Meetings

Final plans are underway for the regional meetings throughout the state during the week of June 25 - July 2. Delegates are urged to attend these meetings and encourage the public to also attend. The meetings are being planned to allow citizens in the state to ask questions and make suggestions concerning the new constitution and to find out about convention activities. The particular format used in each meeting will be determined by the chairman of the panels.

Committee on Bill of Rights

A 25-section Bill of Rights was given final approval by the committee. A proposal on the right to bear arms was adopted which reads as follows:

"Subject to the police power, the right to keep and bear arms and ammunition shall not be abridged. This provision shall not prevent the passage of laws regulating the transportation or ownership of weapons by the police or other persons, personal arms shall not be subject to confiscation or special taxation."

In other action the committee agreed to:

- Allow initiative referenda on petition of 15 per cent of the electors on condition that details of the proposal be checked with the Secretary of State and other elected officials.
- Provide that "no person shall be denied the right to observe the deliberations of public bodies and examine public documents except in the cases established by law in which the demands of privacy exceed the merits of public disclosure."
- Approve a preamble which reads: "We, the people of Louisiana, grateful to Almighty God for the civil, political, economic and religious liberties we enjoy, and desiring to protect our individual rights and the community of rights to life, liberty, and property, afford opportunity for the fullest development of the individual; ensure equality of rights; provide for the health, safety, education and welfare of the people; maintain a representative and orderly government; ensure 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."

Committee on Revenue, Finance and Taxation

The committee voted to delay past the June 22 deadline in order to consider a new property tax proposal by the Louisiana assessors.

The committee also approved a proposal to maintain the present provision which requires a two-thirds vote of the legislature to increase property taxes. A motion that would seek moving the constitutional sections dealing with trade from the constitution to the statutes was also discussed.

Recommendations that parish governing authorities be given the right to decide whether industry will be given a property tax exemption. The deleting of provisions protecting goods stored in ports or awaiting interstate commerce.

Committee on Executive Department

The committee approved a plan for impeachment of state and district officials for felonies or malfeasance in office, incompetency, corruption or gross misconduct. Under the proposal, the House would impeach with the Senate trying the case. A justice of the state Supreme Court would act as presiding officer.

The committee also approved various proposals for duties of state elected officials and commissions.
The Public Service Commission was increased from three to five members. Appeals of PSC rulings must be filed in Baton Rouge District Court, with the decision appealable directly to the state Supreme Court. Concerning utility rate cases, the commission has approved a section which states: "The commission shall render its decision on a proposed rate schedule within six months from the date of the filing of the application, and such schedule shall be deemed to be tentatively approved and, pending final determination by the commission, the ratemakers may file protective rates or security requirements as may be provided by statute. If no final decision is rendered by the commission within 12 months after it is filed, it shall be finally approved. If the commission disapproves the proposed schedule, in whole or in part, the carrier or utility company may place or continue the schedule in effect, pending security subject to any appeal and final action by a court of last resort, to recover any refund that may be finally directed. Refund suits may be filed only within one year after such final action."

Concerning the filling of vacancies, the commission agreed that, where no other provision thereof is made by this constitution, the state or local government charter, or by ordinance, the governor shall fill any vacancy occurring in any 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.

In connection with pardons the committee approved a section stating that, "Except in cases of conviction upon impeachment, the governor may reprieve or grant commutation of punishment, and may pardon those convicted of offenses against the state and may remit fines and forfeitures imposed for such offenses. Other remedies for those convicted of offenses may be provided by statute."

The attorney general was granted power, "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, including:

(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.

The duties of the lieutenant governor shall be to "serve ex officio as a member on the committee, on which the governor serves, exercise the powers delegated to him by the governor, and perform such other functions in the executive branch that may be provided by statute."

For the secretary of state the committee said, "The department of state shall be headed by the secretary of state, who shall serve as the chief elections officer and administer the elections laws; administer the law relating to voting machines or other voting devices as now or hereafter provided by this constitution or by statute; administer the state corporate code; issue and maintain the state corporate registration; and register all corporations included in the laws of Louisiana and attest therewith all official laws, documents, proclamations, and commissions; administer the laws establishing the state archives and preserve the official archives and records of the state; promulgate, publish and retain the originals of all laws enacted by the legislature; countersign all commissions and keep an official registry of same; administer oaths; and perform such other functions as may be provided by statute."

The governor must issue a five day notice by the governor for special sessions, but may amend the proclamation until two days before the session begins.

Language approved giving the governor certain powers to appoint would read, "The governor shall appoint, subject to confirmation by the Senate, the heads of all departments in the executive branch of the government, whose appointment or election is not provided for by this constitution; and all members of boards and commissions whose appointment or election is not provided for by this constitution."

"Should the legislature be in session, the governor shall submit for confirmation by the Senate the names of those appointed within 48 hours after the appointment has been made. If a majority of the Senate fail to confirm an appointment prior to the end of the session shall be equivalent to rejection."

"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."

"A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature."

Under a section entitled "Removal," the panel approved, "The governor may remove from office those whom he appoints, except those appointed for a term fixed by law, commission, or by statute."

Other provisions approved would:

Give the governor 30 days in which to act upon legislative measures.

Allow the governor to institute across-the-board percentage cuts in the budget if the general appropriations act fails for it.

COMMITTEE ON LOCAL AND PARISHIAL GOVERNMENT

The committee agreed to allow home rule charter elections on petition by 15 instead of the present 20 per cent of the electors of the unit involved.

The section on levee districts was approved. As passed the provision would:

Continue districts as now constituted under the statutory law with the legislature authorized to consolidate, divide or organize.
Also included is a proposal which reads, "Mineral rights to land lost by erosion caused principally by acts of man, on a navigable waterbody, are retained by the riparian landowner."

SUBCOMMITTEE ON CLASSROOM INSTRUCTION

The subcommittee of the Public Information Committee met with representatives from the state Department of Education to discuss means of including material on the Convention in the school curriculum. It was decided to run a pilot program this summer with students and teachers throughout the state who would attend sessions of the Convention and form their own mock convention. Material derived from this pilot program would then be used to develop a method of instruction for the schools.

COMMITTEE ON RULES, CREDENTIALS AND ETHICS

The committee passed three resolutions concerning rule changes to be voted on by the entire Convention. The first resolution proposes that one or more delegates may submit a minority report. The second, concerning alternatives proposes that no more than six alternatives be placed on the ballot. The priority of the alternatives will be voted on by the entire Convention. The third resolution proposes that all lobbyists, including state and local officials, must register and pay a $10 fee. In addition all lobbyists must wear an identification badge when engaged in such activities.

COMMITTEE ON EDUCATION AND WELFARE

The committee adopted final proposals for state and city civil service. The section of the present constitution dealing with municipal fire and police was accepted, however wording was changed so that the provision also applies to the city of New Orleans.

The plan as submitted, calls for assessment of business and industrial property at 15 percent of fair market value, and makes "taxpayers the right to test the correctness of their assessments."

Pearl Mire, Ascension Parish assessor and a delegate to the Convention, introduced the measure in his capacity as president of the association. He stated that his group's plan was designed to lower the "little man's" tax load and not to shift taxes onto business and industry.

Under the assessors' plan, homestead exemptions would be increased to $10,000, and residential improvements would be assessed at 25 percent of their actual value. This would mean that homestead exemptions would be granted for residences up to $100,000. The committee will meet again on Wednesday, July 18 to continue discussion on the matter and to take up delegate proposals.

COMMITTEE ON THE EXECUTIVE DEPARTMENT

The proposal dealing with the executive branch of state government was given final approval on July 32 by the Committee on the Executive Department. A total of 47 amendments, primarily technical changes, received the committee's approval during its two-day session. The committee's proposal provides for the executive branch of government, for the filling of vacancies in certain public offices, and for respect to dual office-holding, a code of ethics, and for the retention of mineral rights to land lost by erosion caused principally by acts of man, on a navigable waterbody, are retained by the riparian landowner. The rejection was voted by committee members who were fearful it might perpetuate present inequalities in assessments. Delegate Herman "Monty" Lowe of Port Allen, a member of the committee and treasurer of the Convention, expressed concern over the proposed language regarding the right of the assessors to determine the fair market value of all property subject to taxation. The committee adopted section 1 of Article III, dealing with the legislative department. That portion which was adopted reads as follows with amendments:

A floor fight developed over how long and when the legislature should meet, and the delegates put together a majority coalition, adjourning until Wednesday, July 18, 1973, before adoption of the decision could be reached. The controversy is centered around two amendments, one offered by Sen. B. B. "Sixty" Rayburn of Bogalusa and another by Louis George Rice of New Orleans. Sen. Rayburn's amendment would set the number of working days to 66 which would be fitted into an 86-day period. This amendment was adopted on July 13, 1973.

However, on July 14, 1973 delegates reversed themselves and adopted a rival amendment by Mr. Rice. His proposal dealt with split sessions, beginning with the fourth Monday in April. Bills would be introduced during the first 15 days and neither house nor committee could vote during this interval. Under this proposal, 50 working days would be left in which to legislate with adjournment coming by July 31.

After additional debate, Camille Gravel of Alexandria introduced a proposal similar to Mr. Rice's with the only difference being in length of time needed to introduce. Mr. Gravel's plan calls for introduction of bills during the first ten days and the session would begin and end a month earlier. The 27-section proposal deals with the legislative department, impeachment and removal of officials, and necessary provisions with respect thereto.

The Convention is expected to continue deliberations on this issue when it reconvenes Wednesday, July 18.
CONSTITUTIONAL CONVENTION
FINANCIAL CONDITION 6/30/73

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Legislative Act 186, 72-73 350,000.00
Ed. of Liquidation Resolution 1 90,000.00
73-74 General Funds 2,500,000.00
$2,940,000.00

$2,483,686.70
## CONSTITUTIONAL CONVENTION 1973

### Actual Expenditures by Committee

**June 30, 1973**

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[1249]
Expenditures by Committee 6/30/63

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Grand Total | 334,199.78 | 92,880.14 | 427,079.92
HISTORY OF CONSTITUTIONAL CONVENTIONS IN LOUISIANA

Louisiana has operated under a total of five constitutions since obtaining statehood in 1812, more than any other state except Maine. The first Constitution was held to write a document preparatory to achieving statehood. The result of this convention was a constitution consisting of 12 printed pages, containing a preamble and a schedule of provisions necessary to place the document in operation. It set forth the powers of government; provided for the basic rights of the people; and outlined general principles of governmental organization.

However, several provisions were contained in the document which were viewed as undemocratic, such as the provision that only property owners were eligible to vote. Rather stringent property requirements were placed on candidates for governor, and the governor was chosen by the Assembly from the two candidates receiving the most votes.

Because of these and other restrictive provisions, another Constitutional Convention was held in 1845. This document, which changed or eliminated many of the objections to the first constitution, was written in simple, concise language, providing basic concepts and principles of government and fundamental rights of the people.

The Constitution of 1845 was adopted in order to bring about democratic reform; however, another convention was held in 1852 which made even more sweeping reforms. The 1852 Constitution was termed "radical" by many and provided for the election of the Secretary of State, State Treasurer, and State Auditor. Both these Constitutions of 1845 and 1852 were written in simple, concise language, providing basic concepts and principles of government and fundamental rights of the people.

The Constitutions of 1861, 1864 and 1868 followed the same pattern as the preceding documents had. The Constitution of 1861 did little more than make necessary changes in the language contained in the 1852 document. These changes were necessitated by Louisiana's joining the Confederacy.

The Convention of 1864 was called by Gen. Nathaniel P. Banks, federal commissioner over that part of Louisiana then under government of the Union. Many citizens from federally-occupied sections of the state were allowed to be elected to this convention. The Constitution was rejected by the state and was again submitted to Congress. It called for the abolition of slavery and provided public education of both races. Lotteries and gambling houses were authorized; however, under provisions of the constitution, gambling operations had to be located on the ground floor of establishments.

The 1868 Constitution was the work of a convention called by Gen. Phillip B. Sheridan for the previous year. This constitution denied suffrage to any person who had participated in the Civil War unless he filed a signed document with the Secretary of State recanting his participation and recognizing that the war had been morally and politically wrong. Despite the addition of a large number of provisions and the inclusion of a Bill of Rights, the 1868 Constitution remained a short document of only 22 pages.

With the end of Reconstruction, Louisiana entered a new era of constitution-making. Unlike the first six documents, the next four are characterized by the influence of the political parties. The Convention of 1879 drafted a document which removed the suffrage restrictions of 1868. Additionally, gambling was declared a vice, and the General Assembly was directed to enact laws to suppress such activities. Courts of appeal were provided. In final form the document contained 268 sections and 57 pages—more than double the length of its predecessor. It was subject to frequent amending.

The trend toward placing limitations on legislative power and statutory provisions continued in the 1898 Constitution. The convention was called because of demands for reform in the suffrage provisions. The constitution contained 36 articles and some 397 pages of printed matter. The total of 19 detailed provisions relating to elections were included, among them education and property qualifications for voting. The "grandfather" clause which excluded most whites. It was the first constitution to contain numerous highly detailed and separate provisions relating to New Orleans, particularly its courts and judicial officers.

The 1912 Convention was limited by legislative act to provisions dealing with the bonded debt of the state and the powers and duties of the Orleans Superintendent and Board. The convention exceeded these limits, and the Supreme Court ruled null and void the provisions outside the call. The constitution which resulted, however, continued the trend of long documents, containing 105 pages.

The Constitution of 1921 was adopted after much pressure for reform in government was exerted. The present constitution was long and complicated origonally, and it has undergone monumental changes over the past 42 years. Public officials, lawyers and students of government are slow to understand its provisions, even in the areas of their particular expertise.

In 1946 the legislature instructed the Louisiana Law Institute to draft a new constitution. The result was a Project of a Constitution for the State of Louisiana. It was compiled from the work of the Institute and other states as a model for constitutional reform. In the same year, the legislature adopted a resolution calling for a constitutional convention to consider the findings of the Institute. An act to do so was passed in the regular session, amended in the second extra session and finally suspended in the third extra session that year.

Unsuccessful attempts were made to call conventions in 1952 and 1954. Act 164 passed in 1964, provided for a convention call, set up the organizational structure and appropriated $800,000 for operational costs, but it was defeated in a referendum.

After 1964 interest in constitutional reform receded into the background. Three bills calling for conventions were introduced in the 1964 Legislature, but no committee hearings were held. In 1964 Louisiana followed the example of several other states by passing an amendment authorizing the legislature to propose an amendment for the revision of an entire constitutional article. The Law Institute was again named as the revision agency. However, during the first five years only one article relating to the amendment of judges was adopted by the legislature and approved by the people as a constitutional amendment.

In the presidential election of 1968 the people of the state were confronted with the task of voting on 50 proposed amendments, the second largest number submitted since 1921. Coupled with having to vote for presidential electors, a senator and congressman, the voters grew increasingly weary.

Because of the voter unrest, two concurrent resolutions were passed in the 1969 first session of the Legislature authorizing the governor to call a special session of the legislature to consider constitutional revision, and the adoption of certain statutory material from the constitution and placing it in the statutes as a special category requiring a two-thirds vote for amending and repealing.

In 1970 the legislature authorized the formation of the Louisiana Constitutional Revision Commission. The commission assumed the functions of the Law Institute and was to prepare a "revision of the Louisiana constitution in total or in part for submission to the Legislature." The commission made its report to the legislature, but its work ended in 1972 when the legislature passed Act 2 calling a Constitutional Convention in 1973.

Next Week...A discussion of Act 2 setting up the present convention.

CONVENTION CALENDAR

July 30 - August 3

Tuesday: Committee on the Executive Department at 5:00 p.m. in Committee Room 1 to review Committee Proposal No. 4.

Wednesday: Committee on Rules, Credentials and Ethics after adjournment in Committee Room 1 to continue consideration of Resolutions referred to the committee.

Thursday: Committee on Education and Welfare at 9:00 a.m. in Committee Room 1 to continue consideration of the amendment to the Louisiana Constitution of 1864 through the 1912 amendments.

Friday: Committee on Legislative Liaison and Transition Measures at 11:45 a.m. in the Atrium Room, White House Inn for discussion of appropriate areas in any of the separate articles of the 1864 Constitution; also the Louisiana Historical Commission; and a call for the next special session to take action on the 1898 Constitution.

Constitutional Convention of 1973

The Constitutional Convention of 1973 was called under authority granted by the provisions of Act II approved by the Legislature in 1971. Under Act II, delegates met for the first time on January 5, 1973, at which time they elected the first officers, formed an executive committee and designated the rules of procedure. It then adjourned until July 5. In the interim, the Executive Committee hired a research director and a staff. Under the rules, delegates set up steering, substantive and procedural committees which dealt with the day-to-day operations of the convention. The substantive committees, together with the help of the research staff, wrote the proposals which are currently being presented to the convention.

Louisiana Constitutional Convention of 1973
The convention is composed of 132 delegates—one elected from each House of Representatives district, 12 appointed by the governor to represent industries, education, civil service, banking, law enforcement, the judiciary, the professions, consumers, agriculture, youth and old age, and 13 elected by the governor. The governor is empowered to fill a vacancy of an elected, or an appointed, delegate from the same representative district. A vacancy in an appointed delegate's seat is made in the same manner as the original appointment.

The convention has full authority to frame an entirely new document for the state, and to adopt such alternative provisions as it deems appropriate to be submitted to the voters of the state for approval or rejection. However, there are three stipulations to the act which prohibit the convention from writing any article or provision which will (a) impair "the bonded indebtedness of the state or of any parish, municipality, district or other political subdivision or authority of the state" (b) change the terms of office of any elected or appointed official in the state prior to the expiration of the present term of office; and (c) removal of the state capitol from Baton Rouge.

Delegates to the convention are paid $50 for each day of actual attendance at meetings of the full convention or its committees. No delegate may receive any compensation for work performed for the convention from any source while serving as a delegate and engaged in convention work except from the delegate's regular employer.

The eight substantive committees are: Bill of Rights and Elections, Executive Department, Legislative Powers and Functions, Judiciary, Local and Parishal Government, Revenue, Finance and Taxation, Education and Welfare and Natural Resources and Environment.

Each delegate serves on one substantive committee and may serve on only one committee. By convention rules committees may contain no fewer than 10 and not more than 30 delegates. In the present time, committees range in size from 10 to 23 members each. The purpose of the rules regarding service on committees was to guarantee that no group of delegates could gain control of the convention and to insure that power and responsibility was distributed among the 132 delegates.


Unlike previous conventions, a fulltime staff is employed to assist delegates in conducting research for the new constitution.

The convention meets each Wednesday through Saturday in Independence Hall in Baton Rouge for deliberation of the various proposals and recommendations. The meetings are open to the public. Committees are continuing the work they began in January, and they, too, are open to the public.

Delegates must complete their work no later than January 4, 1974, according to the provisions of Act II, and upon completion of its work, the convention will submit a proposed draft of the new constitution to the governor. Within 30 days after the governor receives the draft, he shall by proclamation call an election, to be held at the same time as and in the same manner as regularly-scheduled state elections. At the time of discretion, call a special election to be held at a time prior to the next regularly-scheduled general election. The people will then decide whether they want to adopt the new constitution as written by the delegates or whether they want alternatives included.

The new constitution, if ratified and adopted by the people, and such alternative proposals as are approved by the people, shall be submitted to the people in the form on the 30th day after the date on which the secretary of state promulgates the results of the election.

Committee Reports

In action the previous week, the Committee on the Executive Department adopted a proposal requiring the legislature to enact a code prohibiting conflict between public duty and private interests of all employees of the state and its political subdivisions. However, the committee didn't decide on whether this provision should be included in the constitution or in the statutes. This committee's proposal on the executive department is presently before the convention for deliberation.

The Committee on the Judiciary worked out a compromise on changing the courts. In the future courts could be merged, and under the compromise agreement, they would allow the legislation to come up with either a three or four court system. The provisions, however, do not freeze either system into the constitution, and complete abolition or creation of courts will be done only by legislative act under their proposal. Committees are working to bring the bill in final form as they expect it to be the next proposal put before the convention after final adoption of the article on the executive branch.

The Committee on Bill of Rights and Elections considered the election provisions under "General Governmental Provisions" of its proposal. The sections concerning elections which were approved by the committee were rescinded and resubmitted by the convention with recommended changes. The committee voted to hold over a decision on the suggested changes. Members also discussed and polled on information and decided to have some expert opinions on this subject at its meeting this week.

Committee on Education and Welfare heard from numerous witnesses during public hearings this past week. Testimony was offered from representatives of the American Civil Liberties Union, CABL and the League of Women Voters. Other individuals appearing before the group included Edna etting of Baton Rouge. Pat Jouannau of the Constitutional Convention and the chairman and co-chairman of the Committee on Education of the Student Constitutional Convention. At this week's meeting the committee will hear more testimony and will then take up its proposal on education. Members expect a decision to be made concerning higher education.

A new proposal by the tax assessors was submitted to the Committee on Revenue, Finance and Taxation. The committee had the proposal to amend the convening, increase the property taxes, and the proposal which contains the proposal to amend the convening, increase the property taxes. In the new plan, the assessors propose a $5,000 homestead exemption rather than the original provision $10,000. The assessors also recommend that land be placed on the assessment rolls at five percent of its fair market value. Improvements at 10 percent and all other property at 15 percent. The committee was able to come up with a compromise on the two proposals in the very near future.

CONVENTION CALENDAR
August 6 - 11
Tuesday: Committee on Revenue, Finance and Taxation at 2:00 p.m. in Committee Room 4, State Capitol, for public hearings on property taxes.
Committee on the Executive Department at 5:00 p.m. in Committee Room 5, State Capitol, to hear testimony concerning the functions of state officials.
Committee on Bill of Rights and Elections at 10:00 a.m. in Committee Room 1, State Capitol, to hear public testimony on the committee's proposal.
Wednesday: Committee on Bill of Rights and Elections at 10:00 a.m. in Committee Room 1, State Capitol, to begin Tuesday's meeting
Committee on the Judiciary at 9:00 a.m. in Committee Room 9, State Capitol, to continue consideration of Committee Proposal No. 6.
Committee on Style and Drafting at 7:00 p.m. in the Senate Lounge, State Capitol, to consider Committee Proposal No. 3.
Thursday: Sub-Committee on Transactional Measures of Local and Parishal Government at 9:00 a.m. in Committee Room 9, State Capitol, to discuss transition of those matters not included in the committee proposal of Local and Parishal Government.
Committee on Education and Welfare at 7:00 p.m. or after adjournment in Committee Room 5, State Capitol, for continuation of hearings on education, and consideration of Delegate Proposal Nos. 8, 9, 10 and Committee Proposal No. 7.
The Executive Committee at 8:30 a.m. in Committee Room 1, State Capitol, to receive the following: status report from Treasurer, status report from Research Director, resolutions on General Convention business, and reports on General Convention business.

Delegates to the Constitutional Convention last week failed to approve the article dealing with the executive branch of government on which they have spent two calendar weeks of deliberation and debate. The vote on Friday, August 10, was 55-55.

The impasse over adoption of the article revolves around whether to have a cabinet form of government or not. In its original proposal, the Committee on the Executive Department specified that only five officials be elected—state treasurer, governor, lieutenant governor, secretary of state, attorney general and treasurer. However, during deliberations on this section, the convention added the commissioner of agriculture, commissioner of insurance and the new office of commissioner of elections to the list, making a total of nine officials instead of the present 11. Delegates agreed to the deletion of custodian of voting machines and registrar of state lands. The legislature, at its last session, decided to do away with the office of comptroller after this present term expires.

The proposal needed 67 votes in order to gain approval, but it received only a simple majority of the votes cast. Had the proposal failed to receive a simple majority of the votes, it would have been killed, and delegates would have had to start rewriting it from scratch.
During a committee meeting on Saturday, members disagreed a motion to invite the governor to appear before the convention, which the chairman said would not be good for the usage of the convention. A suggestion was made to the committee by Convention Chairman E. L. "Bubba" Henry that the proposal be returned to the calendar and remain there until the delegates finish work on the judiciary report. The convention then voted on the matter; however, final action on the suggestion is expected to take place at the committee meeting scheduled for 5 p.m. Tuesday at the State Capitol.

Chairman Henry told the group Saturday that if the article came up for a vote again and failed to get the necessary 67 votes for passage, it would be rejected and delegates would have to start writing the article over again.

In other convention activities last week, the Committee on the Judiciary finalized its proposal and submitted it to the convention. Debate will begin on this article when the convention reconvenes at 2 p.m. on Wednesday. At its last committee meeting before sending the article to the convention floor, the members extensively discussed provisions on the attorney general's office and retirement benefits for judges.

Under the new section, the attorney general will be empowered to institute and prosecute or intervene in any civil actions or proceedings; and to advise and assist, upon request of a judge, in the presentation of an application for habeas corpus, subject to judicial review, for cause why a person held in an institution shall be released.

On retirement benefits for judges, the committee agreed to provide that if a judge with 16 years judicial experience may retire at any age; a judge with 12 years may retire at age 55; upon retirement, a judge shall receive four percent of his salary, but not more than $9,000, for each year served, but not more than 90 percent of pay at the time of retirement; a judge who becomes mentally or physically incapacitated of performing his duties, "shall be retired at the end of the fiscal year," and five percent of his annual pay times number of years served, "whichever is greater" but not to exceed 90 percent.

Also approved was a provision that if a judge dies, the surviving spouse, until remarriage, would be entitled to one-half of his annual salary as judge prior to death or, if the judge has no spouse, to be entitled to all unmarred children shall be entitled to said benefits until age 18.

Gov. Edwin Edwards appointed Robert Pugh, Shreveport attorney, to replace Rep. Richard Guidry, Galiano businessman, who resigned last week. Pugh is the only of 27 delegates in the group permitted to come from North Louisiana. Guidry resigned because of the demands upon his time by his business.

Pugh is an expert on court procedures and juvenile law. He is author of the book, Juvenile Laws of Louisiana, Their History and Development.

In addition to the Committee on the Executive Department and the Committee on the Judiciary, other substantive committees which met last week include:

The Committee on Revenue, Finance and Taxation held public hearings last week. Ed Steelman of the Public Affairs Research Council (PAR) appeared before the group to present a property tax plan with a sliding scale to be used for homestead exemptions. Steelman said that the amount of the exemption should change proportionately, based on the number of average persons in each household. He said the average household in Louisiana contains 2.1 persons.

The committee also completed work on constitutional revision with the days the convention is in session in Baton Rouge. This is to be technically refined before its ready for submission. The committee rejected a delegate's plan for the constitutional amendment process. Delegate Philip Bergeron of New Orleans sought to have a harder method for amending the document. Under his plan, an amendment could be submitted to the voters only after it had approval of two-thirds of the legislators.

The committee has scheduled public hearings in Baton Rouge at the State Capitol at 10 a.m. on Tuesday, August 21 and Wednesday, August 22.

The Committee on Education and Welfare, after much discussion and debate, agreed to amend its proposal regarding supervision of the State Board of Elementary and Secondary Education. They decided that there would be seven elected members, to the single-member districts and three appointed by the governor, constituting an 11-member board. Originally the committee had proposed that the governor appoint seven members to the board, and eight would be elected by the Board of Elementary and Secondary Education. Commissioner members also heard from the Board of Elementary and Secondary Education. They also believed that the school board, and eight would be elected by the Board of Elementary and Secondary Education.

The committee also spoke to the group and said that the committee should resolve the relationship between having an elected superintendent and an appointive board.

Convention Treasurer Norman L. "Monday" Love of Port Allen last week was asked to prepare an Executive Summary of the convention's financial status. If the convention, which has a total of $2,225,000 in the bank of which the excess is $4,500, the treasurer said that the savings came about mostly because the convention has scheduled committee meetings to coincide with the days the convention is in session.

Convention President 6. E. "Bubba" Henry said that the convention is to meet one day or two before they attend both a meeting with the convention session.

Tuesday: Committee on the Executive Department at 5:00 p.m. in Committee Room 5, State Capitol, to consider and complete work on the proposed Code of Ethics and dual officeholding.

Wednesday: Sub-Committee on Transitional Measures of Local and Parochial Government at 5:30 p.m. in Committee Room 205, State Capitol, to consider committee amendments to CP No. 16, to hear the following witnesses:

Register of State Lands—Ellen Bryan Moore, Gre Pore; Department of Public Works—Daniel Cresap, Chief Engineer, and for adoption of Final Committee Proposal.

Committee on Style and Drafting after adjournment in the Senate Lounge, State Capitol, to consider CP No. 3.

Thursday: Committee on Education and Welfare at 6:30 p.m. or immediate after adjournment in Committee Room 5, State Capitol, for consideration of CP No. 7, and DP Nos. 8, 9 and 10.
Supporters of the much-amended article on the executive department sought to have the article pulled from the agenda for a final vote. However, the move was postponed in hopes of trying to reach a compromise on the one section dealing with the appointment of state officials. Delegates were reluctant to stop deliberation on the judiciary article and take up the one on the executive. It would take 67 votes to call the article from the calendar.

A 21-year-old LSU senior, Paula Kilpatrick of Ruston, was sworn in Wednesday morning to replace her father, Sen. K. D. Kilpatrick, who resigned. Sen. Kilpatrick resigned because of pressing demands made upon him by his business and his duties as a member of the Legislative Budget Committee.

Miss Kilpatrick is an English education major at LSU with a minor in journalism. She needs 17 hours to complete her work, but said she doesn't know if she'll be able to continue her studies at LSU this fall because of her responsibilities to her constituents at the convention.

Sen. Kilpatrick was the fourth delegate to resign and said, "I'm for the convention atmosphere in New Orleans and I'm going to do as well as I can in Shreveport for Rep. Richard Goody of Gilliam."

Delegates appointed to replace original delegates include: Mayor N. E. "Pete" Heile of Baker for Mayor Tom Colmen of Minden, Mrs. Charles A. Badeaux of Houma to replace her husband, and Robert Pugh of Shreveport for Rep. Richard Goody of Gilliam.

The WEAK THAT WAS

The convention week of August 22-24 was a week of accomplishments after much debate and "Henry's Huddles" as delegates threshed out their differences on the judiciary and executive articles. Delegates agreed to a compromise on the executive article, but not without a lot of heated discussion and numerous heretofore unheard from faces appearing at the microphone over the issue of the president's power and authority.

The compromise amendment, co-authored by 50 delegates, passed 71-50 and would allow the legislature with a two-thirds vote to change the offices of commissioner of agriculture, commissioner of forestry, director of elections and superintendent of education from elective to appointive and "any offices, their departments and functions" could be "merged or consolidated with any other office or department in the executive branch."

Tom Stagg of Shreveport, chairman of the committee on the Executive Department, urged the passage of the amendment "in order to achieve the greater good."

Donald T. Bollinger of Lockport called for rejection of the amendment, because he said they represented a "cop out."

Charles Komer, III of Bossier City spoke against the compromise saying the amendment would "will recreate the day this amendment took place. Let's let the people decide. Let's make it an alternate."

LETTER CIRCULATED

The amendment also received a boost when a letter was distributed to delegates from Janes Graymond, president of the Louisiana Farm Bureau, stating that the board of directors had withdrawn its objection to the inclusion of the commissioner of agriculture.

Final adoption of the executive article garnered 82 years and 38 ayes.

PLEASE AND PLEAS

Delegates to the Convention had an unannounced visitor to the gallery on Wednesday, Gov. Edwin E. Edwards, and one expected visitor, Atty. Gen. William Guste. The Governor visited quietly with delegates while Gen. Guste appeared before the members when they dissolved into a committee of the whole. The attorney general urged delegates to retain his authority over local district attorneys. He was concerned over a provision in the judiciary article that would vest unconstitutional powers he now exercises over local criminal matters.

Guste said the section's proposed amendments would support elected, not appointed, district attorneys, and from investigating organized crime, labor racketeering and public corruption cases at the local level.

Also appearing before the committee of the whole session was Ed Ware of Alexandria, president of the District Attorney's Association, who pleaded with the delegates to adopt the committee proposal. He said, "You don't have a super attorney. Why do we need a super attorney general?"

Final approval was given to the committee's proposal with the stipulation that the attorney general would be allowed to supervise local district attorneys only after first proving before a local court the need for such a change.

HERE COME DE JUDGE

In this case, it was judges who came out in force on Wednesday to lobby the convention to adopt the committee proposal setting up a judge's retirement system in the state. Two new proposals by the convention included: The convention finally approved the section with an amendment by Gordon Keen of Baton Rouge specifying that judges will not contribute a part of their salaries of prior years in order to join the system.

HEATED DEBATE

Debate was sparked between Gravel and District Judge James L. Dennis of Monroe, chairman of the Committee on the Judiciary, over an amendment offered by Thaddeus Guarisco of New Orleans which tracked the earlier approved Gravel amendment. Velequez offered his amendment after Keen's received approval. Dennis said that adoption of the Keen amendment showed a desire to change the amendment (Velequez's) and the tactics displayed by it. Dennis stated, and he accused Gravel of being "the pivotal delegate in this amendment."

Gravel objected and explained that the amendment was drafted Friday and given to delegates on Saturday. He pointed out that the Velequez amendment was different from his and took Dennis to task for not recognizing the difference.

A FIRST OF ITS KIND

On Friday delegates for the first time adopted an amendment providing a special exception in the new constitution for a local area - Orleans Parish.

The judiciary committee had a section in its article setting up the office of sheriff in each parish and outlining their duties.

The vote of 104-15 delegates approved an amendment to specify that the section "shall not apply to the parish of Orleans."

The Rep. Tom Casey of New Orleans offered the amendment along with others from Orleans and the three other sheriffs delegate the committee proposal which would get the article. He said his amendments would delete a section of the proposal and instead give the amendments would scrap the preamble and declaration of rights.

Under the adopted plan, homestead exemptions will go up from $2,000 to $5,000 and to $6,000 for veterans and those over 65 years of age. Taxation of street value at five percent of actual value for land, 10 percent of actual value for homes and 15 percent of actual value for other kinds of property.

Proposed amendments to the committee's proposal, with an amendment by Thistlethwaite of Opelousas, is that a committee member, appointed and not chosen by the officers of the convention, who would act as a super sheriff. The amendment, which would be an amendment to the amendment of the amendment of the amendment, would delete a section that would allow local governments to act in its right to human treatment section to prohibit euthanasia (mercy killing).

READ: 'RITING,' RUTHIC

The Committee on Education and Welfare completed its proposal concerning education on Wednesday after adopting a final amendment from Perry Cohea of New Iberia with a 10-6 vote.

Several members appeared concerned that the amendment would "open the door to the legislature to pass whatever it wishes to aid non-public schools.

The next step would be to present the plan to the convention.

WHERE TO NOW, COACH?

The Committee on the Executive Department was stymied Wednesday on how to go about merging the legislature to reorganize state government under provisions of the new constitution.

Action was deferred on the matter until the next meeting in hopes of finding a solution to the problem.

The crux of the problem is that responsibility for reorganization of state government rests on the shoulders of more than 20 departments has been assigned to the legislature, and if it fails to do so within a certain time, then the governor could then issue an executive order assigning existing agencies to one of the 20 departments.
"If you allow him (the governor) just to group under department heads, you've done nothing," according to Roy Arnette of Jennings. "My problem is seeing how we can force the legislature to do it," said Moise Denney of New Orleans. "The governor can't do it."

IN A LIGHTER MOMENT
A bouquet of red roses was sent to Supreme Court Justice Albert Tate of Vicksburg, Miss., by the late Rep. Greg Arnette of Napoleonville, who resigned. Tate is executive vice president and general manager of KNOE-TV. His appointment marks the third one from Napoleonville to replace delegates. Others are Robert Pugh of Shreveport to replace Rep. Richard Guidry of Galliano and Paula Kilpatrick of Ruston to replace father R. D. Kilpatrick.

Trotz resigned because of his "business obligations" and his duties as a state representative.

Speaking last week on the committee's plan and the Perez amendment, Chairman Jackson said, "Are we so steeped in yesteryears that we can't visualize and dream of a better day?"

AMIDST THE SOUND AND FURY--A BOMBSHELL
Delegates were taken unawares on Thursday while they were discussing the right to property section of the proposal. The bombshell was exploded by Lawrence Chehardy, Jefferson Parish tax assessor, and Frank Pulco of Shreveport in the form of an amendment to completely do away with property taxation. The convention sent them through several record votes on motions to allow Chehardy additional time to speak. Under Convention rules, each delegate is allowed five minutes to speak.

Chehardy said that taxation throughout America "has ravished every home- owner" except in Louisiana where he said his efforts have prevented the unreasonable taxation of homes.

Pulco said that "homes never have been revenue-producing items" and therefore should not be taxed. It "is like opposing motherhood, country and apple pie, but I'm opposed to this amendment," Jasper K. Smith of Vivian said.

A lengthy list of delegates asked to speak with numbers of them wanting to know if this amendment wouldn't more properly belong in the Revenue, Finance and Taxation proposal.

SIMILAR PLAN
A similar plan has been adopted by the Committee on Revenue, Finance and Taxation proposed by the state's assessors which would in effect exempt every home in the state valued at up to $50,000 from taxes.

Chehardy and Pulco withdrew the amendment before final action could be taken.

WOMEN'S LIB OR EQUAL PROTECTION FOR ALL?
One of the most highly controversial sections to be discussed was the one on Right to Individual Dignity or what is commonly bantered around by rights groups as ERA. The convention took up Tuesday while discussing this area, but on Wednesday morning they quickly approved 150-4 to a compromise amendment by Moise Denney of New Orleans which had the committee's approval.

The compromise reads:

"No person shall be denied 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, sex, marital status, culture, physical condition, political ideas or political affiliation. Slavery and involuntary servitude are prohibited, except in the latter case as a punishment for crime."

The highly volatile issue was the cause of some heated debate with the delegates calling persons who supported the section "mutts" and another group, saying that the remark was racially motivated.

Less than an hour of New Orleans who was acting chairman at the time of the exchange between Wellborn Jack of Shreveport and the Rev. Louis Lenz of New Orleans ended the great debate on ERA and finally had the microphones shut off in an attempt to quell the debate. A recess was ordered.

The resolution was presented by Jack and Rev. Landrum continued their argument on the convention floor.

An amendment by Pat Juneau of Lafayette was offered which would have substituted a brief general section to the committee's specific proposal. It provided that there be provided that no person be denied equal protection of the laws. It was rejected on a 55-66 vote.

Lynn Perkins of Monroe spoke against the proposal. She said, "Ladies, you have the rights, don't give away the privileges."

STRONG RIGHT TO PRIVACY ADOPTED
Citizens will be protected from unreasonable searches, seized, or invasions of property under provisions adopted 94-11 by delegates on Friday. As amended, it strengthens present laws on the subject by requiring law enforcement agencies to show probable cause by oath, determining the place to be searched and the person or things to be seized and the lawful purpose or reason for the search before a warrant could be issued.

Provisions is also made for any person adversely affected by search and seizure in violation of the section to raise the illegality of an action.

The convention also adopted without discussion a brief "freedom from interference with personal privacy" amendment. It had been rejected in any house without the consent of the owner or lawful occupant.

SABOTAGE...THE SABOTAGE
Accounts of sabotage were leveled against Louis "Woody" Jenkins of Baton Rouge by other committee members at a committee meeting after adjournment on Friday. Chairman Alphonse Jackson of Napoleonville charged that Jenkins for allegedly undermining efforts of the committee to keep its proposals intact.

The section causing the discussion is the one on freedom from discrimination. It had been amended many times that members felt a concerted effort was being made to sabotage.

Jenkins did not deny the allegations but said that he felt passage of the section could lead to sabotage of the entire constitution. He said opponents to the section would use it as a wedge to help defeat the document.

The Convention will continue to consider this section when it reconvenes.
The following is a column written by Charles Hargroder of the Times-Picayune staff who regularly covers convention activities each week. It is reprinted here with the author's permission.

THE TIMES-PICAYUNE, NEW ORLEANS, LA.
SUNDAY MORNING, AUGUST 19, 1973

Louisiana Capital Report

Elect or Appoint, That Is Question

By C. M. HARGRODER
(Times-Picayune Staff Correspondent)

BATON ROUGE, La. — What really stalled the proposed article on the executive branch in CC-73 services as an uncompromising attitude on both sides relative to which office should be filled by appointment and when by election.

There was a determined effort to compromise by most members of the executive department committee and, it appears, on the part of Gov. Edwin Edwards. The pivotal issue was the office of commissioner of agriculture.

Delegates on both sides got pretty emotional about it. To those of us somewhat removed, Gov. Edwards in this instance seems to be right.

The governor warned advocates of an elective commissioner of agriculture they were boxing themselves in and may get more than they bargained for.

THE Louisiana Farm Bureau Federation has voted overwhelmingly that farmers want to elect their commissioners. There is the first fallacy. Supposedly, the commissioner of agriculture represents the city dweller, too, but in recent years it has become apparent in the milk-pricing issue that it is the farmer, not the public he represents.

Ergo, there is a great deal of truth that farmers may be setting themselves up in the next election for an urban revolt that will install a consumer-minded commissioner of agriculture who will make the representation of the various interests as we now know them.

Let us take one key factor which has been identified as the "Mississippi Commission." Rep. Lautz, Wonack of Winnfield, told this reporter days before the vote was taken that he personally supported an appointive commissioner. There have been reports that Wonack would like to try for the job. He recognizes, it seems, that if he won election he just might not make it.

On the day the vote was taken to include the commissioner of agriculture in the executive branch, Wonack answered the opening roll call for the LFB by voting "Present" but was recorded as not voting. The next day when the convention nailed it down that the commissioner was to be elected, he was not present.

THAT'S ONE way to handle a hot issue but in the meantime other delegates were cutting heads on the floor, in the lobby and in committees. It left some scars, too, on a stubborn minority in the committee on the executive department who resisted the majority after they found themselves on the prevailing side on the convention floor.

That stubbornness can solve personal feelings but would we really be so in the public interest?

Hargroder

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That stubbornness can solve personal feelings but would we really be so in the public interest?
There was little discussion on either of the two sections, and the compromises were approved by large majorities.

**EUTHANASIA BANNED**

During the discussion on the committee's "Rights to Human Treatment" section, Mrs. Hilda Brien of Nova, a native of Germany who witnessed the rise of the Nazis and became a naturalized citizen, implored, "I especially ask you not to remove euthanasia" from the section prohibiting bodily and other forms of treatment for a dying patient.

Debate was centered over concern that the prohibition might keep a physician from halting treatment of a dying patient.

Dr. Gerald Weiss of Lake Charles said, "Euthanasia is confused with the right to die. Millions have been murdered in the name of mercy."

Mary Zervigov of New Orleans successfully offered an amendment to have the term "right to die" struck out. Weiss counter-offered an amendment which clarified the language and put the word back in.

The provision now reads:

"No law shall subject any person to euthanasia, torture, cruel, excessive, or unusual treatment."

Delegates also agreed to the following statement, also under humane treatment:

"Full rights of citizenship shall be restored upon termination of state and federal supervision following conviction for any crime except capital offenses."

Chris Roy of Alexandria said the section puts pardon in the constitution "rather than in the hands of the governor."

**RIGHT TO VOTE**

The Convention also guaranteed 18-year-olds the right to vote by stating "every citizen of the state, upon reaching 18 years of age, shall have the right to register and vote..."

"How long, on how long??"

Convention Chair E. D. Henry of Jonesboro chastised delegates last week for debating the issue of taking a week off from the convention. "If you don't want to stay, there's the door over there. Just go home," he said. "Let the rest of us who want to write a constitution go on with our work."

He said he gets "extremely disgusted from time to time" with the progress being made.

"About 10 percent of the delegates have been doing all the talking, and less than that have been doing all the thinking," the chairman commented.

"We've got too much work to do to take off," Henry said.

Several times during deliberations last week, the chairman plaintively intoned with eyes turned heavenward, "How long? Oh, how long?"

Beginning next week Henry said the Convention will meet Tuesday through Saturday, because of the enormous workload still ahead and time running out.

**THINGS HAVEN'T CHANGED MUCH DEPARTMENT**

"It's a matter both of wonder and regret, that those who raise so many objections against the new Constitution should never call to mind the defects of that which is to be exchanged for it... No man would refuse to quit a shabby and tawdry habitation for a fine and commodious building, because the latter had not a porch to it, or because some of the rooms might be a little larger or smaller, or the ceiling a little higher or lower than his fancy would have planned them... Is it not manifest that most of the objections urged against the new system lie with tendencies to keep us from the existing one?"

Henry said, "Today in Louisiana, nearly two centuries later, Mr. Madison's words are equally valid in considering our existing state constitution and the new constitution with which we hope to replace it."


**WELCOME ABOARD**


**HAPPY TO SEE...**

Harvey Cannons of Baton Rouge has returned to the Convention floor after convalescing from a heart attack.

63

*63 REPORTER*
Delegates voted 88-28 to approve the entire article on Friday. This article has been the most controversial one to come up for consideration to date, and it sparked some of the liveliest debate and oratory of the Convention.

**QUICK ACTION**

Delegates approved three sections to the proposal when the Convention opened on Wednesday morning—Right to Keep and Bear Arms. Writ of Habeus Corpus and Access to Courts.

**ONE HOUSE DIVIDED**

The consensus of the delegates on the arms issue was that citizens of the state should have the right to keep arms; however, most of the discussion on this section centered over whether guns should or should not be registered.

One Orleans delegate said that without registration the present New Orleans law requiring registration of handguns would be nullified. A Baton Rouge delegate, speaking against registration, said, "Our people in this country have three great protections to our freedom: the jury box, the ballot box and the cartridge box.

As finally resolved on a 100-3 vote, the section reads: "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."

**WITHOUT OBJECTION**

Without objection, delegates approved 106-0 the one-sentence section which reads: "The writ of habeus corpus shall not be suspended."

**MINOR CHANGE**

The section on access to courts was amended slightly but continues to provide that courts shall be open to all with every person having an adequate remedy by due process of law "without denial, partiality, or unreasonable delay for injury."

**FACE PICKS UP**

On Thursday, delegates expeditiously moved through and adopted the committee’s proposals setting out prohibited laws and unenumerated rights with large majorities.

**CONTROVERSY MIXED**

One of the most controversial sections of the proposed 25-section article, "Freedom of Commerce," was amended out. An amendment with 70 co-authors entirely deleted the provision. It had been predicted that this section would tie up the Convention in debate but it was quickly rejected.

Another controversial area, the one dealing with property rights, was reintroduced and a compromise agreed to. Instead of requiring that any expropriation be for a "public and necessary" purpose as the original proposal did, the compromise amendment requires that the necessity be shown only when the expropriation is for a private entity such as a pipeline or utility.

**ONE MORE TIME**

The Convention approved 79-16 with little discussion an amendment to the proposal concerning "Freedom from Discrimination." The committee had originally had such a section in its proposal but withdrew it after it ran into opposition on the floor and was extensively amended.

As adopted the section now reads:

"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 classification based on age, sex or physical condition."

**AN ADDITION**

On Friday, one section was added to the proposal which provides guarantees to a preliminary examination in felony cases where the accused has not been indicted by a grand jury.

However, delegates rejected other attempts to add extra sections to the proposal.

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**FAR-REACHING CODE**

On Saturday, delegates were to have begun deliberation on the 51-section proposal dealing with local and parochial governments. However, the Committee on the Executive Department introduced a proposal to change the present full session on July 2nd. During this time of deliberation and debate, the plan the legislature is charged with enacting a code which will be under the broad umbrella of ethics created by the legislature...

**THIS WEEK**

The Convention goes back into session at 9 a.m. Wednesday to discuss the powers and functions of local and parochial governments.

This proposal will replace nearly 200 sections contained in nine different articles of the present constitution. The 51-section proposal reduces some 350 pages of material on local government contained in the 1921 version to 32 pages.

Patrick A. Jouve, Jr. of Lafayette, chairman of the Convention's Public Information Committee, released the following information on the statistics on the first three articles. He also delivered these facts in a speech before the Convention on Wednesday, September 12.

We've been through some tumultuous times together since the convention went into full session on July 2nd. During this time of deliberation and debate, we've all had moments of discouragement and worry over whether we're doing a good job here in Baton Rouge.

Let me give you some interesting statistics on what we've accomplished. It's guaranteed to boost your spirits, and it will also assure you that we are moving in the right direction and accomplishing what the people of this state sent us here to do.

A review of the first articles adopted by this body shows us that in the present constitution the number of words on the legislative branch totals 12,121 while the article we adopted contains approximately 4,214 words—that's roughly one-third of the verbiage of the old document. In the 1921 version of the executive article, a total of 12,910 words were used, but our executive article represents about 2,517 words, or one-sixth the number used in 1921. It took approximately 3,000 words to cover the judiciary article which we adopted, but the present constitution contains 39,800 words on the same subject or ten times as many as we have in the new article.

The total words in the three articles in the old constitution is 55,981 as compared to 9,531 in the same three articles approved by this body. This represents an 82% (percent) reduction in words alone in just these first articles.

The 1921 document has 599 sections contained within 21 articles. The document we're working on will contain approximately 8 articles with 267 sections.

We are more than halfway through the bill of rights and elections proposal, and when we complete the article we will have reached the halfway mark of the work to be done by the convention. If each article from here on out contained, say, 4,000 words, it still wouldn't compare to the 455,400 words used to cover the same subject matter in the old constitution.

The figures speak for themselves, and there's really nothing I can add except to tell you that we have made the right kind of progress in trying to come up with a more manageable document which is brief and concise and one which the average citizen can pick up and read without difficulty.

These statistics are a credit also to our hardworking staff which has spent a total of 49,411 person hours working on this constitution—1,628 of these hours or 14% were worked over their regular work week time.

They deserve our praise and our gratitude for helping us as they have.
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<th>Expenditures</th>
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**Constitutional Convention Financial Condition: 8/31/73**

**Expenses:**

1. **Salaries:**
   - Prior Year: 605,000.00
   - Estimated Budget: 141,000.00
   - Expenditures: 225,986.68
   - Outstanding Obligations: 147,205.05
   - Total Expenditures: 477,205.05
   - Balance: 31,523.55

2. **Clerk's Office:**
   - Expenditures: 1,724.81
   - Outstanding Obligations: 1,724.81
   - Total Expenditures: 1,724.81
   - Balance: 0.00

3. **Finance:**
   - Expenditures: 37,146.57
   - Outstanding Obligations: 1,964.04
   - Total Expenditures: 39,110.61
   - Balance: 1,964.04

4. **Facilities:**
   - Expenditures: 6,666.67
   - Outstanding Obligations: 6,666.67
   - Total Expenditures: 6,666.67
   - Balance: 0.00

**Total Expenses:** 2,726.00

**Total Balance:** 31,523.55

**Note:** See attached sheet for explanation of footnotes 1-5 in outstanding obligation column.
CC/73 Financial Report 8/31/73

Footnotes

1. Unpaid balance is a difference due to Louisiana State University on Dr. Lee Hargrave's salary of June and July to make his pay raise retroactive.

2. CC/73 does have to cover their state employees under workmen's compensation. Estimate was given through the office of Mr. Paul Pendley of the Insurance Section of the Division of Administration. This is a one time billing, due now, but statement not received yet.

3. $1,680.00 of this figure is for rental of hall and Treaty room at White House Inn. The balance of $1,272.00 is for the trooper's rooms and meals, Public Safety has not billed us for any of this expenditure yet.

4. Estimated amount of rental on Xerox machines $4,059.98
   " " IBM Equipment 465.56
   " " Pitney Bowes Postage Machine $639.74
   Amount due on rental of equipment to Div. of Administration Surplus $1,360.26 Total: $6,525.54

5. Telephone bill only paid through April - billing for May, June, July and August estimated at $6,000.00.
CONSTITUTIONAL CONVENTION 1973
Actual Expenditures by Committee
August 31, 1973

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### Expenditures by Committee 8/31/73

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<td><strong>480.00</strong></td>
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#### P-4 Committee:

- **Salaries:**
  - 9,607.99
  - 3,876.98
  - 13,484.97
- **Travel:**
  - 1,014.55
  - 29.68
  - 1,044.23
- **Office Supplies:**
  - 624.25
  - 322.31
  - 946.56
- **Printing:**
  - 350.50
  - 1,042.08
  - 1,392.58
- **Delegate Per Diem:**
  - 1,200.00
  - 90.00
  - 1,200.00
- **Wages Per Diem:**
  - 90.00
  - **90.00**
- **Equipment Purchase:**
  - 429.98
  - **429.98**
- **Postage:**
  - 678.16
  - 255.86
  - 934.02
- **Equipment Rental:**
  - 56.00
  - **56.00**
- **Telephone - Wats line:**
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  - **436.92**

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#### S-1 Committee:

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#### S-3 Committee:

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<td>8,370.00</td>
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**Grand Total**

| 567,523.49 | 214,864.04 | 782,387.03 |

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**WHAT A WEEK... THIS WEEK PAST**

The Convention week of September 19-22 started off in an unprecedented way when opponents of the strong home rule provision of the proposal by the Committee on Local and Parochial Government tried to have the entire article recommit to the Committee. Accusations were hurled by both sides of the issue with the "antis" claiming the article would allow the establishment of "kingdoms" and "fiefdoms" throughout the state. Advocates of strong home rule, however, asked delegates to set differences on the issue on the convention floor rather than sending it back to committee.

**CONDENSED VERSION**

One advocate of the committee proposal pointed out that more than one-third of the present constitution had been assigned to the committee and it had reduced the present 140,010 words dealing with local government in the 1921 Constitution to 2,727 words in the proposal.

The move to recommit was defeated on a narrow 53-56 vote after more than two hours of debate.

**MOVING RIGHT ALONG**

Delegates then approved 44-46 an amendment to replace the first four sections of the committee proposal with one brief section, providing for changes in parish lines and parish seats and for the continuation of the existing parishes. The amendment eliminated most of the more specific language and left it up to the legislature to decide the issues.

**MORE DELETIONS**

Another amendment won approval which deleted some of the committee language on the section dealing with classifications of parishes or municipalities. The stricken language was, "However, no statute which is applicable to fewer than six parishes or municipalities shall become effective in any such parish or municipality until approved by ordinance enacted by the governing authority of the affected parish or municipality." The author of the amendment said the proposal would result in "fiefdoms," and he felt that no section of the state should have the right to veto what the legislature has done when the legislative action is reasonable.

**PROPOSAL WATERED DOWN**

Delegates watered down a section of the committee proposal on the ratification of existing home rule charters and plans of government of parishes and municipalities.

Under the committee proposal local governments would have been autonomous units, but what the delegates finally approved would make the governments responsive to changes proposed in the new constitution. Local governments will still have considerable authority, but their charters will have to be consistent with provisions of the new document. The committee proposal would have allowed the governments to "retain the authority, powers, rights, privileges and immunities granted by its charter" whether in conflict with the new constitution or not.

As adopted, the governments "shall retain the powers, functions and duties in effect when the constitution is adopted, except as inconsistent with the provisions of the constitution."

**A FEATHER IN THE COMMITTEE'S CAP**

After all the debate and maneuvering was over, the Committee on Local and Parochial Government was victorious when, on a 69-37 vote, the convention adopted its section on home rule charters.

Under provisions of the section, chartered local governments will be allowed to enact laws not specifically denied them by their charters or by the legislature. The present law provides such governments power only to the extent authorized by the legislature.

Home rule charters now exist in the parishes of East Baton Rouge, Jefferson, Orleans and Plaquemines and the cities of New Orleans, Baton Rouge Shreveport, Lake Charles, Kenner and Baker. The above-mentioned parishes and first three cities have constitutional bases while the last three listed cities have legislative charters.

**THIS WEEK**

Delegates return at 1 p.m. Tuesday, September 25 to begin deliberation of the remaining 43 sections on local and parochial government. The first section scheduled for debate is the one extending to those governments without charters most of the powers those with charters have.

**COMMITTEE RECAP**

The Committee on Education and Welfare tabled until this week a proposal which would have left the creation of the state's educational system up to the legislature. The committee has already sent to the convention floor for action its proposal calling for a four-board system.

Reported out last week by the Committee on Bill of Rights and Elections was the article dealing with elections which is expected to come up immediately after final action is taken on local government. The main changes in the proposal include specific provisions for absentee voting and mandating the legislature to establish a system of permanent registration.

New provisions include a limitation of the number of newly created offices for a term of more than four years unless otherwise provided by the constitution, a prohibition against laws prohibiting political parties unless otherwise provided, prohibition against public financing of political campaigns and mandate to legislature to provide for a code of ethics.

The Committee on Natural Resources and Environment voted to go against earlier action by the convention and affirm the election of the commissioner of agriculture. The convention had approved a compromise which after 1980 the legislature can decide whether to make certain statewide electives or appointive.

In other action, the committee approved with only slight revisions and deletions provisions on timberland mineral revenues, natural resources and environment, the Wildlife and Fisheries Commission and the Forestry Commission.

A joint meeting was held by the Committee on Local and Parochial Government and the Committee on Revenue, Finance and Taxation to settle differences in the two proposals on property tax. However, the committee did not resolve any of the issues except to reach an agreement on occupational licenses. The debate will apparently have to be settled on the convention floor.

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**WHAT A WEEK... THIS WEEK PAST**

Delegates received a jolt this past week as they prepared for a two-day work week in Baton Rouge when Gov. Edwin Edwards declared that he was writing his own version of a constitution, he also felt the delegates were moving too slowly.

Chairman E. L. Henry of Jonesboro took issue with the statement and said that the Convention would not "hold still for a pre-packaged constitution."

Whether in spite of or because of the Governor's remarks, delegates adopted 11 sections of the proposal on Local and Parochial Governments. The fifth of the proposals to be delivered by the Convention.

**RED BY INCORPORATION**

On Tuesday delegates approved an amendment to the home rule section of the proposal which would allow the incorporation of Scotlandville which is located just outside Baton Rouge and in the process incurred the ire of Mayor-President Woody Duhon of East Baton Rouge Parish. The existing home rule-city-parish charter prohibits any further incorporation of municipalities beyond those which are in existence when the charter was approved in 1949. The mayor was concerned about what effect this incorporation would have upon the tax base and structure of the city parish. Under the provisions, Scotlandville could take in industrial areas which are presently outside the city limits.
The article continues to require that all bills appropriating money or raising revenue must originate in the House. Appropriations will be for law. Instead of the present two-thirds vote the legislature will require a majority of the elected members in both houses.

Procedures and Mechanics

All bills must be introduced during the session, and any action on them must be conducted in open public meetings.

The article continues to require that all bills appropriating money or raising revenue must originate in the House. Appropriations will be for law. Instead of the present two-thirds vote the legislature will require a majority of the elected members in both houses.

The legislature will meet annually on a single day, but if one or more members of a house indicates no such session is necessary.
The important change is that the article authorizes the state to appoint a person to a judgeship or to a judgeship until an election is held to fill the vacancy in the judgeship or to fill the judgeship at the present. The article also provides a fixed term for the judgeship, and the person appointed must be eligible for the judgeship at the present.
THIS WEEK PAST... MONEY AND TAXES

After more than a week of deliberation on property taxation and consideration of several "local option" plans, delegates to the Constitutional Convention adopted a plan which directs the legislature to provide the criteria for determining the value of property for assessment purposes which will be "uniformly applicable throughout the state."

The amendment reads:
"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."

On a narrow vote of 54-53 delegates also approved a plan to allow the legislature to make provisions for "buildings of historic architectural importance" which will be included in the same category with agricultural land.

LOCAL OPTION PLAN

Delegates rejected local option plans on the basis that such plans would be confusing, discriminatory and possibly unconstitutional.

Under one "local option" proposal submitted by a coalition of Orleans delegates, the Jefferson Parish assessor and the Louisiana AFL-CIO each assessor would have been allowed to set the percentage of fair market value at which property would be assessed in their parishes, subject only to overriding by a two-thirds vote of the governing body of the parish. The percentage of market value could have varied from 5 to 15 percent on land and residential property and from 10 to 25 percent on other property.

HOMESTEAD EXEMPTION... THE PLAN

Under the amended plan adopted for property assessment and homestead exemption all land and residential improvements will be assessed at 10 percent of fair market value, and all other property at 15 percent of market value. Residential property will be assessed at 10 percent of actual cash value, and a uniform, statewide $3,000 homestead exemption will cover all non-veterans and those homeowners under 65 years old.

The convention also adopted provisions allowing for the assessment of agricultural, horticultural, timber lands and marshlands at 10 percent of use value rather than fair market value.

Coupled with the $3,000 homestead exemption provided for in the section, homes
valued at $30,000 or less would be exempt from parish or school ad valorem taxes. Veterans and those over age 65 are given a $5,000 homestead exemption which would exempt those homes of $50,000 from parish and school taxes. The present exemptions are $2,000 and $5,000 for veterans with no provisions for the elderly.

The amount of property tax a homeowner pays is based on a formula including homestead exemption, assessment percentage and the millage of the city and parish.

Assessors would have three years after the constitution goes into effect to reevaluate all property in the state, and they are required to revalue property for tax purposes every four years.

2

NON-PROFIT GROUPS CLOSELY STUDIED

The delegates also approved an amendment which would require non-profit organizations owning property leased "or operated commercially for profit" to be subject to ad valorem taxation.

One case in particular which was cited was WWL-TV in New Orleans which is owned by the Jesuit Order and uses its profits to help support Jesuit affiliated Loyola University. It was pointed out that this television station actively competes with other commercial stations in the area. It is presently on the tax rolls and this measure was designed to assure that it would continue to be carried on the rolls.

When some delegates expressed concern over how this would affect Catholic-run hospitals in the state, and other similar situations, delegates were assured that these would still be entitled to their tax exempt status.

TEN-YEAR EXEMPTION STAYS

On a one-vote margin the convention rejected a proposal which would have removed the 10-year industrial tax exemption as far as school taxes are concerned. The amendment, had it passed, would have removed the property tax exemption provided to industries so far as school taxes are concerned.

The majority of delegates speaking on this measure said the 10-year exemption was an important inducement in getting industries to locate in the state.

Local governing authorities will have veto power over the exemptions under provisions of the committee proposal.

3

Delegates agreed to skip over the whole section of the proposal dealing with other property exemptions until refinements could be made in the final draft. They will take up this section when they reconvene on Wednesday afternoon.

REVENUE SHARING

Delegates also bypassed the section on revenue-sharing and will consider it this week after final revisions are made.

Under the section proposed originally an $80 million state fund will be distributed annually to parishes, school boards, cities and other taxing districts. The funds will be distributed by the legislature to the parishes "solely on the basis of population and number of homesteads" within the parish.

4
in mind that the committee applied two theories on home rule in Sections 8 and 9 which authorizes (1) any municipality or parish to adopt home rule and (2) a modified Fordham plan which states that the governing authority of any parish or municipality by a vote of its citizens or as provided in its charter can operate with broad general powers as long as it isn’t in conflict with its charter or general law or the constitution.

The advocates of home rule feel that the proposal adopted by the Convention shifts the basic grant of authority from the state to the local level. They also state that the proposal should go a long way in eliminating the necessity for the whole state having to vote on numerous constitutional amendments that are purely local in nature.

1

GENERAL PROVISIONS

The legislature is authorized to establish and organize new parishes, dissolve and merge parishes and change parish lines only if approved by two-thirds of the voters in each affected parish in an election held for that purpose. The location of the parish seat may be changed only if it receives two-thirds approval of the total votes cast in an election for that purpose. Existing parish boundaries are recognized and ratified.

A provision is made requiring an adjustment of assets and liabilities between parishes when a parish is enlarged or created from contiguous territory.

The legislature is given authority to provide by general law for the incorporation, consolidation, merger and government of municipalities. The legislature is prohibited from enacting a special law to create a municipality, but is authorized to enact a law affecting a municipality operating under a special legislature charter. Additionally, the legislature can classify parishes or municipalities according to population, or on any other reasonable basis related to the purpose of such classification.
Existing home rule charters or plans of government are ratified and confirmed. Each parish or municipality operating under a home rule charter or plan of government retains the powers, functions and duties they presently exercise. Each, as long as its charter permits, will enjoy "any powers and functions granted to other parishes and municipalities" in the constitution.

2

Any parish or municipality, or two or more municipalities acting jointly are authorized through self-executing provisions to draft, adopt or amend a home rule charter. This is No. 1 in the second paragraph. Provision is made for creation of a charter commission by (1) appointment by the governing authority of the parish or municipality, or (2) election when presented with a petition signed by not less than 10 percent of the electors or 10,000 electors, whichever is the lesser, who live within the boundaries of the affected parish or municipality.

The legislature is prohibited from enacting "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 parish or municipality which operates under a home rule charter.

Authority is granted to the governing authority of any parish or municipality, other than home rule units, to "exercise any power and perform any function necessary, requisite or proper for the management of its affairs not denied by its charter or by general law, provided that a majority of the electors in the affected parish or municipality who vote in an election held for that purpose vote in favor of the proposition." (Fordham plan modified).

The offices of district attorney, sheriff, assessor, clerk of district court, coroner, parish or city school board or the courts and their officers may not be affected by any grant of authority to parishes or municipalities.

Another provision is "No parish plan of government or home rule charter shall prohibit the incorporation of cities, towns or villages."

A parish of municipality is prohibited from (1) defining and providing for the punishment of a felony; or (2) except as may be provided by law, enacting private or civil ordinances governing civil relationships. It also includes the statement: "Notwithstanding any provision of this Article, the police power of the state shall never be abridged."

The governing authority of each political subdivision is required within two years of the effective date of the new constitution to prepare a code containing all ordinances of the political subdivision.

Erects of each parish or municipality are given exclusive rights to elect their governing authority which if defined as the body exercising the legislative functions of the parish or municipality.

Vacancies in any elective local office (except sheriff, district attorney, assessor, coroner and clerk of a district court) will be filled by the governing authority of the parish, municipality or school district in which the vacancy occurs, until an election is held. Provisions of this section are not applicable if a home rule charter or plan of government provides for another method to fill vacancies.

Authority is provided to the legislature to enact laws relating to salaries of local public officials or wages, hours, working conditions, pension and retirement benefits, vacation or sick leave benefits of political subdivision employees. However, any law requiring an increase in expenditures or deductions from the funds of a political subdivision will not be effective unless (1) the legislature appropriates the funds to the political subdivision to cover the increase or; (2) it the legislature does not appropriate the funds, the governing authority of the political subdivision must approve the increase. This section autho-
rizes 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.

Provision is made for the parish or municipality to have authority over subordinate districts. The governing authority of each parish or municipality will have broad power over any agency created by it. The governing authority could abolish the agency if it so desired, and the governing authority will exercise complete control over its budget.

Any parish or municipality is authorized to consolidate and merge into itself any special district or local public agency lying entirely within its boundaries, if a majority of the voters approve such a move. Any parish or municipality can also "adopt regulations for land use, zoning, and historic preservation, which authority is declared to be public purpose." Existing constitutional authority for historic preservation districts is ratified.

5

The legislature has the power to create or authorize creation of special districts, boards, agencies and commissions, and grant to each of these those rights, powers and authority as it deems proper (including the power to tax, incur debt and issue bonds).

Any political subdivision is empowered to 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 or with the United States, except as the legislature shall provide otherwise by law.

Although subject to the constitution and legislative restrictions, political subdivisions may acquire property for any public purpose by purchase, donation, expropriation or exchange. Parishes and municipalities are authorized to acquire servitudes of way be prescription in a manner prescribed by law. Prescription is not to run against the state in any civil matter--unless otherwise provided in the constitution or by law.

LEVEE DISTRICTS

Existing levee districts are ratified and confirmed, except "the legislature may provide for the consolidation, division, or reorganization of existing levee districts or create new levee districts." Any levee district whose flood control responsibilities lie within the boundaries of one parish may be merged into such parish.

6

PORTS

All presently organized and constituted deep-water port commissions and deep-water port, harbor and terminal districts are ratified and confirmed, except the legislature may consolidate or abolish any such commission or district by a two-thirds vote of the elected membership of each house. The legislature may change the membership of any commission. However, once the membership is established, it may be changed only by a two-thirds vote of the elected members of each house.

Definitions applicable to terms in the proposal:

local governmental subdivision - any parish or municipality;

political subdivision - parishes and municipalities, and any other unit of local government, including school boards and special districts, authorized by law to perform governmental functions;

governing authority - the body exercising legislative functions of political subdivisions;

general law - a law of statewide concern enacted by the legislature which is uniformly applicable to all persons or to all political subdivisions in the state.
HIGHLIGHTS OF THE PROPOSAL
ON
REVENUE, FINANCE AND TAXATION

The Constitutional Convention gave final approval to the article on revenue, finance and taxation, bringing the total number of completed articles to six. Those remaining to be studied by the body include education, civil service and natural resources and environment.

The most significant provisions of the article applicable to the day-to-day lives of the state’s citizens include assessment of property on a uniform basis throughout the state, homestead exemptions, revenue sharing and tax exemptions, all of which are discussed in detail in the following paragraphs.

VALUATION OF PROPERTY

Under provisions of the proposal the valuation of property is to be at fair market value with property to be listed on the assessment rolls at a percentage of fair market value. The plan requires the percentage of fair market value in assessing property to be uniform for the same class of property throughout the state.

The three classifications of property, and the assessment ratio for each class is: all lands, 10%; improvements for residential purposes, 10%; all other property, 15%. Assessment of agricultural, horticultural, marsh and timber lands will be at 10% of use value rather than fair market value. The legislature is authorized to make provisions for the assessment of historical architectural property at use value.

Homestead exemption is increased from the present $2,000 base to $3,000, and the legislature by two-thirds vote can increase the homestead exemption to $5,000. Veterans and persons 65 years old or older are allowed a $5,000 homestead exemption. The homestead exemption does not apply to municipal or city taxes except in Orleans Parish or to any municipal or city taxes levied for school purposes.

The legislature is also authorized to provide property tax relief to renters in the form of tax credits or rebates.

The provisions regarding assessment and classification of property will become ef-
effective three years after the adoption of the constitution. During this period all property will be reappraised at its fair market value. All property subject to taxation will be reappraised at intervals of not more than four years.

A limitation of five and three-quarters mills is set for state and valorem taxes if a state property tax is levied.

EXEMPTIONS

Under provisions of the proposal as adopted, the property exempt from ad valorem taxation will remain basically the same as under the present constitution. One exception is the addition of stocks and bonds (except bank stocks) to the list of exemptions. Stocks and bonds are not now being taxed, and as a practical matter, the convention exempted them in keeping with present practice.

No other property, except those specifically enumerated in the article, may be exempt from ad valorem taxation.

All taxes authorized and imposed and all bonds authorized prior to the adoption of the document are validated.

THE ROLL-BACK PROVISION

A very important provision in the tax proposal is Section 5, "Adjustment of Ad Valorem Tax Millage," better known as the roll-back plan. What this means is that the amount of taxes collected shall not be increased or decreased because of the method of assessing property at a uniform ratio of assessment to value. All taxing authorities must adjust millages proportionate to adjustment in assessment values in order to produce the same total dollar amount of revenue. The purpose of the provision is to insure the local taxing authority does not collect more or less taxes after reevaluation than it did before reevaluation.

REVENUE SHARING

A special fund was set up in the proposal to be known as the "Revenue Sharing Plan." An annual allocation of $90 million will be placed in the fund from the state's General Fund, and authority is given to the legislature to appropriate additional funds. The fund was set up in order to help make up the financial losses incurred by parishes and school boards because of homestead exemptions.

Money from the fund will be distributed annually on the basis of population and number of homesteads in each parish as provided by the legislature in proportion to the population and total number of homesteads throughout the state. Unless otherwise provided, the population statistics from the latest federal decennial census will be used.

TAX OFFICIALS

The proposal calls for the election of tax assessors by the qualified electors of each parish, except in Orleans. The term will be for four years, with the legislature defining the duties, compensation and providing for the election.

New Orleans will have seven assessors who will compose the Board of Assessors. One will be elected from each municipal district and must be a resident of the district. The term will be for four years, and election will be held at the same time as election for municipal officers.

When a vacancy occurs in the office of tax collector, the duties will be assumed by the chief deputy assessor until the position is filled as provided by law. In Orleans Parish, the Board of Assessors will appoint the interim assessor.

NO FORFEITURE

Property cannot be forfeited for the nonpayment of taxes. At the expiration of the year in which the taxes are due and after notice without suit, the collector will
advertise the property for sale on which the taxes are due. On the day of the sale, the debtor, or in his absence the collector, will point out sufficient property to be sold to satisfy the tax indebtedness. The sale will be without appraisement, and the property will be redeemable any time within three years of the date of recording the tax sale by paying the price, cost incurred in the sale, penalty and interest. The judgment annulling a tax sale will be effective after the price, taxes, costs and interest are paid to the purchaser. This does not apply to sales annulled because of taxes having been paid prior to the date of sale.

No tax sale will be set aside, except for payment of taxes, prior to sale unless the proceedings to annul are begun within six months from receipts of the notice of sale.

MOVABLES TAX

Taxes on movables will be collected by seizure and sale by the tax collector. Sale of such property will be at public auction, without appraisement, after ten days advertisement, and will be absolute and without redemption. If no tangible movables can be found to be seized, the tax collector may levy on intangible rights, by notifying the debtor or by compelling the debtor to deliver up property for sale.

POSTPONEMENT

The legislature is authorized to postpone the payment of taxes, only in cases of overflow, general conflagration, general destruction of crops or other public calamity. It may provide for the levying, assessing and collecting of such postponed taxes. In such cases, the legislature may authorize the borrowing of money on its full faith and credit and levy taxes or apply taxes already levied and not appropriated to secure payment. This will be done in order to make funds for loans to be made through the State Board of Liquidation to the governing authority of the parish where the calamity befalls, which are to be applied to the deficiency in revenue caused by the tax postponement. No loans will be made to the governing authority of any parish without the approval of the State Board of Liquidation.

Official newsletter of the Public Information Committee published by the Public Information Office, Room 210, State Capitol.

HIGHLIGHTS OF THE EDUCATION ARTICLE

Under the proposed article on education adopted by the Constitutional Convention, the state’s public educational system will
be administered by two main boards—the State Board of Elementary and Secondary Education and the Board of Regents. Under the Board of Regents will be three management boards for all colleges and universities in the state—the Board of Trustees for State Colleges and Universities, the Board of Supervisors for Louisiana State University and A & M College and the Board of Supervisors for Southern University and A & M College.

STATE BOARD OF ELEMENTARY AND SECONDARY EDUCATION

This board will consist of three members to be appointed by the governor, with the consent of the Senate, and eight members who will be elected from single-member districts to be determined by the legislature.

The board will be responsible for all public elementary and secondary and special schools under its jurisdiction. It will be prohibited from having any control over the business affairs of parish and municipal school boards or the selection or removal of their officers and employees.

Upon application, the board will be required to approve private elementary, secondary and proprietary schools whose sustained curriculum or specialized course of study is of a quality equal to or better than that prescribed for similar public schools.

BOARD OF REGENTS

The Board of Regents will be responsible for all public higher education and post-secondary vocational-technical training and career education. It will consist of 15 members to be appointed by the governor, with the consent of the Senate, for overlapping terms of six years. At least one, but not more than two members, will be appointed from each congressional district.

The powers and duties of the board will be established in the constitution and by law. Constitutional powers include meeting with the State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elemen-

tary, secondary, vocational-technical career and higher education; authority to approve new degree programs and departments or to eliminate existing ones; recommending the feasibility of new or expanded institutions, the transfer of existing institutions from one body board to another or the creation of an additional management board.

Other constitutional powers include formulating and revising a formula for equitable distribution of funds; and authority to recommend operating and capital budget requests for institutions of higher education and post-secondary vocational-technical training and career education.

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 will be reserved to the respective management boards.

BOARD OF TRUSTEES FOR STATE COLLEGES AND UNIVERSITIES

This board will consist of 17 members (based on the present congressional district arrangement) to be appointed from each of the congressional districts into which the state is divided and one member from the state at large.

The board will have supervision and management of all state colleges and universities except those under the management of the Boards of Supervisors of LSU and Southern University and any other board created pursuant to the article.

It will also have similar authority over all public institutions of post-secondary vocational-technical training and career education “unless and until” the legislature provides otherwise.

State colleges will be able to get management boards by a two-thirds vote of approval by both houses of the legislature. If an additional management board for an institution or group of institutions is proposed or if a proposal is made to transfer an existing institution from one board to another, the Board of Regents must report its findings and recommendations to the legislature within one year. After the writ-
ten report is filed, the legislature may approve the proposal by a two-thirds vote of both houses. If no report is filed within the year, the legislature may approve, on a two-thirds vote, the implementation of the abovementioned items.

BOARD OF SUPERVISORS

The Board of Supervisors of LSU and of Southern each will consist of 17 members (based on the present congressional district arrangement) to be appointed by the governor with the consent of the Senate, for overlapping terms of six years. Two members of each board will be appointed from each of the congressional districts and one from the state at large.

The boards, subject to the powers vested in the Board of Regents, will supervise and manage the institutions and programs administered through the two university systems, respectively.

STATE SUPERINTENDENT

The state superintendent of public education for elementary and secondary education will be elected for terms of four years. After 1976, the legislature with a two-thirds vote of its elected members can decide whether the superintendent will be appointive or elected. If the office is made appointive, the appointment will be made by the State Board of Elementary and Secondary Education.

The powers, duties, functions, responsibilities and qualifications of the superintendent will be fixed by law. However, he will be the administrative head of the Department of Education for the purpose of "implementation" of the policies of the State Board of Elementary and Secondary Education and the laws affecting the schools under its jurisdiction.

PARISH AND CITY SCHOOLS

The present system of parish and city school systems will be continued. The legislature will have authority to create parish school boards and provide for election of board members. School boards will continue to select the local school superin-

tendent, who will not have to be a resident of the parish in which he will serve. However, the State Board of Elementary and Secondary Education will fix the qualifications and prescribe the duties of the local superintendent.

A new provision is that only persons residing within the jurisdictions of the Monroe City School Board and the Ouachita Parish School Board, respectively, will be eligible to vote for or be members of those boards. An additional new provision is one which allows for the consolidation of school systems, subject to voter approval.

EDUCATIONAL FINANCE

The legislature will appropriate funds for the operating and administrative expenses of the boards. Appropriations for higher education will be made to the respective managing boards to be administered and used "solely as provided by law."

The legislature will appropriate funds to supply free school books and other material of instruction to the children of the state at the elementary and secondary levels.

A minimum program of state support for all public elementary and secondary schools will continue to be constitutionally guaranteed. However, the formulas adopted by the State Board of Elementary and Secondary Education for the allocation of funds to the local school systems must be approved by the legislature "prior" to the time the appropriation is made.

Local school boards, except Orleans, will continue to have authority to levy up to five mills in ad valorem taxes without voter approval. Orleans will continue to have authority to levy up to 13 mills without voter approval.

For the purpose of supplying additional support to the public elementary and secondary schools, local school boards, including Orleans, will have the authority with voter approval to levy ad valorem taxes for specific purposes. The city school systems of Bogalusa and Monroe, but no other, will be continued and treated on the same basis as parish systems.
OTHER PROVISIONS

All vacancies will be filled by gubernatorial appointment, unless the unexpired portion of the term of an elected member of the State Board of Elementary and Secondary Education will be for more than one year in which case the vacancy will be filled by election as provided by law.

Members of all boards will serve without pay except for per diem and expenses established by the legislature.

Dual membership on the education boards is prohibited.

The legislature may provide for the membership of one student on each of the higher education management boards for a term not to exceed one year. Students will enjoy all the privileges and rights of other board members except the right to vote. Students will not be able to succeed themselves.

Official newsletter of the Public Information Committee published by the Public Information Office, Room 210 in the State Capitol.
III. Highlights of the Proposed Constitution (Revised)  
State of Louisiana

Highlights
of the
Proposed
Constitution
REVISED
STATE OF LOUISIANA

Foreword

The information in this brochure contains only the highlights of the major articles adopted by the convention. It is simply a guide for the reader's convenience concerning what the proposed constitution contains.

The convention voted to include an education alternative on the ballot in order to give the citizens of the state an opportunity to select the plan they feel best fulfills the educational needs of the state.

The alternative is discussed on page 24.

More detailed or additional information may be obtained by contacting:

Public Information Office  
CC 73  
Box 44473  
Capitol Station  
Baton Rouge, La. 70804

Highlights of Major Articles

TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislative</td>
<td>1</td>
</tr>
<tr>
<td>Executive</td>
<td>2</td>
</tr>
<tr>
<td>Judiciary</td>
<td>4</td>
</tr>
<tr>
<td>Preamble and Bill of Rights</td>
<td>5</td>
</tr>
<tr>
<td>Local and Parochial Government</td>
<td>6</td>
</tr>
<tr>
<td>Revenue, Finance and Taxation</td>
<td>10</td>
</tr>
<tr>
<td>Education</td>
<td>14</td>
</tr>
<tr>
<td>State and City Civil Service</td>
<td>17</td>
</tr>
<tr>
<td>Municipal Fire and Police Civil Service</td>
<td>21</td>
</tr>
<tr>
<td>Natural Resources and the Environment</td>
<td>22</td>
</tr>
<tr>
<td>Public Service Commission</td>
<td>23</td>
</tr>
<tr>
<td>Alternative on Education</td>
<td>24</td>
</tr>
</tbody>
</table>

I. Legislative

ORGANIZATION and COMPOSITION

Under provisions of the article, the legislature is to be made up of a Senate and House of Representatives with members to be elected from single-member districts. The present 30-day fiscal session is abolished, but the prohibition against adding new taxes or increasing existing taxes in the odd years is to be retained. The article retains the two-thirds requirement in order to raise taxes. Provisions are made for annual 60-day sessions which must be completed within an 85-day period.

The proposed document lowers the age qualification for both the House and the Senate from 21 and 25 respectively to 18 years, and residency requirements are lowered to two years in the state and one year of actual domicile in the district.

Another change is that the Senate is given the right to choose its own presiding officer, removing the lieutenant governor as ex officio president of the Senate. It removes an officer of the executive branch from a position of influence in the lawmaking branch.

Greater independence is allowed the legislature under the proposed article because of the provision allowing it to call itself into special session by a majority of the elected members of both houses.

PROCEDURES and MECHANICS

The article continues to require that all bills appropriating money or raising revenue must originate in the House. Appropriations will be for one year instead of the present two years since the legislature will meet annually. Of course, appropriations can be for less than a year.
Bills passed by both houses no longer need to be signed in open session and delivered immediately to the governor. They are merely signed by the presiding officers and delivered to the governor within three days of passage. Bills delivered to the governor become law, unless vetoed, within ten days if the legislature is in session or within twenty days if the legislature is adjourned. A bill vetoed by the governor while the legislature is in session must be returned within 12 days of its delivery to him. Two-thirds vote will continue in effect in order to override the governor’s veto.

The legislature will meet annually in veto session, if one or more vetoed bills is not returned before final adjournment unless a majority of either house indicates no such session is necessary.

POWERS and LIMITATIONS
The immunity of the state from suit in contract and tort is abolished, and the legislature may waive immunity in other types of suits.

The House is empowered to impeach state and district officers, and the Senate tries them. If convicted upon impeachment, the official is removed from office. Removal of officers at all levels of government by suit or recall election remains in effect.

II. Executive

ELECTIVE OFFICES
There will be nine statewide elective officials—governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education and commissioner of elections. The legislature cannot increase the number of statewide elective officials.

Deleted as statewide elected officers are comptroller, the register of the land office and custodian of voting machines. The commissioner of elections is a newly-created position.

All executive officials will be elected for four-year terms, and all but the governor are permitted unlimited succession in office. The governor is limited to two successive terms.

After 1976 the legislature with a two-thirds vote of its elected members can decide whether the superintendent of education, and the commissioners of insurance, agriculture and elections are to be elected or appointed.

REORGANIZATION
The executive branch which has more than 250 agencies at the present time will be reorganized, according to function, into not more than 20 principal departments. Each elected officer in the executive branch will head up a major department, and in most instances, each officer is given constitutional duties.

POWERS of the GOVERNOR
He is given constitutional authority to prepare operating and capital outlay budgets, and he is required to maintain a balanced state budget.

A five-member pardon board, appointed by the governor with Senate confirmation, will replace the present three-member board.

The governor’s executive powers remain much as they are at present with the exception of those specifically mentioned above.

III. Judiciary

This article reduces the terms of justices of the supreme court from 14 years to 10 years. The article reduces the terms of court of appeal judges from 12 to 10 years. All terms for district judges are for 6 years. Presently, all district judges have 6-year terms except in Orleans where they serve 12 years. Supreme court districts could be changed by a two-thirds vote of the legislature. The present constitution would require a constitutional amendment to change the districts.

The supreme court is given rule-making power concerning procedural and administrative rules.

Included is the stipulation that the chief justice of the supreme court is the chief administrative officer of the state judicial system. The present review of law and fact on the appellate level is retained.

Another change is that the article authorizes the supreme court to appoint a person to a vacancy in a judgeship or to a newly-created judgeship until an election is held to fill the position. The person so appointed is not eligible for the judgeship at the election. Under the present law the governor appoints in the above cases and his appointee is eligible to seek the position at the election.

The attorney general is designated the chief legal officer of the state and is empowered to institute any civil proceedings necessary to protect the state’s interest and is given power to institute criminal proceedings after obtaining court approval of court having original jurisdiction over the case.
OTHER CHANGES

The sheriff is the chief law enforcement officer of a parish.

V. Local and Parochial Government

The convention applied two theories on home rule which authorizes (1) any municipality or parish to adopt home rule and (2) a modified Fordham plan which states that the governing authority of any parish or municipality by a vote of its citizens or as provided in its charter can operate with broad general powers as long as it isn't in conflict with its charter or general law or the constitution.

GENERAL PROVISIONS

The legislature is authorized to establish and organize new parishes, dissolve and merge parishes and change parish lines only if approved by two-thirds of the voters in each affected parish in an election held for that purpose. The location of the parish seat may be changed only if it receives two-thirds approval of the total votes cast in an election for that purpose. Existing parish boundaries are recognized and ratified.

The legislature is given authority to provide by general law for the incorporation, consolidation, merger and government of municipalities. The legislature is prohibited from enacting a special law to create a municipality but is authorized to enact a law affecting a municipality operating under a special legislative charter. Additionally, the legislature can classify parishes or municipalities according to population, or on any other reasonable basis related to the purpose of such classification.

Existing home rule charters or plans of government are ratified and confirmed. Each parish or municipality operating under a home rule charter or plan of government retains the powers, functions and duties it presently exercises. Each, as long as its charter permits, will enjoy "any powers and functions granted to other parishes and municipalities" in the constitution.

Any parish or municipality, or two or more municipalities acting jointly are authorized through self-executing provisions to draft, adopt or amend a home rule charter. This is No. 1 in the second paragraph. Provision is made for creation of a charter commission by (1) appointment by the governing authority of the parish or municipality, or (2) election when presented with a petition signed by not less than 10 percent of the electors or 10,000 electors, whichever is the lesser, who live within the boundaries of the affected parish or municipality.

The legislature is prohibited from enacting "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 parish or municipality which operates under a home rule charter.

Authority is granted to the governing authority of any parish or municipality, other than home rule units, to "exercise any power and perform any function necessary, requisite or proper for the management of its affairs not denied by its charter or by general law, provided that a majority of the electors in the affected parish or municipality who vote in an election held for that purpose vote in favor of the proposition." (Fordham plan modified).

Another provision is "No parish plan of government or
home rule charter shall prohibit the incorporation of cities, towns or villages."

The governing authority of each political subdivision is required within two years of the effective date of the new constitution to prepare a code containing all ordinances of the political subdivision.

Electors of each parish or municipality are given exclusive rights to elect their governing authority which is defined as the body exercising the legislative functions of the parish or municipality.

Vacancies in any elective local office except sheriff, district attorney, assessor, coroner and clerk of a district court will be filled by the governing authority of the parish, municipality or school district in which the vacancy occurs, until an election is held. Provisions of this section are not applicable if a home rule charter or plan of government provides for another method to fill vacancies.

Authority is provided to the legislature to enact laws relating to salaries of local public officials or wages, hours, working conditions, pension and retirement benefits and vacation or sick leave benefits of political subdivision employees. However, any law requiring an increase in expenditures or deductions from the funds of a political subdivision will not be effective unless (1) the legislature appropriates the funds to the political subdivision to cover the increase or; (2) if the legislature does not appropriate the funds, the governing authority of the political subdivision must approve the increase. The legislature is authorized 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.

Provision is made for the parish or municipality to have authority over subordinate districts. The governing authority of each parish or municipality will have broad power over any agency created by it. The governing authority can abolish the agency if it so desires, and the governing authority will exercise complete control over its budget.

Any parish or municipality is authorized to consolidate and merge into itself any special district or local public agency lying entirely within its boundaries, if a majority of the voters approve such a move. Any parish or municipality can also "adopt regulations for land use, zoning, and historic preservation, which authority is declared to be public purpose." Existing constitutional authority for historic preservation districts is ratified.

Any political subdivision is empowered to 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 or with the United States, except as the legislature shall provide otherwise by law.

Although subject to the constitution and legislative restrictions, political subdivisions may acquire property for any public purpose by purchase, donation, expropriation or exchange. Parishes and municipalities are authorized to acquire servitudes of way by prescription in a manner prescribed by law. Prescription is not to run against the state in any civil matter—unless otherwise provided in the constitution or by law.

LEVEE DISTRICTS

Existing levee districts are ratified and confirmed, except "the legislature may provide for the consolidation, division, or reorganization of existing levee districts or create new levee districts." Any levee district whose flood control responsibilities lie within the boundaries of one parish may be merged into such parish.

PORTS

All presently organized and constituted deep-water port commissions and deep-water port, harbor and terminal districts are ratified and confirmed, except the legislature may consolidate or abolish any such commission or district by a two-thirds vote of the elected membership of each house. The legislature may change the membership of any commission. However, once the membership is established, it may be changed only by a two-thirds vote of the elected members of each house.

FINANCES

The present limitations on parish and municipal main-

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tenance taxes will be retained, but each parish and municipality will be authorized to increase the millage rate subject to voter approval.

Authorization is given any parish or municipality to levy special millage taxes for a special purpose or purposes and for a specified period of time, subject to voter approval.

Any parish or municipality is authorized to levy an occupational license tax in an amount not greater than that imposed by the state. The legislature may authorize an increase in the tax by a two-thirds vote. Those who pay a municipal occupational license tax are exempt from parish tax to the extent of the municipal tax.

Any parish, municipality or school board will be empowered to levy and collect a sales and use tax, subject to voter approval, and subject to the limitation that the rate of all sales taxes levied (exclusive of state sales tax) in any local governmental subdivision shall not exceed three percent. The legislature may authorize imposition of additional sales and use taxes, subject to voter approval.

Any special tax being levied under prior laws or under the 1921 Constitution by any political subdivision on the effective date of the constitution is confirmed and ratified.

General obligation bonds may be issued by any political subdivision subject to voter approval. The full faith and credit of a political subdivision is pledged to the payment of general obligation bonds issued by it.

The legislature is authorized to grant authority to political subdivisions to issue revenue bonds to construct, acquire, extend or improve any revenue-producing public utility or work of public improvement.

VI. Revenue, Finance and Taxation

The provisions include assessment of property on a uniform basis throughout the state, homestead exemptions, revenue sharing and tax exemptions, all of which are discussed in detail in the following paragraphs.

VALUATION of PROPERTY

Under provisions of the proposal the valuation of property is to be at fair market value with property to be listed on the assessment rolls at a percentage of fair market value. The plan requires the percentage of fair market value in assessing property to be uniform for the same class of property throughout the state.

The three classifications of property, and the assessment
ratio for each class is: all lands, 10%; improvements for residential purposes, 10%; all other property, 15%. Assessment of agricultural, horticultural, marsh and timber lands will be at 10% of use value rather than fair market value. The legislature is authorized to make provisions for the assessment of historical architectural property at use value.

Homestead exemption is increased from the present $2,000 base to $3,000 and the legislature by a two-thirds vote can increase the homestead exemption to $5,000. Veterans retain their $5,000 exemption, and persons 65 years old or older are given an increase of from $2,000 to $5,000 for homestead exemption. The homestead exemption does not apply to municipal or city taxes except in Orleans Parish or to any municipal or city taxes levied for school purposes.

The legislature is also authorized to provide property tax relief to renters in the form of tax credits or rebates.

The provisions regarding assessment and classification of property will become effective three years after the adoption of the constitution. During this period all property will be reappraised at its fair market value. All property subject to taxation will be reappraised at intervals of not more than four years.

A limitation of five and three-quarters mills is set for state ad valorem taxes if a state property tax is levied.

**TAXES OTHER THAN PROPERTY TAXES**

The provision against levying of taxes for any purpose except a public purpose is continued. Taxes can be levied by the legislature only by a two-thirds vote.

Income tax can never exceed present maximums, and deduction of federal income taxes in computing state income taxes is restored and given constitutional protection.

The three dollar ($3.00) license tax on private motor vehicles is retained.

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Where authorized by a two-thirds vote of the legislature, the full faith and credit of the state is pledged to the payment of all bonds or other debt incurred by the state or its agencies. Except in the case of certain revenue bonds and local government bonds, incurrence of such debt requires authorization by two-thirds vote of the legislature and then only for very limited purposes, primarily capital improvements.

Constitutional status is given to the State Bond Commission, and the requirement that it issue and sell all state bonds is continued. The requirement that annual bond requirements be paid "off the top" of the moneys in the state treasury from the Bond Security and Redemption Fund is also constitutionalized.

All moneys received by the state from taxes and other sources with a few exceptions are to be deposited in the state treasury as received.

The governor is required to recommend, and the legislature is required to adopt, a five-year capital outlay program (construction, etc.) which must be updated each year.

**EXEMPTIONS**

The property exempt from ad valorem taxation will remain basically the same as under the present constitution. One exception is the addition of stocks and bonds (except bank stocks) to the list of exemptions. Stocks and bonds are not being taxed at present, and as a practical matter, the convention exempted them in keeping with present practice.

All taxes authorized and imposed and all bonds authorized prior to the adoption of the document are validated.

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**THE ROLL-BACK PROVISION**

Section 5, "Adjustment of Ad Valorem Tax Millage," is better known as the roll-back plan. The amount of taxes collected shall not be increased or decreased because of the method of assessing property at a uniform ratio of assessment to value. All taxing authorities must adjust millages proportionate to adjustment in assessment values in order to produce the same total dollar amount to revenue. The purpose of the provision is to insure the local taxing authority does not collect more or less taxes after revaluation than it did before revaluation.

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**REVENUE SHARING**

A special fund is set up to be known as the "Revenue Sharing Plan." An annual allocation of $90 million will be placed in the fund from the state's General Fund, and authority is given to the legislature to appropriate additional funds. The fund was set up in order to help make up the financial losses incurred by parishes and school boards because of homestead exemptions.

Money from the fund will be distributed annually on the basis of population and number of homesteads in each parish as provided by the legislature in proportion to the population and total number of homesteads throughout the state. Unless otherwise provided, the population statistics from the latest federal decennial census will be used.

**NO FORFEITURE**

Property cannot be forfeited for the nonpayment of taxes. At the expiration of the year in which the taxes are due and after notice without suit, the collector will advertise the property for sale on which the taxes are due. On the day of the sale, the debtor, or in his absence the collector, will point out sufficient property to be sold to satisfy the tax indebtedness. The sale will be without appraisement, and the property will be redeemable any time within three years of the date of recording the tax sale by paying the price, cost incurred in the sale, penalty and interest. The judgment annulling a tax sale will be effective after the price, taxes, costs and interest are paid to the purchaser. This does not apply to sales annulled because of taxes having been paid prior to the date of sale.

No tax sale will be set aside, except for payment of taxes, prior to sale unless the proceedings to annul are begun within six months from receipts of the notice of sale.

**MOVABLES TAX**

Taxes on movables will be collected by seizure and sale by the tax collector. Sale of such property will be at public auction, without appraisement, after ten days advertisement, and will be absolute and without redemption. If no tangible movables can be found to be seized, the tax collector may levy on intangible rights, by notifying the debtor or by compelling the debtor to deliver up property for sale.

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**VII. Education**

The state's public educational system is to be administered by two main boards—the State Board of Elementary and Secondary Education and the Board of Regents. Under the Board of Regents are three management boards for all colleges and universities in the state—the Board of Trustees for State Colleges and Universities, the Board of Supervisors for Louisiana State University and the Board of Supervisors for Southern University.
STATE BOARD of ELEMENTARY and SECONDARY EDUCATION

This board is composed of three members to be appointed by the governor, with the consent of the Senate, and eight members who will be elected from single-member districts to be determined by the legislature.

The board is responsible for all public elementary and secondary and special schools under its jurisdiction. It is prohibited from having any control over the business affairs of parish and municipal school boards or the selection or removal of their officers and employees. The board is also responsible for vocational-technical training.

Upon application, the board is required to approve private elementary, secondary and proprietary schools whose sustained curriculum or specialized course of study is of a quality equal to or better than that prescribed for similar public schools.

BOARD of REGENTS

The Board of Regents will be responsible for all public higher education and post-secondary vocational-technical training and career education. It will consist of 15 members to be appointed by the governor, with the consent of the Senate, for overlapping terms of six years. At least one, but not more than two members, will be appointed from each congressional district.

Other constitutional powers include formulating and revising a formula for equitable distribution of funds; and authority to recommend operating and capital budget requests for institutions of higher education.

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 will be reserved to the respective management boards.

BOARD of TRUSTEES for STATE COLLEGES and UNIVERSITIES

This board is to consist of 17 members, based on the present congressional district arrangement, to be appointed from each of the congressional districts into which the state is divided and one member from the state at large.

The board is to supervise and manage all state colleges and universities except those under the management of the Boards of Supervisors of LSU and Southern University and any other board created pursuant to the article.

It also has similar authority over all public institutions of post-secondary vocational-technical training and career education “unless and until” the legislature provides otherwise.

State colleges are able to get individual management boards by a two-thirds vote of approval by both houses of the legislature. If an additional management board for an institution or group of institutions is proposed or if a proposal is made to transfer an existing institution from one board to another, the Board of Regents must report findings and recommendations to the legislature within one year. After the written report is filed, the legislature may approve the proposal by a two-thirds vote of both houses. If no report is filed within the year, the legislature may approve, on a two-thirds vote, the implementation of the abovementioned items.

BOARDS of SUPERVISORS

The Boards of Supervisors of LSU and of Southern each will consist of 17 members, based on the present congressional district arrangement, to be appointed by the governor with the consent of the Senate, for overlapping terms of six years. Two members of each board are appointed from each of the congressional districts and one from the state at large.

The boards, subject to the powers vested in the Board of Regents, are to supervise and manage the institutions and programs administered through the two university systems, respectively.

STATE SUPERINTENDENT

The state superintendent of public education for elementary and secondary education is to be elected for terms of four years. After 1976, the legislature with a two-thirds vote of its elected members can decide whether the superintendent is to be appointed or elected. If the office is made appointive, the appointment is to be made by the State Board of Elementary and Secondary Education.

The powers, duties, functions, responsibilities and qualifications of the superintendent will be fixed by law. However, he is to be the administrative head of the Department of Education for the purpose of “implementation” of the policies of the State Board of Elementary and Secondary Education and the laws affecting the schools under its jurisdiction.

PARISH and CITY SCHOOLS

The present systems of parish and city schools are continued. The legislature has authority to create parish school boards and provide for election of board members. School boards continue to select the local school superintendent, who does not have to be a resident of the parish in which he serves. However, the State Board of Elementary and Secondary Education sets the qualifications and prescribes the duties of the local superintendent.

A new provision is that only persons residing within the jurisdiction of the Monroe City School Board and the Ouachita Parish School Board, respectively, are eligible to vote for or be members of those boards. An additional new provision is one which allows for the consolidation of school systems, subject to voter approval.

EDUCATIONAL FINANCE

The legislature is to appropriate funds for the operating and administrative expenses of the boards. Appropriations for higher education are made to the respective managing boards to be administered and used “solely as provided by law.”

The legislature can appropriate funds to supply free school books and other material of instruction to the children of the state at the elementary and secondary levels.

Local school boards, except Orleans, will continue to have authority to levy up to five mills in ad valorem taxes without voter approval. Orleans will continue to have authority to levy up to 13 mills without voter approval.

For the purpose of supplying additional support to the public elementary and secondary schools, local school boards, including Orleans, will have the authority with voter approval to levy ad valorem taxes for specific purposes. The city school systems of Bogalusa and Monroe, but no other, will be continued and treated on the same basis as parish systems.

VIII. State and City Civil Service

State civil service includes all offices and positions of trust or employment in the state, joint state and federal agency or joint state and municipal agency.

[1282]
Municipal boards of health or local governmental subdivisions are not included in the state service.

City service includes all offices and positions of trust or employment of each city with more than 400,000 population.

Paid firemen and policemen are excluded if a majority of the electors voting in the city affected consent at an election called for that purpose by the governing authority of the city within one year after the effective date of the constitution.

Both state and city civil service are divided into classified and unclassified service.

All persons not included in the unclassified service are in the classified service.

The unclassified service includes the following officers and employees in the state and city civil service:

1. Elected officers and persons appointed to fill vacancies in elective offices;
2. Heads of principal executive departments appointed by the governor, the mayor or the governing authority of a city;
3. City attorneys;
4. Registrars of voters;
5. Members of state and city boards, authorities and commissions;
6. One private secretary to the president of each college or university, and one president holding a confidential position and one principal assistant or deputy to any officer, board, commission or authority mentioned in 1, 2, 4 or 5 above, except civil service departments;
7. Members of the military or naval forces;
8. Teachers and professional staffs and administrative officers of schools, colleges and universities of the state and bona fide students of such institutions employed by any state, parochial or municipal agency;
9. Employees, deputies, officers of the legislature, of the offices of the governor, lieutenant governor, attorney general, each mayor and city attorney of the several cities, of police juries, of school boards, of assessors, of all offices provided for in this constitution except the offices of clerk of municipal and traffic courts of New Orleans, of coroners;
10. Commissioners of elections, watchers; custodians and deputy custodians of voting machines; railroad employees whose working conditions and retirement benefits are regulated by federal agencies in accordance with federal statutory law.

Additional positions may be added or deleted from the unclassified service by rules adopted by a commission.

CIVIL SERVICE COMMISSIONS

The State Civil Service Commission is composed of seven members with no more than one appointed member to come from each congressional district.

Each president of Centenary College, Dillard University, Louisiana College, Loyola University, Tulane University and Xavier University nominates three persons to serve on the commission.

The governor appoints one member to the commission from the three persons nominated by each college president for overlapping terms of six years.

Classified employees elect one member from among their ranks to serve.

A vacancy on the commission will be filled by appointment or election in accordance with procedure or law governing the original appointment or election, and from the same source.

Each city having a population exceeding 400,000 will have a city civil service commission.

Each city civil service commission will be composed of five members who will serve overlapping terms of six years.

The governing authority of New Orleans appoints one member of the commission from each of the three persons nominated by the presidents of Dillard, Loyola, St. Mary’s, Dominican College, Xavier and Tulane.

The governing authority of other cities subject to the provision will appoint one member of the commission from each of the three persons nominated by each of the presidents of the five aforementioned institutions of higher education.

The governor or governing authority may remove a member of the state or city civil service for cause after having served him with written specific of the charges against him and giving him an opportunity for a public hearing.

The rule-making and subpoena powers of the commissions are retained. Employee safety is added as a matter subject to the rule-making authority.

Awarding of veterans’ preferences is continued, including the point scale and eligibility standard for such preferences.

Each commission is empowered to hear and decide upon disciplinary and removal cases, issue subpoenas, administer oaths and appoint referees to take testimony. The existing provision relating to court review on any question of law is expanded to also include any question of fact.

The legislature is required to make adequate annual appropriations to the State Civil Service Commission and the Department of State Civil Service. Each city subject to provisions of the section is required to make adequate annual appropriations to the city civil service commission and department.

DEPARTMENT of CIVIL SERVICE

The Department of State Civil Service is to be in the executive branch of state government.

Each commission appoints a director from within the classified service to be the administrative head of his department.

The director of each department of civil service appoints personnel and exercises powers and duties to the extent prescribed by the commission appointing him.

Permanent appointments and promotions in the classified state and city service are made after certification by the appropriate department of civil service under a general system, based upon merit, efficiency, fitness and length of service.

RULES

Each commission is to adopt rules for the method of certification of persons eligible for appointment, promotion, reemployment and reinstatement and provide for appointments defined as emergency and temporary where certification is not necessary.

The “rule of three” is retained. However, if more than one vacancy is to be filled, the name of one additional person eligible for each vacancy may be certified.

Each commission is authorized to impose penalties for violation of its rules by demotion in, or suspension or discharge from, position with attendant loss of pay.
CIVIL SERVICE EMPLOYEES

A person with permanent status in the classified state or city service will be subjected to disciplinary action only for cause shown in writing. Such an employee subjected to disciplinary action will have the right of appeal to the appropriate commission; the burden of proof on appeal, as to the facts, will be on the appointing authority.

Participation or engagement in political activity by members of any civil service commission and officers or employees in the classified service is prohibited.

The solicitation of contributions for political purposes from classified employees or officials or the use or attempted use of his position in the state or city service to punish or coerce political action of classified employees is prohibited.

The prohibition against political activity does not include support of issues involving bonded indebtedness, tax referenda or constitutional amendments.

Discrimination against or favoritism toward any applicant or employee on the basis of his membership or nonmembership in any private organization is prohibited.

IX. Municipal Fire and Police Civil Service

Municipal Fire and Police Civil Service is extended to all municipalities with a population in excess of 13,000 which operate a regularly paid fire and municipal police department, all parishes and all fire protection districts which operate a regularly paid fire department.

The legislature by a favorable vote of two-thirds of the elected members of each house may amend or otherwise modify any of the provisions of Article XIV, Section 15.1 of the 1921 Constitution except that it may not abolish or make inapplicable the system of classified civil service for paid firemen and paid municipal policemen in municipalities with a population in excess of 13,000, or in parishes or fire protection districts having a regularly paid fire department.

In municipalities with a population in excess of 400,000, paid firemen and municipal policemen shall be included in municipal fire and police civil service if a majority of the voters in the city affected, voting in an election, consent. The election shall be called by the governing authority of the city within one year after the effective date of this constitution.

Paid firemen and municipal policemen in municipalities with a population in excess of 13,000 and less than 400,000 are expressly excluded from any city civil service system.

Permanent appointments and promotions shall be made only after certification by the applicable Municipal Fire and Police Civil Service Board under a general system based upon merit, efficiency, fitness and length of service as provided in Article XIV, Section 15.1 of the 1921 Constitution, subject to change by law enacted upon the favorable vote of two-thirds of the elected members of each house of the legislature.

X. Natural Resources and The Environment

GENERAL

The policy of the state is set forth regarding conservation of natural resources and protection of the environment consis-

tent with the health, safety and welfare of the people.

NATURAL GAS

Natural gas is regulated, and connection of an interstate pipeline with an intrastate line is prohibited. Connection of an interstate line with an intrastate line requires a certificate of public convenience and necessity.

NAVIGABLE WATER BOTTOMS

Prohibition is specifically made against alienation of beds of navigable water bodies except for reclamation by riparian owners to recover land lost through erosion. Otherwise, reclamation can be only for a public use.

Reservation of mineral interests to land sold by the state is required, except redemption of land adjudicated to the state for taxes. The state, school boards and levee districts cannot lose lands and mineral interests through prescription.

Agreements involving the state's mineral interests without prior public notice and public bidding are prohibited.

MINERAL REVENUES

Any parish is permitted to sell general obligation bonds secured by its one-tenth of the royalties from mineral leases.

STATE OFFICIALS and AGENCIES

The Wildlife and Fisheries Commission and the Forestry Commission are retained as state agencies with constitutional protection.

Authorization is given the legislature to empower parishes to levy acreage taxes, not to exceed two cents per acre.

XI. Public Service Commission

The Public Service Commission is increased from three to five members. The commission is required to render a decision within 12 months on every application, petition and proposed rate schedule submitted to it, and it is authorized to effect interim rate increases.

The legislature may provide by law the mechanics for a temporary rate increase if the commission has not rendered a decision on a rate increase request within 12 months. Such a law must require the utility company to post bond and make a full refund with legal interest if the proposed increase is finally disallowed.

Provision is made for appeals from decisions of the commission to the district court of the commission's domicile, with appeal from that decision directly to the supreme court.

Alternative on Education

An alternate proposal on the education article will be presented to the voters.

Under the alternate proposal there will be a State Board of Elementary and Secondary Education composed of eight elected and three appointed members. This board will have jurisdiction over public elementary and secondary schools, vocational-technical training and special schools. There will also be a Board of Regents composed of eight elected and seven appointed members. This board will have jurisdiction over all institutions of higher education.

This alternate removes the management boards from the constitution.

If the superintendent becomes an appointed official he will be appointed by both boards.
He will be the administrative head of the Department of Education and the Board of Regents and shall implement the policies of the Board of Elementary and Secondary Education and the Board of Regents and schools under their jurisdiction.

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—24—

NOTES
I. Minutes

A. Full Committee Minutes

MINUTES

Minutes of the meeting of the Executive Committee
of the Constitutional Convention of 1973

Held pursuant to notice given by Chairman E. L. Henry on Friday, January 19, 1973

State Capitol, Baton Rouge, Louisiana

Tuesday, January 23, 1973, 10:00 A.M.

Presiding: E. L. Henry, Chairman of the Executive Committee

Present: Mrs. Ruth Miller
Chris Roy
Representative Thomas A. Casey
Reverend Avery C. Alexander
Moise W. Denenry
Herman J. Lowe
Representative John A. Alario, Jr.
Representative Lantz Womack
Reverend Louis Landrum, Sr.
Perry Segura
Lawrence Chehardy
Representative R. Harmon Drew
Frank Pulco
Representative Shady Wall
Kenneth Gordon Florly
Arthur J. Planard
Anthony J. Vesich, Jr.
John R. Thistlewaita
Senator Samuel B. Nunez, Jr.
Ralph L. Cowen
Representative E. L. Henry

Absent: Autley B. Newton
Norman Edward Carmouche

Quorum present.

Agenda: The following agenda, as contained in the notice, was read 1) Adoption of proposed budget for convention; 2) Staffing for convention.

The meeting opened with discussion concerning the size of working staff needed; number of days committees are to meet, the amount of money expended to date and the funds remaining; and an overall view of the financial picture at the present time.

Mr. Steenol of PAR, Mr. Stagg of CABL, and GSRI agreed to do research as to the availability of the kind of staff the convention will need or that will best suit the needs of the convention.

Mr. Lowe expressed his view that the substantive committees and procedural committees should be considered as a budgeted unit. They would come before the individual charged with preparing the budget and present their case. The Budget Committee, then could take all of the information and request and put them in the proper format and come before the Executive Committee with the figure, and it would then be up to the Executive Committee to decide where it wanted to go with the budget. He wants a detailed budget that will tell "this Executive Committee and the State of Louisiana where we're going and how we expect to get there".

Mr. Henry then gave a breakdown of the Executive Committee into three subcommittees, as follows:

BUDGET & FINANCE -- Chairman - Mr. Lowe
Members: Mr. Womack
Mr. Alario
Mr. Planard
Mr. Cowen

STAFFING COMMITTEE -- Chairman - Mr. Casey
Members: Mr. Vesich
Mr. Wall
Mr. Segura
Mr. Carmouche
Mr. Drew
Mr. Denenry
Mr. Newton

COORDINATION COMMITTEE -- Chairman - Mr. Boy
Members: Mr. Chehardy
Mr. Nunez
Mr. Florly
Mr. Thistlewaita
Reverend Alexander

THE MEETING RECESSD UNTIL 11:30 P.M.

First Vice Chairman Ruth Miller called the meeting to order at 1:30 P.M., January 23, 1973, and asked for brief reports from each committee and that any resolutions be read, after which the committee should come back later for discussions concerning the same.

Mr. Lowe reported that the Budget and Finance Committee had met for one hour and had come up with the following resolutions, which were presented for action.

1) MOVED by Mr. Womack, seconded by Mr. Cowen --

"That the Honorable Edwin Edwards, Governor of the State of Louisiana, be informed that the Constitutional Convention of 1973 will probably need additional funds during the current fiscal year July 1, 1972 to June 30, 1973, and that this need should be anticipated in future meetings of the Board of Liquidation of State Debt."

VOTE: Unanimously adopted.

2) MOVED by Mr. Cowen, seconded by Mr. Womack --

"That the chairman of the Budget and Finance Subcommittee be authorized to assemble all of the estimated expenses of CC/73 from the date of inception of the Constitutional Convention 1973 to this date, and that these estimated figures be presented to the Executive Board at its meeting of January 23, 1973."

VOTE: Motion carried.

3) MOVED by Mr. Planard, seconded by Mr. Cowen --

"That the chairman of the Budget and Finance Committee be authorized to contact the Honorable Joe Burris, legislative auditor, and request that he provide, from his staff, efficient accounting personnel to assist the Budget and Finance Subcommittee."

VOTE: Motion carried.

Mr. Lowe then gave an estimate of expenses as of this date, as follows:

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<tr>
<td>Whitehouse Inn (Room Rent)</td>
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<td>Whitehouse Inn (Coffee &amp; Copy)</td>
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[1289]
Mr. Casey, chairman of the Subcommittee on Staff and Personnel, received recommendations from Mr. Poynter on immediate personnel needed, as follows:

1. Desk Clerk (to assist Mr. Dennery and Mr. Poynter, on a permanent basis)
2. Chief Enrolling Clerk
3. Assistant Enrolling Clerks (per diem basis)
4. Bookkeeper

Mr. Casey reported that of all the applications received, fourteen were for the position of research director. They have been xeroxed and will be studied overnight by the committee members. This subcommittee will meet again tomorrow morning at 9 A.M. to discuss the applications reviewed. Interviews for the position will begin Thursday. He stated that the director's salary would be dependent upon the qualifications of the person chosen and his requirements. The LSU Law Library was suggested as a site for the staff.

Mr. Roy, chairman of the Coordinating Committee, stated that he felt a good professional staff is needed. The following motion was presented:

MOVED by Mr. Flory; seconded by Mr. Fulco --

"That the Executive Committee employ the following personnel to be utilized as follows: (1) a Research Director; (14) Research Assistants; Secretarial Staff to go along with it."

VOTE: Motion carried.

There will be one research assistant assigned to each substantive committee, plus a research advisor, which would be one of the four deans of the Law Schools assigned to take care of two substantive committees. The eleven legislators whom Governor Edwards appointed are to be assigned, one each, to the substantive committees. It will be the duty of the research director and the Coordinating Committee to assign to the substantive committees the various articles and sections of the present constitution for study of subsequent directions; and to assign staff for the research and for drafting of the proposals to be placed in the preliminary draft. The substantive committees would have the right to call hearings around the state and would be required to present to the staff their findings so that the staff may put it together and have a preliminary draft for the convention by July 5, 1973. The committees may request additional professional and staff personnel of the Executive Committee. Preliminary drafting by the professional staff will not be allowed to alter any of the substance of the provisions determined by the committees.

Chairman Henry recognized Mr. Steimel of the Public Affairs Research Council for the purpose of giving ideas about convention organization. Mr. Steimel suggested that the first order of business was the hiring of the director of research. He strongly urged that this be a person qualified to hire researchers, and who will work with the substantive committees. One danger is overlapping. A good background of political science and law is necessary. A good director of research will cost about $25,000 per year, plus fringe benefits; researchers will cost from $10,000 to $20,000.

Mr. Steimel was asked by Nunoo if he would be inclined to let his head researcher take this job, to which he responded that he thought "it would be better to find someone else". Mr. Henry thanked Mr. Steimel for taking his time to talk with us.

Mr. Henry advised that Mr. Ed Hardin would take care of roll call during the convention for per diem purposes. He pointed out that the committee also needs to know from LSU if they are going to charge the convention. He stated that it is his understanding that it should be free.

Mr. Casey advised that he is ready to begin interviewing applicants for research director.

Chairman Henry then asked the subcommittees to use the remaining two working hours to prepare a concise report for tomorrow. He also advised that the Committee on Committees will meet tomorrow morning.

The meeting adjourned at 3:00 P.M. until Wednesday, January 24, 1973, at 1:00 P.M.
Mr. Casey, chairman of the Subcommittee on Staff and Personnel, reported that his committee had discussed various items, including office space and working area and the research staff. Some areas of office space offered and suggested were the Gonzales motorcycle warehouse at $4.75 per square foot; the Education Building; the State Library, and the L.S.U. Law Library. Concerning the hiring of a research director, four applications have been selected for interviewing. This committee plans to select applicants to present to the Executive Committee for their final decision by next Tuesday or Wednesday.

** Reverend Landrum moved --

"That the committee be authorized to hire such personnel, both administrative and clerical, as is necessary to carry on as expeditiously as possible the work of the convention."

-3-

** VOTE: No objections. Motion passed.

** Mr. Flory moved; seconded by Reverend Landrum --

"That we authorize the hiring of two clerks to assist the desk clerk in his work immediately, and at least three (3) secretaries to aid in the work of the committee, committee on committees, and wherever the chairman of this convention thinks they are best needed at the moment, until we meet again next Wednesday."

** VOTE: No objections. Motion passed.

After a brief recess, Chairman Henry advised that Representative Jenkins had been contacted about the resolution. He then proceeded to appoint a sub-committee composed of Delegates Lowe, Womack, Chehardy, and Planchar to resurvey the budget figures and prepare a plan for presentation to the legislature.

As there was no further business to come before this committee, Representative Womack moved for adjournment. The meeting adjourned at 3:00 P.M.

Chairman

V. Chairman

Secretary

** Motions acted upon.

Moved by Mr. Flory and seconded by Mr. Fullo that:

1. That the Executive Committee employ the following personnel to be directed to operate as follows:
   A. Research Director, to be employed as soon as possible and to sit with and counsel the Executive Committee in the selection of all other staff personnel.
   B. Fourteen (14) Research Assistants to be selected after the Research Director.
   C. Necessary secretarial and clerical staff to serve the Research Director and Assistants.
   D. Interview and have access to additional Research Assistants on an as needed basis upon request from the substantive committees and or the Research Director.

2. At least one Research Assistant will be assigned to each substantive committee; provided that any procedural or substantive committee may request additional research assistants of the Executive Committee, if necessary.

3. There will be one Research Support Staff that should be either the Dean or the designee of each of the law schools and four members appointed from the law instructors who have been assigned at least for two substantive committees.
III. The eleven legislators appointed by the Governor shall be assigned to any substantive or procedural committee as needed, and shall be ex-officio, non-voting members of any committees they choose.

IV. Immediately after the employment and or selection of the staff personnel described above, the Research Director working with the Coordinating Committee shall make the assignments to the committees of the above personnel.

Furthermore, the substantive committees shall be assigned the various articles and sections of the present constitution in accordance with the rules of the Convention, for study and subsequent direction of the staff for study and subsequent direction of the staff for preparation of the preliminary draft of the Constitution.

V. All substantive committees shall complete their work assignments by May 5, 1973, and present their drafts to the Research Director, at which time the personnel assigned to the various committees shall end, and they shall then begin working directly under the Research Director, who with the Coordinating Committee, shall have the responsibility of formulating the drafts into a preliminary draft of the constitution to be presented to the Convention by July 5, 1973.

VI. In editing and compiling the substantive committee drafts into a final preliminary draft of the Constitution neither the Research Director nor the Coordinating Committee may change any substantive provisions.

Resolution #1
Moved by: Womack
Seconded by: Cowen
That the Honorable Edwin Edwards, Governor of the State of Louisiana, as informed that CC/73 will probably need additional funds during the current fiscal year July 1, 1972 to June 30, 1973 and that this need should be anticipated in the future meetings of the Board of Liquidation of the State of Louisiana.

Resolution #2
Moved by: Cowen
Seconded by: Womack
That the Chairman of the Budget and Finance Sub-Committee be authorized to assemble all of the estimated expenses of CC/73 from the date of inception of CC/73 to date and that these estimated figures be presented to the Executive Board at its meeting of January 23, 1973.

Resolution #3
Moved by: Planchard
Seconded by: Cowen
That the Chairman of the Budget and Finance Sub-Committee be authorized to contact the Honorable Joe Burris, Legislative Auditor and request that he provide, from his staff, sufficient accounting personnel to assist the Budget and Finance Sub-Committee.

There being no further to come before the meeting it was moved by Mr. Womack, seconded by Mr. Cowen and carried that the meeting be adjourned.

Chairman
CONSTITUTIONAL CONVENTION

FINANCIAL CONDITION @ 1/30/73

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As probably contemplated by the legislature
CONSTITUTIONAL CONVENTION

FINANCIAL CONDITION @ 2/15/73

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<th>Funds Disbursed</th>
<th>Outstanding Obligations</th>
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<td>Total Salaries</td>
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<td>3,386.64</td>
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*As probably contemplated by the legislature*
RESOLUTION

RESOLVED that the Executive Committee of the Constitutional Convention of 1973 shall hold a meeting on Wednesday, January 24, 1973, at 10:00 a.m. to hear a proposal from Mr. Woody Jenkins regarding printing. A copy of the proposal is attached herewith and made a part of these minutes.

Mr. Newton then proposed the procedures outlined by Mr. Jenkins be adopted.

Mr. Lowe reported having a copy of the contract for printing of the legislative daily journal containing a resolution stating "if a constitutional convention was called the printer that had been awarded the contract for printing the House Daily Journal would also be the firm for the printing of Journals of the Constitutional Convention." It did state the Constitutional Convention did not have to honor the contract.

The representative from G.S.R.I. (Mr. K. Johnson) arrived and was asked to explain the $20,000 in expenses up-to-date but did not have detailed figures at this time. An informal summary submitted by Mr. Johnson is attached. A detailed description of all activities undertaken was to be provided to the Convention within thirty days from January 25, 1973.

Mr. Johnson assured the Executive Committee everything G.S.R.I. did was approved or rejected by the Temporary Rules Committee, chaired by Mr. Stagg.

Mr. Lowe commented that CC/73 was also billed directly by LSU for the use of the Assembly Center and catering from the Union.

It was moved and seconded that the full report (accounting
data sheet) be turned in to the Executive Committee before payment is made. (Adopted.)

Mr. Johnson reported that besides the cost account sheet G.S.R.I. would like to submit a summary of the actions undertaken for the reasons they operated without the usual contract.

Mr. Planchard suggested a subcommittee be appointed to study the existing contract with the attorney general to rule if CC/73 is legally bound to the present printer (TJM Corp.). Mr. Lowe to head committee. Mr. Womack to serve. Duties are to meet with the director of administration; study the appropriate state laws and statutes that determine the authority under which CC/73 must operate as it relates to Mr. Jenkins' resolution. Return to the Executive Committee with written opinion by the attorney general and recommendations by the Division of Administration. They were then to prepare a motion and resolution to present to the Executive Committee regarding statements and suggestions made by Mr. Roemer, commissioner of administration.

A motion was made and seconded that the Executive Committee postpone action on the Jenkins' resolution. (Adopted.)

Mr. Lowe, Mr. Womack, and Mr. Dennery were named to report on the attorney general's opinion and suggestions by the commissioner of administration. Mr. Lowe and Mr. Womack named Mr. Dennery chairman. Mrs. Miller then discharged Mr. Lowe and Mr. Womack from duties assigned earlier.

No further action taken.

Meeting adjourned at 3:30 p.m.

2. Major Activities:
   A. Establishment of opening locations for the Convention.
   B. Provision of support services for opening session.
   C. Provision of staffing guidelines.
   D. Development, printing, and distribution of a study guide on rules of procedure.
   E. Development, printing, and distribution of delegate information.
   F. Printing of "Proposed Rules of Procedure".
   G. Coordination of all activities preliminary to opening of Convention.

3. Costs:
   A. Total billed - $19,568.00
   B. Exemplary expenses

<table>
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<th>Man-hours</th>
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<th>December 16</th>
<th>January 1</th>
<th>January 20</th>
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<td>Direct outlay</td>
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<td>138</td>
<td>$2,000</td>
<td>$445</td>
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Total billed labor - 5.94 man-months

4. Comments:

A detailed description of all activities undertaken will be provided to the Convention before January 25, 1973.

MINUTES

Minutes of the meeting of the Executive Committee of the Constitutional Convention of 1973

Held pursuant to notice given by Chairman E. L. Henry on January 25, 1973

State Capitol Building, Baton Rouge

Tuesday, January 30, 1973, 10:00 a.m.

Presiding:

E. L. Henry, Chairman of the Executive Committee

Present:

Norman E. Carmouche
Lawrence Chehardy
Ralph L. Coven
Moise W. Donnery
Representative R. Harmon Drew
K. Gordon Flory
Frank Fulco
Representative E. L. Henry
Reverend Louis Landrum, Sr.
Harmon "Monday" Lowe
Mrs. Ruth Miller
Autley B. Newton
Arthur J. Planchard
John R. Thistlewaite
Anthony J. Vesich, Jr.
Representative Shady Wall
Representative Lantz Womack

Absent:

Representative John A. Alario, Jr.
Reverend Avery C. Alexander
Representative Thomas A. Casey
Senator Samuel B. Nunez, Jr.
Chris J. Roy
Perry Segura

Quorum present.

Chairman Henry called the meeting to order at 10:00 a.m.

Mr. Donnery presented the resolution prepared by the subcommittee appointed January 25, 1973 to be charged with the responsibility of purchasing and procurement of supplies, equipment, and printing for CC/73. The subcommittee recommended this resolution be presented by the Executive Committee to the
convention when it assembles January 30, 1973, 2:00 p.m. A copy of the proposal is attached herewith and made a part of these minutes. Mrs. Miller explained the purpose of the resolution.

Mr. Lowe explained that this resolution had the same spirit of Mr. Jenkins's, but allowed the elimination of sophisticated administrative procedures as a convention, as the Division of Administration had already developed procedures and techniques. Mr. Wall requested an explanation for having to ask the convention to concur with an Executive Committee decision.

Mr. Henry explained that the rules provide that the Executive Committee cannot create a subcommittee with power to act and if the Executive Committee does choose to create this type of subcommittee, then the convention has to ratify this before this subcommittee can act.

Mr. Flory felt this was all understood once before on the floor and the Executive Committee had the power to do it. He did not feel a permanent subcommittee need be created.

Mr. Henry stated it was impossible to call the Executive Committee to session for every purchase; the Division of Administration was bound by any budget provision, and a smaller committee was needed to oversee and handle these functions.

Mrs. Miller confirmed the fact that the matter was discussed with the Division of Administration, and an opinion had been received from the attorney general regarding the guidelines in this matter. She continued, "Mr. Flory was absent when this matter was handled, and also absent when it was decided a man living in East Baton Rouge Parish with the ability would have to handle this, and we had Mr. Flory in mind for this."

Mr. Flory retorted that he appreciated the compliment but already had all he could "say grace over." He felt a subcommittee was unnecessary if the convention was going to purchase through the Division of Administration, and it was the chairman's responsibility to approve anything.

Mr. Lowe explained the subcommittee would be approving requisitions from fourteen to fifteen committees. No one would be as concerned about the CC/73 budget as members of the Executive Committee and sometimes "NO" would have to be said. "We should not turn this responsibility over to a governmental unit that isn't part of this Constitutional Convention."

Mr. Henry announced he would ask the Division of Administration to reappear January 31, 1973 to reaffirm the costs of printing. As for purchases, Mr. Henry continued, as chairman of the convention, he would authorize Mr. Lowe, under the rules, to pay the bills, and if any question arose he would bring it before the Executive Committee to be resolved in the proper fashion.

The action taken regarding the Jenkins's resolution was to defer action, in effect, kill the resolution.

Mr. Lowe requested that someone of the Executive Committee go before the convention and explain the procedure to be used to dispose of Mr. Jenkins's resolution since so many delegates expressed interest.

Mr. Henry assured the Executive Committee a statement would be made that an opinion was received from the attorney general which binds the convention to the public bidding laws under the Division of Administration.

Mr. Casey reported for his subcommittee and assured the Executive Committee they would have a recommendation for the position of research director on January 31, 1973.

Mr. Denney reported on "location." The main location under consideration was the LSU Law School. Mr. Segura was asked to prepare drawings for recommended area at the LSU Law School.

Mr. Lowe reported receipt of a bill for $1500 from the court recorder for the seven days of convention session. It was estimated at a per diem of $100 per day plus $3.00 per page plus out-of-pocket costs of traveling expenses.

Mr. Lowe requested a decision be reached regarding rules of purchasing before the convention recessed until July.
The Executive Committee meeting of February 12, 1973.

The meeting was chaired by Mrs. Ruth Miller until Chairman Henry returned from New Orleans. Roll call:

Present
John Alario, Jr.            Absent
Rev. Avery Alexander
Norman Carnouche
Thomas Casey
Lawrence Chehardy
Missie Dennery
R. Harson Drew
K. Gordon Flory
Frank Fulco
J.L. Henry, Chairman
Rev. Louis Landrum, Sr.
Norman Lowe
Mrs. Ruth Miller, 1st Vice Chairman
Austley Newton
Sen. Samuel Nunez
Arthur Planard
John Thistlewaite
Anthony Vesich, Jr.

Having a quorum present, Mrs. Ruth Miller, first vice chairman, called the meeting to order, in the temporary absence of Mr. Henry, chairman of the committee.

Mrs. Miller introduced Mr. Ed Stagg, executive director of the Council for a Better Louisiana. Mr. Stagg explained that his office was concerned with the problem of reaching the public for the following purposes: (1) to receive the advantages of the thinking of the public with respect to constitutional matters, and (2) to inform the public of the convention's final proposal as a constitution. Mr. Stagg suggested that representatives from the convention participate in a tour of the state, inviting people to these public hearings, and giving them an opportunity to express views, and ask questions concerning the convention. He stated that in May or July various committees will have drafts ready for consideration by the convention as a whole, and these drafts could be the basis for considerable public discussion, if given the opportunity. He suggested that help may be obtainable from the state goals programs within the state, and one of these goals could be the Constitutional Provisions Seminars at the major cities around the state, and that the State Planning Committee offers these services at no cost to the state.

Mr. Chehardy questioned the feasibility of this tour, stating the time limit involved. After considerable explanation of his theory, Mr. Chehardy informed Mr. Stagg that "it is not a lack of appreciation for what you offer, it's only a lack of understanding the advantages." Mr. Stagg asked the committee to study the proposal and present their recommendations to the Executive Committee.

Mr. Wall suggested that this matter be referred to the Public Information Committee, and all the members concurred with his suggestion.

Mr. Lowe offered a motion to authorize the treasurer to pay per diem through January 31, 1973, and the salaries and expenses that are due. Having no objections, the motion carried.

Mr. Flory offered a motion authorizing the finance subcommittee to establish a system of handling the financial affairs of the convention: having no objections, the motion carried.

Mr. Casey distributed folders to the members containing several resolutions. Resolutions pertaining to job classifications for the research staff, Civil Service classifications, temporary renovations of the LSU Law School, with Perry Segura designated to handle these details, were adopted.

It was suggested that the committee resolve into executive session to consider recommendations for the employment of personnel. Robert Pellegrin, Lois Michelli and C.B. Forgetton were named senior researchers and placed on the same salary as the senior researchers previously hired.

Mr. Chehardy motioned that another research coordinator be appointed, and the motion carried.

Mr. Newton motioned that the details for employee insurance be decided, and the motion carried.

It was recommended by Mr. Casey that the Subcommittee on Staff and Personnel meet on Tuesday and Wednesday of the next week, and this recommendation carried.

Mrs. Ruth Miller 1st Vice Chairman

Constitutional Convention of the State of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 1 of February 12, 1973
Introduced by: Mr. Casey on behalf of the Subcommittee on Staff and Personnel
A RESOLUTION

BE IT RESOLVED that the Executive Committee hereby adopts the Job Classification Schedule and Pay Plan for the Research Staff of the Constitutional Convention of 1973 as set forth on the attached exhibit; and

BE IT FURTHER RESOLVED by the Executive Committee that the Research Director is authorized to appoint and remove personnel comprising the research staff as proposed by the attached exhibit and to fix all salaries within the range provided on the attached exhibit, except that the two research coordinators and all research assistants shall be appointed or removed only with the approval of the Executive Committee; and

BE IT FURTHER RESOLVED that any resolution heretofore adopted by the Executive Committee in conflict herewith is hereby superseded.

ADOPTED: February 12, 1973

PROPOSAL FOR RESEARCH STAFF
Recommendations of Sub-Committee on Staff and Personnel to the Executive Committee of the Constitutional Convention of 1973

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<th>Number</th>
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<th>Rate Per Month</th>
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<tr>
<td>1</td>
<td>Research Coordinator - Legal (includes Federal Constitution)</td>
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<tr>
<td>1</td>
<td>Research Coordinator - Political Science</td>
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<td>1</td>
<td>Research Coordinator - Public Information</td>
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<td>8 - 9</td>
<td>Junior Research Assistants</td>
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<td>4 - 6</td>
<td>Junior Research Assistants</td>
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<td>1</td>
<td>Executive Secretary</td>
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<td>Librarian</td>
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<td>Director Clerk</td>
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<td>Maintenance</td>
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<td>2</td>
<td>Messengers</td>
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Consultants
Part-time Research Assistants
Student Labor

Governor of the State of Louisiana to make certification to the State Civil Service Commission in accordance with (G) (a) (12) of Article XIV, Section 15 of the Louisiana Constitution of 1921, and

BE IT FURTHER RESOLVED that the Chairman of the Constitutional Convention of 1973 is authorized and directed to apply to the State Civil Service Commission to declare all employees of the Constitutional Convention to be in the unclassified service under provisions (G) (a) (12) or (G) (a) (17) of Article XIV, Section 15 of the Louisiana Constitution of 1921.

ADOPTED: February 12, 1973

Constitutional Convention of the State of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 3 of February 12, 1973
Introduced by: Mr. Casey on behalf of the Subcommittee on Staff and Personnel

A RESOLUTION

BE IT RESOLVED that the Executive Committee authorize the Director of Research to make such purchases and procurements of supplies, materials, equipment and printing as are required by the research staff, such purchases and procurements to be made subject to the provisions of Delegate Resolution No. adopted by the Convention and subject to the approval of the Treasurer of the Convention.

ADOPTED: February 12, 1973

Constitutional Convention of the State of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 4 of February 12, 1973
Introduced by: Mr. Casey on behalf of the Subcommittee on Staff and Personnel

A RESOLUTION

BE IT RESOLVED that the Executive Committee declares the need for office space for the Research Staff and personnel to be an immediate necessity, requiring the temporary alteration of the allocated area of the LSU Law Center to be performed on an emergency basis and hereby directs the Chairman of the Constitutional Convention to take such action as is necessary, in conjunction with the Commissioner of Administration or any other state agency, to assure that the temporary alterations proceed with the greatest dispatch possible, consistent with the requirements of applicable law.

BE IT FURTHER RESOLVED that Mr. Perry Segura is delegated as the representative of the Executive Committee to handle all matters in relation to the temporary alteration of the office space for the staff.

BE IT FURTHER RESOLVED that LSU be first requested to perform the necessary temporary alteration work with University personnel.

ADOPTED: February 12, 1973

[1299]
Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 5 of February 12, 1973

Introduced by: Mr. Casey on behalf of the Subcommittee on Staff and Personnel

A RESOLUTION

BE IT RESOLVED that the Executive Committee of the Constitutional Convention of 1973 hereby approves the employment of the following named Research Coordinators and Research Assistants at the salaries hereinafter set forth for each, and directs the Director of Research to proceed with all necessary matters in connection with such employment:

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<tr>
<th>Name</th>
<th>Job Classification</th>
<th>Monthly Salary</th>
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<tr>
<td>W. Lee Hargrave</td>
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<td>Gene F. Tarver</td>
<td>Coordinator of Research</td>
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<tr>
<td>Thomas McFerrin</td>
<td>Senior Research Assistant</td>
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<td>J. Reginald Coco, Jr.</td>
<td>Senior Research Assistant</td>
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<tr>
<td>Walter J. Landry</td>
<td>Senior Research Assistant</td>
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<tr>
<td>Lois Nichols Michelli</td>
<td>Senior Research Assistant</td>
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<tr>
<td>C. B. Forgetston</td>
<td>Senior Research Assistant</td>
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<td>Fred Leland Tinsley</td>
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<tr>
<td>Robert Paul Pellegrin</td>
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</tbody>
</table>

The employment of Mr. Pellegrin shall be subject to the approval of the Chairman of the Public Information Committee.

APPROVED: February 12, 1973

MINUTES


Held pursuant to notice mailed by the Secretary of the Convention on February 14, 1973

State Capitol, Baton Rouge, Louisiana

Thursday, February 22, 1973, 1:30 p.m.

Present: E. L. Henry, Chairman of the Executive Committee

Absent: Thomas A. Casey
Moise Dennery
Harmen Drew
Rev. Landrum
Autley Newton
Samuel Nunez
Chris Roy
Ferry Segura
Anthony Vesich
Shady Wall

Mr. Womack moved to dispense with the reading of the minutes of the last meeting.

Mr. Lowe reported on his subcommittee – Budget and Finance:

1. Resolution read that a subcommittee be formed to approve all purchasing. (Attachment 1)
   It was suggested that all these subcommittees may not be necessary -- that maybe one person could handle this situation. The resolution was amended that Gordon Flory serve as the purchasing agent for the convention. The resolution was adopted.

2. Resolution read that Monday Lowe be bonded. Resolution was adopted.

3. Financial statement (Attachment II)
   Committee authorized payment of bills – $5741.77

Discussion: Mr. Lowe calculated that it would take $150,000 for committee meetings for the next 6 months. Mr. Chehardy suggested that the members could waive their per diem for the time being. Rev. Alexander agreed. Mr. Womack objected, saying that he did not want to have to sign any "pauper's oath," but that he would be willing to serve now without per diem as long as he knew that he would be paid back in the future. Mr. Henry assured everyone that everything would work out and that the convention would request $100,000 from the Board of Liquidation to cover expenses until the end of the fiscal year. Mr. Nunez said that the committee would have to decide whether it wanted to go into the deficit; (2) wanted to continue on with credit; (3) or continue as is and just see what will happen. Mr. Flory moved that the committee get the money from the Board of Liquidation and operate as need be at this time.

Mr. Lowe calculated the following for the next four (4) months:

| $42,000/month | Salaries | $168,000 |
| 4,200/month   | Dedication | 1,680 |
| 2,000/month   | Rental    | 6,000 |
| 2,000/month   | Printing  | 8,000 |

$185,680

Mr. Segura reported from his subcommittee that it would be another six (6) weeks before the staff could move to the LSU facilities. The LSU maintenance people are doing the work and they will pay for this. The convention will have to buy dividers to separate the space, but it is unclear whether LSU's going to pay their maintenance people to do this work, or the convention may have to pay for it.

Mr. Juneau reported that his Composite Committee is preparing to conduct various meetings across the state. This will take place in the seven metropolitan areas throughout the state. Mr. Juneau requested that his committee be authorized to publish a convention report to go out about four times. He estimated that it would cost about $30 an issue. The Executive Committee authorized the Composite Committee to spend $125 for this report.

Mr. Henry appointed a Site Subcommittee to find a permanent home for the convention in July. Those appointed were:

Mrs. Miller
Mr. Vesich
Mr. Flory
Mr. Lowe
Mr. Alario
Mr. Womack
Mr. Jack Lord (correspondent)

Mr. Henry reminded the committee of the resolution that passed the convention regarding providing stationery for each delegate. This was estimated to cost the convention $6000 to $7000, and the committee agreed that with the money that the convention is working with now, that there would not be enough money for stationery at this time. Mr. Wall suggested that the chairmen of the committees be given stationery. Mr. Womack suggested that, and made the motion that the Division of Administration print stationery for the delegates in their spare time. Mr. Drew moved that the committee stay any action at this time. Mr. Wall made a substitute motion that a committee be
appointed to check with the Division of Administration and see what it would cost to print the stationery. There was also an amendment to consult private enterprise for the same information. Mr. Wall’s motion failed. Mr. Drew’s motion was voted on and passed. The chairman instructed that stationery be sent to the committee chairman — that is the stationery the convention is using at present.

Mr. Lambert, Mr. Roy, and Mr. Nunez were put to the task of checking out the Centrex system to see if the convention could use it without extra cost. None of the members were present except Mr. Nunez, and he didn’t know too much about it. Roy Fogler, staff member, reported on what he had found out from Centrex. It would not cost the convention, but Centrex would have to be notified as to who would use the system. It was decided that each of the chairman of a committee be given the authority to use Centrex, and that they be notified of this along with Mrs. Vickers, who is in charge of Centrex.

It was brought to the attention of the committee that delegates had been coming to Baton Rouge for meetings, because they had gotten letters from the chairman of their committee, but had not received official notices from the convention. A letter had been sent out previously to the committee chairman notifying them that committees could not meet unless they get an official notice of a meeting.

Mr. Henry informed the committee of the request that Dr. Asseff had made, changing him from the Committee on Legislative Powers to the Committee on the Executive Department. Mr. Fulco made the motion to authorize this request. Mr. Flory suggested that the delegates not be given the authority to change committees once the committees begin to meet. The chairman instructed that Dr. Asseff be notified of this change, as well as Mr. Stagg and Mr. Blair.

Mr. Dennery introduced a resolution that would cover the cost of printing of documents for the convention (Attachment III). The amendment was adopted.

Mr. Lowe brought up the question of how the convention was going to handle retirement and insurance for its employees —this seems to be a problem in hiring some of the employees. Also some employees want to take a leave of absence from their jobs so they can stay on their own retirement. It was agreed that the convention would reimburse the state agencies from which these employees may be on leave.

Mr. Wall introduced a resolution expressing the position of the Executive Committee with respect to consideration of legislators’ service to the convention and the computation of their retirement (Attachment IV). The resolution was amended to include the names of Nunez, Henry, and Chehardy as coauthors. The chairman requested that a copy of this resolution be sent to the retirement system of the state.

Mr. Casey reported on his subcommittee — Personnel and Staffing:

Mr. Casey introduced six resolutions (Attachments V-X) in relation to staffing and personnel. These having to do with (1) employees on loan to the convention and being reimbursed by the convention; (2) employees not earning annual leave or sick leave; (3) employees allowed to join the State Employees’ Retirement System; (4) that there be some deviation on the salaries set for staff previously at the Executive Committee; (5) that an assistant clerk be hired at $800/month; (6) that an accountant be hired at $750/month.

Mr. Drew made a motion that the committee go into executive session. The motion carried.

EXECUTIVE SESSION

Mrs. Miller presided.

Mr. Casey introduced a resolution (Attachment XI) relative to the employment of eight additional people for the research staff. The resolution was amended to read “authorized” instead of “approves the employment of the following . . .” The resolution was adopted.

Mrs. Duncan was asked to tell the Executive Committee some of the research staff’s plans and the coordination of the committees, etc. She seemed to think that they had hired an excellent research staff and recently had met with the law deans and the members of the Law Institute. Mr. Flory asked Mrs. Duncan if the staff had been given the various articles of the constitution, and if these had been distributed. She said that this was being done at the present time. She informed the committee that at the present time, they had 33 requests from delegates for research. Some of the Executive Committee didn’t think that they should be taking all of these requests. Some of the committee agreed that no one could be denied research, as this is part of what the research staff was hired for.

Mr. Newton made a motion that all requests for research go through the chairman of the various committees, and that they in turn bring it up to the research staff if they deem it necessary. After discussion, Mr. Newton withdrew his motion. It was decided to leave the matter open until the Executive Committee could make some recommendations on it.

Reverend Alexander said that he had not been getting notices of the Public Information Committee and that he was an ex officio member of this committee. Each vice chairman is a member of a procedural committee. Mr. Henry instructed that these members be notified of these meetings.

Mr. Tom Casey requested of the committee that his Subcommittee on Staff and Personnel be allowed to meet whenever it becomes necessary. The request was granted.

Mr. Planchard moved that the committee adjourn subject to call.

Adjoined 5:30 p.m.

E. L. Henry, Chairman

[1301]
CONSTITUTIONAL CONVENTION OF THE STATE OF LOUISIANA OF 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 1 OF FEBRUARY 22, 1973

Introduced by: Mr. Lowe (on behalf of the Subcommittee on Budget and Finance)

A RESOLUTION

BE IT RESOLVED that the Executive Committee authorize Chairman E. L. Henry to approve purchase requisitions for the purchase of supplies, services and equipment necessary to carry out the business of the Convention.

BE IT FURTHER RESOLVED that a subcommittee on purchasing shall be established to review purchases.

BE IT FURTHER RESOLVED that purchasing procedures shall be as follows:

(1) Chairmen of committees and the Research Director shall submit purchase requisitions to Chairman Henry for approval.

(2) Approved copies of requisitions for purchases made by the Research Director and Chairman Henry will be transmitted to the subcommittee on purchasing for its review.

(3) The subcommittee on purchasing will then transmit the approved requisition copies to the Division of Administration so that it may insure that purchase procedures are in compliance with state law.

ADOPTED: (date) February 22, 1973
or college or university from which he comes to this staff, on loan to the convention for the duration of the convention and with reimbursement by the convention to the agency or institution of the amount of the salary and the employer portion of the costs of retirement and other employee benefits for which the staff member is presently eligible and receiving.

ADOPTED: February 22, 1973

ATTACHMENT VI
Constitutional Convention of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 6 of February 22, 1973
Introduced by Mr. Casey.

A RESOLUTION
BE IT RESOLVED that the full time, permanent employees of the Research Staff shall not earn annual or sick leave during the period of their employment with the Convention, but that sick leave may be granted to any employee with approval of the Director of Research.

ADOPTED: February 22, 1973

ATTACHMENT VII
Constitutional Convention of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 7 of February 22, 1973
Introduced by Mr. Casey

A RESOLUTION
BE IT RESOLVED that the employees of the Constitutional Convention shall be deemed to be state employees within the contemplation of the laws governing the State Employees' Retirement System and, as such and within the limits of that law pertaining to eligibility and subject to approval of such membership by the Board of Trustees of the State Employees' Retirement System in accordance with R.S. 42:552, shall be members of that system in the same manner and to the same extent as other members of said system, except that any employee who prior to employment or service with this Constitutional Convention was an active member of any other retirement system in this state may elect, subject to any applicable requirements of law, to remain in the system in which he or she was a member.

BE IT FURTHER RESOLVED that the employees of the Constitutional Convention also shall be eligible for participation in the group life and group health and accident insurance programs available to state employees and administered by the Division of Administration.

BE IT FURTHER RESOLVED that the Constitutional Convention shall be responsible for the deduction of the monthly employee contributions and for payment of the employer contributions for retirement purposes in accordance with applicable law and also shall be responsible for deduction of the employee portion of insurance premiums and for payment of the employer portion of such premiums in the same manner and to the same extent as is applicable to other eligible state employees.

ADOPTED: February 22, 1972

ATTACHMENT VIII
Constitutional Convention of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 8 of February 22, 1972
Introduced by Mr. Casey.

A RESOLUTION
BE IT RESOLVED that authority is granted, upon the recommendation of the Director of Research and with the approval of the Chairman of the Convention and the Chairman of the Subcommittee on Staff and Personnel, to deviate from the amounts fixed in the salary schedule approved by this Executive Committee on February 12, 1973 in amounts which shall not exceed or be less than ten percent of the salaries set forth in said salary schedule.

ADOPTED: February 22, 1973

ATTACHMENT IX
Constitutional Convention of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 9 of February 22, 1973
Introduced by Mr. Casey

A RESOLUTION
BE IT RESOLVED that authority is granted to the Chairman of the Convention to employ an assistant clerk at a salary of eight hundred dollars per month.

ADOPTED: February 22, 1973

ATTACHMENT X
Constitutional Convention of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 10 of February 22, 1973
Introduced by Mr. Casey, February 22, 1973

A RESOLUTION
BE IT RESOLVED that authority is granted to the Chairman of the Convention and the Treasurer of the Convention to employ
an accountant at a salary of seven hundred twenty-five dollars per month, effective February 16.

ADOPTED February 22, 1973

ATTACHMENT XI

Constitutional Convention of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 11 of February 22, 1973

Introduced by: Mr. Casey.

A RESOLUTION

BE IT RESOLVED that the Executive Committee of the Constitutional Convention of 1973 hereby authorizes the employment of the following named Research Coordinator at the salary hereinafter set forth, and Research Assistants and directs the Director of Research to proceed with all necessary matters in connection with such employment:

<table>
<thead>
<tr>
<th>Name</th>
<th>Job Classification</th>
<th>Monthly Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Audrey Daste LeBlanc</td>
<td>Coordinator of Research</td>
<td>$2,000</td>
</tr>
<tr>
<td>Carl S. Reis</td>
<td>Senior Research Assistant</td>
<td></td>
</tr>
<tr>
<td>Joe L. Smith</td>
<td>Senior Research Assistant</td>
<td></td>
</tr>
<tr>
<td>James Morris</td>
<td>Senior Research Assistant</td>
<td></td>
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<tr>
<td>Louis Gerdes</td>
<td>Senior Research Assistant</td>
<td></td>
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<tr>
<td>Jean Conner</td>
<td>Junior Research Assistant</td>
<td></td>
</tr>
<tr>
<td>Betty Field</td>
<td>Junior Research Assistant</td>
<td></td>
</tr>
<tr>
<td>Raymond Simmons</td>
<td>Junior Research Assistant</td>
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ADOPTED: February 22, 1973

MINUTES

Minutes of the meeting of the Executive Committee of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on March 22, 1973

Senate Lounge, State Capitol, Baton Rouge, Louisiana

Tuesday, March 27, 1973, 1:30 P.M.

Presiding: E. L. Henry, Chairman of the Executive Committee

Present

E. L. "Bubba" Henry, Chairman
Ruth L. Miller, 1st Vice-Chmn.
Rev. Avery C. Alexander, Vice-Chmn.
Thomas A. Casey, Vice-Chmn.
Moise Denney, Secretary
Herbert "Monday" Lowe, Treasurer
John A. Alario, Jr.
Norman E. Carmouche
R. Harmon Drew
Gordon Flory
Frank Pulco
Rev. Louis Landrum, Sr.
Auten B. Newton
Sen. Samuel B. Nunez, Jr.
Arthur J. Planchard
Perry Segura
John R. Thistlewaite
Lantz M. Wack

Absent

Chris J. Roy, Vice-Chmn.
Lawrence Chehardy
Ralph L. Cowen
Anthony J. Veitch, Jr.
Shady R. Wall

The Chairman called the meeting to order and asked for roll call. After roll call by Mr. Hardin and the announcement of twelve members present and a quorum, the chairman informed the members present that the Subcommittee on Staff and Personnel was still in meeting and thus those members could not be present until the adjournment of that meeting.

Mr. Gordon Flory offered a motion that the members of the Staff and Personnel Subcommittee be excused until that meeting adjourned. It was decided that this committee would stand at ease until the subcommittee adjourned. Mr. Flory withdrew his motion and the chairman announced the committee at ease.

Upon arrival of the members of the Subcommittee on Staff and Personnel, the chairman called the meeting to order. The committee dispensed with the reading of the minutes of the last meeting.

The first order of business was consideration of a site for the Convention. Mrs. Ruth Miller, as Chairman of the Subcommittee on Permanent Site, presented for consideration a resolution, which is the recommendation of the subcommittee. She explained that the subcommittee had considered two places as possible sites for the holding of the convention: the Louisiana Chamber in the State Capitol Building and the White House Inn. It was decided, due to the problems existing in using the Louisiana Chamber (the adding of twenty-seven desks, alteration in electronic voting system, parking space, area for press and TV, food service, rest area for delegates, etc.), plus the insurmountable problems that could be caused if an extraordinary session of the legislature were called, that the House Chamber should not be used as the site for the convention. Mrs. Miller distributed a letter from the White House Inn setting forth the cost of using Independence Hall and other facilities there for the convention. A copy of the letter is attached to and made a part of these minutes. After an explanation of the services which could be offered by the White House Inn and conclusions of the subcommittee, Mrs. Miller moved adoption of the resolution presented on behalf of the Subcommittee on Permanent Site. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 1 of March 27, 1973, together with a diagram of the Treaty Room space to be used by the convention and its staff.

Mrs. Miller requested Mr. David Poynter to present to the committee a second resolution on behalf of the Permanent Site Subcommittee. Mr. Poynter explained briefly the needs of the convention, as considered by the subcommittee, concerning an electronic voting system. Mrs. Miller moved the adoption of the resolution. After discussion, in which it was pointed out that, in considering bids submitted and the one to be accepted, the word "responsible" should be given careful consideration in order that the convention receive the services of an experienced and dependable contractor necessary to carry on the business of the convention without unnecessary interruption and delay due to equipment failure, the resolution was adopted.

[1304]
A copy is attached to and made a part of these minutes as Executive Committee Resolution No. 2 of March 27, 1973.

The second order of business concerned recommendations of the Subcommittee on Staff and Personnel. Mr. Tom Casey, chairman of that subcommittee, requested postponement of this matter until such time as the recommendations could be prepared for presentation in the proper form.

The chairman stated the third order of business and requested Mr. Perry Segura to report the progress of renovations at the LSU Law Center with respect to office space for the research staff. Mr. Segura reported that the plans have been prepared and the work to be done has been split into two parts: (1) LSU will perform work necessary in placing permanent partitions and all electrical alterations; (2) bids were received through the Division of Administration, the contract has been let at between $11,000 and $12,000, and the work is underway. He stated that due to the resolution which would be presented by the Staff and Personnel Subcommittee and perhaps adopted by the committee, there could be a problem where the hiring of more personnel than originally anticipated might occur and providing space to accommodate such employees.

The chairman stated the fourth order of business would be consideration of the financial status of the Constitutional Convention and requested the Treasurer, Mr. Herman Lowe, to report to the committee. He called attention to the fact that $90,000 had been approved by the Board of Liquidation, subject to legislative approval. Mr. Lowe asked the members of the committee to refer to the folders which were distributed and which contain the financial statements he wished to discuss with the committee. A copy of these materials is attached to and made a part of these minutes. Page 1 is a list of bills to be approved for payment. Following study and discussion of the items listed, Mr. Gordon Flory moved that the bills listed for payment be approved. The motion passed without objection.

In discussion of Page 2 of the materials submitted, it came to the attention of the committee that some expenses set out in the statement were for coffee. Even though these expenses were incurred before the Executive Committee motion requiring all committees personally to pay for coffee ordered by the committee, the chairman instructed Mr. Lowe to contact the chairman of the committees incurring the coffee expense and request that the committees reimburse the Constitutional Convention for the expenditure. Mr. Lowe agreed to comply.

The remainder of the materials in the packet were considered by the committee, with Mr. Lowe explaining various items and statements. Mr. Lowe explained that resolutions were being prepared which he would like to present later in the meeting. Other points developed through discussion were that the convention is proceeding fairly well financially, and the functions as planned can possibly be carried out through June with the funds now allotted for that time period. Some unforeseen problems are arising, such as hiring of more personnel, installation of telephones, and the difficulties the research staff might encounter in the move from the Capitol Building to LSU. These prohibit the projection of more exact expenditures. Also, Mr. Lowe pointed out that he has transmitted to all committee chairman a questionnaire which would enable his office to finalize committee budgets, but that he has received very poor response. The chairman suggested that Mr. Lowe consider that the committee will not travel if he has not received a response. In answer to a question posed by the chairman, Mr. Lowe stated that he still believes it will take at least two and one-half million dollars to cover the necessary expenses of the Constitutional Convention. It was agreed that Mr. Lowe should not try to furnish further projection figures for the period from this date through the end of June for at least thirty days and that he will present his three resolutions later in the meeting.

As the next order of business the chairman stated that this committee should appoint a Composite Committee at this meeting. Mr. Fulco offered a motion that a member of each substantive and procedural committee be appointed to form a Composite Committee. Mr. Dennery offered a substitute motion that the chairman of each committee be appointed and, if he refuses, the vice chairman be appointed. Mr. Womack suggested that it be the chairman or his designee, and stated that he would like this to be used as a further substitute. A vote was taken on the second substitute first. The motion carried with no objection.

The chairman stated that the sixth order of business would be consideration of any committee resolutions. Mr. Flory presented a resolution requiring all resolutions and amendments to resolutions for consideration by this committee to be submitted in writing. After a brief discussion, Mr. Flory moved for adoption of this resolution. The resolution was adopted. A copy is attached to and made a part of these minutes as Executive Committee Resolution No. 3 of March 27, 1973.

Chairman Henry explained that a resolution adopted by the committee in a previous meeting, relative to charging for convention documents, was so all-encompassing that it prohibited the distribution of materials to the press. He presented for consideration a resolution allowing the working press to receive documents without charge. Mr. Fulco so moved. The resolution was adopted and is attached to and made a part of these minutes as Executive Committee Resolution No. 4 of March 27, 1973.

Chairman Henry presented, on behalf of Mr. Juneau, Chairman of the Committee on Public Information, a resolution whereby the Convention Reporter could be purchased by subscription in the amount of ten dollars. Mr. Fulco moved adoption of the resolution. It was clarified in discussion that the ten dollar subscription rate would cover costs of reproduction and distr-
bution and that this would not preclude parties requesting to be notified of meetings from receiving notices. The resolution was adopted and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 5 of March 27, 1973. Mr. Lowe stated that he would like certain financial information placed in the Convention Reporter.

The chairman requested that Mr. Gordon Flory explain how the purchasing is being handled. Mr. Flory explained that the requisitions for purchasing are filled out by description of item, number being purchased, unit price and total price with each item listed separately. The requisition is signed by the head of the department or chairman of the committee requesting the purchase, by Mr. Flory representing the committee and by the Chairman of the Convention. Copies of all requisitions are kept by Mr. Flugler, who has been assigned to keep up-to-date records on all purchases, and he will be able to supply information as to expenditures at any time. Mr. Flory stated that there is now an inventory of all equipment and the inventory has been placed on computer by the Division of Administration at no cost.

Mr. Henry introduced Mr. Roy Flugler. He stated that Mr. Flugler will be working as assistant to the chairman and will be located in the chairman's office.

The chairman called to the attention of the committee the problems involved in scheduling meetings in a manner so that the working press could give necessary coverage for all committee meetings. He explained that representatives of the news media are working and cooperating with the delegates and committees in getting information to the public. It is impossible for these people properly to cover more than two meetings per day, with three meetings per day on occasion. Also, it places a heavy burden on the research staff and they cannot serve any committee as efficiently if they are faced with five committee meetings in one day as opposed to two. Mr. Henry stated that he therefore would like to request the help of the Coordinating Committee in rescheduling some of the meetings.

Chairman Henry stated that the next order of business would be the consideration of a "Mini" Composite Committee. He had received a request from Delegate Tobias concerning the forming of such a committee to travel to the smaller communities, those with a population of twenty to forty thousand, and hold meetings and interviews. A discussion ensued in which the time element involved, funds available and other facts pertinent to accomplishing the purposes of such a committee were considered. The committee decided that this matter should be discussed at a later date, after the Composite Committee has completed its tour of the state in April, with the idea that each delegate serve his particular area in this capacity.

Mr. Womack offered a motion to require the committees to announce, prior to the meeting, any matters that are to be considered for final action so that all members of the committee can make a special effort to attend these most important meetings. The chairman requested that the motion be presented in the form of a resolution. In discussion it was decided that this will be set out in the agenda on the notice of meetings.

Chairman Henry stated that he has been asked by Mr. Juneau to request the committee's consideration of sending the Public Information staff employee to Illinois to meet with members of the Illinois Constitutional Convention. The estimated cost of the trip is $174.00. Reverend Louis Landrum offered a motion that Mr. Juneau's recommendation be approved and that the Public Information staff employee meet the suggested representatives of the Illinois Constitutional Convention. The motion carried. In the discussion that followed the committee considered what might be gained from such a trip. If one committee was allowed this privilege, others may consider it necessary to take the same route in gathering helpful information and thus persons traveling to all parts of the country could present a problem. It was felt that this should not be a matter channeled to the Executive Committee for a decision but rather to the superior of the Public Information employee. It was decided that maybe this matter should have been handled with the research staff. Chairman Henry stated that he will talk with Mr. Juneau. He further stated that the fact that this committee has approved this travel expenditure does not mean that it must be spent, and he will see that the matter is properly handled.

In the next order of business, Chairman Henry requested David Poynter to explain how the immediate needs for printing by the research staff might be handled. Mr. Poynter stated that there are two possibilities to be considered: (1) TJM Corporation, by contract with the state, or (2) by the Division of Administration. In determining which of the two should handle the printing, the committee should consider the work to be done. The research staff must receive as soon as possible Constitutional Convention letterhead stationery. This item involves speedy reproduction with the proper color scheme. The second item needed by the research staff is a snap-sheet type of request form. The Division of Administration is unable to print this item. Mr. Flory moved that the committee authorize the staff to have the printing done by TJM under state contract. Mr. Fulco offered a substitute motion that the Director of Research be allowed to get local bids through channels. After a brief discussion Mr. Fulco withdrew his substitute motion. The motion offered by Mr. Flory passed.

The chairman stated that Mr. Casey was ready to present the resolutions on behalf of the Subcommittee on Staff and Per-
sonnel and requested Mr. Casey to proceed with his presentation.

Copies of a resolution were distributed. Mr. Casey stated that the research staff is finding it difficult to serve the committees efficiently due to the fact that some committees have broken into subcommittees and the frequency of meetings of all committees and subcommittees. The Senior Research Assistants, Coordinators and secretaries serving the committees are spending a great deal of time in the meetings. It seems absolutely necessary to employ additional personnel. He explained the ways in which the adoption of this resolution might alleviate some of the problems. Mr. Casey moved for the adoption of this resolution. A discussion ensued in which Mr. Flory called attention to the overtime hours being worked by the staff, the fact that one secretary and other personnel are resigning and suggested that it might be wise to study the pay scale with the idea of pay raises. The chairman asked Mrs. Duncan to state her views with respect to this suggestion. She stated that these problems do exist, not only with clerical personnel but also with research assistants. The question was posed as to whether, if one category of personnel received a pay increase, it would be necessary to reconsider all categories. Mrs. Duncan stated that in her opinion it would be necessary to consider rate changes beginning with the Senior Research Assistants and through all categories listed below that particular one. Reverend Louis Landrum objected to the resolution on the grounds that it is his opinion that some qualified personnel who have been interviewed have not been recommended by the Subcommittee on Staff and Personnel. After further discussion, Mr. Womack moved that the subcommittee recommend to this committee a new pay schedule it thinks necessary to permit the employment of the best qualified staff. The chairman suggested that Mrs. Duncan and certain members of the subcommittee work up a rate change schedule for consideration along with this resolution while the committee proceeded with consideration of other resolutions. Mr. Casey withdrew his motion for adoption of the resolution. Mr. Womack requested that his motion be held in abeyance. The resolution was tabled, the matter to be given consideration later in the meeting.

Mr. Casey next presented a resolution of the Subcommittee on Staff and Personnel for consideration by the committee pertaining to employment of a limited number of part-time research employees. He explained that the subcommittee has not been able to recommend any persons interviewed yesterday and today for employment as Senior Research Assistants to serve certain committees. Expertise is required in certain areas of research and in serving the committee responsible for particular subject matter. It is hoped that, since the subcommittee has been unable to fill these positions with fulltime employees, it will be able to do so with qualified persons serving on a part-time basis.

Mr. Casey moved adoption of the resolution. Reverend Landrum objected to this resolution on the same grounds as his objection to the previous resolution. A lengthy discussion followed in which the committee discussed the pros and cons of qualifications necessary to fill certain positions on the research staff and actions taken by the Subcommittee on Staff and Personnel. The subject of discrimination was discussed. Following a short recess the chairman stated that discussion would be continued on the resolution before the committee. Mr. Casey again moved adoption of the resolution. Reverend Louis Landrum asked that his objection to the resolution be placed on record. The resolution was adopted and is attached to and made a part of these minutes as Executive Committee Resolution No. 7 of March 27, 1973.

Mr. Casey next presented and moved adoption of a resolution, on behalf of the Subcommittee on Staff and Personnel, to authorize the Director of Research to employ not more than four students to assist the research staff. Mr. Gordon Flory moved that the resolution be amended as follows:

On page 1, line 13, after the word "Council" delete the semicolon (:) and insert in lieu thereof a period (.)

On page 1, at the end of line 13, delete the word "provided" and delete lines 14 and 15 in their entirety.

The chairman called for a vote on the amendment and reported the amendment failed. Mr. Flory requested a roll-call vote. The roll-call vote was taken, resulting in five "FOR" and nine "AGAINST". Those voting for the amendment were Flory, Fulco, Landrum, Alexander and Newton. Those voting against were Thistlewaite, Drew, Lowe, Planchard, Womack, Segura, Carmouche, Casey, and Dennerly. The amendment failed. The resolution then was adopted as presented. A copy thereof is attached to and made a part of these minutes as Executive Committee Resolution No. 8 of March 27, 1973.

Mr. Casey presented the next resolution on behalf of the Subcommittee on Staff and Personnel, explaining briefly that this resolution would authorize payment of expenses incurred by convention employees while traveling on business of the convention and its committees. Mr. Casey moved adoption. The resolution was adopted and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 9 of March 27, 1973.

Mr. Casey presented the next resolution on behalf of the Subcommittee on Staff and Personnel. He read the resolution and explained that in delegating authority to the Director of Research to employ additional professional personnel it would not be necessary to bear the expenses incurred in the meeting of the subcommittee and the Executive Committee whenever a research person is to be employed, as is necessary under the present system. Mr. Casey moved adoption of the resolution.

After a lengthy discussion, in which the subject of discrimi-
nation was again an issue, given whether or not the Executive Committee could delegate this authority to the Director of Research with the decision that it could, the resolution was adopted. A copy is attached to and made a part of these minutes as Executive Committee Resolution No. 10 of March 27, 1973.

Chairman Henry stated the revised pay schedule requested earlier in this meeting and which would replace the resolution earlier tabled, the sixth resolution, was now ready and asked that Mr. Casey proceed with an explanation of the resolution. Mr. Casey explained that an amendment to the first page of this resolution was now necessary, due to the adoption of Resolution No. 10. The amendment necessary to accomplish the necessary deletion should read as follows:

On page 1, line 19, after the word "exhibit" change the comma (,) to a period (.) and delete the remainder of the line; delete lines 20 through 25 in their entirety.

Mr. Casey moved adoption of the amendment. The amendment was adopted.

Reverend Alexander moved that the resolution be further amended to require the Director of Research to report all changes in personnel to the next subsequent meeting of the Executive Committee. The amendment was adopted. Mr. Casey then moved adoption of the resolution, as amended and including the revised pay scale as the attachment. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 6 of March 27, 1973, with

the revised pay Scale attached as Schedule A and the previously introduced pay scale attached as Schedule B.

Mr. Harmon Drew offered a motion that the committee go into executive session for consideration of recommendations of the Subcommittee on Staff and Personnel of particular applicants to be employed by the research staff. The motion was adopted, and the committee went into executive session.

In open session the chairman asked for the recommendations for research staff personnel from the Subcommittee on Staff and Personnel. Mr. Casey presented a resolution on behalf of the subcommittee for the employment of Dr. Jerry M. Hood at $1800 per month. He moved adoption of the resolution. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 11 of March 27, 1973.

Chairman Henry requested that Mr. Lowe now present any resolutions he had for consideration by the committee.

Mr. Lowe presented a resolution to authorize the Chairman of the Convention to enter into a contractual agreement with the Division of Administration for the rental of office machines and equipment and moved for adoption of the resolution. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 12 of March 27, 1973.

Mr. Lowe presented the next resolution, explaining that it authorizes the Chairman of the Convention or his duly authorized representative to approve all payments of per diem heretofore or hereafter made to the delegates to C.C./73. He moved for adoption of the resolution. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 13 of March 27, 1973.

The next resolution presented, Mr. Lowe explained, would authorize the Chairman of the Convention or his duly authorized representative to approve payments heretofore or hereafter made to the sergeant-at-arms being utilized by C.C./73. Mr. Lowe moved adoption of the resolution. The resolution was adopted, and a copy is attached to and made a part of these minutes as Executive Committee Resolution No. 14 of March 27, 1973.

There being no further business, the chairman announced the chair would entertain a motion to adjourn. Mr. Carnouche moved that the meeting adjourn. The motion passed and the meeting adjourned at 6:50 P.M.

[1308]
WE WILL CONSTRUCT IN INDEPENDENCE HALL A PARTITION BETWEEN 50 FEET IN LENGTH, 4 FEET IN HEIGHT FOR THE USE OF THE STAFF MEMBERS. THE STUDY ROOMS WILL ALSO BE DIVIDED BY PARTITIONS IN THE MANNER PRESCRIBED BY THE person defeated which would best suit the convention. THE COST OF CONSTRUCTION FOR THE PARTITIONS WILL BE BASED ON A COST OF LABOR AND MATERIAL. WE WILL INCLUDE THE CONSTRUCTION CHARGES FOR THE WORK OF THE CARPENTER AND THE CEMENTER OF THE MATERIALS USED. THIS WILL ASSURE YOU OF THE COST SAVES.

I AM LOOKING FORWARD TO BEING OF FURTHER SERVICE TO YOU. I AM

Cordially,

WHITE HOUSE, INC

Frank Fox
General Manager

11/11

CC to Mrs. Ruth Miller

WHITE HOUSE INN

720 Kalorama Road N.W.
Washington, D.C. 20007

Phone: 332-1234

WHITE HOUSE INN

222 White Sands Drive
Chesterfield, N.C. 27207

Phone: 555-5555

WHITE HOUSE INN

233 White Sands Drive
Chesterfield, N.C. 27207

Phone: 666-6666

WHITE HOUSE INN

244 White Sands Drive
Chesterfield, N.C. 27207

Phone: 777-7777

WHITE HOUSE INN

255 White Sands Drive
Chesterfield, N.C. 27207

Phone: 888-8888

Administrative Office: 333 Park Avenue, New York, N.Y. 10002

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 1 OF MARCH 27, 1973

INTRODUCED BY: MRS. MILLER ON BEHALF OF THE SITE SELECTION SUBCOMMITTEE

A RESOLUTION

BE IT RESOLVED that the Executive Committee authorizes and directs the Chairman of the Convention to enter into a contractual agreement with the White House Inn, Inc. for the use of Independence Hall and other such areas in the White House Inn as necessary for the assembled Convention for the period beginning July 5, 1973 and extending to the conclusion of the Convention.

BE IT FURTHER RESOLVED that the Chairman of the Convention with the approval of the Executive Committee may authorize the partitioning and renovation for convention purposes of areas within Independence Hall and the White House Inn, the cost of said partitioning and renovation to be at the expense of the Convention.

BE IT FURTHER RESOLVED that the Treasurer of the Convention shall be authorized to expend from the funds of the Convention an amount of two hundred and forty dollars per day for each day in which the facilities of Independence Hall and the White House Inn are in use by the convention in session, plus an amount not in excess of ten dollars per day for each additional meeting room which may be authorized by the Chairman. This authorization shall be subject to the accounting and purchasing procedures established by the Executive Committee.

APPROVED: MARCH 27, 1973

Constitutional Convention of the State of Louisiana of 1973

EXECUTIVE COMMITTEE RESOLUTION NO. 2 OF MARCH 27, 1973

BY: MRS. MILLER ON BEHALF OF THE SITE SELECTION SUBCOMMITTEE

A RESOLUTION

BE IT RESOLVED by the Executive Committee of the Louisiana Constitutional Convention of 1973 that the chairman of the convention is hereby authorized and directed to let for public bidding through the Division of Administration, in accordance with the provisions of law for letting public contracts a contract for the lease or rental of a high speed electronic voting machine system to be installed at the convention site for the use of the convention.

BE IT FURTHER RESOLVED that the specifications for such high speed electronic voting machine system shall be substantially in conformity with the specifications appended hereto, provided that the chairman of the convention shall be authorized to make such alterations in said specifications as he may deem necessary for the effective letting of such contract.

BE IT FURTHER RESOLVED that the chairman of the convention is hereby authorized and directed to request that the Commissioner of Administration certify and let this contract in accordance with the emergency bid letting procedures of state law.

ADOPTED: MARCH 27, 1973

SPECIFICATIONS FOR ELECTRONIC VOTING SYSTEM

IN THE "INDEPENDENCE HALL" CONVENTION FACILITY
OF THE WHITE HOUSE INN, BATON ROUGE, LOUISIANA
FOR THE USE OF THE LOUISIANA CONSTITUTIONAL
CONVENTION OF 1973

I. GENERAL PROVISIONS

A. Furnish all labor, materials, parts, tools, equipment and services necessary to install on a rental-maintenance basis a high speed, legislative type electronic voting system in the "Independence Hall" Convention facility of the White House Inn, Baton Rouge, Louisiana for the use of the Louisiana Constitutional Convention of 1973.

B. Contractor shall furnish and pay for all labor, materials, parts, tools, equipment and services necessary for the complete installation of the voting system and removal of same upon termination of contract period.

C. Contractor shall be responsible for the safe operation of all tools and equipment used in installing the voting system.

D. Contractor shall erect and maintain at all times necessary temporary barricades, signs and other safeguards necessary for the protection of the public, building employees, and his workmen in areas where work is being done.

E. All work under this contract shall be subject to inspection and examination by a representative of the Louisiana Constitutional Convention and he shall have the right to reject any defective materials, equipment or workmanship and he shall have the right to require its correction.

F. All bidders are requested to visit the building and areas where work is to be done and familiarize themselves with existing conditions before bidding.

[1309]
G. Contractor shall be responsible for any and all damages caused by himself or his workmen under this contract.

H. Care shall be taken so as not to damage any part of the building, building equipment, floors or furniture.

I. Contractor shall furnish competent supervision of all work under this contract at all times.

J. Contractor shall obtain and pay for all permits or fees required to install electronic voting system called for herein.

K. The word "Contractor" shall mean the manufacturer of high speed electronic legislative type voting systems, or his designated agent or representative, who shall also guarantee to furnish maintenance of voting system referred to herein.

L. All electrical wiring and equipment shall conform with the rules and regulations of the latest, current edition of the National Electric Code and shall meet all applicable requirements of the State of Louisiana and the City of Baton Rouge Electric Codes.

M. The equipment shall be fully installed and operative not later than June 30, 1973.

II. SPECIFICATIONS OF VOTING SYSTEM

A. General Specifications:

1. The voting system shall consist of the following
   a. Recorder
   b. (132) Delegate Voting Stations
   c. Main Indicator Board
   d. Clerk’s Control Panel(s)

2. The bid shall cover the above and all necessary mechanical, electronic, and other equipment incident to a high speed electronic voting system, it being the intent of these specifications to include all work, equipment, and service necessary to install and maintain a modern, high speed legislative type electronic voting system and remove the same upon termination of contract period.

B. Recorder

1. The recorder shall operate at high speed, recording individually and totaling members votes at the same time: Yea, Nay and Not Voting.

2. Recorder shall automatically eject a perforated or printed roll call record, in duplicate or triplicate, which shall show:
   a. Each members vote: Yea, Nay, or Not Voting
   b. Total number of Yeas, Nays and Not Voting
   c. The measure (instrument) number
   d. The date

4. Recorder controls shall be designed to give the Clerk the option of retaining the vote locked in the recorder and he shall be able to reproduce as many identical additional copies of roll call record, in duplicate or triplicate, as needed.

4. Recorder shall be equipped with automatic continuous roll call form feed mechanism automatically ejecting each record and automatically bringing each successive continuous form into recording position. It shall not be necessary to insert roll call sheets into the recorder when a record is required.

5. Recorder shall be high speed, mounted on rubber to reduce noise, and installed in wood cabinet at Clerk’s desk at the designate Convention site. The inside of the wood cabinet shall be sound-proofed to reduce noise to a minimum.

6. Recorder shall be installed with a minimum number of electrical connections.

C. Delegate Voting Stations

1. Voting stations shall be of modern design toggle handle or push button type.

2. Voting stations shall have a minimum number of parts so as to increase reliability.

3. Voting stations shall register Yea or Nay when voted and shall register Not Voting automatically when not voted. Yea button or Yea side of Toggle handle shall be engraved or printed with the word Yea and the Nay side or Toggle handle shall be engraved or printed with the word Nay. Light indicators shall be optional with the bidder. Voting circuits shall be open during voting period only, and shall be locked during and after recording the vote. Further the circuits shall be capable of being restored to the normal (not voting) position either automatically or by the Clerk.

4. Voting stations shall not have release buttons. If Toggle handle switch is used, by flipping the Toggle handle from Yea to Nay, a member shall be able to change his or her vote. If push buttons are used, by depressing the opposite button, the previously pressed button shall return to its normal position.

5. Each voting station shall be equipped with a lock which will make voting station inoperative when locked. In the alternative, a master "lock-out" system shall be installed in a manner and place designated by the representative of the Constitutional Convention.

6. There shall be 132 voting stations provided in designated positions at the designated site. The Chairman’s station shall be conventionally installed in Chairman’s rostrum.

7. Voting stations shall be mounted in steel boxes or an acceptable substitute therefor.

8. Contractor shall alter members desk tops to receive voting stations as directed.

9. Voting Stations shall be so operative as not to be thermally hot under any conditions.

10. Voting stations shall have lock type terminal connectors.

D. Controls at Clerks Desk for Voting Systems and Recorder

The following controls shall be installed at the Clerk’s desk:

1. Opening and closing switch for opening and closing voting stations so that when switch is open members may vote and when switch is closed voting stations are locked as voted or not voted.

2. Final record switch or other control for automatically ejecting two or more copies of Roll Call Record.

3. A gong switch which shall be located adjacent to open (or vote) switch and which shall sound gong when activated.

4. A power switch which will render the entire voting system operative or inoperative by removal of power. Switch may be otherwise located by agreement.
5. A push button console matrix or switches shall also permit the Clerk to set up and display on the Main Indicator Board an “instrument number display” containing two prefix letters and four numeral digits thereafter. The prefix letters shall be: DR, CR, DR, CR.

6. The Clerk shall also have in the push button console matrix or have switches to set up the following “status” or “type vote” indicators in connection with the instrument number display: "Final Passage" (or appropriate abbreviation therefore); "Amend": "Motion": "Quorum".

-5-

7. The controls specified in items (5) and (6) above shall be designed so that once the Clerk “punches up” a display or “instrument number” or “status” indication, either of two conditions can be prescribed appropriate switch operation:

a. Automatic clearance of one or both displays at completion of next record punching activity or recorder.

or

b. Retention of one or both of these displays for as many punched record operations as desired. A release feature shall be incorporated for manual (i.e. non-automatic) release under this condition.

E. Roll Call Record Sheets

1. The contractor shall design Roll Call Record sheets, subject to approval by the Chairman, for use in recorders installed, and shall be able to furnish printed Roll Call Record Sheets or shall design Roll Call Record sheets and furnish all particulars necessary to enable a printer selected by the Convention to print Roll Call Record sheets, and shall cooperate with selected printer in every respect.

F. Main Indicator Boards

1. The main indicator board shall contain each delegate’s name in alphabetical order (top to bottom) and shall have a lighted green and a small lighted red indicator light directly behind or before each member’s name so that the Yes and Nay vote of each member shall be displayed to all occupants of the Chamber. Multiple columns may be employed for display of members names. A single (alternating green and red) light may be employed in lieu of two lights.

-6-

2. "Mr. Chairman" shall be used in lieu of the Chairman’s name and shall appear first in the alphabetical listing of delegates.

3. The main indicator board shall contain those display features set forth in items B(5) and B(6) above.

II. QUANTITIES AND REQUIREMENTS UNDER RENTAL/MAINTENANCE AGREEMENT

A. The contractor shall guarantee to furnish under the agreement a modern high-speed electronic voting system during period of contract and furnish complete maintenance of said voting system. In particular during the entire contract period the contractor shall furnish all supplies required for the operation of the system and shall provide complete maintenance service for the system including: (1) testing, checking, adjusting and making any and all repairs prior to the convening of the Convention in July; (2) promptly making any and all emergency calls (within twenty-four

(24) hours) during any session of the convention; and (3) when necessary, replacing any parts that have become worn, obsolete or otherwise in need of replacing, without any additional cost to the Convention.

B. Contractor shall furnish factory trained personnel to instruct the Clerk of the Convention in the operation of the new electronic voting system in every respect. Said factory trained personnel shall be in Baton Rouge and available at the Convention site to assist the Clerk at all times while the Convention is in Session for the first three days of the session commencing on July 3, 1973.

IV. CONTRACT AND CONTRACT PERIOD

A. The contractor shall provide for a rental and maintenance agreement for all equipment incident to the high speed electronic voting machine commencing on June 30, 1973 for a period of seven (7) months. The contractor shall be responsible for removing all such equipment upon the expiration of said period of time.

-7-

B. The Convention shall have the right to provide for the removal of the voting machine system at any time prior to the expiration of said time period.

V. BIDS

A. All bids shall reflect a single unit price for the rental, maintenance and removal contract which shall be based in conformity with the specification herein prescribed.

B. Any bidders desiring to bid an incorporated feature or service in excess of these specifications may designate in his bid the additional feature(s) or service(s) incorporated therein.

VI. PERFORMANCE BOND

A. The successful bidder shall furnish a performance bond in the amount of the contract price.

-8-

Constitutional Convention of the State of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 3 of March 27, 1973
Introduced by: Mr. Florio

A RESOLUTION

BE IT RESOLVED that all amendments to Executive Committee Resolutions and amendments thereto shall be submitted in writing before they are considered by the Committee.

ADOPTED: March 27, 1973

Constitutional Convention of the State of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 4 of March 27, 1973
Introduced by: Mr. Henry

A RESOLUTION

BE IT RESOLVED that the Executive Committee Resolution of February 22 concerning charges for document reproduction is
hereby suspended as it applies to the press.

BE IT FURTHER RESOLVED no charges for convention documents shall be levied against any member of the working press who desires such documents in carrying out his duties as a member of the working press.

ADOPTED: March 27, 1973

Constitutional Convention of the State of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO.5 of March 27, 1973
Introduced by: Mr. Henry on behalf of Mr. Juneau

A RESOLUTION
BE IT RESOLVED that the Convention Reporter prepared by the Public Information Committee shall be made available to interested parties on a subscription basis. The cost of said subscription shall be ten dollars for the duration of the convention.

ADOPTED: March 27, 1973

Constitutional Convention of Louisiana
EXECUTIVE COMMITTEE RESOLUTION NO. 6 of March 27, 1973
Introduced by Mr. Casey

A RESOLUTION
To amend and re-adopt the Job Classification Schedule and Pay Plan for the Research Staff of Constitutional Convention 1973 adopted February 12, 1973
BE IT RESOLVED that the Executive Committee hereby adopts the Job Classification Schedule and Pay Plan for the Research Staff of the Constitutional Convention 1973 as set forth on the attached exhibit; and
BE IT FURTHER RESOLVED by the Executive Committee that the Research Director is authorized to appoint and remove personnel comprising the research staff as proposed by the attached exhibit and to fix all salaries within the range provided on the attached exhibit. The Research Director must report all changes in personnel to the subsequent meeting of the Executive Committee.

ADOPTED: March 27, 1973
Executive Committee Resolution No. 9 of March 27, 1973

Introduced by: Mr. Casey

A Resolution

Relative to expenses incurred by Convention employees for necessary travel on business of the Convention and its committees.

BE IT RESOLVED that expenses heretofore or hereafter necessarily incurred by employees of the Convention for travel outside the city of Baton Rouge, when duly authorized as hereinafter provided, shall be an expense of and shall be paid out of the funds of the Convention.

BE IT FURTHER RESOLVED that all such travel expenses, including expenses of lodging, meals and travel, shall be paid only for out of town meetings which are approved by the chairman of the convention and the chairman of the committee for which such travel is to be done, and, with respect to employees of the Research Staff, upon specific assignment by the director of research, and then only in accordance with the provisions of law and regulations of the Commissioner of Administration applicable to public officials and state employees.

ADOPTED: March 27, 1973

Executive Committee Resolution No. 10 of March 27, 1973

Introduced by: Mr. Casey

A Resolution

Relative to the employment of additional professional personnel for the Research Staff, including additional junior and senior research assistants.

ADOPTED: March 27, 1973

Executive Committee Resolution No. 11 of March 27, 1973

Introduced by: Mr. Casey

A Resolution

Relative to the employment of students to assist the Research Staff.

BE IT RESOLVED that the Director of Research is authorized to employ not more than four students to assist the Research Staff and that such employment shall be at hourly rates of pay

ADOPTED: March 27, 1973

Constitutional Convention of Louisiana of 1973

Executive Committee Resolution No. 7 of March 27, 1973

Introduced by: Mr. Casey

A Resolution

Relative to the employment of part-time research personnel...

ADOPTED: March 27, 1973
A RESOLUTION

Relative to the employment of Dr. Jerry M. Hood

BE IT RESOLVED that the Executive Committee of the Constitutional Convention of 1973 hereby approves the employment of Dr. Jerry M. Hood at a salary of eighteen hundred dollars ($1800) per month and directs the Director of Research to proceed with such employment.

APPROVED: March 27, 1973

Constitutional Convention of the State of Louisiana of 1973 EXECUTIVE COMMITTEE RESOLUTION NO. 12 of March 27, 1973
Introduce by: Mr. Lowe

A RESOLUTION

To authorize the Chairman of the Convention to enter into a contractural agreement with the Division of Administration for the rental of office machines and equipment.

BE IT RESOLVED that the Executive Committee authorizes and directs the Chairman of the Convention to enter into a contractural agreement with the Division of Administration which shall contain provisions for (1) the rental of typewriters, calculators, and recording and transcribing equipment, more accurately described as Items 1 through 6 and Item 19 of the attached schedule, at the monthly rate of 1/24 of the cost of said equipment; and (2) the rental of desks, file cabinets, book shelves, office furniture, fixtures and miscellaneous equipment, more accurately described as Items 7 through 18 and Item 20 of the attached schedule, at the monthly rate of 1/16 of the cost of said equipment.

BE IT FURTHER RESOLVED that the effective date of said rentals is to be April 1, 1973, or such later dates as the equipment is delivered for use. This authorization shall be subject to the accounting and purchasing procedures established by the Executive Committee.

APPROVED: March 27, 1973

Constitutional Convention of the State of Louisiana of 1973 EXECUTIVE COMMITTEE RESOLUTION NO. 13 of March 27, 1973
Introduce by Mr. Lowe

A RESOLUTION

To authorize the Chairman of the Convention or his duly authorized representative to approve payments heretofore or hereafter made to the sergeant-at-arms being utilized by CC/73.

BE IT RESOLVED that the Executive Committee authorizes and directs the Chairman of the Convention or his duly authorized representative to approve payments heretofore or hereafter made to the sergeant-at-arms for services rendered to the Convention or its various committees and subcommittees. This authorization shall be subject to the accounting and purchasing procedures established by the Executive Committee.

APPROVED: March 27, 1973

List of Bills to Be Approved For Payment

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**TOTAL:** Month of February 1974  $310,300.05
# CONSTITUTIONAL CONVENTION
## FINANCIAL CONDITION @ 3/27/73

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<td>33,357.99</td>
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<td><strong>Staff Travel</strong></td>
<td>33,357.99</td>
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<tr>
<td><strong>Total Meeting Expense</strong></td>
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<td><strong>97,657.99</strong></td>
<td><strong>3,199.49</strong></td>
<td><strong>25,100.00</strong></td>
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<td><strong>17,642.52</strong></td>
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<tr>
<td>Other Expenses:</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2) Delegates Travel</td>
<td>$7,272.00</td>
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<td>$7,272.00</td>
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<td>$731.63</td>
<td>$824.33</td>
<td>$7,675.67</td>
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<td></td>
<td></td>
<td>$450.00</td>
<td>544.20</td>
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<td></td>
<td></td>
<td></td>
<td>29.00</td>
<td>(29.00)</td>
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<tr>
<td>Dues &amp; Subscriptions</td>
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<td></td>
<td></td>
<td>8,000.00</td>
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<td>Daily Journal</td>
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<td><strong>Total Other Expenses</strong></td>
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<td><strong>28,645.97</strong></td>
<td><strong>37,131.03</strong></td>
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<td><strong>GRAND TOTALS</strong></td>
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<td><strong>$126,356.36</strong></td>
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<td><strong>$40,446.93</strong></td>
<td><strong>$171,983.79</strong></td>
<td><strong>$173,014.21</strong></td>
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*As probably estimated by the Legislature and does not include Board of Liquidation - $90,000.00

1) To be reimbursed to other agencies for employees on loan & does not include accrued payroll 3/24-3/31
2) Accumulated thru January 30 - $10,004.00, Estimated February & March - $14,000.00 - Representative Womack has indicated that he will seek authorization to pay travel expense for delegates.
### LOUISIANA CONSTITUTIONAL CONVENTION '73
SCHEDULE OF EQUIPMENT TO BE LEASED
FROM LOUISIANA SURPLUS PROPERTY ACCOUNT

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>QUANTITY</th>
<th>UNIT PRICE</th>
<th>AMOUNT</th>
<th>18 MOS</th>
<th>24 MOS</th>
<th>36 MOS</th>
</tr>
</thead>
</table>
| 1. I.B.M. "Selectric" II Typewriter  
   Dual Pitch, Black with elements: Orator, Courier, Legal, Prestige Elite Legal, Letter Gothic  
   Add on: | 15       | 584.01     | 8,760.15 | 533.02 | 399.76 | 265.00 |
| 2. Remington Electric Typewriters  
   with 13 inch carriage type style 934-10 | 10       | 380.07     | 3,800.70 | 211.15 | 158.36 | 105.00 |
| 3. Remington Printing Calculator Model #411 | 1        | 230.31     | 230.31   | 12.79  | 9.60   | 6.00   |
| 4. Remington Electric Calculator Battery Operated -  
   Model 6801B | 4        | 148.28     | 593.12   | 32.95  | 24.71  | 16.00  |
| 5. I.B.M. "Executary" Microphone Input Unit #271 Black | 4        | 509.85     | 2,039.60 | 113.30 | 84.97  | 56.00  |
| 6. I.B.M. "Executary" Transcriber #272 | 4        | 509.85     | 2,039.60 | 113.30 | 84.97  | 56.00  |

### DESKS, FILES, ETC.

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<tr>
<th>Item Description</th>
<th>QUANTITY</th>
<th>UNIT PRICE</th>
<th>AMOUNT</th>
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<th>24 MOS</th>
<th>36 MOS</th>
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</thead>
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<tr>
<td>7. Desks #660300 TH 537 Desert Sage</td>
<td>7</td>
<td>180.15</td>
<td>1,261.05</td>
<td>70.06</td>
<td>52.54</td>
<td>40.00</td>
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<td>8. Desks #229210IR W229210IR Black with walnut top</td>
<td>6</td>
<td>238.50</td>
<td>1,431.00</td>
<td>96.50</td>
<td>70.97</td>
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<td>9. Desks #229041 Black with Walnut Top</td>
<td>4</td>
<td>252.35</td>
<td>1,009.40</td>
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<td>37.90</td>
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<td>10. Desks #32021 Black with Walnut Top</td>
<td>4</td>
<td>198.13</td>
<td>792.52</td>
<td>41.64</td>
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<tr>
<td>11. Files #1777L 557 Desert Sage</td>
<td>2</td>
<td>72.06</td>
<td>144.12</td>
<td>8.01</td>
<td>6.00</td>
<td>4.00</td>
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<td>12. Files #1777L 557 Desert Sage</td>
<td>17</td>
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<td>1,225.02</td>
<td>68.06</td>
<td>51.04</td>
<td>36.00</td>
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<tr>
<td>13. Files #1747L 557 Desert Sage</td>
<td>12</td>
<td>121.68</td>
<td>1,460.16</td>
<td>81.12</td>
<td>60.84</td>
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<td>14. Bookcase #2294 Desert Sage</td>
<td>5</td>
<td>69.79</td>
<td>348.95</td>
<td>19.39</td>
<td>14.54</td>
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<td>15. Storage Cabinet #702-591 Desert Sage</td>
<td>1</td>
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<td>76.71</td>
<td>4.26</td>
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<td>16. #5402L, 4-Drawer file cabinet with lock, legal size</td>
<td>1</td>
<td>121.69</td>
<td>121.69</td>
<td>6.76</td>
<td>5.07</td>
<td>3.00</td>
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<tr>
<td>17. Full Height Book Units for Law Books</td>
<td>2</td>
<td>69.45</td>
<td>138.90</td>
<td>7.72</td>
<td>5.79</td>
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7,522.47 | 417.93 | 313.42
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<th>DESCRIPTION</th>
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<th>AMOUNT</th>
<th>18 MOS</th>
<th>24 MOS</th>
<th>36 MOS</th>
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<tbody>
<tr>
<td>19. Recording Systems and Accessories (8 complete units)</td>
<td>8</td>
<td>308.49</td>
<td>2,467.88</td>
<td>137.10</td>
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<td>68.55</td>
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<td>20. Office and Steno Chairs</td>
<td>70</td>
<td>50.16</td>
<td>3,511.54</td>
<td>195.09</td>
<td>146.31</td>
<td>97.54</td>
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<td>6,197.78</td>
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<td></td>
<td>32,017.63</td>
<td>1,778.76</td>
<td>1,334.03</td>
<td>889.37</td>
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</table>

(5)
# International Business Machines Corporation

**Address:** P.O. Box 1141, Atlanta, GA 30301

**Inquiry at:** 2526 Shlkh Drst Blvd, Baton Rouge, LA 70816, Tel: 504-927-9640

**Customer Reference:** C B Forgoston Jr

**Invoice Information:**
- **Div.:** 7
- **Invoice Number:** 8A36376
- **Invoice Date:** 03/15/73
- **Terms:** Net cash 30 days from invoice date
- **Subject to the conditions on the reverse side**

**Sold to:**
- **STATE OF LOUISIANA**
- **CONSTITUTION CONVEN 73**
- **RESEARCH STAFF**
- **PO Box 44473**
- **Baton Rouge, LA 70804**

**Shipped to:**
- **STATE OF LOUISIANA**
- **CONSTITUTION CONVEN 73**
- **LSU LAW SCH**
- **Baton Rouge, LA 70803**

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**Rental Invoicing for IBM Office Products Equipment**

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<td>32.00</td>
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<tr>
<td>32.00</td>
<td>SELECTRIC TYPE.</td>
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<td>32.00</td>
<td>SELECTRIC TYPE.</td>
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<td>SELECTRIC TYPE.</td>
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<td>SELECTRIC TYPE.</td>
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<td>SELECTRIC TYPE.</td>
</tr>
<tr>
<td>32.00</td>
<td>SELECTRIC TYPE.</td>
</tr>
</tbody>
</table>

**Please refer to invoice number or return invoice copy when remitting**

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[1319]
MINUTES

Minutes of the meeting of the Executive Committee of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on May 2, 1973

State Capitol Basement, Room 10
Baton Rouge, Louisiana
Tuesday, May 8, 1973

Present: E. L. "Bubba" Henry, Chairman of the Executive Committee

Absent: Lawrence Chehardy
Frank Fulco
Ruth L. Miller
Sen. Samuel B. Nunez
Chris J. Roy
Lantz Womack

John A. Alario
Rev. Avery C. Alexander
Thomas A. Casey
Norman D. Carmouche
Ralph L. Cowen
Moise Dennery
R. Barron Drew
Gordon Flory
E. L. "Bubba" Henry
Rev. Louis Landrum
Herman "Monday" Lowe
Autley B. Newton
Arthur J. Planchar
Perry Segura
John R. Thistlewaite
Anthony J. Vesich
Shady Wall

The Meeting was called to order by the chairman at 10:15 p.m.
Roll call was taken and with a quorum present, the chairman stated that the committee would proceed with the business at hand.

By motions duly offered and passed the following resolutions were adopted and a copy of each is attached hereto and made a part of these minutes:

Executive Committee Resolution No. 1 of May 8, 1973 - motion offered by Mr. Gordon Flory and unanimously passed.

Executive Committee Resolution No. 2 of May 8, 1973 - motion offered by Mr. Thomas Casey on behalf of the Committee on Staff and Personnel and passed without objection.

Executive Committee Resolution No. 3 of May 8, 1973 - motion offered by the named sponsors and passed without objection. Messrs. Flory and Lowe abstained from voting due to the fact that they live in Baton Rouge. Mr. Alario also abstained.

Executive Committee Resolution No. 4 of May 8, 1973 - motion offered by Mr. Thistlewaite and passed without objection.

Executive Committee Resolution No. 5 of May 8, 1973 - motion offered by Mr. Lowe for adoption of resolution with increase to become effective at the beginning of the next pay period. The motion passed without objection.

Executive Committee Resolution No. 6 of May 8, 1973 - motion offered by Mr. Thomas Casey and passed without objection.

Executive Committee Resolution No. 7 of May 8, 1973 - motion offered by Mr. Thomas Casey and passed without objection.

In consideration of the Treasurer's report, motions were duly offered and passed with the following results:

Page 1 of Attachment No. 8 -- with the explanation that the items listed on this page have been properly approved, Mr. Flory moved that the Treasurer be authorized to pay the bills as listed. Motion passed without objection.

Page 2 through 5 of Attachment No. 8 were explained by Mr. Lowe and studied and considered by the committee. No action was necessary.

Attachment No. 9 was presented for the committee's consideration. Attachment No. 10 reflects the actions of the committee with respect to Estimated Figures in Attachment No. 9.

In considering whether it is necessary for the Research Staff to keep all tapes of all committee meetings on file until further notice, Mr. Flory offered a motion that the tapes of meetings be erased after the minutes of each meeting are completed, thus allowing a great reduction in the cost incurred by purchase of tapes. After discussion, Mr. Casey offered a substitute motion to let each committee decide whether or not to keep the tapes of its meetings. The substitute motion passed with no objection.

A report of the research staff personnel was presented. A copy of the report is attached hereto and made a part of these minutes as Attachment No. 11.

The meeting adjourned at 11:15 p.m.

E. L. "Bubba" Henry, Chairman

Moise W. Dennery, Secretary
A RESOLUTION

Adopted: May 8, 1973

To authorize the Treasurer of the Convention to hire a part-time account-clerk to assist the Convention accountant.

BE IT RESOLVED that the Treasurer of the Convention is hereby authorized to employ a part-time account-clerk to assist the Convention accountant, and that the compensation of the person so employed be at the rate of Two and 50/100 ($2.50) Dollars per hour, not to exceed twenty-five hours per week.

ADOPTED: May 8, 1973

Constitutional Convention of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 5 of May 8, 1973
Introduced by Mr. Lowe

A RESOLUTION

To increase the salary of the accountant of the Convention

BE IT RESOLVED that the salary of the accountant of the Convention is hereby increased to Eight Hundred Fifty and No/100 ($850.00) Dollars per month.

ADOPTED: May 8, 1973

Constitutional Convention of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 6 of May 8, 1973
Introduced by Mr. Lowe

A RESOLUTION

To relative to the employment of a custodial worker for the Research Staff of the Convention.

BE IT RESOLVED that the Director of the Research Staff is hereby authorized to employ or to enter into an agreement with Louisiana State University for the reimbursement by the Convention of the salary of one custodial employee to service the Research Staff area at the LSU Law Center, and that the compensation of such employee shall be in an amount not in excess of three hundred dollars per month.

ADOPTED: May 8, 1973
Constitutional Convention of the State of Louisiana of 1973
EXECUTIVE COMMITTEE: RESOLUTION NUMBER / / of May 8, 1973
Introduced by Mr. Thomas A. Casey

A RESOLUTION

WHEREAS, the members of the Committee on Legislative
Liaison and Transitional Measures, at its meeting held on
Monday, April 30, 1973, discussed the work which it be-
lieves falls within its jurisdiction in accordance with
the Official Rules of the Constitutional Convention of
Louisiana of 1973, and the consensus of the committee is
that its work, particularly with respect to the preparation
of transitional legislative measures necessary to effectuate
the new constitution in all likelihood will require the
continued existence of said committee beyond December 31,
1973; and
WHEREAS, the deliberations of said committee have
brought to the fore the fact that other necessary business
in connection with the work of the convention will require
activity and transaction of business after the date set
forth in Act 2 of 1972 as the termination date of this
convention, in order to terminate the affairs of the con-
vention in orderly fashion; and
WHEREAS, a partial listing of affairs which will or
may require attention after the aforesaid date include:
1. Business affairs handled by the treasurer and the secretary
2. Of the convention: dissolution of vestigial activity and dis-
tribution of purchased and/or leased equipment, supplies,
and the like; possible preparation and publication of
convention documents and similar, similar; and
WHEREAS, as regular session of the legislature will
be held after the session which convenes on May 14, 1973,
NOW, THEREFORE, BE IT RESOLVED by the Committee
on Legislative Liaison and Transitional Measures hereby
respectfully directs the attention of the Executive Com-
mitee of the Constitutional Convention to the above-
mencend facts and urges that it give such consideration
as it deems advisable to the desirability and necessity
for seeking such legislative authorization as is required
to assure that essential business of the convention may
be transacted after the date set forth in Act Number 2
of the 1972 Regular Session for the termination of the
Convention.

Adopted May 8, 1973

CONSTITUTIONAL CONVENTION
BILLS TO BE PROCESSED AND PAID

VENDOR: Amount
— Division of Admin. Administrative Services - printing & Postage $183.73
— Bertis Cameras & Records - Office Supplies 228.41
— Gould Industries - Office Supplies - signs 12.08
— IBM Corporation - Rental - typewriters 494.40
— Louisiana Office Supply - various office supplies 612.32
— Louisiana Legislative Council, postage, xerographic material 1,230.14
— Louisiana Press Association - mailing publicity releases 55.00
— Lawyers Co-operative Publishing Co. - law books 54.50
— Metropolitan Press Clipping 65.00
— Olivetti Corporation - Rental - typewriters 139.05
— Perkins Moving & Storage - move research staff to LSU 250.00
— Pitney Bowes - Postage Machine rental 43.87
— Register State Land Office - xerographic 48.00
— Reine Stationery Co. - office supplies 16.87
— Remington Rand - ribbons 15.45
— Southern Radio Supply Co. - Supplies 45.12
— T.M Corporation - Printing of forms & stationery 169.96
— White House Inn - Food meeting of 3/22/73 Speaker's Office 67.76
— L. J. Voorhees - Renovation LSU Law Bldg. for CC/73 Research Staff 11,799.00
— Electronic Business Systems - Bud Cassette Tapes 92.33

Total: $15,622.99

(1)

ATTACHMENT NO. 8
CONSTITUTIONAL CONVENTION 1973  
Actual Expenditures by Committee  
April 30, 1973

<table>
<thead>
<tr>
<th>Committee</th>
<th>Prior Expenditures</th>
<th>April Expenditures</th>
<th>Total Expenditures</th>
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<td><strong>General Convention:</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Clerk - Salary</td>
<td>2,538.68</td>
<td>923.08</td>
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<td>Finance - Salary</td>
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<tr>
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<td><strong>P 4 Committee</strong></td>
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(2)
### Expenditures by Committee 4/30/73

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<td>S 6</td>
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<td>S 7</td>
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<td>S 8</td>
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<th>April Expenditures</th>
<th>Outstanding Obligations</th>
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<td>Per Diem</td>
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<td>22,900.00</td>
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<td>24,500.00</td>
<td>116,800.00</td>
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<tr>
<td><strong>Total</strong></td>
<td>69,400.00</td>
<td>22,900.00</td>
<td></td>
<td>24,500.00</td>
<td>116,800.00</td>
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<td><strong>Other Meeting Expense</strong></td>
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<tr>
<td>Approved &amp; will be appropriated May 14.</td>
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### CONSTITUTIONAL CONVENTION 1973

**Estimated Expenditures, April, May, June, 1973**

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<th></th>
<th>April</th>
<th>May</th>
<th>June</th>
<th>Total</th>
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<td>Salaries (Staff Only)</td>
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<td>3,500.00</td>
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<td>25,000.00</td>
<td>25,800.00</td>
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<td>3,500.00</td>
<td>10,500.00</td>
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**OTHER EXPENSES:**

- Equipment Rental: 1,000.00
- Printing: 400.00
- Office Supplies: 800.00
- Postage: 500.00
- Tel & Tel' - 1st bill 2/25 - 3/25: 825.00
- Move to LSU: 250.00
- Renovation of Law Building LSU: 12,000.00

**Balance at end of March 31, 1973:** $171,038.48

**Board of Liquidation Appropriation:** $90,000.00

**Total estimated funds available:** $261,083.48

**Less estimated expenditures:** $254,325.00

**Balance at end of March 31, 1973:** $6,758.48

---

### NOTES

Attachment No. 9 consisting of tabular accounting sheets with handwritten figures is not reproducible. The figures presented there are the same as those presented in Budget Request, Attachment No. 10.
<table>
<thead>
<tr>
<th>Expenses</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
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<td><strong>Salaries:</strong></td>
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<td>Research Director &amp; Staff</td>
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<td>Public Information Director &amp; Staff</td>
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<td>83,100</td>
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<td>87,500</td>
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<td>7,910</td>
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<td><strong>Equipment Rental - Div. of Adm. and other</strong></td>
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</tr>
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<td><strong>Printing &amp; Office Supplies</strong></td>
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</tr>
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<td><strong>Sound &amp; Recording Equipment Operation</strong></td>
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<td><strong>Contingencies</strong></td>
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### For Diam Expense

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<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
<th>Total</th>
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<td>109,650.00</td>
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### Other Meeting Expense

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<td>Rental Meeting Rooms</td>
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<td><strong>Total</strong></td>
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<td>1 Pages or Messenger @ $15</td>
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| **Total Other Meetings** | 36,720.00 | 36,720.00 | 36,865.00 | 36,865.00 | 38,735.00 | 38,735.00 | 224,840.00 |

### Estimated number of meetings per month:

| Convention meetings | 17 | 17 | 17 | 17 | 18 | 18 | 104 |
| Committee meetings  | 34 | 34 | 35 | 35 | 35 | 35 | 208 |
It is my hope that each delegate will find it possible to visit the Research Staff offices at the LSU Law Center, and that you will contact me whenever we may be of service to you or you have suggestions for the better contribution of the staff to your important work.

Sincerely,

Norma M. Duncan
Director of Research

ATTACHMENT NO. 11

Gentlemen and Mrs. Miller:

May 8, 1973

Page 2

The attached schedule presents detailed job descriptions for the Research Staff at the LSU Law Center, including job titles, salaries, and job responsibilities. The schedule reflects a total of 16 research assistants in the Research Staff, including a Research Coordinator, Research Assistants, and Support Staff.

The Research Staff at the LSU Law Center is composed of 16 research assistants, and it is anticipated that the schedule will be of assistance to you. Every effort is being exerted to provide a qualified and capable staff to perform the research and related tasks required for the efficient operation of the research center.

The search for qualified staff members continues, and will be ongoing. The research assistants are responsible for conducting research and preparing reports, as well as providing support to faculty and staff members.

The schedule includes a list of the names, titles, and job descriptions of the staff members, along with their salaries. The schedule is effective as of March 27, 1973, and will be subject to change as the research center evolves.

ATTACHMENT NO. 11

Gentlemen and Mrs. Miller:

May 8, 1973

Page 2

OTHER SUPPORT STAFF FOR THE RESEARCH STAFF IS INADEQUATE FOR THE PRESENT AND WILL BE INCREASED, HOPEFULLY, TO FULL COMPLEMENT, BY JULY 5TH.

The only staff resignations to date have been in the clerical staff--two secretaries and one typist-clerk. These resignations were due to (1) removal to California, (2) critical illness of a son, and (3) desire to continue residence in New Orleans because of early wedding plans.
<table>
<thead>
<tr>
<th>Name</th>
<th>Job Classification</th>
<th>Date Employed</th>
<th>Monthly Salary at Date of Employment</th>
<th>Previous Increase</th>
<th>Present Monthly Salary (4-7 73)</th>
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<td>Robert P. Pellegrin</td>
<td>Jr. Research Asst.</td>
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<td>Fred L. Tinsley</td>
<td>Jr. Research Asst.</td>
<td>2/21/73</td>
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<td>Patsy Field</td>
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<td>Marius M. Carrier, Jr.</td>
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<td>Carol Collnorp</td>
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<td>Clk.-Typist</td>
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<td>Monthly Salary at Date of Employment</td>
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<td>Marvin T. Dorsey</td>
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<td>Shirley Corley</td>
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<td>JERRY M. HOOD</td>
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<td>Educational Background:</td>
<td>Assistant Professor, Department of Economics and Finance, LSU</td>
<td>BS - 1965 - La. Tech University, Ruston - Business Administration</td>
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<td></td>
<td>Teaching Assistant, Department of Economics and Finance, Texas Tech University</td>
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<td>&quot;An Economic Appraisal of the Tax Structure and Sources of Revenue of the State Government of Texas&quot;</td>
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<td>FRANK L. ROLES, III</td>
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<td>LEROY COLEL</td>
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<td>R. JUDGE ZAMES</td>
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E. RAMON ARANGO
Position: Senior Research Assistant
Age: 43
Marital Status: Single
Residence: Baton Rouge
Educational Background:
BS - 1961 - University of Florida - Economic Geography
MA - 1964 - Columbia University, The School of International Affairs, Latin American Studies
PhD - 1968 - University of Florida - Political Science
Experience and Activities:
Professor of Government, 1960-present
Publications:
Lepold III and the Belgian Royal Question, the Johns Hopkins Press, 1964
Fulbright Award to Belgium, 1958-1960
Graduate Research Grant for Study and Research in Spain, 1968

HARRY INMAN WOOD
Position: Senior Research Assistant
Age: 57
Marital Status: Married
Residence: Baton Rouge
Educational Background:
AB - 1946 - Howard University, Political Science
JD - 1949 - School of Law, Howard University
LLM - 1970 - School of Law, Georgetown University
Experience and Activities:
Associate Professor, Southern University - 1963-present
Private practice of law
Member, Louisiana State Board of Corrections, 1968-1972
"Negro Labor, Labor Unions and Public Policy" (An unpublished Masters of Law Thesis)

MINUTES
Minutes of the meeting of the Executive Committee of the Constitutional Convention of 1973
Held pursuant to notices mailed by the Secretary of the Convention dated July 1, 1973
Committee Room 5, State Capitol, Baton Rouge, Louisiana on July 5, 1973 at 10:30 a.m.

Presiding: E. L. "Bubba" Henry, Chairman, Executive Committee
Chairman Henry called the meeting to order at 10:35 a.m. After roll call and a quorum established, the chairman stated that the purpose of the meeting was to consider the seating arrangement for the delegates on the convention floor.

Copies of a seating chart were distributed to the members of the committee. After a short discussion, Mr. Flory moved that the seating arrangement of the delegates be as set out on the chart. The motion was adopted without objection. A copy of the seating chart is attached hereto as Appendix "A" and made a part of these minutes.

Mr. Lowe presented two resolutions relative to employment in the Accounting Office of the Constitutional Convention for the committee's consideration. Upon motions offered by Mr. Lowe and adopted without objection, Executive Committee Resolution Nos. 1 and 2 of July 5 were adopted. A copy of each is attached hereto and made a part of these minutes.

Mr. Lowe presented a report from the Treasurer's Office, a copy of which is attached hereto and made a part hereof as Appendix "B." Mr. Lowe moved for approval of payment of bills listed on the first page of the report. Mr. Flory explained that the bills had been properly processed and the motion was unanimously adopted. It was suggested that the increases reflected on the last page of the report be considered at the next meeting of the Executive Committee.

The meeting adjourned at 11:00 a.m.

E. L. Henry, Chairman

Executive Committee Resolution No. 1
of July 5.

By: Mr. Lowe

A RESOLUTION

To ratify the action and authorization of the Treasurer and Chairman of the Convention.

WHEREAS, it has been necessary for action to be taken concerning the nature and terms of employment of employees in the Accounting Office of the Constitutional Convention since the last meeting of the Executive Committee.

THEREFORE, BE IT RESOLVED by the Executive Committee of the Convention that the approval of the Chairman of the Convention of memoranda dated from Mr. Lowe dated May 23, 1973, and June 25, 1973 is hereby ratified.

APPROVED: Adopted without objection

Executive Committee Resolution No. 2
of July 5.

By: Mr. Lowe

A RESOLUTION

To provide for the employment of additional personnel in the Accounting Office of the Constitutional Convention.

WHEREAS, the accounting and bookkeeping workload of the Convention have been greatly increased and will continue at an intensive level until the adjournment of the Convention.

THEREFORE, BE IT RESOLVED by the Executive Committee of the Convention that its action authorizing a part-time employee in the Accounting Office is hereby rescinded and in lieu thereof an additional full-time accountant is authorized at a rate of pay of $575.00 per month effective as of July 1, 1973.

APPROVED: Adopted without objection
Bills paid during months of May and June:

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## CONSTITUTIONAL CONVENTION 1973
### Actual Expenditures by Committee
#### May, 1973

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201,110.57  133,089.21  334,199.78

Minutes of the meeting of the Executive Committee of the Constitutional Convention of 1973

Held pursuant to notice properly issued by the Secretary of the Convention

Committee Room 5, State Capitol,
Baton Rouge, Louisiana

Thursday, August 9, 1973, 8:30 a.m.

Presiding: E. L. Henry, Chairman of the Executive Committee

Present
E. L. "Bubba" Henry, Chairman
Ruth L. Miller, 1st Vice Chairman
Thomas A. Casey, Vice Chairman
Henry "Monday" Lowe, Treasurer
Norman E. Carmouche
Ralph L. Cowen
B. Harmon Drew
Gordon Florio
Rev. Lewis Landrum, Sr.
Arthur J. Planchard
John M. Thistlethwaite

Absent
Avery C. Alexander, Vice Chmn.
Chris J. Roy, Vice Chairman
John A. Alario, Jr.
Lawrence Chehardy
Frank Fulco
Austley B. Newton
Samuel B. Henez, Jr.
Perry Segura
Anthony J. Vesich, Jr.
Shady R. Wall
Lantz Womack

The chairman called the meeting to order, the roll was called, and a quorum established.

Chairman Henry requested distribution and presentation of resolutions for consideration. The following resolutions were considered and actions taken as set forth:

Executive Committee Resolution No. 1 of August 9, 1973. Mr. Casey introduced the resolution and moved for its adoption. After a brief explanation, the resolution was adopted without objection.

Executive Committee Resolution No. 2 of August 9, 1973. The resolution was read by Mr. Fugler. After a brief explanation by Mr. Henry, Mr. Dennery moved for adoption of the resolution. The resolution was adopted without objection.

Executive Committee Resolution No. 3 of August 9, 1973. The resolution was read and briefly explained by Mr. Casey, who moved for its adoption. The resolution was adopted without objection.

A copy of each of the above listed resolutions is attached hereto and made a part hereof.

At the request of the chairman, Mr. Fugler explained the problems involved with respect to purchasing. Briefly, some items have been purchased in a method not in keeping with state purchasing regulations. This occurred due to the fact that persons handling the requisitioning of purchases are not familiar with the regulations followed in state purchasing, and in certain instances the items were not available by a supplier who held a state contract and had to be purchased elsewhere. Mr. Fugler informed the committee that within the coming week he will be in touch with the committees and staff of the convention requesting a projection of supplies needed within the next few months. After the information is compiled, quotations will be obtained and materials purchased in bulk and the proper procedure followed. Chairman Henry requested the cooperation of all persons involved, stating that if any purchase is made by anyone using a method which does not comply with proper procedure, the purchase will not be approved for payment from convention funds.

The Treasurer's report was presented by Mr. Lowe, Treasurer of the Convention. A copy of the report is attached as Appendix "A", Appendix "B", and Appendix "C". Appendix "A" and Appendix "B" were explained by Mr. Lowe, with the concluding statement that the expenditures had not been as great as estimated, thus the financial outlook for the convention at this time is better than expected.

Appendix "C", Treasurer's recap of bills due and payable to the White House Inn along with copies of bills submitted by White House Inn, was considered the committee. During discussion of the bill submitted by White House Inn for costs of materials and labor for construction of walls in the Treaty Room and Independence Hall, attention was called to letter of March 27, 1973 from the General Manager of White House Inn addressed to the Chairman of the Convention, in which Mr. Fry set out how this billing would be handled. A copy of the letter is attached to the minutes of the Executive Committee of March 27, 1973. Mr. Carmouche moved that the Treasurer be authorized to pay the bill as submitted. Motion adopted without objection. The next bill considered was for rental due for the month of July for use of Independence Hall and the Treaty Room. After referring to the aforementioned letter of March 27, 1973, Mr. Planchard moved that the treasurer be authorized to pay the bill as submitted. Motion adopted without objection.

Mr. Lowe explained that heretofore he had submitted a complete list of bills to be paid for approval of this committee. It was decided at the last audit that this is not necessary if the bills have been properly approved in accordance with resolutions of the committee. The committee agreed that its approval is not necessary.

The research staff report was distributed to the committee members. A copy of the report is attached hereto and made a part hereof as Appendix "D".

The meeting adjourned at 9:15 a.m.

E. L. Henry, Chairman
Executive Committee

1 Constitutional Convention of Louisiana of 1973
2 EXECUTIVE COMMITTEE RESOLUTION NO. 1 OF AUGUST 9, 1973
3 Introduced by Mr. Casey
4
5 A RESOLUTION
6 To clarify the intentions of the Executive Committee with re-
WHEREAS, this convention was not from the service of several outstanding persons from the staffs of Louisiana and public universities and public employees in Louisiana, and these employees are on loan or on leave from their positions of employment in order to serve the convention, and

WHEREAS, it is the firm intent of the Executive Committee that these employees shall not suffer loss in the amount of their compensation and benefits by reason of their work with the Constitutional Convention of 1973.

THEREFORE, BE IT RESOLVED that the Executive Committee hereby expresses its intention that no person employed on the Research Staff shall be paid compensation and benefits in an amount less than the amount payable to such person in the position from which he is on loan or on leave while so employed, and directs the treasurer of the convention and the director of research to take such steps as are necessary to effectuate the intent herein expressed.

BE IT FURTHER RESOLVED that this Resolution supersedes any previous Resolution of this Executive Committee which may be subject to a contrary interpretation.

Constitutional Convention of Louisiana of 1973
EXECUTIVE COMMITTEE RESOLUTION NO. 2 OF AUGUST 9, 1973
Introduced by Mr. Lowe

A RESOLUTION
To authorize the Treasurer of the Convention to reimburse the Louisiana Department of Public Safety for expenses incurred in providing security services for the Convention.

BE IT RESOLVED by the Executive Committee that the Treasurer of the Convention is hereby authorized to reimburse the Louisiana Department of Public Safety for expenses incurred by the Department of Public Safety in providing security for the Convention, excluding salaries.

ADOPTED: August 9, 1973

1 Constitutional Convention Convention of Louisiana of 1973
2 EXECUTIVE COMMITTEE RESOLUTION NO. 3 OF AUGUST 1973
3 Introduced by Mr. Casey
4
5 A RESOLUTION
6 Relative to travel expenses incurred by Constitutional Convention Research Staff messengers for non-city travel,
7 BE IT RESOLVED that travel expenses hereafter incurred by Research Staff of the Constitutional Convention of Louisiana of 1973 used as messengers for business of the convention, within the city of Baton Rouge, when authorized by the director of research and approved by the chairman of the convention, shall be an expense of and paid out of the funds of the convention, but only in accordance with the provisions of law and regulations of the commissioner of administration applicable to state employees.
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NOTES
Appendix "A" is reproduced as an appendix to Minutes of July 5, 1973.
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## CONSTITUTIONAL CONVENTION 1973  
### Actual Expenditures by Committee  
#### July 31, 1973

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### P-3 Committee:
- Delegate Per Diem: $450.00
- Wages-Per Diem: $30.00

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### Expenditures by Committee 7/31/73

#### P-4 Committee:
- Salaries: $6,444.09
- Travel: $1,014.55
- Office Supplies: $331.35
- Printing: $279.25
- Delegate Per Diem: $1,100.00
- Meeting Expense: $60.00
- Equipment Purchase: $429.98
- Postage: $231.74

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#### S-1 Committee:
- Delegate Per Diem: $420.00
- Wages-Per Diem: $1,300.00

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#### S-2 Committee:
- Delegate Per Diem: $6,600.00
- Wages-Per Diem: $480.00
- Meeting Expense: $257.47

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#### S-3 Committee:
- Delegate Per Diem: $5,250.00
- Wages-Per Diem: $4,200.00

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#### S-4 Committee:
- Delegate Per Diem: $11,300.00
- Wages-Per Diem: $540.00
- Meeting Expense: $4.24

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- Delegate Per Diem: $9,650.00
- Wages-Per Diem: $450.00

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- Delegate Per Diem: $11,450.00
- Wages-Per Diem: $480.00

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- Delegate Per Diem: $12,000.00
- Wages-Per Diem: $360.00

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</tr>
</thead>
<tbody>
<tr>
<td>Delegate</td>
<td>Per Diem</td>
<td>12,000.00</td>
<td>3,150.00</td>
</tr>
<tr>
<td>Wages</td>
<td>Per Diem</td>
<td>360.00</td>
<td>60.00</td>
</tr>
</tbody>
</table>

#### S-8 Committee:
- Delegate Per Diem: $5,900.00
- Wages-Per Diem: $420.00

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegate</td>
<td>Per Diem</td>
<td>5,900.00</td>
<td>2,050.00</td>
</tr>
<tr>
<td>Wages</td>
<td>Per Diem</td>
<td>420.00</td>
<td>420.00</td>
</tr>
</tbody>
</table>

**Grand Total:** 427,079.92, 140,443.57, 567,523.49
CC '73 Executive Committee Meeting of August 9, 1973:

Bills due and payable to the White House Inn as follows:

**Materials and Labor for Construction of Walls in the Treaty Room and Independence Hall for the Constitutional Convention**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labour: 200 hours at $5.00 per hour</td>
<td>$1000.00</td>
</tr>
<tr>
<td>Labour: 100 hours at $5.50 per hour</td>
<td>$550.00</td>
</tr>
<tr>
<td>Total of Materials &amp; Labour</td>
<td>$5650.00</td>
</tr>
</tbody>
</table>

| Charges for rooms --- Security Officers | $636.00 |
| Hall Rental = 17 days @ $200.00 per day | $3400.00 |
| Treaty Room Rental = 17 days @ $400.00 | $680.00 |
| **Total Due:** | **$10,339.81** |

No contract was ever processed on renovation so signatures of both Mr. E. L. Henry and Mr. Gordon Florcy would be necessary on all these expenditures before payment can be made.

**APPENDIX "C"**

---

**August 8, 1973**

Constitutional Convention

**Attention:** Mr. E. L. Henry

Post Office Box 11740-A

**Baton Rouge, LA**

**MATERIALS AND LABOR FOR CONSTRUCTION OF WALLS IN THE TREATY ROOM AND INDEPENDENCE HALL FOR THE CONSTITUTIONAL CONVENTION**

**Invoices as attached:**

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alfred Safie &amp; Lock Co., Inc.</td>
<td>$159.07</td>
</tr>
<tr>
<td>Acme Sign &amp; Poster Co.</td>
<td>$16.96</td>
</tr>
<tr>
<td>Evada 2538 E</td>
<td>$245.98</td>
</tr>
<tr>
<td>Lighting for Treaty Room</td>
<td>$245.98</td>
</tr>
<tr>
<td>Jubin lumber</td>
<td>$1940.78</td>
</tr>
<tr>
<td>Renting &amp; supplies for Treaty Room and room for voting equipment</td>
<td>$56.40</td>
</tr>
<tr>
<td>ENS Inc.</td>
<td>$164.05</td>
</tr>
<tr>
<td>Renting Ind. Hall</td>
<td>$164.05</td>
</tr>
<tr>
<td>Evada 25310</td>
<td>$156.42</td>
</tr>
<tr>
<td>Ens 17771 and 13056</td>
<td>$246.17</td>
</tr>
<tr>
<td>Electric and mechanical supplies</td>
<td>$807.58</td>
</tr>
</tbody>
</table>

---

**STORAGE**

**WHITE HOUSE INN**

**Statement of Charges for rooms---Security Officers**

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>July '73</td>
<td>Alkens Peters</td>
<td>$159.00</td>
</tr>
<tr>
<td>July '73</td>
<td>Claxence Chaisson</td>
<td>$159.00</td>
</tr>
<tr>
<td>July '73</td>
<td>Willie Walker</td>
<td>$159.00</td>
</tr>
<tr>
<td>July '73</td>
<td>Ernest Marcelle</td>
<td>$159.00</td>
</tr>
</tbody>
</table>

**Total:** $636.00
## Constitutional Convention

**Attention:** Hon. B. Shepperd  
**Post Office Box 17740-A**  
**Baton Rouge, La.**

### Hall Rental

<table>
<thead>
<tr>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 5, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>July 6, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>July 11, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>July 12, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>July 13, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>July 14, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>July 15, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>July 20, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>July 21, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>July 26, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>July 27, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>July 28, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>August 1, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>August 2, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>August 3, 1973</td>
<td>200.00</td>
</tr>
<tr>
<td>August 4, 1973</td>
<td>200.00</td>
</tr>
</tbody>
</table>

**Total:** $3,400.00

---

**Address:**  
**Telephone:**

---

**Treaty Room Rental**

<table>
<thead>
<tr>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 5, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 6, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 11, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 12, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 13, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 14, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 16, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 19, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 20, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 25, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 26, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 27, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>July 28, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>August 1, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>August 2, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>August 3, 1973</td>
<td>40.00</td>
</tr>
<tr>
<td>August 4, 1973</td>
<td>40.00</td>
</tr>
</tbody>
</table>

**Total:** $640.00
it is legal. Mr. Juneau introduced Mr. Max Petty of The Louisiana Educational Television Authority, who answered questions with respect to the filming of the documentary.

Suggestions and recommendations as solutions to problems involved in production of a documentary film were as follows:

1. Concurrent resolution passed during the upcoming special session of the legislature to approve $15,000 expenditure for a documentary film. It may be that resolution should further clarify funds that may be used for "educational purposes" so that a document of work of the convention may be published for distribution to the people.

2. Public Information Committee get all facts and figures together.

3. After the groundwork (as set out above) is completed, get written opinion from office of the Attorney General.

4. Consider a committee to review the film in proposed stage.

It was agreed that if the Committee on Public Information would have an answer within ten days it would be helpful.

THE CONSTITUTIONAL CONVENTION 1973

A Color Film Documentary
With a Unified Effort of the
Constitutional Convention Public Information Office and

The Louisiana Educational Television Authority

This proposal is a plan to produce a 30-minute color film documentary explaining why the Convention was called, how it functioned, and what it produced. The film is designed to be a visual and aural recording of this historical event for educational purposes.

The film will be presented as a news documentary. Some film clips from television news departments will be used to show actual events pertaining to the Convention. Graphics will be produced by Louisiana Educational Television Authority's Art Department.

Dr. William C. Morris will serve as Producer for the series. Mr. Charles Macen, Public Information Director for the Convention, will serve as Director.

Chairman Henry stated that the purpose of this meeting is to give consideration to the production of a thirty-minute color film documentary on CC/73; and though a quorum has not been established, the members present could proceed with discussion of the matter. He requested that Mr. Juneau, Chairman of the Committee on Public Information, give an explanation of the project.

Copies of a prepared statement and proposed budget to accomplish the producing of a television documentary were distributed, a copy of which is attached hereto and made a part of these minutes. Mr. Juneau explained that the film would be for the purpose of educating the people of the state of Louisiana as to facts concerning CC/73, such as why and how the convention was called, how it functions, and what it produces. He pointed out the impossibility of getting this important information before the people on the limited amount of money ($15,000.00). However, since this project would be for educational purposes now, and in future years, it has been possible to accomplish the setting up of a matching fund through the Department of Education whereby the amount expended by the convention will be matched by the Louisiana Committee for the Humanities. Mr. Juneau also stated that the television stations in the state have been contacted and all of them will be glad to put such a film on the air at a prime time. With respect to the legality of going forth with this project, the office of the Attorney General has been contacted and has rendered the opinion that
BURS:  

Project Director and Producer  
5,000  

Film stock, lab processing, work print  
10,000  

Rental of double system sound equipment  
1,000  

Academic humanist minutes  
1,000  

Research  
2,000  

Script writer  
1,000  

20 final copies for libraries  
1,000  

Graphics supplier  
2,000  

Music and rights  
1,000  

Travel  
1,000  

Administration  
30,000  

FUNDING  

Louisiana Committee for the Humanities  
15,000  

Constitutional Convention  
15,000  

$30,000  

MINUTES  

Minutes of the Executive Committee  
of the Constitutional Convention of  
Louisiana of 1973  

Treaty Room, White House Inn,  

Baton Rouge, Louisiana  

Saturday, January 5, 1974, 12:45 p.m.  

Presiding:  E. L. "Bubba" Henry, Chairman  

Present:  E. L. Henry  

John A. Alario, Jr.  

Avery C. Alexander  

Norman E. Carmouche  

Thomas A. Casey  

Moise W. Dennery  

R. Harmon Drew  

Grodem Flory  

Frank Falco  

Louis Landrum, Sr.  

Herman Lowe  

Ruth Miller  

Auley B. Newton  

Samuel B. Nunes, Jr.  

A. J. Planchard  

Chris J. Roy  

Perry Segura  

John P. Thistlethwaite  

Absent:  Lawrence A. Chehardy  

Ralph L. Cowen  

Anthony J. Vesich, Jr.  

Shady R. Wall  

Lantz Nomack  

Chairman Henry called the meeting to order, the roll was  
called and quorum established.  

The chairman requested Mrs. Norma Duncan to explain the  
resolution introduced by Delegate Casey relative to the re- 
taining of the three Research Coordinators on the staff on  
a part-time basis.  Mrs. Duncan pointed out that the Coordi- 
nators are on loan to the Convention from three universities.  
At the time of their employment the closing date of the Con- 
vention would have been January 5, 1974.  However, due to  
the extension of time granted the Convention in the 1973  
Extraordinary Session which set the new closing as January 15,  
1974, it will be necessary for them to return to their regular  
positions before certain responsibilities with the Convention  
have been completed.  Mr. Casey moved the adoption of the  
resolution.  The resolution was adopted without objection.  
A copy of Executive Committee Resolution No. 1 of January 5,  
1974 is attached hereto and made a part of these minutes.  

The second resolution was introduced by Mr. Casey.  Upon  
request of the chairman, Mr. Patrick A. Juneau, Jr., Chairman  
of the Committee on Public Information, orally reported on  
behalf of that committee, setting forth the details of its  
decisions leading to the authorizations requested in the  
resolution.  After deliberation and suggested amendments,  
Delegate Casey moved adoption of the resolution.  The resolu- 
tion was adopted by a vote of eleven FOR and four AGAINST.  
A copy of Executive Committee Resolution No. 2 of January 5,  
1974 is attached hereto and made a part of these minutes.  

The meeting adjourned at 2:45 p.m.  

DENNERY  

Moise W. Dennery, Secretary  
- 2 -  

Constitutional Convention of the State of Louisiana of 1973  

EXECUTIVE COMMITTEE RESOLUTION NO. 2 of January 5, 1974  

Introduced by: Mr. Casey  

A RESOLUTION  

BE IT RESOLVED that the Executive Committee authorizes  
the Director of Research, with the approval of the Chairman  
of the Convention and the Chairman of the Subcommittee on  
Staff and Personnel, to continue in the employ of the  
Convention the three Coordinators of Research on a part- 
time basis according to the availability of their services  
with compensation to be continued on a prorata basis of the  
present scale of compensation.  

BE IT FURTHER RESOLVED that the authority of this  
Resolution be contingent upon the acceptance of the same  
according to the provisions of the applicable law of the  
State of Louisiana.  

ADOPTED:  

Constitutional Convention of the State of Louisiana of 1973  

EXECUTIVE COMMITTEE RESOLUTION NO. 3 of January 5, 1974  

Introduced by: Mr. Casey  

A RESOLUTION  

BE IT RESOLVED that the Executive Committee authorizes  
the Public Information Committee to expend up to the sum of  
two hundred twenty thousand five hundred twenty dollars ($220,520)  
for the purpose of publishing and distributing a tabloid of the  
final document.
ADOPTED

MINUTES

Standing Committee on Minutes and Information of the Constitutional Convention of November 12, 1973

Present: Thomas J. Wall, Secretary

The following was read and adopted:

Mr. NITTY moved that the Executive Committee recommend that the Public Information Committee be authorized to proceed in advertising, printing, distributing, etc., for purposes of the Convention, to the extent deemed necessary.

Mr. NITTY, from the Committee on Conventions, Inc., moved that the motion be referred to the Public Information Committee. The motion was adopted unanimously.

The motion was referred to the Public Information Committee.

Respectfully submitted,

[Signature]

SECRETARY
The Convention, in the resolution of February 19, 1974, constituting a Committee of One, appointed the following:

Mr. Flory moved the adoption of the resolution as amended. The resolution as amended was adopted without objection. A copy of the resolution with the amendment was made a part of these minutes.

Delegate Segura suggested that the committee might wish to consider donating equipment and fixtures in the Research Staff offices in the Law Center of Louisiana State University to the University. He pointed out that certain monies were expended by the University, for which it has not been reimbursed by the Convention, and that the equipment and fixtures, such as supply cabinets some attached to the walls, some on rollers, movable partitions, and the like, might be of benefit to the school. Action on this matter was deferred until the next meeting of the committee.

Delegate Landrum called attention to long hours worked by the Research Staff personnel and moved that the members of the staff be compensated for some of the overtime worked. It was decided that the pay plan rate increase granted in March of 1973 had set salaries at a rate to compensate for overtime, and further, that the committee has no authority to accomplish this.

Delegate Landrum withdrew the motion. It was suggested that the staff might appreciate receiving hardbound copies of the proposed new constitution.

EXECUTIVE COMMITTEE RESOLUTION NO. 1

Introduced by Delegate Flory

A RESOLUTION Relative to the printing of the proposed new constitution.

BE IT RESOLVED that the Executive Committee directs the Chief Clerk of the Constitutional Convention of 1973, subject to the approval of the Chairman, to procure the printing of the proposed new constitution in sufficient quantity to furnish, at the minimum, each delegate a copy thereof and to provide, if feasible, a hardbound copy of the final journal and calendar to each delegate.

BE IT FURTHER RESOLVED that copies thereof, as available, could be made available to private persons and organizations at cost to the Convention.

BE IT FURTHER RESOLVED that the Chairman and Treasurer of the Convention are authorized and directed to expend out of the funds of the Convention such amounts as are necessary to accomplish the purposes of this resolution.

[1349]
B. Subcommittee Minutes

1. Subcommittee on Budget and Finance

Minutes of the meeting of the Budget and Finance Sub-Committee of the Constitutional Convention of 1973

State Capitol, Baton Rouge, Louisiana
Thursday, February 22, 1973, 10:00 a.m.

Presiding: Herman "Monday" Lowe, Chairman of the Budget and Finance Subcommittee

Present: Representative John Alario, Jr.
Ralph L. Cowen
Mrs. Ruth Miller
Arthur Planchard
Representative Lantz Womack

Others Present: Bernice Weaver, Accountant for the Treasurer
Kirby Smith, Legislative Auditor's Office
Jim Faulkner, Division of Administration
Will Favre, Division of Administration
Jack Lord, Times
Tom Jory, Associated Press
Bill Lynch, New Orleans States Item

The Chairman stated that at the last meeting of the subcommittee there had not been a secretary present. He had prepared a brief outline of actions taken in the previous meeting, a copy of which is attached hereto and made a part of these minutes, and called attention to the three resolutions which had been adopted.

Mr. Lowe explained to the members that the first two resolutions had been complied with and it was not necessary to comply with the third due to the fact that the Legislative Auditor's Office was required to audit the financial records of the Convention, thus it would be more prudent to obtain assistance from the Division of Administration.

Chairman Lowe presented to the members copies of financial statements prepared by Mr. Jim Faulkner setting forth the status of finances as of January 31, 1973, and February 15, 1973. Copies of these statements are attached hereto and made a part of these minutes. In the discussion that ensued during examination of these statements by the members, certain subject matters were explored and suggestions offered with solutions to the problems pointed out. It was pointed out that the funds appropriated for purposes of the Constitutional Convention are sufficient to pay the costs of the convention only through the 1973 session of the Legislature. Mr. Lowe and Mr. Faulkner explained that the financial statements presented were prepared using the $350,000 figure set out in the Act, and informed the subcommittee members that an accurate projection of expenses is impossible at this time, since the hiring of personnel for the Research Staff has not been completed and details of purchasing of supplies and quantities need to be worked out. It is hoped that at the next meeting these figures will be available.

It was suggested that the committee might wish to issue a clarifying statement to the press where the proposed budget is concerned, since the Convention has received such bad publicity in this respect. The terminology used does not seem to be understood by the general public, and thus the idea has developed that the funds appropriated have been used. Also, it seems that due to publicity received, especially with respect to the articles published in the newspapers stating the amount of money spent for coffee at meetings, the general public in some areas of the state has been led to believe that the funds have been misused. A suggestion was offered that members of the press present be requested to offer suggestions as to how best to handle news releases so that the convention and its committees will receive the proper publicity. After discussion, it was decided to leave the subject of press releases for decision at a later time.

Chairman Lowe explained that at this stage of the handling of financial matters of the convention we are faced with two problems: (1) the handling of purchasing before committee budgets are finalized, and (2) the handling of purchasing after committee budgets are set. To alleviate as many problems as possible in the first category, he suggested that this subcommittee recommend to the Executive Committee that Mr. E. L. Henry, Chairman of the Convention, be authorized to sign purchase requisitions for the purchase of equipment and supplies necessary to carry out the business of the convention. He further suggested that a subcommittee on purchasing be established to review and approve all purchases for the convention. It was stated that Mrs. Norma Duncan, Director of Research, previously was authorized to make purchases, as she would be best qualified to determine the equipment and supply needs of the research staff. Copies of these requisitions for purchases made by the Research Director will be transmitted via Chairman Henry to the subcommittee on purchasing for its review. The subcommittee will then transmit the requisition copies to the Division of Administration so that purchasing procedures are in compliance with existing state laws. Mr. Ralph Cowen moved that this be presented to the Executive Committee at the meeting later this afternoon. The motion was seconded by Lantz Womack and was approved. A copy of the resolution drafted is attached hereto.

It was then decided that after the budget is established, the purchase requisition would be authority to purchase supplies and equipment so long as the purchase fits within the budget, thus the second problem as stated by the chairman would not exist.

The chairman next opened discussion concerning the bonding of the Constitutional Convention staff. It was stated that state law requires that an agency have a property control agent and that this agent be bonded. A decision was reached that since the Division of Administration would be purchasing the equipment needed for the convention staff and the convention will only be renting it from it, their property control agent possibly could act as property control agent, and he is already bonded. Mr. Lowe also stated
that, since the convention would be renting the equipment, a thorough check of the equipment will be made each month before the rental fee is paid to the Division of Administration. Following discussion, it was decided that it would be a wise move to bond Mr. Herman Lowe as Treasurer of the Convention. A motion was offered by Mr. John Alario, seconded by Mr. Ralph Cowen, that a resolution be drafted and presented in the Executive Committee meeting to be held at 1:30 this same day, authorizing the bonding of Mr. Lowe. It was unanimously adopted and a copy of this resolution is attached hereto and made a part of these minutes.

There being no further business, the subcommittee adjourned at 11:45 a.m.

[Signature]
Herman "Monday" Lowe, Chairman

NOTES
Attachments to February 22 Minutes are found in report to full committee on January 23, 1973.

On roll call following members were present:
- Wormack
- Alario
- Millard
- Fanchard
- Cowen

After considerable discussion the following resolutions were adopted for submission to the Executive Committee for consideration.

Resolution #1
Moved by: Wormack
Seconded by: Cowen

That the Honorable Edwin Edwards, Governor of the State of Louisiana, be informed that CC/73 will probably need additional funds during the current fiscal year July 1, 1972 to June 30, 1973 and that this need should be anticipated in the future meetings of the Board of Liquidation of the State of Louisiana.

Resolution #2
Moved by: Cowen
Seconded by: Wormack

That the Chairman of the Budget and Finance Sub-Committee be authorized to assemble all of the estimated expenses of CC/73 from the date of inception of CC/73 to date and that these estimated figures be presented to the Executive Board at its meeting of January 23, 1973.

Resolution #3
Moved by: Fanchard
Seconded by: Cowen

That the Chairman of the Budget and Finance Sub-Committee be authorized to contact the Honorable Joe Burris, Legislative Auditor and request that he provide, from his staff, sufficient accounting personnel to assist the Budget and Finance Sub-Committee.

There being no further business before the meeting it was moved by Mr. Wormack, seconded by Mr. Cowen, and carried that the meeting be adjourned.
2. Subcommittee on Printing

Meeting date: [Exact date to be filled in]

Subcommittee on Printing: This was to discuss the attendance of the Convention of 1973.

[Meeting notes and discussion points follow]

[Minutes or agenda items related to printing and convention related to the discussion follow]
This would be a matter of taking and running out

The answer is yes. We will accept a new contract and a new

We've been having a lot of problems with the

The way it works is that you take a job and then

The answer is yes. We will allow a new contract and a new

It is a question of taking and running out

The way it works is that you take a job and then

The answer is yes. We will accept a new contract and a new

We've been having a lot of problems with the

The answer is yes. We will allow a new contract and a new
HENRY: What legal bind do we have in this convention not to do business with T&J if the state is contracted and I understand the contract mentions convention printing.

HENRY: With regard to State Printing Contract; does that mean that we have to let someone else print it?

POINTER: Contract provides that whatever party does any printing always retains the option of having that done by the individual agency -- by the state.

HENRY: Then if we can get it cheaper we can proceed.

FLOWY: Could you make a dry run just take one day's copy, and the four operators worries me. How fast can they feed in; would 4 operators be sufficient.

ROEMER: They would be trained people to do this.

THISTLEWAITE: Wondered why we needed four operators, because this is a productive thing.

HENRY: Would this be the type of paper; the glossy type?

HAYES: Not on newprint. Daily piece of material would come out on 20 lbs.

POINTER: Noticed you didn't have any people for proofing copy.

HAYES: When CRT punches it in there will be proofing on scope. 2 people to perform this function. No problem with proof reading.

FLOWY: If you can print the journal in this fashion, why couldn't you put all the bills of the legislature on this same type of equipment.

HAYES: We're saying we can.

HENRY: How much would that save? You talk about 30% and now it looks like 5%. 

ROEMER: We'll stay with the 30%.

POINTER: You anticipate no problems in a conversion factor in format?

ROEMER: No problem.

HENRY: You just saved enough money to get an electronic equipment.

HUNIA: Why don't we just settle on a figure. Mr. Lowe has given a pretty good estimate of the number of days and pages.

HENRY: Figures are accurate.

LOWE: 50% mark-up equals everything between commercial and state.

HUNIA: $1400/day savings on 80-day basis or total of $112,000 savings.

MEYER: Talked with out of state printers; done same other studies of our own and proceeding on assumption that input would be the same --- if output and time frame would be the same. Have no handout. Have determined that internally Convention as opposed to the legislative work, would be some internal difference. We think there will be about 50% less volume overall. Convention will only have one body opposed to two, the House and Senate. Fewer committees. Convention only has 8 committees compared to 29 standing committees. You will have 4 instruments as opposed to 6 in the House & Senate. Fewer roll calls than Regular Session; fewer work days; fewer procedural steps; no petitions and memorials. Delivery requirements would be less. Delivery would be to one location each day and not a number of departments as we have for the legislature. After these studies, we have gone back and again looked at tape and types of type-setting and conclude that the same copy preparation; same methods and so on that we have done in the past is what is most economical and most efficient.

Based on these assumptions; we are prepared to offer Convention, if they name us the official printer, 80% of current legislative rates as spelled out in Item 2, and we believe that we could handle it at that amount.

Served legislature for a few years; know the way, and think we know more about what to expect than anyone else. What we do expect between now and the time this Convention is over and Constitution is rewritten, we expect probably an introduction of some other products. We know what those products are. We expect probably the interim calendars; a final calendar; we will expect a journal at the end of Convention; we expect daily proof sheets for every day that this Convention is in session, and looking at the whole ball of wax and looking at the differences in the operational nature of how to handle the products for you in this Convention we have a proposal for you today and I have a LETTER OF INTENT for you Sen. Nunez if you would like to take it back to the Executive Committee next week.

Would like to have this to guide this committee in making a decision to bring back to Executive Committee.

Do you have any quarrel with figures Roomer prepared relative to cost?

流畅地准备好了。费用成本方面，我们还会打印一份，将全部采用相同格式。我们计算了份量和价格，不会出错。我们只希望你不要花太多钱。我们正在准备一份给立法委员会的报告，说明这个想法。

流利的波士顿。已经制定了一个计划，如果他们指定我们为官方印刷商，可以节省80%的费用。我们相信我们能够处理这个任务。

亨利：我们正在考虑的印刷商能否提供这种服务？

指针：合同中明确指出，任何一份印刷品都必须由州立机关来完成。4个操作员听起来有些多余。他们能把速度提高多少呢？4个操作员是否足够？

罗杰：他们会培训人员来完成这项工作。

 commercially: 着急我们是否需要四个操作员，因为这是一件比较有效率的事情。

亨利：这会是哪种类型的纸，光泽型？

海耶斯：不适用于新印刷。每日的材料会用20磅的纸。

指针：你没有安排任何人员进行校对。

海耶斯：当CRT输入时，会有校对人员负责。2人负责这项工作没有问题。

流利：如果你能以这种方式出版期刊，为什么不能把所有的法案放在同一类型的设备上？

海耶斯：我们说的是可以。

亨利：这样节省多少？你谈到30%，现在看来是5%。

罗杰：我们会保留30%。

指针：你认为在转换过程中不会遇到任何问题吗？

罗杰：没有问题。

亨利：你节省了足够的钱，能买一台电子设备。

海耶斯：我们只拿出了一个数字。罗杰先生给出了一个相当好的估计，大约是天数和页数。

亨利：数字是准确的。

洛威：50%的附加费适用于所有商业和国家的项目。

海耶斯：$1400/天的节省，11200天的总节省为$112,000。

梅耶：与州立印刷商交谈过；我们已经完成了自己的研究，并根据假设制定计划。输出和时间框架应该是相同的。我没有手稿。我们已经确定，内部大会比立法机构的效率会低一些。我们预计整体量会减少约50%。大会只有一个体系，而立法机构有两个。大会的提案数量会少一些，报告会少一些。没有请愿书和纪念品。送货要求会少一些。送货将仅限于一个地点，每天一个部门，而不是我们为立法机构那样。在这些研究之后，我们再次检查了磁带和类型的设置，并得出结论，同样的内容设置可以使用相同的准备方法，相同的步骤，因此我们可以完成同样的任务。

基于这些假设；我们准备向大会提供计划，如果他们指定我们为官方印刷商，80%的费用将得到节省。
NUNEZ: Total cost per day - Division of Administration 
$1841 x 80 days, 
$147,280 + 
$80 = $151,680 = Administrative Services 
(96 4/5 x 80 = $307,468) + 
$80,000 savings. 
Meeting will be Monday morning at 10:30

LYNCH: Does this $80,000 figure include 50% mark-up?

NUNEZ: Yes Sir.

HAYES: No it does not include 50% mark-up. Yes it does.

BANKSTON; I'm with Baton Rouge Printing and I would like to know if the state already owns computer or will state buy Photon computer?

FLORY: Leased for duration of convention.

FLORY: Made a motion for adjournment.

No opposition to motion; Committee recessed until 11:00 A.M. Monday morning, February 12, 1973.

END

COMMITTEE REPORT FOR 1973

SUE-COMMITTEE ON PRINTING OF THE EXECUTIVE COMMITTEE (February 12, 1973)

Chairman Hune; Presiding, Secretary called the roll:

Henry
Flory (present)
Fulco (fancy)
Landum
Low (present)
Newton (present)
Nunez (present)

Thistlewaite (present)

NUNEZ: Stated that Mr. Ed Hardin was present on behalf of David Poyneter.

NUNEZ: At the last meeting we heard a proposal from the Division of Administration where it was proposed that the Convention could save approximately $100,000.00 by allowing the Division of Administration to print the journals. We then heard from T.J.M. and we will hear from them this morning. We will start the meeting by allowing the gentlemen from T.J.M. to give their proposal on the printing of the journal.

LONE: Mr. Chairman, we have had some figures from the Division of Administration and Paul had given me a copy of a recomputation of these figures and while we have these figures in hand and have no other figures on this, it would be in order for the Division of Administration to go back through and tell us what they have done. I am under the impression that we are going to be comparing what we have from the Division of Administration and what T.J.M. is proposing to us. It would be helpful if we had the correct figures which we are comparing.

LONE: I think that it would be in order. Wednesday, the Division of Administration gave us a written proposal and T.J.M. gave us another written proposal and we were trying to get something in writing from the sub-committee to report back to the other committee. I think it would be in order if you wanted to go ahead and review the Division of Administration figures.

LONE: They are somewhat revised, I believe, and it would be somewhat helpful to get the revised figures before we start thinking about T.J.M.'s figures.

FLORY: Mr. Roemer.

FLORY: Maybe Mr. Lone is talking about the fact that there are some hidden expenses that the state would have to bear that are not necessarily being charged out here.
Members of the Constitutional Convention  
State of Louisiana  
Baton Rouge, Louisiana  

Gentlemen:

As taxpayers, printers, and citizens of Louisiana we would like to present our thoughts on the printing of the Journal for the Constitutional Convention by the Division of Administration. While we do not completely disagree with the Division of Administration on their concept for handling work of this type, we would like to state the following thoughts:

First, the State must purchase material, services and supplies, and must lease a phototypesetter and CRPs for a considerable sum.

The State will be paying $5,000 for one time programming and then the State is also paying $1,000 per month for program supervision and maintenance. What is the State receiving for this $1,000 monthly and does this include a man on the job or is that extra?

The Photon 7700 is a computer slave device capable of handling two (2) type styles. For instance, you can run light and bold face and/or light and italic but there could be no intermixing of a third type style.

The Photon 7700 has no capacity to automatic insert leader, automatic insert space, tabulate or accept unjustified input. To get a machine that would do these necessary functions different specifications would apply and therefore, the figures as set forth in the Division of Administration proposal would not be valid.

We question the capabilities of the Photon 7700 to do this job. On one hand the machine is too large if it is to do just the Convention work, and on the other hand, it is too limited to do the normal state composition requirements. The Photon must be driven by a computer and therefore is not adequate to do the many varied requirements of the State without going into additional expense of high cost program development.

Sincerely,

Albert M. Bankston  
B. B. Saxon  
AMBrsc  

---

CC 73 TOTAL COST PROJECTION

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<th>PROJECT</th>
<th>PAGES</th>
<th>RATE</th>
<th>COST</th>
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CONSTITUTIONAL CONVENTION 1973 PRINTING PROPOSAL

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<tr>
<td>Daily Proof Sheets (See Exhibit I)</td>
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<tr>
<td>Final Journal (See Exhibit II)</td>
<td>14.18 per page</td>
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<tr>
<td>Division of Administration Proposal</td>
<td>$16.89 per page</td>
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SAVINGS WITH TJM $ .78 per page
## THE TJM CORPORATION

### STATEMENT

**TYPICAL LEGISLATIVE BILLING**

**DAILY PROOF SHEET**

<table>
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<tr>
<th>PAPER</th>
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<tr>
<td>3600 sq. in. @ 50.77</td>
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**PAPER:**

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<td>$14.40</td>
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**NOTE:**

- 8-1/2" x 11" = 67.6 square inches
- **$12.33 per page**
- **$41.06 per page**

**CC73 Price - less 10%**

- **$3,120**

---

**LETTER OF INTENT TO CC73**

- **TJM**
  - $56.04 per page
  - $224,160
- **Div. of Adm.**
  - $56.82 per page
  - $227,280

**SAVINGS WITH TJM**

- **$3,120**

*50 pages per day for 80 days.

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### COST

**30-DAY TEST RUN**

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<td>1 CRT OPERATOR</td>
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<td>1 CRT INSTALLATION</td>
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<td>COMPUTER TIME</td>
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<td>SYSTEMS &amp; PROGRAMMING</td>
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**SUB-TOTAL**

- $14,712.50

**PRINTING (ASSUME 100 PAGES)**

- $1,060.00

**SUB-TOTAL**

- $5,000.00

**PHOTON 7700**

- $4,000.00

**WON'T TAXPAYERS PAY THIS BILL?**
3. Subcommittee on Site Selection

Minutes of the Site Subcommittee of the Executive Committee of the Constitutional Convention of 1973
State Capitol, Baton Rouge, Louisiana
Thursday, March 22, 1973, 4:00 P.M.

Presiding: Mrs. Ruth Miller, Chairman of the Site Subcommittee
Present: Mrs. Ruth Miller
John A. Alario
Gordon Flory
Jack Lord (Representative of the Press)
Anthony J. Vesich, Jr.

Mrs. Miller directed that the presence of Delegate Landrum be entered in the minutes. He was in attendance because he had received notification of the meeting.

Mrs. Miller then outlined the problems involved in site selection. She stated that she had received opinions from delegates that: (1) the convention should be held in the Capitol; (2) the convention should be held away from the political atmosphere of the Capitol. Mrs. Miller called on Mr. Flory to offer his recommendations as a resident of Baton Rouge familiar with possible meeting places in the city.

Mr. Flory spoke in favor of using Independence Hall as the best possible site away from the Capitol because of its location near the Capitol complex, its parking area, and food facilities.

The Chairman then recognized representatives of three electronic voting machine companies: James Thuret, International Roll Call; Aelierd J. Kurtenbach, Daktronics; and F. Harrison Harvey, ELENID, Inc. These representatives stated their interest as prospective bidders on electronic voting equipment for the convention. Each representative explained the operation of his system and its application to convention needs.

Mr. Alario expressed concern about the cost, not only of voting equipment, but of accommodations at the White House Inn.

Mrs. Miller directed that a firm price list be obtained from the White House Inn before the next meeting. She then indicated the needs of the convention were:

(1) a convention hall
(2) an enrolling room
(3) chairman's lounge
(4) secretarial services area

Mrs. Norma Duncan requested that some space be made available for the staff in the vicinity of the convention floor.

Mr. Thistlewaite, on behalf of Committee member Lantz Womack, spoke in favor of Independence Hall and the facilities of the White House Inn.

Mr. Poynter, Chief Clerk of the convention, urged the necessity of acting in the near future if electronic voting equipment is to be utilized.

Mr. Lord raised the question of whether or not the House Chamber could be utilized. The House Chamber was eliminated from discussion due to the possibility of a special session, lack of space, and the expense of converting and reconfiguring the voting machine for convention purposes.

Mr. Flory then moved to recommend that Independence Hall, along with needed additional space in the White House Inn, be used beginning July 5 until sine die adjournment of the convention.

Before considering the motion the committee inspected the facilities at the White House Inn and Independence Hall.

At the request of Mr. Alario the Flory motion was withdrawn until specific prices are submitted in writing to the committee.

The committee then scheduled a meeting for 10:00 A.M., Tuesday, March 27, 1973 to be held in the Speaker's Office at which time a final recommendation to the full Executive Committee will be drawn.

At the suggestion of the Chairman the meeting adjourned at 7:20 P.M.

Ruth Miller, Chairman

NOTES
Attachments to Minutes of March 22 are all found in report to full committee of March 27, 1973.
C. Composite Committee

NOTES

The Composite Committee was created under the authority of Delegate Resolution No. 15, Volume IV, above. It conducted general public hearings in seven different cities from April 17 to April 25, 1973. The public input developed in those hearings passed to the substantial committees of the Convention through representatives of each of those committees who served on the Composite Committee in each city. Only the Minutes of the Meeting of April 17 were transcribed.

Composite Committee

Judge James L. Dennis-Chairman
Representative Alphonse Jackson, Jr. Bill of Rights and Elections
Executive Department
Senator Cecil B. Blair Legislative Powers and Functions
Judiciary
Judge James L. Dennis Local and Parochial Government
Senator B. B. Rayburn Revenue, Finance and Taxation
Robert A. Aertker Education and Welfare
Senator Louis F. Lambert, Jr. Natural Resources and Environment
Rev. James L. Stovall Rules, Credentials, Ethics and Schedules
Honorable Albert Tate, Jr. Style and Drafting
Representative Edward F. LeBreton, Jr. Legislative Liaison and Transitional
Patrick A. Juneau Public Information

DISCUSSION DRAFT
3-2-73

COMPOSITE COMMITTEE TOUR

Purpose of the Composite Meetings:
1. Listen to public
2. Build understanding of convention

I. Arrangements

Tentative Dates and Location
Baton Rouge, April 17
New Orleans, April 18
Lake Charles, April 23
Lafayette, April 24
Alexandria, April 25
Monroe, April 26
Shreveport, April 27

Are these dates firm so that contacts for specific locations may be made?

This is a physically exhausting schedule almost guaranteed to produce temper tantrums before the end of the week. To minimize the strain and also to obtain maximum exposure and testimony, staff suggests:

1. That the hours be 2:00-5:00 and 7:00-9:00. Afternoon sessions would be to hear invited witnesses, and evening sessions open for general testimony. Both sessions open to public.

2. That arrangements be made to transport the tour to the next location that evening.

3. Attempts be made to obtain invitations for late morning coffee parties and for luncheons.

Personnel

The assumption is made that there will be from 12-17 people on this tour. This would be the thirteen convention delegates - Henry, Dennis Jeneau, plus the Chairman and/or Vice-Chairman from the other ten committees, as well as four staff people - Pellegrin, Kardin, Hunter, Dick Burris and a convention secretary.

To coordinate plans, staff will need to know names of those who will be on the tour at any point one week before the event.

Format

Staff suggests that each meeting be opened as soon after 2:00 p.m. as possible by a local committee man who would welcome, make introductions and state the purpose of the composite meeting. We further recommend that Henry or Ruth Miller serve as Chairman for the balance of the day.

A policy decision is to be made on the meeting format - Structured or Unstructured?

Alternative A: Unstructured

The meeting will be open and any person would be free to speak on any subject for any length of time. If this method is chosen, some procedure will be necessary to establish the order of speaking. Advantage: This would give the maximum amount of feeling that the public has complete freedom. Disadvantage: this format might result in only one or two areas being discussed during the entire day; a clever group could stack the meeting so that only one viewpoint was expressed over and over again.

Alternative B: Structured

A time framework may be established with these room divisions:
- Thirty minutes for opening remarks, introductions, etc.
- Discussion of four substantive areas in the morning and four in the afternoon with approximately 30-40 minutes allocated to each area with a brief round at the end for comments on any area.

This does not allow discussion on procedural matters.

Advantage: This format would insure input into each area with fairly equal treatment on each subject. If this approach is used, it should be publicized and could permit those interested in one subject only to attend for that portion. Disadvantage: The public could gain the impression that the meeting was being controlled.
Alternative C: Some combination of the above or a totally different thought.

Regardless of format these questions must be considered:
1. Time limit on speaker.
2. Registration at meetings.
3. Will written testimony be accepted?
4. Will the committee invite specific individuals and/or groups to testify to create an audience.

Time Schedule
By March 1, locations in various cities secured.
By March 9, policy decisions in format.
By March 9, meeting of Juneau with state groups before letters to state groups.
By April 6, mail press releases and public service announcements on the Baton Rouge and New Orleans meetings including format, participants, etc.
By April 10, complete plans for personnel going on tour, lodging arrangements and transportation logistics.
By April 13, same type mailing for balance of meetings
Physical Arrangements for Tour

Firm plans will need to be developed to cope with these matters:

Travel
Understanding on group or individual travel. If group, determine date, time and place together for each departure.

If more than one airplane used, arrangements for individuals to travel in each. If planes are used, arrangements will be needed for ground transportation.

Lodging

Physical Arrangements at Meetings
- long table for 12-15 people
- podium at head table with microphone
- ice water, glasses and ashtrays for head table
- Nameplates for Convention Committee on table
- small table and chair for staff secretary
- floor microphone
- chairs for 100-150 people (maximum)

Other possibilities:
- registration desk and materials (someone will have to man if this is used).
- coffee?

We need to know at each location, the name of the person in charge of the meeting room, who to see when the microphone does not work, the room is too hot or too cold or whatever.

II. Financial Information

The question is how much money should be invested in anticipation of what returns.

Staff suggests that we try an approach through statewide organizations to determine if they in turn will disseminate information on regional meetings to their respective local counterparts. This will require the maximum pre-planning as one must allow at least a month and preferable six weeks for the information to filter to the local level and reach pertinent individuals, but if successful we would get the maximum coverage for the minimum expenditure of funds. Staff has prepared a list of approximately seventy statewide groups whose help will be sought. Names of additional groups and/or individuals are requested from all interested parties. (See attached sheet.)

Since the main purpose of the Committee's travels around the state will be to make the people aware of the Convention, and some of its workings, the maximum amount of exposure should be sought in each of the cities. In order to do this, an advance man should be assigned to travel ahead of the committee. This advance man will take with him one or more members of the Composite Committee who will give interviews to the media, and generally prepare the way for the rest of the committee. As much as possible a local committee member should be used since this will increase the exposure given to the committee by the local press. Under present plans the advance man will work only the week of the 23rd since the press in Baton Rouge and New Orleans will probably give the committee sufficient exposure.

III. Budget

The following is a tentative plan for the travelling of the advance man

| April 22  | Lake Charles | Ruth Miller |
| April 23  | Lafayette    | Pat Juneau |
| April 24  | Alexandria  | Chris Roy  |
| April 25  | Monroe       | Jim Dennis |
| April 26  | Shreveport   | Tom Stagg  |

Per diem for thirteen delegates at $50.00 per day for seven days. $3,570.00
Food and lodging for four staff at $25.00 per day for seven days. 644.00
Travel
Printing and reproduction
Supplies (stationary, nameplates, other materials)
Postage
Clerical help
Long Distance Telephone Calls
Miscellaneous

Total

[1360]
COMPOSITE COMMITTEE TOUR

Purpose of the Composite Meetings.
1. Listen to public
2. Build understanding of Convention

1. Dates and Locations.
   April 17  Baton Rouge  Natural Resources Auditorium
   April 18  New Orleans  City Council Chambers
   April 19  New Orleans  New Orleans Public Library
   April 23  Lake Charles  Baker Auditorium - McNeese
   April 24  Lafayette  USL Student Union Ballroom
   April 25  Alexandria  City Hall
   April 26  Monroe  Civic Center
   April 27  Shreveport  Convention Hall Complex

2. Time of meetings.
   All meetings will be from 9 - 3 p.m. and 7 - 9 p.m. except April 19 which will be from 9 - 12 noon.

3. Format.
   A local delegate will welcome and introduce convention delegates. Chairman Henry or Vice-Chairman Miller will preside at all meetings, announcing time limitation, provisions for those who did not originally expect to speak and any other necessary ground rules. Registration will include topic of interest. Decisions will be made on time allocations and sequence at that time, grouping in so far as possible but emphasizing that the public will be heard. Written testimony will be encouraged with some format for the media and oral presentation.

4. Advance Preparation for Public Input.
   Meeting with representatives of state organizations on March 16, 1973. Follow up letter from Dennis. Some 70 groups are involved thus far, many of these centers for the other groups. Public service announcements cut, news releases to be prepared.

5. Media.
   Week of 23rd., Public Information Officer will travel as advance man working with local delegations serving on Public Information Committee. Interviews with Convention V.I.P.'s to be scheduled. Press and T.V. coverage of public meetings.

6. Tour Personnel.
   Convention delegates plus staff. Pellegrin will be one day ahead of the week tour. Staff: Hardin, Barrios, Hunter, secretary, Fugler.

7. Travel.
   Arrangements will be made for core group.

8. Lodging.
   Minimum of 15, maximum of 20 rooms to be reserved with late arrival stipulation. Individual bill payment.

9. Arrangements
   Responsibility
   Names of convention delegates who will be present at each location.
   Pellegrin
   Information to delegates on their role, travel, lodging arrangements, etc.
   Juneau, (Pellegrin)
   Select and secure local delegate to work with advance man.
   Juneau
   Select person at each location who will brief presiding officer on local conditions, personalities.
   Hardin
   Select and invite local delegate to open meeting.
   Juneau, Dennis, (Pellegrin)
   Luncheon and/or coffee parties at various locations, local mayors to be contacted.
   Dennis/Juneau, (Pellegrin)
   Travel arrangements for core group.
   Hardin
   Security.
   Barrios
   Media Arrangements - advance at meetings.
   Pellegrin, Juneau? Hardin/Hunter?

10. Checklist for Meetings.
   - registration desks
   - registration forms
   - pencils
   - coffee - except at McNeese
   - Press table
     system
   - long table for 12-15 people
   - podium at head table
   - ice water, glasses and ashtrays for head table
   - Nameplate for Convention Committee on table
   - small table and chair for staff secretary
   - tape recorder and tapes
   - chairs for 100-150 people (maximum)
Dennis: I'd like to welcome you to the first meeting of the Composite Committee of the Constitutional Convention of 1973. As most of you know the purpose of this committee is to listen to any citizen come before the committee to talk to us what you would like in your new constitution what you would not like in your new constitution. This committee is going to meet in Baton Rouge, New Orleans, Lake Charles, Lafayette, Alexandria, Monroe, and Shreveport, seven principal cities of Louisiana, and listen to testimony from any citizen who wishes to come before the committee.

The committee is composed of a representative of each major committee of the Constitutional Convention so that any of you who wish to speak to the committee may speak on any subject that you desire because there is someone here covering every area that will be covered in the new constitution. At this time I would like to introduce to you the members of the committee who are representing the various committees of the convention.

Starting on my right and your left the first gentleman is Mr. Harvey Cannon, he is a member of the Local and Parochial Government Committee, he is a delegate from East Baton Rouge Parish as you know but he is representing the Committee on Local and Parochial Government today. Seated next to him is Mr. Tom Duncan, who is a delegate from Louisiana and traveling with us and listening to the testimony along with the Composite Committee. Mr. Duncan is a delegate from Mrs. Judson. Cancer is a delegate from the Public Information Committee of the convention. Mr. Juneau is from Lafayette and is an elected delegate from that parish. Seated next to Mr. Juneau is Mr. Alphonse Jackson from Shreveport who is chairman of the Bill of Rights Committee of the convention. Next to Mr. Jackson, the gentleman with the glasses there is Jim Stovall who is chairman of the Rules and Credentials Committee. Stovall is a delegate elected to Jefferson Parish but is now my speaker in Monroe.

Next to Rev. Stovall is Senator Louis Lambert who is chairman of the Committee on Natural Resources and Environment, the convention. Next to Senator Lambert is Mr. Tom Bagnor from the city of Shreveport and is chairman of the Executive Committee of the convention. Immediately to my left we have Miss Mary Swahn who is a delegate from East Baton Rouge Parish and is representing the Committee on Education and Public Welfare. Then to her left is Mr. Max Tobias who is a delegate from the city of New Orleans, and he is representing the Committee on Style and Drafting. I am Judge Jim Dennis from Monroe and I am chairman of the Judicial Committee and also chairman of the Composite Committee.

Ladies and gentlemen, we have asked each of you as you came to the meeting to fill out a slip of paper indicating your name and who you represent if any, and the subject upon which you would like to address the convention, and we have attempted to arrange these slips in order so that we may meet your conveniences in this meeting.

The first gentleman who has asked to be heard is 2:00 p.m. is possible is Mr. J. Huntington Odom who is representing the LSU Alumni Federation so we will call upon him to come and give his statement at this time. Before he begins, ladies and gentlemen, let me remind you that we will receive from you oral statement as well as any written testimony that you would like to present. However you don't have to present written testimony, but if you have that with you, you will leave that with us, and after you have spoken, we can go over that in more detail later, but we will receive from you any statement that you formally present.

J. Huntington Odom: Mr. Chairman, members of the Composite Committee, I appear here in behalf of the LSU Alumni Federation as the president elect and as also a member of the study committee that studied the governance of education in the state, principally the governance of higher education in the state over a period of eight months concluding this year, so that will have in the record. I realize if I mail, most of you are certainly well received. I don't need to repeat that, and you would like to have a copy of this please let us know. So far as we know, all of you have received them, and I would like to file with the committee a report of the constitutional revisions study committee of the LSU Alumni Federation at this time that will have written statement. I'd like to make a few comments, I may not know the answer to your questions incidentally, but I invite you to interrupt me if you so choose, it's of no moment to me and I assume that's acceptable to the chair.

I will have here in a few minutes but because of the weather condition at the present, I have here present the president of the university and the chancellor of the Baton Rouge campus. We have with us at this time Mr. and Mrs. Robin D'Alonzo of the LSU Board of Supervisors, and is here present in the room. The admissions director at LSU. I call to your attention simply in the event that questions that I am unable to answer, perhaps they may be able to, and I trust that they will.

I'd like to talk to you first about what we are proposing involvement as possible early orders. If you haven't the read the report, and I realize that not all of you could have had this detailed report with all of its appendices, but you know from the newspapers, or from some other source, that our committee has proposed a coordinating council as a governing Super Board. We submit to you that the coordination and plenum functions of any board are to perceive and to answer these needs of the state. The governance of Louisiana is a function that is designed to meet the needs of individual institutions, recognizing as higher education in the state, that's not an institution, it is administered through a number of institutions, so when we talk about governance, we're talking about the governance of Northeast, of USL, of Baton Rouge-USL, Shreveport, whichever area we may be discussing. That's what we mean by governance, course at the present time we have one board that governs the LSU system, we have another board that serves a dual function, but to include the other state colleges and universities in our state. The reason I'd like to make this distinction on the outset is that we submit that the problem in this state does not dictate what we do but what we have done is that is the sin of omission rather than commission that we have lacked coordination and the planning in higher education in the state. We do now have a coordinating council that is designed to be statutory in nature even though it is in the constitution and of course you know the reason I say that is it may be abolished by the legislature at any time. So our position as a result of our study is that what we need to solve the problem we are having is the filling of the gap of the lack of coordination, the lack of planning and that is the basic reason that we came up with a planing board rather than some director. Do you to that a central board, a coordinating council, must do these things. Some of these things have been done, some in their infancy, some when we come down to financing the council, but again not a constitutional body in the sense that it may not be abolished at any particular session of the legislature. It must come up with a master plan to determine and define these institutional missions. The missions for these institutions that ought to be governed. Their role; It must effectuate and plan curricula to carry out these missions. Two very important things of course. In our plan it has the basket review, making the Board of Regents, our coordinating board. It has the power of budget and review. Also to be added to that. As you know as a result, I think it was Act 418 but whatever the number of the session the coordinating council now has that power but again are talking about a basically statutory body, even though embodied in the constitution. One
thing, perhaps even more important than the budget review in having to do with the judicious use of money in higher education. The fact that we have given the power to this Board of Regents, not only that the coordinating council now has to pass on new programs, new degree programs, certain new institutions, but also the power to review what has been going on and to, if you will, roll back the clock to reconsider programs in courses of study, certain curriculum, must be either curtailed or abolished. This power we think in itself is absolutely necessary because what we were talking about the elimination of duplication as a result of adequate planning and coordination simply because we don't have the ability to coordinate with it, and was necessary part of it, and we submit to you that it is, and is one of the stronger points of our plan. And we submit that with this ability, that what we can, in fact, lead us to quality programs it can determine, and remove unnecessary duplications which is where most of

our money, in our opinion, is being wasted. And we're not saying to you, that everything of excellence is at LSU. In all of its facets it is the state university, and in many areas it is exclusive because of our lack of funds, the medical school, the most expensive education undertaking we have. Obviously we can't afford to but one medical school. The fact that it happens to be in two places our legislature has decided over a period of years that it cannot afford to but one medical school now located in Shreveport, but still under the ambit of the LSU system. But this is evidence of course, I think it is the most obvious evidence of the educational dollar in medicine, but that is not to say that there may not be a college of civil engineering this state of LSU can afford but one college of civil but two--well say--college of civil engineering maybe one, mechanical engineers, so obviously I don't know much about mechanical undertakings. I think probably we would say too there's nothing in our plan that says the first option must go to the state university. It is, it certainly not have, you an important, the governing institutions must show to the people that make the recommendations as to money, and who coordinate and plan--that they are accomplishing the basic and can be made, to use a football use of the state's taxpayer dollar in higher education. We do submit, and I would like to quote from PAR in regard to the fact, that LSU is a part of the university and its appearance before the education subcommittee. Approximately two weeks ago they made this statement, and I quote, "the name is designated to be unique among institutions of higher education. It is the state university. It is not designed to be a model for other systems. It is everything in the sense of the board must be different, then it should have its own board." Now of course we did retain the governing board which I'll get to in a minute, in the new plan. In the old system, we were far with our plan we also came up with a board for the other state colleges and universities, as an independent board, from any undertakings and management and governance of secondary and primary education. Now, I have talked about a coordinating and planning board, but the obvious choice that we have, we have as Mr. Cannon referred earlier in conversation before we commenced, there will be many choices for the Committee, Coop and Welfare, but not on the educational phase of it. There will be. And these are among the many choices you can make if you will, but basically we're talking about whether the one board at the top will be a coordinating board or whether there will be a governing board in every one of our institutions. And that's, of course, the decision that's going to have to be made by the convention. Basically we've said of course were not omnipotent, but we did attempt to make a

thorough study, we studied as best we could all the other states, we brought in people from other states, not all of them, but we read as much as we could about the other states, and as many studies as we could read about the other states and higher education in other states, and I can tell you that the trend over the last twenty years has been toward coordinating boards, boards that are equal to the governing boards, except in the states where they have the most simplistic, which have been high institutions. Then you don't have the big problem of coordination. Our problem, the problem that we have found in our studies and that other states have found is this lack of coordination was, that they spent all of their time governing, and with day-to-day administrative problems, if you will, putting out white fires, attending to the policy-making boards. These governing boards spent all their time governing and none of that planning and coordinating, and saying it's our conclusion that that's where we're wasting our dollar, is on the lack of the sin of omission again, the lack of coordination, the lack of planning, we can't see how a governing board is the answer to anything. Another problem in our opinion, with our governing board, is the simple fact that this operates as a political power base. Particularly with a governing board that goes from the cradle to the grave, if you will. Be it elective or appointive, not only will that governing board have jurisdiction over budgets and curriculum, it would also have the jurisdiction, virtual veto power over every hiring and firing at every institution in the State of Louisiana. How it would encroach upon local school boards, the new plan submitted that encompass this to make an intelligent compromise to that end. So we leave one institution in the plan submitted an institution that has no place particularly in education, or put the other way around, that is a board is going to serve as a political power base of all the places that want it, possibly civil service may fit the same category, but of all places you don't want it is in higher education or in education period. But the practical reason, leaving out the political, is that there isn't enough time. If you look at the minutes of the State Board of Education, this is one of the factors why we can't be quite diligent to read them. I happen to get them, I also get the LSU board minutes. I have one of the LSU board minutes, but you've all seen them. They are approximately this thick. This is an LSU board one, but I warrant to you, I have never seen from the State Board of Education's monthly meetings any thinner than this, and these are all policy matters. Another reason that we have come up with two boards for our higher educational institutions is that we decided there are so many others that is not going to be done nothing gets done, and I'm talking only about governance and I'm not talking about coordination, and I say yes I'm saying government board it can't coordinate because it just doesn't have the time. And I think we can look at our two boards now. True our board has other duties than higher education but most of its time, I think everyone would admit, is spent in the governance of the institutions. And I'm saying that we have not the time to do any coordination and planning. The LSU Board doesn't spend sufficient time in coordination and planning, and if we think which one does a better job, because that's not our purpose here today. We submit to you, that a coordinating board which can conceivably do that and have a governing board and the white fires, and pick up the telephones and listen to Aunt Sueie back home, they're worried about how we can't live in an option 4, because her son now wants to move out into an apartment. I happen to have a son who is a freshman in college, so I can speak with authority, and more so than you have traveled the road. That would divorce from the planning and coordinating both. Our Board, we're going to take it completely out of politics, I don't see anything wrong --politics to me means people. But so far as power politics, we think that this would do it the better way. I made a reference here why I thought the governing board was not a good idea and why the committee thought.

I'd like to read you just a short excerpt from the Crowley Daily Sentinel, not a Baton Rouge paper, March 31, of 1973, Common Sense in Education is the caption of the editorial and I quote. "At first look, a single board can sound appealing, looks neat, it seems to have an air of no non-sense, no duplication of functions, no overlapping of bodies. A second look, however, at the single board, the superboard, look both dangerous and impractical. The dangerous look is that the single board proposal is as all encompassing with too much power and too few hands. Dangerous also that it invites political maneuvering. We are watching Louisiana and it cannot escape that this state is to reach the goals it has set forth. The impractical part of the superboard is that it calls for this one of many of elected persons that don't have enough as well as to coordinate and govern and manage eleven institutions of higher education, plus all of the various technical schools, plus all of the elementary and secondary schools on a day-to-day basis. Common horse sense says this is an impossible test for one board." Our study here has many excerpts to substantiate our position and I could quote others.

I won't at this point, I will submit to you this statement and I will submit to you the recommendations that you've been kind enough not to ask me during my presentation.

Tom Stagg introduces E.L. "Bubba" Henry, Speaker of the House of Representatives.
Bubba Henry takes chair.

Also Senator Cecil Blair, chairman of the Legislative Committee of the convention.

Mr. Odom: Mr. Chairman, may I introduce two other people that I mentioned would be here and are now here. I'd like to present, though not introduce to this group, Dr. Martin D. Woodley, the president of the LSU system and Chancellor Ceci G. Taylor, the chancellor of the LSU Baton Rouge campus.

Mr. Henry: I was hoping someone did want to speak to the committee this afternoon. It is my understanding we have you on the list here. Am I correct in that understanding?

Mr. Odom: Not to my knowledge, Mr. Henry, but I'll find out.

Judge Dennis: Sorry I gave the chairman that information, I thought you had a speaker with you at 2:30.

Mr. Odom: No, I had wanted to make the presentation at 2:30 to have these gentlemen present. Judge, I understand that misunderstanding and I think it is a completely logical conclusion that we have an alumnus who is not an educator make a presentation when we have the president of the university and the chancellor here, certainly they are far more knowledgeable in that overall area and I will call them in, should I get into hot water. But I understand the reason for your assumption.

Mr. Jackson: Why is it that, or are you recommending, that there be a governance board for each unit of higher education?

Mr. Odom: No, Mr. Jackson. If you mean by each unit, each institution.

Mr. Jackson: Yes.

Mr. Odom: No sir.

Mr. Jackson: Well, isn't that contrary to your opening rationale?

Mr. Odom: No, I don't think so. Our position is that you can have, with a degree of efficiency, that you can have eight to ten institutions under one governing board. It just depends on how you count, as you well know, in round figures we have a dozen and half in the state.

Mr. Jackson: That's not what I'm talking about, Mr. Odom. You started off by saying that governance was an individual function, that it had to deal with your unenlargement upon your statement. Governance deals with the internal operation of the university, therefore, it was necessary to individualize the function -- that was a part of your opening statement. I'm wondering if that is true, then why is it that you will not have a separate governance structure for all of the other universities.

Mr. Odom: I did not mean to convey to this committee that it is our position that each institution should have a governing board, nor did I mean to convey to this committee that governance is a function of each institution or an institution by institution basis. What I meant to say, and what I intended to convey was, that governance is a function designed to meet the needs of the institution itself. As opposed to looking at, in the other words, the trees as opposed to the forest, that the coordinating board and planning board can look at the overall needs of higher education. The governing is putting into practice, once mission is established, and so forth, and curricula determined, the day-to-day running of that institution. Certainly day-to-day running of institutions, for instance, the LSU Baton Rouge campus, is in the hands of Cecil G. Taylor, who is called by a fancy name, called the chancellor. The Baton Rouge campus of Southern is admittedly a little bit nebulous, as well as Mr. Nettieville is, and we have somewhere at the same problem because the president of the LSU system is also situated on the Baton Rouge campus, but be that as it may, the day-to-day operation of the Hospital Board of Directors, called at LSU, Board of Supervisors, called in the other state universities and colleges the State Board of Education, they are the administrative carry it out on a day-to-day basis, but I didn't mean by saying governance, that it is a matter of running the institutions. I didn't mean to convey that each one had to have his separate boards.

Mr. Jackson: Let me add to it. What is the opposition of both the coordinating and planning board?

Mr. Odom: I can show you better than -- well, I can tell you why I'm attempting to find my things to show you. Our Board of Regents has 12 people with seven-year terms, there can be no -- I have this little diagram I think its called, the picture tells a few more words. Let me have that passed to you.

Mr. Jackson: How are these people elected?

Mr. Odom: They're appointed by the governor with the advice and consent of the Senate. At least one from each congressional district -- no more than three. If you recall two years ago we attempted to revise a make-up of the LSU Board of Supervisors by a constitutional amendment which followed virtually the same pattern, that we could not have 2 congressional districts not represented, we did not pass this amendment. This amendment, with the blessing of virtually everyone, is now in our plans, but this Board of Regents follows the same pattern, the geographic distribution appointment by the governor.

Mr. Jackson: What is the function of the Board of Trustees?

Mr. Odom: The Board of Trustees would have the same functions, Mr. Jackson, that the State Board of Education now has, but limited to higher education and vocational-technical education at the post-secondary level, until such time as the legislature would establish a separate vo-tech board, if it decides to do so.

Mr. Jackson: Then the Board of Education would only deal with elementary and secondary education.

Mr. Odom: That is correct. And vo-tech in the other twelve categories. Correct.

Mr. Stagg: Does your group expect that the Board of Regents, as you describe it, will range to higher education or some equalization of expenditures and state funds from allocation, perhaps on a per capita basis as between, or among, various units of the LSU system and various units now under the Board of Education?

Mr. Odom: I'll answer your question this way Mr. Stagg. The language is there so that it may -- it is not designed to do either. Our feeling is, let's take, I'm a layman and I sense that in the educational sense, perhaps you are too, the liberal arts education -- none of us in this room would advocate that there can only be the liberal arts curriculum in the state of Louisiana. There are too many people to be served, and many people to be served in this area, so I would say my personal view of it is, speaking only for myself, is that in an area that is so expensive that you can only have quality in a limited sense, that is, not in all institutions, it is the job of this board to pick that place or those places if they be left at all.

Mr. Stagg: If there is one degree program for Ph.D.'s in Nuclear Physics and then you can only afford one with all the equipment it takes to put it on, then this board would say where it went.

Mr. Odom: Yes sir, they would.

Mr. Stagg: Are you talking about the Board of Regents?

Mr. Odom: I am talking about the Board of Regents, which is a planning board.

Mr. Stagg: In your statement and in that of your group, it is your belief that the coordination of the overall education system comes from the day-to-day and the weekly nitpicking of the details of managing these various institutions and their basic policies toward their students.

Mr. Odom: We feel that it is absolutely essential, Mr. Stagg. That you cannot go on and plan at the same time -- that one thing necessarily must give, and the white fire is intended to, and the planning and the coordination goes unattended, and we submit to you that's why we can't go with a governing board. It must be a coordinating board.

Mr. Odom: And that one that was elected or erected by the legislature could go into effect in 1974 will, for that reason, meet such a necessity.

Mr. Odom: Well, we submit that though good in principle to show that there must be a move toward coordination, that is an abominable mess, that's about the nicest way I could put it, but even the people, without citation of name, but even those who were close to the situation, will admit that it was a snowman built in the dark. Yes, but the problem is going to have to be presented. I might say this session of the legislature, because of the fact that this Act 712, the superboard bill, goes into effect on January 1 of 1974, and this constitution will have not been approved or disapproved by the voters prior to that time. Now, there's been two chaotic changes, and I think the people -- well obviously everybody has come to the point where they agree with that -- but most people at this time do agree to have two chaotic changes, no matter what the eventual change may be would be ridiculous, and so we're all seeking support but not standing alone for the first moment, until the people have spoken to this document which will be produced by the convention.
Mr. LeBreton: These papers you gave us - I don't see where it tells me whether the Board of Supervisors, the Board of Trustees are overlapping, or simultaneous.

Mr. Odom: Well, perhaps this does not Mr. LeBreton, but they -- do you mean overlapping as to function?

Mr. LeBreton: Does the governor come into office and appoint all 42 people at one time?

Mr. Odom: No Sir. The people who are on -- let's take the LSU Board because I guess it affords the simplest example at this point. The LSU board members who are there, and our interpretation as we have had it interpreted to us, the act calling the convention states that we cannot legislate anyone out of office. Those people in office would continue in office and the governor would replace them as their terms expire.

Mr. LeBreton: Is this true with other boards?

Mr. Odom: Yes, but it's a little trickier when we get to the Board of Trustees, Governor, if you take our present State Board of Education in two areas, in one board now but with two areas of concern, here called, by our name, the Board of Trustees, of state colleges and universities, and called on the other hand primary and secondary education, they, according to their provisions, get their choice of elected members of the state board, as to whether they want to go on one or the other. That's the only way we know the line of thinking them out of office. Addressing them out of office.

Mr. LeBreton: Do you think that this is going to give the governor of the State of Louisiana more power, appointing 42 people to higher education?

Mr. Odom: Our studies have shown, Mr. LeBreton, that in the balancing process between now and when we get to their education we are advocating an elected board for the primary and secondary, called by the name, the old name retained -- State Board of Education, but the other boards--all three--would be appointed.

Mr. LeBreton: The thought just occurred to me that one of the things some people go by in this constitution would be to relieve the governor of some power. I was just wondering if this wouldn't give him more power?

Mr. Odom: Well, yes, in a sense, it gives a gubernatorial subject to the confirmation by the Senate it does give the gubernatorial authority to appoint, for a number of years -- for about three terms of course, we do have our present State Board of Education in two areas, in one board now but with two areas of concern, here called, by our name, the Board of Trustees, of state colleges and universities, and called on the other hand primary and secondary education, they, according to their provisions, get their choice of elected members of the state board, as to whether they want to go on one or the other. That's the only way we know the line of thinking them out of office. Addressing them out of office.

Mr. Odom: Can't be fine and we could pick Judge Dennis or Eddie LeBreton or anybody else, and as to him and the people that know him, he as a benevolent leader, so we say fine -- you're to be the king -- the czar, and we don't have to go through all this business. I'm not trying to be facetious with you Mr. LeBreton at all, but we can pick the one or the few, as long as they're benevolent we don't have any problem, but we submit to you that history in Louisiana has proved that (A) it must be written, and (B) that we will not suffer with an appointee than elective board at the higher education level.

Mr. LeBreton: Thank you.

Mr. Odom: Yes Sir.

Miss Wisham: What is different and distinctive about LSU that makes you feel that you should be in a different type of administration at LSU than there would be at other educational institutions in higher education?

Mr. Odom: A couple of things. The first, the fact that historically we have had it that way and I don't believe, as well, as at the outset, in throwing out the baby with the bath water. The board that we have that now governs the state university -- I think its terms are too long, we've proposed changing those terms in half. I think its distribution should be different, but basically that board, for continuity sake and for the experience in governance, in those institutions under that system called by name, LSU, they have a certain pecking order, rather than start anew, we think it best to continue that. But more important than that, I think that in a kind of system, and we are rich in talents, we are rich, well, everyone thinks he is richer in talents than anyone else, we are certainly rich in natural resources, and so on, but somewhat another, we don't seem to be compared to many of the others. How we compare, well, with Mississippi and Alabama, but compared to the rest of the nation we're not very rich in the resources that we put to higher education. We spend a lot of money out of our tax dollar, but basically compared to the rest, we are a poor state. And our position is simply that if there's to be quality and if the average man is able to send someone to a quality institution, we must publically-supported, that he can afford, assuming that he can't afford the Tulane or other privately-endowed institutions' tuition fees, assuming he can't afford that -- this affords him the right to send his child somewhere in the state, it may not be the best in the United States but it
will be at least a quality undertaking in that particular field of endeavor. And we feel that the nature of the definition of a mission of a state university, that necessarily has to be the state university's mission. That is not to say that Louisiana Tech, for instance, would not have, it could be Northeast but I pick Tech because in the sciences they have been through the years very strong. Suppose the nuclear science example that Mr. Stagg brought up earlier, suppose there's to be one doctor of philosophy degree in nuclear science, I assume an a layman that's an expensive undertaking. It could well be that that should be at Louisiana Tech and not at LSU. You will not find any language in here that says that LSU, as PAR said, that LSU is a capstone institution. It's not in our language. It doesn't say the Louisiana State University shall remain the state university, it doesn't say that. The names not changed, but beyond that, there are no powers granted no preemption, no step ahead of the else it must prove by the accomplishment of its mission once defined, and or recognized, by this Board of Regents that it can do the job in a particular area or it won't be funded. We'll submit that if it's only to be in one area, that logically by definition, that should be preserved that the LSU state university historically has served those needs from agriculture through medicine. It's just a practical reason, it's a result of the defense of the institution, if we want to say that we wouldn't want anybody above the LSU system, you see.

: LSU is different you say, in two ways, historically and quality education?

Mr. Odom: Preferably in quality education, historically, certainly yes it is.

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: Mr. Huntington, Mr. Odom, you say we have the natural resources in Louisiana, and then secondly, you say we are the poorest state. We've operated under the LSU Board of Supervisors, if you have top quality education, shouldn't there be some balance between our great natural resources and our being a poor state? In other words if we have this right kind of education, wouldn't there be a leveling so that if this system is done, you know, has it produced?

Mr. Odom: Well, I would say, based upon the dollar spent within the LSU system, since your question is directly to that, the result has been as good as the dollar spent on it. Course, because of my area of interest, you know, this constitutional convention was where we're mistaking in human nature because everybody says, I want a short cut. Some believe education except where we're in the area of primary interest, and I don't work for the university incidentally, but in my area of primary interest, and the reason for my appearance here today, it seems to me that we have wasted too much money, we have spread it around too thinly but I agree that a better job could have been done, but I'm not saying at all that, when they have a good school of Pharmacy, and many other good things, I happen to know that because I have some relatives there, not working for the university. But in those areas that the money has been spent I think it has been well used, yes, but think (A) we should spend more money on higher education and (B) we need a board that will coordinate and say no sometimes, and we're saying that this board will have the constitutional basis to say to you it can't. And you legislators, those of you who are, of course in most of these areas can't, of course you can't go that far in the same breath that I cited to Mr. Stagg earlier where basically every institution of higher learning would have a college of liberal arts, most of them a college of commerce, we used to call business administration, I guess the most sophisticated name now. I don't see any reason for differentiation, but in the areas where cost dictates that there be only one or two, then of course, we're not talking about equality, we're talking about quality -- equality among institutions -- we're talking about quality of education and the hope that this citizen can have the right to go to some place in the state to get it, basically at the public's expense.

: Why is the LSU system afraid of some unified approach to education in the State of Louisiana?

Mr. Odom: I think sir, that you will find that we're not.

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Except that we think it is a bad idea. Not because it's bad for LSU, it's bad for the State of Louisiana. I think you'll find a lot of people who advocate the superboard, the governing board and talk some of the top people of the State Board of Education, I'm not saying they feel that way unanimously, they would want the statement put in the constitution that Louisiana State University be the capstone institution and shall remain a state institution in all of its elements, from Shreveport to New Orleans. We don't advocate that, but you'll find people that want one governing board -- we just honestly feel that a governing board (A) it can't govern that many institutions, all of them a dozen and a half and (B) if it could, it sure doesn't have any time left over to plan and to coordinate and that's where our system is connected.

: If you have one supervisory board for the state, then you have competent administrators and executives to run the individual institutions. Is it necessary to have that one intermediate advisory board in there?

Mr. Odom: Yes sir. For the reason that the governance-- back to the same problem is we give that top two charges, the coordination and planning, let's call it one, and number two, the governance, when Aunt Suzie calls up to the policy-making boards, the governance has to be tended to.

: She would not call the board though she would call the Dean of Men at LSU, Aunt Suzie would not call the board.

Mr. Odom: I respectfully dissent from that sir, you talk to any member of this Board, that's on the LSU board, and citizens feel free to call upon their representatives, appointed or elected, when it comes to policy matters and to an individual citizen, to me, if my case gotten a parking ticket I think he's not entitled to, that's a policy matter. I know it's absurd but that's the experience.

: That was precisely my point earlier, Mr. Odom. You see, a few minutes ago, when I put that question, you said that was not going to be the function of the governing board.

Mr. Odom: No, I didn't say that Mr. Guss.

: Yes you did.

Mr. Jackson: (1) The point that I was making about the additional rationales that you set forth about the need for a governing board to be concerned with intern administration of each unit is the point that I was trying to make. (2) Who's going to plan for elementary and secondary schools, if the Board of Regents do it, then it's the Board of Regents with that responsibility.

Mr. Odom: The State Board of Education would do the planning. It is not the constitutional mandate--this is a Board of Regents for higher education Mr. Jackson--and in the areas where there is overlapping in vo-tech, and the areas in curriculum leading to college training, it would be the mandate that it submits to the Board of Regents.

Mr. Jackson: But you just said, Mr. Odom, that the board of governance cannot plan, cannot be governed at the same time, that's what you just said.

Mr. Odom: We said at the higher education level, Mr. Jackson, that's where our study is, and in the area where it overlaps higher education they are submitted to the Board of Regents. We profess some expertise in higher education; we profess very little expertise though some knowledge in elementary and secondary education.

Mr. Jackson: I think you'll find the state board with the same sort of inability.

Mr. Cannon: Yes, Mr. Odom, the question I was concerning the Board of Regents and their planning and coordination of all post-secondary education has concerned me somewhat. We did not talk about education, we did talk about, in the last few months, better able to analyze what job markets there are locally and what jobs might be available in the future, rather than a state job of 14 people? What did your research show in that area?

Mr. Odom: Are you talking about the area of vo-tech principally?

Mr. Cannon: I'm talking about general areas. I can almost see something whenever you start talking into associative area to your terminal degree but particular training of people who just wish to learn skills so that they can get a job. This is separating the professional from the vocational training.

Mr. Odom: Right, but I'm not sure I understand your question.

Mr. Cannon: Did your research show anything in these areas as to the length of time, the level of terminal degree and coordinating agency, would be better than a local school board who would be closer on the scene to local vocational job markets?
Mr. Odum: The question is, of course, basically, where the responsibility of the elected local school boards, who are necessarily (A) more responsive to the people, and (B) know the local situation, better than any state-wide board can know on a parish by parish basis, and the question is where the authority stops on the parish school board, and where we get into post-secondary education is, as you educators say, and I'm learning to say, the post high school area, basically our studies show that in the post high school area, you were better disposed to have a state board with an overall purpose of what's happening state-wide, because that's when you have the feed-in whether it's vo-tech, colleges, universities, or what, and not the delineation and the education within the parish limits—and those were the cited reasons that the state-wide board was better than the local county—they called, of course, undertakings. Our feeling is that rather the 13th-14th grade undertakings, that that is better handled and post-secondary education and the purview from the state level.

Recessed until 3:15 p.m.

Mr. Henry: Members of the committee and members of the audience. The reason that Senator Rayburn and Senator Blair and Representative Wall and I were late is because Senator Rayburn had a meeting on the budget, and we were trying to find out what our problems were. I'm not so sure we found out, we know what the problems were, but we don't know what the solutions were, but that is the reason we were late and we apologize to you for that.

Chairman: We'll ask each of you to speak—to talk as long as you want, but as briefly as possible please, and I'm not trying to put you under the run.

Ms. Chandler: You wouldn't believe how brief a woman can be. My name is Jane Chandler and I represent the National Organization for Women, the Baton Rouge Chapter, which is composed of about 100 men and women. We like to commend the Bill of Rights Committee for the equal protection clause that it drafted last evening at its meeting. Further, I think I would like to ask support and urge that the equal protection clause be included in the constitution as an integral part of the constitution and not as an alternate measure, and that's the text of my statement.

No question.

Ms. Brock: I think mine will be even briefer. I'm speaking on behalf of the eighteen hundred members of the Louisiana Federation of Business and Professional Women of Louisiana and we approve of the action of the Bill of Rights Committee and their adoption of the equal protection clause last night in their meeting, of our vote of 7 to 2, and hope the equal protection clause will be a part of the new constitution.

And thank you.

Rev. Stovall: I'd like to ask a question of both of them. Do you consider that the action taken by the Bill of Rights Committee is equal to the amendment it is being proposed to the constitution? In other words, as I understand it, their amendment, either one of you, simply said, I mean what they adopted last night, simply added the word sex to the equal opportunity act. Is that right? Is that true, chairman?

Mr. Juneau: No, I'll let you read it.

Rev. Stovall: Well, read it, go ahead.

Mr. Juneau: Then I'll ask a question to both of them and here's the proposal as adopted by the Committee on the Bill of Rights and Elections. "No person shall be denied equal protection of the laws nor shall a law discriminate against the person with the exercise of his rights on the account of birth, race, sex, social origin or condition, or political or religious ideas."

Mr. Brock: The question is, "Do you feel that this is adequate to guarantee the right to vote?"

Ms. Brock: In our state.

Mr. Juneau: In our state? You do?

Ms. Brock: I would say that it is a necessary part of our constitution to guarantee rights of all citizens of our state at this point. I'm not saying that I don't believe in equal rights amendment to the Federal Constitution until necessary. I would not say that this should be included in our state constitution.

Mr. Juneau: I've been wanting to ask this question for ten years.

Ms. Brock: What do women want, is that the question?

Mr. Juneau: The question comes up seriously. The net effect of this in some areas such as alcohol has hended the effect that that would have on such amendment.

Ms. Brock: Yes, what effect do you feel that it would have?

Mr. Juneau: I think you might not have it.

Ms. Brock: Have allowing? Mr. Juneau: That's right.

Mr. Brock: Well, I believe, from the reading that I have done in this field, that allowing the 13th-14th grade undertakings in some areas as alcohol may be perhaps the most needed, it is not being received, and I think this can be proved by a measure that I believe Senator Long intends to bring up in Congress, whereby it would set the federal government on the trail to provide allowance to the women, so you can see that it is a very definite problem, and Senator Rayburn and Senator Wall and Mr. Collier, and I think it is not always collected. Plus the fact that the women must prove that she is in need of this allowance, that she cannot work, and she must also be free of any guilt in the divorce itself.

Mr. Juneau: Well, the only point that I was making is that there are some real serious consequences that are outcomes of such amendments.

Ms. Brock: You feel that men would be subject to claiming allowance?

Mr. Juneau: What I'm telling you is that I think that the strong possibility that if a man and woman were married and that they were subsequently separated, that the woman, of right, might not be entitled to allowance. That she would be treated as the man, and said, you, you have to work, as it is now, she doesn't necessarily have to.

Ms. Brock: I think that she can get allowance, as you mentioned, it, up until the time the divorce is finalized, at that point, then if she can work, she must go to work.

Mr. Juneau: That's the point I'm making to you. You're treading on treacherous ground.

Mr. Ansean: (Chairman of the Citizens Initiative Committee, with membership in twenty-seven parishes) I hope that I'm about to say in opening my presentation, that I don't startle you. I and others in the committee have been talking with people throughout the state asking the simple question, "Have you been following the progress of this convention?" The usual answer is, "What convention?" Or if not that, the answer is, "Not really," or plainly and simply "no." I would say ninety-five percent of the people are indicating a strong apathy towards this convention and that same apathy is the apathy that has been prevalent toward government in general over the years. Now this ismb this is not a criticism, the Citizens Initiative Committee was organized; expressly for the purpose of deviousing a means to bring government in Louisiana closer to the people. Now the proposal we are making is nothing novel, nothing new, it is a popular way of life throughout the United States. Now I'm going to read from my prepared text. (A copy of his statement is attached hereto and made a part of these minutes.) Thank you.

Mr. Stagg: Mr. Ansean, I have received some material in the mail, I presume it was from you.

Mr. Ansean: Yes, every candidate for delegate received two letters before their election.

Mr. Stagg: And I have not reached in my own mind, a conclusion about it and I'm glad that you were here today and I got an opportunity to hear it from you. I don't suppose that I really agree with your figures of 95 percent of the people in this state are ignorant or apathetic towards this convention. I think that is a stress that the radio and TV are not doing their job that I find them doing in my end of the state in publicizing the thing. I don't quarrel about that. Would you as a service to this convention, through similar organizations to yours in the state of California, could you perhaps get the Committee a copy of the ballot that faced the voters in California in November of last year? I remember having seen a television news story; it shows billboards and trolley signs and bumper stickers and yard signs and telephone pole signs, they have propositions going up to UYVX May, apparently filled that ballot from one end of it to
the other with initiative and/or referendum items, almost to the same extent as we had facing us with 53 constitutional amendments at one time given to us by your legislature. Now, if there are those of us who seek a cessation of that kind of treatment of voters at every election, what protection do you propose to offer in this convention in making this proposal that would limit the number of times and occasions it could be used, or by what percentages of voters could it be made applicable, so that we don't get in Louisiana 26 or 27 or 50 initiative referendum going on by some small group of voters somewhere and think it doesn't concern the voters in my city or yours at all. What is the protection against that kind of ballot, which I find California suffered under last November?

-22-

Mr. Anseman: Well, I wouldn't say that California suffered under that kind of situation. I don't think the total measures submitted by the people were about nine compared with some 25 submitted by the legislature. It so happens the initiative and referendum is more popular in California than the other 25 states. But our proposal requires petition for the initiative to an amendment to the constitution -- a petition signed by eight percent of the total voters having voted for governor in previous gubernatorial elections. Now we're talking about a million voters, say, who voted total, all voters voting for governor, let's say, when Governor Edwards was elected. Now you're talking about a million voters and your talking about 80,000 signatures on a petition. It would command quite a bit of interest among the people to have a petition like that submitted to put a measure on the ballot.

Mr. Stagg: Alright, the limitations come from the number or percentage of voters required to put one of these things on the ballot.

Mr. Anseman: I don't quite follow you there. Oh, the limitations, no.

Mr. Stagg: The limitation on having too many of them would come by the setting of a percentage of the number of voters who must sign.

Mr. Anseman: That's right, and it would be rather difficult. It would have to be a matter pretty serious and close to the hearts of the people to get 80,000 people to sign a petition. It's true. I'm making it too easy to initiate a statute law we propose, five percent of 30,000 people, and under the referendum the law that has been passed by the legislature, and to be tested by the people, five percent also, you're talking about a lot of signatures. With respect to California's initiative and referendum proposals, there were some pretty good proposals initiated at that election, and there might have been one of the two that would not meet with the favor of the people in Louisiana, but one in particular was sponsored by the legal citizen town, made up of mayors throughout California, and their proposal was state revenue sharing, and I don't know how it came out at the polls, but I thought it was a pretty good measure -- there was a case of counteracting bias of omission of their legislature. Another had to do with pornography and indecent exposure and that kind of thing.

Mr. Stagg: How about legalizing marijuana?

Mr. Anseman: Well, that is the one I meant, and yet that is the grass roots democratic process.

-23-

Mr. Stagg: I would like a copy of the California ballot.

Mr. Anseman: I have already prepared examples of initiative and referendum at work in some 12 or 15 states, and we also produced references to 25 states, exact excerpts of pictures of that part of these 25 states constitution, showing exactly how it operates in those states. Now all members of the Elections Committee and the Legislative Committee have a copy of that publication.

Mr. LeBreton: How would you suggest that this constitutional convention let the other 95 percent of the people in this state know what's going on?

Mr. Anseman: I don't know, frankly, the news media has certainly given the convention a lot of coverage, but I said 95 percent -- it could be higher than that. For some strange reason, I might say, I don't know whether they're wondering what's going to happen to them next, or if they're expecting to get something, but they usually stay awake and I think you this. This proposal that you have recently discussed, would it cover all municipal government?

Mr. LeBreton: Do you think they're doing a wonderful job. I think five percent is a pretty good figure. And this apathy does not just extend to the blue collar worker, or the housewife, or the ordinary businessman, it extends into the professions, the medical people, even among the members of law practice. Believe me.

Senator Blair: Supposing that you had, and grant you this, we had a nice turn out the last time, some million voters, but we had general elections here where we would only have four or five hundred thousand people, maybe, turn out.

Mr. Anseman: But it would have to be -- most states base percentage on total having voted for governor in a previous election.

Senator Blair: Well, with a good campaign, billboards, and everything, don't you think that you could get eight percent of the people to run both of us, you and I, both, out of this state, or at least put it up to the vote of the people.

Mr. Anseman: Well, we're not talking about recall -- it's already a part of our constitution.

Senator Blair: Well, I think the danger is still with these, so many things that could come up for election and the extreme expenses.

Mr. Anseman: Do you think there would be more danger of保存 these powers to the people of Louisiana than in other states? Do you feel that the people of Louisiana are just as qualified to participate if these powers are reserved to them?

Senator Blair: Did you understand what he is saying.

Mr. Anseman: Well, I think that's something to be discussed further in committee. Also, we're going to another geographical distribution of the signatures. In most states signatures can come from any area. I think one safeguard would be that there would be an indication of popular interest to distribute signatures on a petition over so many congressional districts as Florida did, and as Montana does.

Senator Blair: Do you think that you would ever get a tax that would stay on the books?

Mr. Anseman: I think the people are sensible with regard to taxation. They realize the need for taxation; they may object to a particular type of tax and call a referendum on that.

However, I've noted in examples of the use of initiative and referendum in most states, proposals by the legislature on which referendum were referred. In nine cases out of ten they have upheld the legislature.

Senator Rayburn: Mr. Anseman, let me say the people over in my area are always wide awake, and I don't know whether they're wondering what's going to happen to them next, or if they're expecting to get something, but they usually stay awake and I think you this. This proposal that you have recently discussed, would it cover all municipal government?

Mr. Anseman: We do propose the same as in other states to make it a matter of mandate that the cities adopt the initiative and referendum the same as Shreveport has it.
Senator Rayburn: Well, I want to know if your opinion is that in that ward where you live and the ward where I live we could get eight percent of the people to agree to hang us tomorrow morning at daylight.

Mr. Anseman: I would say that on a municipal level, the percentage should be higher.

Senator Rayburn: Well, that's what I'm thinking of. You talk about eight percent of the people that participated in the last election. You know, in Louisiana politics, we've got kind of a political history and you would have us in a turmoil, the way I see this thing, with a small percentage figure like this. We would be in a constant election, I don't know what the cost of this would eventually be, we would have been going to the polls every few days voting on something, if it only took eight percent because this state has been politically divided, as you know, for many, many years. It used to be anti and so forth, but now it's just "fors and spiners," -- bad government people and good government people. So, if we would adopt something like this, in my opinion, with an eight percent figure, the people, some of them would have to get on welfare, because they wouldn't have time to work they'd be too busy voting.

Mr. Anseman: Well, I don't think eight percent is to high on the state level. There's no use putting in a provision that would make it too restrictive. But I do agree that on the municipal level the percentage should be higher.

Mr. Sam Smith passes.

Mr. John T. Moore: I'm John Moore, I represent Dairymen, Inc., a cooperative that has dairy business in Louisiana and we represent approximately eleven hundred producers shipping milk into New Orleans and into Southwest Louisiana. As Mr. Rayburn said, I'm gonna be a little bit of both. We're for keeping everything in the constitution that protects the right of the farmer and the dairyman as far as taxation is concerned. I'm sure you're all familiar with the provisions that now provide him with some relief in taxation field. Our average dairy farmer now has an investment of somewhere in the neighborhood of 175,000 dollars, and if he's taxed on all of this at the cash value rate, then he'll be in hard strait to stay in business. So we do ask, just in general terms, for continuation of this protection, to mention a few, ad valorem tax exemption on farm equipment and exemption on certain items the sales tax, and also we would hope that in future taxation, in line with the recent court edit that farm property at least be, its valuation be based on usage basis and not on a potential usage basis. By this I report that some of our dairymen who have property that is potential subdivision property, but as long as they continue to sell the milk, we feel like taxation should be on a usage basis and not on a potential. On the negative side, we would not like to see anything in the constitution that limits the right of the dairy farmers, or any farmers in Louisiana, to organize together as cooperatives in order to market their milk or perform the functions that normally would be a part of their organization. For instance, we have manufacturing facilities to make cheese and butter and powder in Louisiana that really add to the economy of the state, and we wouldn't like to see any laws or regulations in the constitution that would limit the rights of the dairy farmers, or any other farmers, to organize in order to gain bargaining power or better facilities for marketing their products.

Thank you.

Ms. Karline Tierney: I am president of Women in Politics which is the Louisiana Affiliate of the National Caucus. I would like to urge the Constitutional Convention in the name just of fairness and justice, to include in the constitution the clause which was tentatively approved yesterday by the Bill of Rights Committee which reads: "No person shall be denied the equal protection of the laws nor shall any law discriminate against a person in the exercise of his right of access to a court of law and shall provide equal protection for the same." And we simply ask this in the name of fairness for all citizens.

No questions.

Ms. Elizabeth Normand: My name is Elizabeth Normand and I am the president of the Baton Rouge Chapter of the National Organization for Women, which is composed of 100 men and women. I would like to urge you on behalf of NOW to support the equal protection clause adopted yesterday by the Human Rights Subcommittee of the convention.

No questions.

Recess until 7:00 p.m.

Senator Rayburn: My name is Katherine Wheeler and I'm a member of an organization which has spoken before several committees of the Constitutional Convention, and that is Common Cause. I am not speaking as an official spokesperson for Common Cause. I am speaking as someone who is interested in the issues that we would like to see considered and considered very seriously by the Constitutional Convention.

Common Cause is a citizen's lobby. I know that we can't claim that we have all citizens on our side, but we would like to think that we are looking out for the interest of citizens such as an apolitical organiza- tion. No political party is supported by Common Cause, we are not interested in good government in general. And the issues that I am going to talk about and hope you will consider and put in the constitution are the following—and I'm just going to read to from the statement, a copy of which is attached and made a part of these minutes, elaborating on the various topics.

Do you know that Louisiana meetings laws now? Are you aware of that?

Ms. Wheeler: Yes, sir. I am aware that it's a law, I am aware that it's statutory. I am also aware that it's very much—I don't want to use the word abusive, but I would like to see it in the constitution, so that if the legislature decides to go to executive session, they have a good reason why and if it is included in the constitution, then the citizens or group of citizens has recourse or possible legal remedy.

Senator Lambert: Do you realize also the state, well, the legislature adopted provisions that apply to lobbyists and require that they're registered, etc.?

Ms. Wheeler: I don't believe, sir, that the lobbying laws in this state include registration. I think they include registration of the lobbyists. It might be mistaken, but I don't think that they necessarily include registration of the group supporting or sponsoring the lobbyist.

Senator Lambert: I think it does.

Ms. J. Wheeler: Okay, well, then like I said, that might be statutory material more so than constitutional material as such. But we'd like something in the constitution that sort of gives the legislature a nudge to keep going in that kind of direction.

Mr. Stagg: Your organization is Common Cause?

Ms. Wheeler: Yes, sir.

Mr. Stagg: Is it Louisiana-based?

Ms. Wheeler: No, it is a national organization.

Mr. Stagg: Where are the headquarters?


Mr. Stagg: Do you have an office in this state?

Ms. Wheeler: We have a post office box in this state, and Ann Cole has spoken before a number of committees. I'm sure she's working out of her home. It's a member of the General Assembly who has been at the forefront of the movement to bring the issue of women's rights back into the public eye, so I think it's very important that we have a strong voice for women's rights in the state of Louisiana.

Ms. Wheeler: Yes, sir.

[1369]
Representative LeBreton: Mrs. Wheeler, my appreciation of what they're trying to do is shorten the constitution. I think that the main thrust of what they're doing is that, with that in mind what would be the benefit put in the definition of lobbyist, or a definition of an open public meeting?

Ms. Wheeler: Well, I would be willing, in my personal opinion, organization of supporting lobby and disclosure as a constitutional provision. I personally think that the idea of open government, a lot of public business gets done in private, and this is to protect the legislators and the regulatory agencies, because normal people, everyday citizens, what they don't know about and what they find it very difficult to find out about or where there are so many obstacles that they are finding out about, they assume some shady panicky is going on. And this just isn't to protect the citizen, this is to give the citizen access and protect also the legislators, because when they're doing something honest, we know they're doing something honest. And this isn't an accusatory statement that I'm making, it's sort of a statement of skepticism, and I think the normal citizen is skeptical of the way government or the way public business that involves their money that involves things that will affect their lives in a personal and individual way are decided. And that's why I think that a provision, I mean I'm not saying that you have to have all these little provisions separately, those that are related, like right to know, open meetings, it's regulations and I don't have a legal background to where I could tell you right off the bat how you should formulate that provision so that it would give the citizen recourse and it would give the legislators, and it would give them the opportunity to get all the information by government, the protection of just everyone knowing if they want to know what's going on.

Mr. LeBreton: I'm more confused -- you say protect the legislators, I assume therefore, that you're speaking this law with reference to all steps of government, municipal government, parish government, state government?

Ms. Wheeler: Ultimately, yes I am sir, right now I think primary, well our biggest emphasis at this point is in regards to the legislature and legislative committees.

Mr. LeBreton: That's what I thought at first that other states were pretty good of its kind, but we have statutes and not in the constitution and I can't see where it would be true if you took the same words and put them in the constitution. I would have to vote in public and you have to have open meetings or you could have executive meetings for consultation but you can't vote.

Ms. Wheeler: Okay sir, but would you make the statement then that say when there are executive sessions for consultation that those are not times periodically, and I don't know this I've never been to an executive session, when the people are made and later on the voters is just something that is done as an afterthought, and a very anti-climactic phenomenon and so it's not democratic, I'm not saying that it should be something enounced in the constitution so that it's not at all subject to legislative whim.

Mr. LeBreton: But you can't control that by making it constitution? If six of us are on a committee, we can meet for breakfast and decide to elect the prettiest girl in Baton Rouge. We don't need to do that in the executive session in a meeting, we can discuss it at breakfast, have a meeting, make a motion, second it, and votes it and quit and that's it.

Ms. Wheeler: May I respectively submit, sir, that the taxpayer probably couldn't care less whether we were elected. I'm talking meetings of substantive issues where there is substantive discussion and where that substantive discussion is not open to the public. The vote might be, and everybody's name next to how they voted might be, but you know -- I don't know -- sometimes reading the records of the legislature doesn't tell you a whole lot.

Well sir, I appreciate my being able to be before you this evening and I'd like to just see that put in there so that we know it's there, so, you know that anyone can complain about not being able to know or not knowing how government is run and what's going on. If they've got the least bit of interest they can go and look at records.

Mr. LeBreton: If they're going to put any of this in the constitution, I would believe they would have to say we shall have lobbyist law, we shall have an open meeting law, as the statutes provide, because I think that the latest lobbyist law is changed almost annually in Washington. One of our problems in having a lobbyist law was to write a law that was practical and so forth. I can't fessure constitute, then every two years having to offer it to the public.

Ms. Wheeler: Well sir, I'm not suggesting that one put a very extensive law and shall register by this date or that date and you know state this or that amount, you know just tell us that we've got that and so we can watch the legislature and act something that's a legal beauty, that's judicable that you can hold on to that isn't full of loop holes.

Mr. LeBreton: Town cost got any recommended levies for this?

Ms. Wheeler: I think that I could get that for you. I personally don't have it with me.

Mr. LeBreton: Why don't you see that our chairman gets it?

Ms. Wheeler: Yes sir.

Mr. LeBreton: I would it be invading your privacy to ask in what manner you are employed?

Ms. Wheeler: No sir, it wouldn't. I work as a building estimator for a construction company.

Mr. Juneau: I had asked this question earlier and I hesitate to ask it again, someone is going to think I have domestic problems at home. It is a very critical question, what is your intention or what do you think you would be the outgrowth of a provision in the constitution which I think is for word "sex" nondiscrimination with the word sex.

Ms. Wheeler: I think that we probably are all familiar here with instances of discrimination based on sex. I think that we're probably all familiar here with situations where there has been no recourse on that account, because one can say, Oh well I didn't hire her because she wasn't strong enough, but then you don't hire a 90-pound weakling, I mean you know I'm not making the argument that women shouldn't go out and work on the dock if they're physically unable to do so, but I'm not making the argument that men should go out and work on the docks if they're physically unable to do so. Why I think sex should be included -- why that particular word should be included -- simply because I think a woman who spoke before the Bill of Rights Committee last week made a very telling point. It was in the middle of the century 1865 when they put race in the 14th Amendment of the United States Constitution and it took us 100 years to get around to even using it as it was originally intended, and so without putting that word in the constitution mentioning sex, there are so many ways that one can get around and there are so many remedies, necessarily. If I feel discriminated against, I'd like to be able to sit in the Louisiana Constitution and say this guy didn't hire me not because I can't figure and estimate the cost of a building but because he doesn't think that women do that. See, or that they can do that.

I fully appreciate that aspect and I think that that's well-founded, but my fear is this, that I'm not sure how this is solved, but the serious problem that some of the rights the women in this state have more specifically, alimony, which if such an amendment was adopted, I would think would be in serious jeopardy, and I'm just wondering if people understand the problems. I'm fully appreciate the point that you're making sir, and I'm not standing here in defense of a woman who is very well endowed receiving alimony which is not well endowed. And I don't think that, and this is
personal, please don't associate this with Common Cause, this is my personal position. I don't think there is any good reason why a male should have to pay alimony to a female, if the laws of the land permit it, and allowed. I think that females would be self-sufficient and if the state of economic human beings, I just think that eventually the notion of men paying alimony to their ex-wives would become a nonsensical notion. Why?

We should have met twenty years ago.

Mr. Stovall: I don't have a question, but I'd like to have just this brief statement that several questions have been raised about Common Cause and I'd like to say that from my very first day on the job, I was aware since that Common Cause is a very legitimate and basically sound organization. Its president or chairman is John Gardner, who was formerly Secretary of Health, Education, and Welfare. It became rather vocal and a rather significant influence in national life and this is the result is that the Republicans have a counter part now, I don't know the name of it, but George Romney is the chairman, but I mean to say that if you say, from my limited knowledge of it, is an effort to bring about the kind of citizen participation which has been manifest before keeping with our highest and best American tradition.

Mr. Cannon: Mrs. Wheeler, I noticed that when you were talking about your third item there -- lobbying disclosure -- you spoke of administrative and legislative and it just crossed my mind that lawyers in their efforts before the courts go to quite a bit of research, you know the sort...

Mr. Wheeler: No. One might get into a very controversial area on that. I think that it would be very interesting to know and this has not anything necessarily with law -- well, maybe it does, but the context of conflict of interest clause I think becomes fairly pertinent in this case, I think judges should say what their connections are -- has been -- businesswise even ironically as well as anyone else as a matter of fact, I'd be more prone to expect that from our judiciary because they have no say in their decisions and their decisions are more prone to be of time and stuck in law and stuck in effect on people and if you're talking about a lawyer who is to do lobbying effort I wouldn't go so far as to say that, but I would surely say that judges should definitely make financial and economical disclosures. Yes Sir.

Mr. Cannon: I think lawyers, the legal profession and judges themselves through their ethics and what have you, are pretty well covered professionally. I'm speaking of lawyers, efforts, research these respects, and what have you where there is an issue involved which like I say, the judge could, I mean this in effect is lobbying efforts too, because it couldn't say (X) number of dollars of research putting these things together do what may be a lobbying group before the legislature spent thousands of dollars doing, and not succeeding.

Mr. Wheeler: I really don't understand what point you're making.

Mr. Cannon: I'm just saying this thinking also crossed my mind. Lobbying efforts, expenditures of money, financial disclosure of efforts before administrative and legislative bodies. Why not judiciary as well? I was wondering had they considered that?

Mrs. Wheeler: I don't think as strongly and the reason for that being that my assumption, and I haven't spent that much time in courts of law that there is access to courts of law by most citizens, by most groups and that, that is not so true as to so prominent as regards the executive and legislative branches of the government.

Senator Lambert: Mrs. Wheeler, let me ask you this question. You know there are a lot of women and men today that when they work for awhile on a particular job and then they may be terminated, the job may run out, for example, and at this point as I understand Louisiana also entitles him to unemployment compensation and suppose you were terminated on your job and you signed up for unemployment compensation and then if you're offered another job that's similar to that, I

Mr. Wheeler: I'll except your interpretation.

Senator Lambert: Well, my point is this, suppose there was a job digging a ditch, if the equal rights amendment passed, this job was offered to you, you would have to accept it?

Mr. Wheeler: Well, I'm saying, if that's what I had been doing all along, I don't see why I would raise objections to it.

Senator Lambert: Well, my point is simply this, if this amendment should pass, would this put many other women that don't feel as you do in a situation where they would forfeit their unemployment compensation -- something that there is so much in my area anyway, -- in the parishes that I represent. Have you ever thought of this? Senator Rayburn brought this point up.

Mrs. Wheeler: Let me give you a sort of somewhat practical -- my notion of down-to-earth answer to that. And that is that if your interpretation of this is correct, and one would get put in a comparable position and by comparable I assume that does just comparable away any thing like that, I assume it means similar. That's the way the law is now, but if the equal rights amendment passed, I don't think a woman would be expected to do the same job that a man does, so therefore, if a job were offered on the docks, as you're talking about, then that's where you would have to go, otherwise you would lose your right to draw unemployment compensation. I would assume that the law, however, made provisions for physical and mental incapacity for doing this job, in other words, if the governor's office, let me say this, if the governor's office fell vacant and we were unemployed, I don't think very seriously that anyone would appoint me to the job. If you understand what I'm saying, and so I think, there should be some -- but the consideration should not be mental and physical ability, as well as other factors, possibly emotional, that might influence the kind of jobs that people normally fall into life anyway.

Senator Lambert: In other words, a man can do a more strenuous type of job than a woman.

Mrs. Wheeler: Probably in the majority of cases, yes, but I wouldn't take a little 90-pound weakling like the kind you see on the back of all sorts of funny magazines and say, "let's put this person on the docks and have him load two-ton wagons." I mean, I don't think that you would do that anyway, wouldn't you? I mean, does the law do this? See, if the law does that to men, anything wrong with the law, there's nothing wrong with letting women be equal under the law.

Senator Lambert: Well, I just brought this point out, I thought Senator Rayburn made a very good point. And it's something that should be considered.

Mrs. Wheeler: Very seriously.

Judge Dennis: Mrs. Wheeler, did you, or does Common Cause want women to be required to serve on juries in the constitution?


Rev. Stovall: Mrs. Wheeler, has Common Cause taken a position on whether or not news men should be compelled to disclose the sources of their information in a court of law?

Mrs. Wheeler: I don't think that they have directly, sir. I think that that falls more within the area of civil liberties concerns, like freedom of speech, freedom of press. The extent to which they have, in fact, taken a stand is the extent that I demonstrated to you a while ago, the right of privacy and that might be surely interpreted to possibly be, but I don't think that was on that particular issue Common Cause has come out and said, "yes, newsman should, or no, newsman shouldn't." I would assume that there would be a very good reason for compelling newsmen to do so and that's what is stated in our sort of statement. The right of individual privacy is essential to the well-being of a free society and shall not be infringed without showing of a compelling state interest and that's as far as I can go on that.

Mr. Lebreton: I meant to ask you earlier, Brother Cannon, on the other hand, reminded me of it. I wanted to ask you some of your cause's ideas on conflict of interest and I'll give you a specific example of what I find to be difficult of it. I'm in the insurance business. The no-fault insurance matters are a rather popular cause in all the legislative bodies and basically, the insurance people have heard all of the lawyers are against it. If you have a conflict of interest and the chair ruled that anybody that was a lawyer or insurance people couldn't vote, how did you get 53 votes in the legislature?
Mr. Johnson: Well sir, I specifically accepted that proposition that there would be included there and in order that in whatever way it was to someone who does have a serious conflict of interest, like Senator Dodd, and Senator Powell -- what I'm saying is that, I'm not saying that we should say that insurance men should have nothing to do with insurance matters or should disqualify themselves, unless of course, it happens to be an issue that is of paramount economic or concern to their particular insurance firm, yes, but what I'm saying mostly, what I'm saying mostly was that people would be able to know that this is an insurance man saying, giving this point of view, or voting that point of view, that the lawyer who know, in some cases, might be an ambulance chaser, a lawyer who does a lot of car wreck cases, giving this point of view. And then the people themselves judge, see if it protects the person, that protects the insurance company, that's also a lawyer and it also protects. I think, I think, the person else stands on whatever side of the fence. If you just know that it's there.

Mrs. Shirley: I'm Eleanor Shirley and I'm president of the Baton Rouge League of Women Voters. My statement is written, and if you have questions afterward, I'd be glad to answer them. (This statement is attached hereto and made a part of these minutes.)

Mr. Cannon: Mrs. Shirley, I assume that you say amendable City-Parish plan of government by the vote of the people, I assume you are talking about a vote of the people in last Baton Rouge Parish and not the entire State of Louisiana.

Mrs. Shirley: Exactly.

Mr. Cannon: Thank you, and there's one other thing that I'd like to ask your response to. The creation of the Family Court in Baton Rouge which I've worked with at least once a week. This was created in the constitution, by amendments to the constitution in the early 50's that I think, that there would be one judge of the family court, and three times an amendment was made to take the number out. Would this in itself like other courts can be created by the legislature? Would this suffer any irreparable harm by being pulled out of the constitution to let the legislature create additional judgeships for family court.

Mrs. Shirley: We have now two judgeships; is that right, for the Family Court?

Mr. Cannon: One Family Court judge and one for Division II which has been assigned to Baton Rouge.

Mrs. Shirley: Right, that's what I'm saying that we have in effect, two judges working in the Family Court at the present time.

Mr. Cannon: Yes Ma'am, but to do this we had to stick tongue-in-cheek and assign a district court judge to Family Court.

Mrs. Shirley: I understand that, I don't believe the league has looked at that issue specifically, except to say that we certainly are glad that there were judges for the Family Court. We went so far as to say we wanted to see two judges in the Family Court, but we didn't specify as to how they would be appointed or how they would become judges in the court.

Mr. Cannon: Would you then say you support the family court concept in the constitution, or to allow East Baton Rouge or others to form family courts for domestic matters.

Mrs. Shirley: Probably so, yes.

Mr. Aelter: Mrs. Shirley, I heard you mention about revenues for education who all application fees must include in the constitution, dedications of specific funds.

Mrs. Shirley: Ma, no, I was trying not to say that. I was trying to say that the League of Women Voters merely locally would support measures to increase funding for our local public school systems, but not to place this in any dedicated sense into the constitution.

Mr. Aelter: You would be in favor of including something in the constitution if the law provides local school boards to communicate or to get with the local populace to see that they get that support which might be willing to list the limitations that we presently have on tax levies.

Mrs. Shirley: No, I wouldn't say that. I'd say that we would be happy to see provision for a public school system and let it go at that, was that people should have schools and how the school system would be financed.

Mr. Aelter: In other words, you state then, that all the rest of it then should be left up to the legislature and local government.

Mrs. Shirley: Right, should be left to the legislature and local government.
to the development of a parish and can do great harm to
the total development of the parish. I hope that a later
date comes with a set group of recommendations. I believe
what I have said could be put in very short wording, I don't think it needs a long wording to cover those
points that I've covered here. I think that's about all.

Senator Lambert: Well, I want to ask you Mr. Munson, have you -- if you were familiar with what section of the
constitution related to expropriation or appropriation?

Mr. Munson: Yes, I've read that. Let's place it like this, that
we haven't made our complete study and of course,
I'm going by what I will require generally to know,

40-

Because a lot of it we forget and don't know.

Senator Lambert: What I was specifically referring to is to refer
to the levee property taken and the value given was the
assessed value placed on it by the assessor. Is that
provision found in the constitution?

Mr. Munson: I think it is, yes sir. I would say definitely it is in the constitution. That has never affected me
in my professional business as an appraiser, but I'm not
saying that as any personal problem, it's just general.

Senator Lambert: One other point I'd like to make is this.
I'm Chairman of the Natural Resources Committee, and
we're going to cover this, feel free to contact Mrs. Duncan, and we would like for you to appear before our
committee. You can get a schedule from her.

Mr. Munson: Well, that would be fine.

40-

: Mr. Munson, I, and also Senator Lambert, this has already been covered by the Local and Parish Affairs
Committee to some degree, and we don't have any expertise
necessarily in this area of prepared servitude, but I would certainly like to come our cos
mittee and -- the committee particularly, which will
be right at home on levees.

Mr. Henry: I'd like to tell you that there will be a meeting of
that committee to provide all the various subjects and staff
on the 27th, and 28th, and this particular matter is
going to be discussed on that date, Mr. Munson.

Mr. Cannon: The quick taking method of expropriation such as
is used by the State Highway Department has been a concern of
the Police Jury Association for several years. As I understand your recommendations would be that this would be
alright for the Highway Department to go ahead and do it
because of their public need of transportation which are
usually way behind whenever they finally get around to a
project.

Mr. Munson: That's my personal belief and I believe most of the
appraisers that were asked to feel that way.

Mr. Cannon: Right sir, and say this would not necessarily be
the case where you would project these plans ahead and
such as a utility company or a school board. Let me ask
you about our city-park function here or a police jury
anywhere in the state. Do you feel that they should or
should not have quick taking authority same as the State
Highway Department where they're looking to do the same
basic thing that the Highway Department is doing.

41-

Mr. Munson: No sir, personally I do not believe that they
should have that right and if there was a question of that
right it is an extremely serious thing and I think that they
can take the time to get that right when I come to this com
mittee meeting next time, I'll have the vote of our group
find out and tell you exactly how they feel.

Mr. Cannon: Right now I was speaking of the same function
now, building highways and roads. Think the state would
have it and the parishes should not.

Mr. Munson: Yes sir, I do. I don't think the parishes should.

Mr. Cannon: Right sir, and say this would not necessarily be
the case where you would project these plans ahead and
such as a utility company or a school board. Let me ask
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Mr. Cannon: Right now I was speaking of the same function
now, building highways and roads. Think the state would
have it and the parishes should not.

Mr. Munson: Yes sir, I do. I don't think the parishes should.

Mr. Stagg: Mr. Munson, I have two comments and a question.
I'm involved in the law taking process under what they call the "topic" program where they're going to take the
grounds from public streets to make larger left turn and
turn lane turns in the city of Shreveport, and the property
that they're after in one intersection is a business office
and not going to move to move his cattle and get a few things done. That was done by the federal government in a federal taking. I think our state government's going to come to that quickly and I think that wording be placed in the same pecuniary
position -- that some monetary position is only fair -- it's the only fair thing that you can do.

Mr. Munson: Well, the quick taking in the case of a city and
the case of all the other expropriation groups that have
the power to expropriate can be planned over a period of
time much more quickly than the Highway Department. They have more of a project that can be in place at one time. They may lose their federal appropriations if they don't get
our property and settle the matter. What's the difference.

Mr. Stagg: Do you appraise property; either for the Highway
Department or for Baton Rouge?

Mr. Munson: I have appraised -- I have never appraised for the
Highway Department. I have appraised for the city of
Baton Rouge; I have appraised once for the Highway
Department on the Sunshine Bridge.

Mr. Stagg: The Highway Department goes through building inter-
states and they take the house belonging to a couple, lets
say they're 65-years old and lived on the property for
30 years and paid it off. It's on a paved street and they
have flowers in the yard and have 2000 square feet of
house that cost them $7000 total for grounds and
building 30 and paid it off. It's on a paved street and
they have flowers in the yard and have 2000 square feet of
town would close to $30,000. Is it your expressed
position on that the old couple would have to have a
pick-up for house, on a paved street in a nice neighborhood,
with flowers around it, and 2000 square feet in it exactly
as the public found them when they took their old house.

Mr. Munson: It's my opinion that they should...

Mr. Stagg: Do you appraise property in that fashion?

Mr. Munson: I appraise property for what it will sell for.

Mr. Stagg: Is that right?

Mr. Munson: Yes, I think that's right. That's the market
value of it...

Mr. Stagg: You're being, in my opinion, inconsistent, and I
don't want to badger you with oricker with you, but I
think there is an inconsistent position. Their house, if
it is an up highway improvement, they could lose $15,000, but you're going to take out their neighborhood when you build the
highway through there, so there are no other houses in the
neighborhood that they can go and buy, and they probably
couldn't buy a 2000 square foot house in a paved street
with all the amenities they had, for what you say the value of their house is. There just wouldn't be one comparable to it for sale at that price in a similar
neighborhood.

Mr. Munson: I think I'm from the real estate view, I have read
that some should be placed in the same economic position

42-

after the taking as before the taking, and that's my
stand.

Mr. Stagg: And that ought to be stated in the constitution of
this state for the protection of its citizens.

Mr. Munson: I think it should. I think the federal govern
ment has come around to this through bills which amount
of the same thing are being removed, they are requiring
in a lot of things. I had a renter one property that had cattle. He was given $130 to move his cattle and get a few things done. That was done by the federal government in a federal taking. I think our state government's going to come to that quickly and I think that wording be placed in the same pecuniary
position -- that some monetary position is only fair -- it's the only fair thing that you can do.
Mr. Stagg: Well, I honestly agree with your theory. I just thought that when you said it, you were not going to go as far as I would go. It's entirely wrong for the public to take a person's property and leave him worse off than when they found him and it ought to be -- that's constitutional in my book and I don't know where it's going to be written, but your local and parochial doesn't do it, partner, your Executive Department Committee will find a way to do it.

Mr. Munson: Why should one man suffer or one family suffer, or one little widow suffer great losses when everybody can be paying for those losses -- I think that she should be made whole.

Judge Dennis: Mr. Munson, can you tell us in any more detail how you would propose to give a parish or some other local government the right to supervise expropriation because its lands or are you suggesting that they just be given this power to do this in the constitution, or are you suggesting that they be allowed to intervene in expropriation suits and are certain to take care of public interest.

Mr. Munson: I wouldn't know how to word that, but in the delegation of authorities to expropriate should be under the supervision of the power that's affected -- the political entity that's affected. That is -- and it should be done under a process -- a due process of how it should be done. I don't think it would take very many words to cover that, and I think it's --

Mr. Henry: Any other questions? Any other people who would like to speak before the committee? We wish to thank you all for coming.

--44--

Rev. Alexander

These suggestions are not designed desert the prerogatives of this committee for you may still feel free to make the proper termination of the category under which this material should be placed. My first statement shall be directed to the committee on Bill of Rights and Elections. In order to at least control as much as possible man's inhumanity to man, I propose that the constitution contain a strong section on the rights of citizens, even stronger than those provisions contained a United States Constitution including the Bill of Rights Amendment. It should be the right of other citizens to live how he is able or rent a home anywhere in the state, without regard to race, creed, or color. The legislatures, police juries, city councils, and other government bodies should be restricted from enacting any law, covenant, ordinance, resolution, or other regulation which prohibit the rental or sale of property to any person because of their class or race. Even though in 1964, civil rights law prohibited discrimination in public accommodations the law does not cover bars where food is not served. The constitution should state in no uncertain terms discrimination, segregation, and exclusion will be prohibited in all facets of human activity, including all recreational facilities, eating and drinking facilities, especially bars, hunting and fishing in public waters or public lands, movie houses, driveins, and all independent facilities. I have a special reference to bars outside of Orleans Parish, some driveins, service stations, restaurants, and some neighborhood playgrounds, and health facilities. Every individual born into this world is endowed by God with certain human dignity. Human dignity is a God given right, one that should not be tampered with by man. I think the constitution should contain very strong provisions making it a crime for any individual, law enforcement officer, or public official to violate the human dignity of a person by abuse, assault, false arrest, brutality upon his person, and public obscene slander. Just as the congress has enacted certain laws for the whole country that regulate activities within the state, so much this convention through these delegates, regulate certain activities within the parishes relative to police brutality and other abuses so common to us. For example, there should be a violation, a state law, for a citizen to call a law enforcement officer to his home to report a theft and the citizen ends up being abused, cursed, beaten, and thrown in jail because the police officers refuse to treat him and his wife as human beings.

Not in the history of suffrage in this country, as I'm sure all of you delegates do, it is my opinion there should be provisions in the constitution to overhaul the system of registration voting in the state. Every adolescent knows that the so called "grandfathers clauses, literacy tests, moral character tests, and other suprefuges were inserted in previous constitutions especially the one of 1921 and other statutory laws enacted by the legislature for the purpose of preventing women, poor people, and blacks from voting. I believe the majority of the citizens of Louisiana have matured to the point where such thinking is obsolete. I believe the majority of the citizens are ready to move from this mountain of stagnation regret in and grant to all the people their own obstructive access to the ballot. I propose that this constitution convention go on record as adopting a system of registered voters by post card. Under this system a state board of registration or some other agency such as the secretary of state or the custodian of voting machines could be designated as the agency to supervise registration with a unit in each parish but controlled by the state under uniform system. Further, I propose that the system of reapportionment will be changed in the state, where there has been quite a bit of abuse. I propose a unicameral system for electing the legislature 144 representatives from 144 separate districts which would make each representative relative to his continuously cutting down the number of constituents from 34,000 to 25,000.

I also oppose that there be a constitutional provision that will make it a crime for any executive officer of the state to deny any person employment because of his race, color, or creed. This has special reference to state wide elected officials and executive level appointees of the government. On the judiciary level, I propose that some system be worked out even though I advocate that the person be admitted to news-producing events, but the cost of the sensationalism that develops in our community from time to time when sensational crimes are committed makes it impossible for that individual to receive a fair trial. I also feel that something should be done about crime. Finally, I propose that the welfare system be overhauled to break this vicious cycle of welfare rise.

Mrs. Louis Courman:

I'm president of the Women's Auxiliary of the Chamber of Commerce. Members of the Committee, I shall endeavor to give you a slight national background on the Equal Rights Amendment. It was late on the afternoon of Wednesday, March 22 in Washington when the Equal Rights Amendment for women came to a vote in the U.S. Senate. This amendment will become effective two years from ratification. This would indicate an operative date in the summer of 1974. I would like to venture a prediction, by the summer of 1976, the jubilation
The Maryland Commission on the status of women, the women’s political caucus of Montgomery County, the state Federation of Business and Professional Women’s clubs, and the women’s lobby. We’re libbers all who had been actively supporting ERA was suddenly unwilling to assume responsibility for the equality that they had been so militently demanding. They cautioned Senator Steers not to proceed too far, too fast. Steers, a little taken back by some of the warnings remarked to these committees, “I might say that some of the ladies, arm men or females, or persons don’t agree with each other. I think that’s healthy. It shows there getting to be more like men every day. A kiss was heard from the back of the room.

The next speaker is Sam A. LeBlanc from New Orleans.

(See Statement)

I have tried to narrow down the issues that I think are the most important to both men as citizen of this state and as a representative of the people in district 86. First is that it almost goes without saying that what the people want is a short, concise, and clear constitution, understandable by all. I’ve seen this in the newspaper and so have you many times, but I would like to try

and tell the delegates of the Constitutional Convention that this is supremely important because in my opinion estimation I don’t think we can pass any constitution that is not short, and clear. And we can’t pass one that is going to favor one group while cutting out the others. I realize that this is quite a generalization but when those people go to the poles to vote on this thing, if we have anything approaching the 50 or more amendments that we usually have on the ballot a new constitution cannot and will not be passed in this state. So I say there are two extremes, keep what we have now, or come with a short, clear constitution. And obviously I am for the latter position. The second thing is that our constitution is a __?__ of nothing more than protections of favored groups, interests groups, agencies of government and even smaller than agencies, sub-agencies. Protections not for the people of this state, but for, if I may say so, private interest groups who over the years have __?__ gotten enough political __?__ one way or the other to have themselves shrouded with constitutional protection. I would mention specific ones but I think that the delegates to this convention know exactly what I’m talking about. The third thing which is important to me particularly being from this area, is something that has also been mentioned and that is that we have to unite the constitutional knots which prevents us from having true “Home Rule.” It is ridiculous for the city of New Orleans not to be able to raise its taxes if its citizens and its local representatives want to do it and we can’t do it and we can’t pass or haven’t been able to pass a constitutional amendment to allow us to have this privilege awesome and as onerous as it might be. Next and most important in point of time for me is that this constitution should provide the people of this state freedom from crime and freedom from the fear of crime. I specifically bring up again the tragic event which occurred in this city last week with the brutal murder of JoEllen Smith. My good friend and the daughter of a good friend. Now stated in the constitution, we protect juveniles at the age of 15 by not allowing the criminal courts to prosecute 15 year olds unless their guilty of capital crimes. Capital crimes is defined in this state as murder, or aggravated rape. I want and I ask the delegates to this constitutional convention to change that and allow 15 year olds to be prosecuted for serious felonious crimes. This is not a reaction I’ve talked to many people, it’s a thought out suggestion. If a boy at 15 can drive the most dangerous instrument known to man the automobile, he knows enough to know that when he puts a gun in his hand and commits an armed robbery, he is doing a thing for which he should have a heavy responsibility, the responsibility of an adult. Next, I would like to ask the constitutional convention to reduce the appointment powers of the governor, right now, my personal opinion, the present governor really doesn’t want all of the appointive powers that he has because it makes running for office a political grab bag and I know it because I was heavily involved with one of the candidates for governor. The interests groups the people who know who this constitution works, the people who know what the governor can give come up to the candidate not on the basis of are you a candidate with a new face, a new program
that will promote the citizens of this state but they come up in the candidate with a question whether or not they will get that same juicy appointment or that nasty job you which the governor wishes. Finally, and closest to my personal heart and interest is the legislature. Ladies and Gentlemen and delegates of the Equal Rights Convent  
  
I think that under the present constitution with the limitations that the legislature have you simply bound to abolish it because for all practical purposes it is a waste of time. With the two  
  
that we have set out in the constitution as far as time procedure is concerned I believe that  
does not get well reasoned legislation we don't have the time we don't have the procedure and furthermore, its illegal for us to set it up because of the limitations in the present constitution. I ask you to go one way or the other, either have a legislature whether its unicameral as suggested by Reverend  

Mr. Moore Hitt  

[See Statement]  

Jack Jackson, Director of the Louisiana American Civil Liberties Union  

I came this morning to speak on two subjects one is the continuation of abolishment of the death penalty and the other is the Equal Rights provision for women in the state constitution. I'd like to pass out these booklets to the committee about the death penalty. And just make a few brief comments about the death penalty. Two facts plainly recognized by the majority of the supreme court in the  

vs. Georgia Case which was the case that did away with capital punishment is that -- was that capital punishment  

happened with the death penalty be that the wealthy who have accused of a capital crime or in order better shape to defend themselves than the indigent. In cases where crime is promulgated the criminal ordinarily expects to escape detention -- detection arrest and conviction so it is impossible to see how the threat of a severe punishment can deter an individual who does not expect to get caught. And I'd like to read you just a few facts in regards to the death penalty around the country and these can all be documented. The use of the death penalty in a given state does not decrease the subsequent rate of criminal homicide in that state. Use of the death penalty in a given state may decrease the subsequent rate of criminal homicide in that state, and we have statistical information on all these. In Death penalty states as a group, do not have lower rates of criminal homicide than non death penalty states. States that abolished the death penalty do not show an increased rate of criminal homicide after abolition. States that have reinstated the death penalty after abolishing it have not shown a decreased rate of criminal homicide in two neighboring states, one with the death penalty and the other without it, the one with the death penalty does not show any consistently lower rate of criminal homicide. Police officers on duty do not suffer a higher rate of criminal assault and homicide in states that have abolished the death penalty than they do in death penalty states. Prisoners and prison personnel do not suffer a higher rate of criminal assault and homicide from light term prisoners in abolition states than they do in death penalty states, so  

ACLU of Louisiana is on record as opposing any reinstatement of the death penalty. The other thing I want to speak about is equal rights for women and I think its unfortunate that this subject has gotten so many of the peculiar twists in our discussion, particularly before the bill of rights committee in Baton Rouge. Equal rights for women does not mean integrated bathrooms and does not mean doing away with rape laws, it doesn't necessarily mean that, for example, that women would be drafted into the service. But what it would mean is some specific things such as, it would mean that women would never have the right to know what's in the community in other words what's the property that they hold with their husbands which presently under the Louisiana law they do not have this right. It would open up credit sources for women, right now women in our state particularly married women have difficult times getting credit without their husbands position -- permission. And of course, it would provide equal pay for women doing the same job for men and it would give added legal help for women who get equal pay from men for doing the same job. The ACLU of La. would like to go on record and would like to have the constitutional convention and we strongly urge you to pass an equal rights provision for women to protect women in this state and we also of course urge you to support the national equal rights amendment.  

Mr. Jackson, without expressing feelings on the death penalty either way do you believe that its worthy of constitutional status. Jackson: I do, I believe that it is worthy of constitutional status, yes.
Approximately thirty-two delegates addressed the committee verbally. One hundred sixty-two written statements were submitted to the committee.

**Total attendance for the seven cities was nine hundred ninety-eight. Shreveport headed the list with one hundred seventy-six people attending. Of those attending, two hundred seventy-nine people addressed the committee verbally. One hundred sixty-two written statements were submitted to the committee.**
NOTES

The Committee on Committees met on January 24 and January 25, 1973, and made assignments to substantive and procedural committees. The assignments to substantive committees are reported as I Journal, 60-61. Procedural committee assignments were not reported but may be found below.

The meetings of January 24 and January 25, 1973, were recorded but not transcribed. The Committee used delegate preference lists as the starting point for committee assignment discussions.

No other meetings were held by the Committee on Committees after their report of January 30, I Journal, 60-61.

1. Committee Documents
I. Minutes

A. Full Committee Minutes

MINUTES

Minutes of the Full Committee of the Constitutional Convention of 1973
Held pursuant to notice mailed by the Secretary of the Convention on
February 27, 1973.
Room 205, State Capitol
Baton Rouge, Louisiana
Wednesday, March 7, 1973, 2:00 P.M.

President: E. L. Henry, Chairman of the Coordinating Committee.

Present: Representative E. L. Henry
Thomas Stagg
Judge James P. Dennis
Chairman T. A. Fowlks
Senator E. B. Ladner
Mrs. Fath Hill
Anthony F. Bagli, Jr., P.L., Chairman, Committee on Education and Welfare (Representative John D. Taylor, Chairman).

Absent: Robert F. authored
Senator Louis P. Lambert, Jr.
Representative John W. Jackson, Jr.

Quorum present.

Agenda: The following agenda, as contained in the notice of the Secretary, was read: General organization of the committee, scheduling of meetings.

Chairman Henry read Rule No. 54 of the Rules of Procedure of the Constitutional Convention of 1973 with regard to composition, duties and functions of the Coordinating Committee.

Chairman Henry discussed the finances of the convention, particularly as the present situation affects the number of meetings which the various committees will be able to hold between now and the end of the fiscal year. He pointed out that the Convention does not have the amount of money ideally needed for the committee to function as we would like between now and the end of the fiscal year, and stated that tomorrow morning we are going to the Board of Liquidation and will request an additional $100,000.00. He then called on Treasurer Lowe to discuss the finances at the present time.

Mr. Lowe stated that he has not formalized any budget to this date. At the last meeting of the Executive Committee an attempt was made to determine the number of meetings the substantive committees could hold. At that time it was felt that four times a month between now and June could be supported. No bid is in yet on the bid list at E.W. R. Also, the Division of Administration has not yet furnished the figures in rental of equipment by Mrs. Duncan for the Research Staff. He has mailed a questionnaire to chairman of committees asking how many meetings they plan to hold. (Copies also were distributed at this meeting). Mr. Lowe stated that he doesn't have a way in a position to give concrete figures at this time. He is working on the financial side, however, and it is expected that the committee will have to decide on the number of meetings by Monday.

Mr. Henry stated the need to discuss how the chairman of the substantive committees propose to treat this question as it relates to at least through the end of June, and suggested this committee discuss it at this time, committee by committee.

Mr. Stagg, Chairman of the Committee on Executive Department, reported that his committee has met once, informally, and that two meetings are presently projected – one on March 15 and another on March 16. The approval of meetings scheduled was to be taken up at the next meeting. He stated that his committee could meet at nights eight times per month.

Mr. Henry felt that the convention could function very well with an extensive use of staff and minimum amount of committee meetings. He said: "What you chairmen are going to have to do is have all day committee meetings. I am of the opinion that with four meetings per month between now and then, much can be accomplished and be prepared for the convention on July 5, and ask that you relate this to your committee members.

Mr. Stagg stated that his committee intends to hold two-day meetings rather than one per week. Two meetings have already been planned for this month – on March 15 and 16, and tentatively for March 25 and 10.

Mr. Blair, Chairman of the Committee on Legislative Powers and Functions, reported that he has meetings set up for this Friday and Saturday, and tentatively for March 25 and 24. He hopes to follow the plan where four day meetings per month would be held, but wishes to have two-day rather than four-day meetings.

Judge Dennis, Chairman of Committee of the Judiciary, reported that his committee has met twice and fourteen other meetings are planned between now and June 15. All meetings are scheduled for Friday and are one day meetings. He expressed some misgivings as to drafting proposal time.

As requested by the Mr. Henry, a breakdown of what this committee has done was reported by Judge Dennis. The first meeting was called to give his approach to what the committee should do and to obtain the permission of the committee to go back and draft a detailed schedule. Some other business also was handled and this meeting lasted about a half-day. At the next meeting the committee finished its organization and debated a proposed schedule. A schedule was approved and persons to be
invited were determined. The remainder of the day was devoted to hearing invited speakers - four or five who were experts on the judiciary. Judge Dennis stated that his committee plans to break into subcommittees after all views are expressed on the judiciary, and it is anticipated that the drafting of some proposals will take place as the work progresses.

Mr. Henry asked if any of the members had given thought to the possibility of suggesting to certain groups that it is not really necessary to appear and testify but present written testimony to the committee. He also requested that full utilization be made of the research staff.

Mr. Perez, Chairman of Committee on Local & Parochial Government, reported that to date this committee has held one meeting. The committee plans to follow the suggestion of the Executive Committee to limit meetings to four per month. Meetings are scheduled for March 9 and 10 to consider forms of municipal government, and for March 19 and 20 to consider other subjects such as parish forms of government. The present plan is to wait until the overall picture can be seen before breaking into subcommittees.

Mrs. Duncan reported that Senator Rayburn, Chairman of the Committee on Revenue, Finance & Taxation, plans to call the first meeting of that committee in about two weeks.

Mr. Rachal, representing Mr. Aertter, Chairman of the Committee on Education & Welfare, reported that the first meeting had to be postponed and that an organizational meeting is scheduled for this Friday, March 9. He intends to propose to the committee that written testimony be taken, even without appearance, if necessary. He feels that the committee will find it necessary to divide into subcommittees.

Mrs. Miller, representing Senator Lambert, Chairman of the Committee on Natural Resources and Environment, reported that this committee will have its organizational meeting on Friday, March 9. One-half day will be devoted to hearing Paul Jones with Geological Research. Thereafter, one-day meetings are scheduled.

Chairman Henry pointed out that reporters could not cover in detail simultaneous meetings of five committees, and asked that no more than two committees should meet on the same day. Each committee chairman should clear with Mrs. Duncan and the Clerk's Office the meeting dates of their respective committees.

Mr. Henry and Mr. Lowe, convention treasurer, also discussed the need to limit the committees to four meetings per month between now and July because of financial limitations.

After a five minute recess, the members heard Mrs. Duncan give a brief rundown on the research staff and discussed the memorandum she had prepared concerning possible overlap of subject matter and provisions of 1921 Constitution apparently not specifically assigned to a committee.

A discussion followed concerning Articles which might have been left out and suggestions were made that each committee take Articles they feel fall under their jurisdiction and go over them with the Research Staff. The Coordinating Committee then will assign those matters left out. The Rules of the Convention require that every Article and provision of 1921 be considered by some committee.

Chairman Henry asked that prior to each meeting, committee chairmen come up with agenda for committee meetings.

Mr. Justice Albert Tate, Chairman of the Committee on Style and Drafting, presented a three-stage approach to handling rewriting of the state constitution. An ad hoc committee composed of Delegates Tate, Perez, Kean, Gravel and LeBreton, and also Mrs. Duncan and DeVan Daggett of the Legislative Council was appointed by Chairman Henry to look into Judge Tate's proposal which proposes to 1) establish constitutional articles which could be changed only by a two-thirds vote of the legislature and approval by the electorate; 2) establish a supplement to the constitution which legislature could change by a two-thirds vote, and 3) determine matters removed from the present constitution and placed in the statutes.

Ed Hardin, Assistant Clerk, asked the committee chairmen to seek help from Mrs. Duncan in trying to get out committee notices. He stated that five-day prior notice is required in sending out committee meeting notices. He also stated that chairmen should exercise some sort of editorial supervision over their minutes, since these minutes will be filed and are subject to Public Records Act. Mr. Hardin also made recommendations concerning style and drafting.

It was announced that the Composite Committee meetings now scheduled are:

Tuesday, April 17
Wednesday, April 18
Monday, April 23 thru April 27

The meeting adjourned at 4:45 P.M.

Chairman

V. Chairman

Secretary

MINUTES

Minutes of the meeting of the Coordinating Committee of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on March 22, 1973

State Capitol, Baton Rouge, Louisiana

Wednesday, March 28, 1973, 9:30 a.m.
The meeting was called to order by the Chairman, E. L. 'Bubba' Henry. Roll call was taken and, with a quorum present, the chairman announced that the committee would proceed in the order of business listed on the distributed copy of the agenda. The minutes were read and approved without correction. Mr. Tom Stagg requested that minutes of each meeting be mailed to the members of the committee before the next succeeding meeting.

The first order of business was consideration of a letter received by the chairman from the Chairman of the Committee on Rules, Credentials, Ethics and Schedules, the Rev. James L. Stovall. Mr. Henry read the letter, a copy of which is attached and made a part of these minutes. In discussion, it was decided that since the Rules Committee likely will hold its first meeting in early June, no action need be taken at this meeting.

Chairman Henry next explained the necessity of scheduling only two committee and/or subcommittee meetings for any one day. The schedule of committee meetings through June, insofar as presently known, was reworked. Each committee chairman expressed his views concerning his committee's schedule of meetings. A copy of the revised schedule is attached to and made a part of these minutes.

In the discussion on committee meetings, the question was posed as to whether or not subcommittee members would receive per diem pay for attendance at subcommittee meetings. The general consensus was that, in order to operate within the budgeted limits of funds available for the period extending until the first of July, it has been determined that each committee can hold sixteen meetings for which members may receive per diem. Whether these are full committee meetings or subcommittee meetings is left to the discretion of the committee.

Chairman Henry reported on the financial condition of the Constitutional Convention. He stated that if the committees proceed with meetings and work as now suggested, it seems possible to operate within the limits of the funds available for the remainder of the fiscal year. Mr. Henry requested each chairman respond to the questionnaires transmitted to each by the treasurer for the purpose of projecting committee budgets through December 31, 1973.

Mr. Henry pointed out that it is very important that all committee chairmen, or the chairman's designee, attend the Composite Committee meetings. Judge Dennis stated that a letter had been mailed to each committee chairman containing the Composite Committee plan of meetings, along with a form to be filled out and returned. He urged that these forms be completed and returned as soon as possible, since the information relative to who will attend each meeting and at what time the persons attending prefer to travel (night or mornings) is necessary in order to properly schedule appearances before civic clubs or luncheons, make reservations, and the like. It was concluded that the chairman of each committee would like to receive from the Research Staff information gathered in Composite Committee meetings which pertains to his committee. Mrs. Duncan stated that the staff is planning to furnish the information to the committees in this manner.

The chairman asked Mrs. Duncan to report the progress of the Subcommittee on Alternatives. Mrs. Duncan stated that memoranda containing several possible approaches to the problem of transferring "statutory" material from the constitution to the statutes has been mailed to all members of the subcommittee and that a meeting will be held on Monday evening, April second, in New Orleans.

A discussion ensued with respect to overlap or conflict of subject matter being considered by the eight substantive committees. It was decided that a written report from each committee would be necessary in order for the Coordinating Committee to determine the proper solution to the conflicts. Upon request of the chairman, Mrs. Duncan agreed to mail a letter to the committee chairmen outlining the information needed and requesting that it be furnished to the convention will bear the expenses of experts brought in from other states to testify before committees, it was brought out that it may be advisable to hear from such people as New York bond experts at a meeting of the Committee on Local and Parochial Government. It was pointed out that a number of the committees would be interested in hearing this person speak. Mr. Perez stated that his committee will be glad to have other committees join the meeting if this expert comes before his committee. Chairman Henry requested that Dr. Gene Tarver inform Mr. Roy Fugler when this person is finally scheduled to appear also, he suggested that the problem of this type of expense be presented to the Executive Committee at its next meeting.

Chairman Henry requested that Mrs. Norma Duncan report to the committee concerning Research Staff, with particular attention to staff availability to committees. Mrs. Duncan distributed a listing of staff personnel and staff assignments to committees. She briefly stated the problems faced in employing personnel possessing expertise in the needed subject matter areas and requested as much advance notice of meetings as possible, especially for out-of-town meetings. The staffing of subcommittees, along with full committee meetings, at the same time, presents the problem of a shortage in staff available.
Research Staff by Monday, April ninth.

Mr. Juneau, Chairman of the Committee on Public Information, stated the need to advise the public of matters to be considered by committees in forthcoming meetings and requested that such information be furnished through the Research Staff as soon as possible. He expressed the necessity of getting as much as possible of this type of information to the public before the Composite Committee meetings.

There being no further business, Mr. Chalin Perez offered a motion for adjournment. The meeting adjourned at 11:50 a.m.

E. L. Henry, Chairman

Noise Denney, Secretary

(March 27, 1973)

The Honorable E. L. Henry
Delegate, CC/73
P. O. Drawer 726
Jonesboro, Louisiana 71231
Dear Mr. Henry:

The Rules Committee will need to meet prior to next general session of the Constitutional Convention to consider the following:

a. Act on formal request from committee on Bill of Rights and Election for Interpretation of Rule 60 on minority report.
b. Adopt rule on lobbying for presentation to convention.
c. Consider rule to place alternate proposals on ballot.

You will please designate possible date or, if you would like, I can meet with the Coordinating Committee in scheduling same.

The Rules Committee was delegated authority to consider credentials of delegates. Should the Rules Committee request the governor to appoint successor to Mayor Tom Colten? Should the Rules Committee give prescribed oath to new appointee and recommend same to Executive Committee for assignment to Substantive Committee?

Yours truly,

James L. Stovall

CC/73
SCHEDULE OF COMMITTEE MEETINGS

MARCH

Wednesday, March 28, 1973:
9:00 Coordinating Committee Room 205
10:00 Public Welfare Subcom. Gov’s Press Room

Thursday, March 29, 1973:
9:00 Public Welfare Subcom. Gov’s. Press Room

Friday, March 30, 1973:
9:30 Judiciary Committee Com. Room 9
10:00 Revenue, Finance & Taxation Senate Chamber
10:00 Higher Education Subcom. Ed. Bldg., 6th Floor

Saturday, March 31, 1973:
9:00 Revenue, Finance & Taxation Senate Chamber
9:00 Local & Parochial Gov’t. Subcom. Com. Room 9

APRIL

Monday, April 2, 1973:
9:00 Executive Department Com. New Orleans
6:00 (p.m.) Judge Tate Subcom

Tuesday, April 3, 1973:
9:00 Executive Department Com
10:00 Higher Education Subcom Ed. Bldg., 6th Floor

APRIL (Cont’d.)

Wednesday, April 4, 1973:
10:00 Education & Welfare Com. EBR School Bd. Bldg.

Thursday, April 5, 1973:
8:30 Subcom. on Revenue Other Than Property Tax
9:00 Public Welfare Subcom. LTA

Friday, April 6, 1973:

Legislative Powers & Functions Com.
Bill of Rights and Elections

Saturday, April 7, 1973:
Legislative Powers & Functions
Bill of Rights and Elections

Monday, April 9, 1973
10:00 Local & Parochial Gov’t. Natural Resources

Tuesday, April 10, 1973:
9:00 Local & Parochial Gov’t. Natural Resources
10:00 Elementary & Secondary Subcom. Natural Resources

Wednesday, April 11, 1973:
10:00 Public Welfare Subcom. Orientation Conference

APRIL (Cont’d.)

Thursday, April 12, 1973:
9:00 Public Welfare Subcom. (?) Orientation Conference

Friday, April 13, 1973:
9:30 Judiciary Committee Revenue, Finance & Taxation

[1388]
Orientation Conference

Saturday, April 14, 1973:
9:00 Revenue, Finance & Taxation
Judiciary

Monday, April 16, 1973:
Natural Resources
bill of Rights & Elections

Tuesday, April 17, 1973:
COMPOSITE COMMITTEE BATON ROUGE
Bill of Rights & Elections (until 2:00 p.m.)

Wednesday, April 18, 1973:
COMPOSITE COMMITTEE NEW ORLEANS

Thursday, April 19, 1973:
COMPOSITE COMMITTEE NEW ORLEANS

Friday, April 20, 1973:
Legislative Powers & Functions
9:30 Judiciary

Saturday, April 21, 1973:
Legislative Powers & Functions

APRIL (Cont’d.)

Monday, April 23, 1973:
COMPOSITE COMMITTEE LAKE CHARLES

Tuesday, April 24, 1973:
COMPOSITE COMMITTEE LAFAYETTE

Wednesday, April 25, 1973:
COMPOSITE COMMITTEE ALEXANDRIA

Thursday, April 26, 1973:
COMPOSITE COMMITTEE MONROE

Friday, April 27, 1973:
COMPOSITE COMMITTEE SHREVEPORT
10:00 Local & Parochial Gov't. Committee
10:00 Revenue, Finance & Taxation

Saturday, April 28, 1973:
9:00 Local & Parochial Gov't.

Monday, April 30, 1973:
9:00 Executive Department Com.
Natural Resources

MAY

Tuesday, May 1, 1973:
9:00 Executive Department
10:00 Elementary & Secondary Subcom.
Natural Resources & Environment

Wednesday, May 2, 1973:
9:00 Executive Department
10:00 Education & Welfare Com.

MAY (Cont’d.)

Friday, May 4, 1973:
Bill of Rights
Legislative Powers & Functions

Saturday, May 5, 1973:
Bill of Rights & Elections
Legislative Powers & Functions

Monday, May 7, 1973:
Natural Resources

Tuesday, May 8, 1973:
Natural Resources

Wednesday, May 9, 1973:
9:00 Executive Department

Thursday, May 10, 1973:
9:00 Executive Department

Friday, May 11, 1973:
9:00 Executive Department

10:00 Revenue, Finance & Taxation

Saturday, May 12, 1973:
9:00 Revenue, Finance & Taxation

Friday, May 18, 1973:
Bill of Rights
Legislative Powers & Functions

Saturday, May 26, 1973:
9:00 Revenue, Finance & Taxation

Friday, June 1, 1973:

Saturday, June 9, 1973:
9:00 Revenue, Finance & Taxation

Friday, June 15, 1973:
9:00 Executive Department

JUNE

Judiciary

Judiciary

Revenue, Finance & Taxation

Revenue, Finance & Taxation

Revenue, Finance & Taxation

Revenue, Finance & Taxation

Judiciary

Judiciary

Judiciary
Minutes of the Coordinating Committee of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on April 9, 1973
Mayor's Dining Room, City Hall
New Orleans, Louisiana
Wednesday, April 18, 1973, 9:30 A.M.

Presiding: E. L. Henry, Chairman of the Coordinating Committee

Present
E. L. Henry
Tom Stagg
Patrick Juneau (Blair)
James L. Dennis
Chalin O. Perez
Anthony Rachal (Aertker)
Louis Lambert

Absent
Alphonse Jackson
B. B. Hayburn

Chairman Henry called the meeting to order and asked Justice Tate to report to the committee on the Subcommittee on Alternatives.

Justice Tate presented the Final Report of the Subcommittee on Alternatives, including Staff Memorandum No. 3, which is attached to and made a part of these minutes as Appendix A.

After some discussion, Chairman Henry suggested that the committee probably did not have the authority to accept and/or make recommendations relative to the report, but that perhaps Justice Tate should present the report to the Committee on Legislative Liaison and Transitional Measures, since the matter seems to be within the realm of its responsibility, and that committee should then report back to the Convention.

Senator Lambert felt that some definite action should be taken and moved to adopt the Final Report of the Subcommittee on Alternatives. There being no objections, the motion carried.

Chairman Henry directed Representative LeBreton to call a meeting of the Committee on Legislative Liaison and Transitional Measures as soon as possible.

In other business Mr. Stagg, on behalf of the Committee on the Executive Department, requested that the Convention bear the actual expenses of bringing before that committee not more than three out-of-state experts. He moved that this expense be paid in an amount not to exceed $750.00. The motion was unanimously adopted.

Mr. Rachal alerted the committee that at a later date the Committee on Education and Welfare would need one or two experts to testify before that committee.

Mrs. Norma Duncan, Director of Research, reported on the status of the Research Staff. There are now forty-two people employed full time on the staff. The offices of the Research Staff are scheduled to be moved on April 19, 1973 to the fourth floor of the LSU Law Center.

Each member received from Mrs. Duncan a copy of the Rules of the Convention and an Index to the Rules. She noted that the Legislative Council assisted in the preparation of the index.

Mrs. Duncan presented Staff Memorandum No. 1, a copy of which is attached to and made a part of these minutes as Appendix B, dealing with areas of conflicting jurisdiction between committees.

The committee began its consideration with matters which need to be assigned. (See page 16 of Staff Memorandum No. 1.)

In Article VII, Sections 7, 21, 33 and 55 were assigned to the Committee on Judiciary.

After considerable discussion, Mr. Juneau moved to assign the responsibility for Sections 56 and 57 to the Committee on Judiciary also. Motion adopted.

Mr. Stagg moved to assign Section 69 to the Committee on Bill of Rights and Elections. Mr. Perez offered a substitute motion that those portions of the provision which deal with Judiciary should be in the Judiciary Committee, those which deal with local government should go to the Committee on Local and Parochial Government and those which deal with elections should go to the Committee on Bill of Rights. The motion was defeated.

Mr. Stagg's original motion was defeated.

Mr. Juneau moved to assign those portions of Section 69 dealing with local government to the Committee on Local Government and those portions dealing with Judiciary to the Committee on Judiciary. The motion was adopted, with only Mr. Stagg opposed.

Sections 72 and 93 were assigned to the Committee on Judiciary.

Mr. Rachal moved that Article XII, Section 5 be assigned to the Committee on Education and Welfare, since it deals with the State Superintendent of Education. The motion carried with no objections.

Mr. Stagg moved that Section 34 be made a matter of liaison between the Committee on the Executive Department and the Committee on Legislative Powers and Functions. Motion adopted.
Section 9 of Article IV was also designated a matter of liaison between those two committees.

Mr. Stagg moved that Article VII, Section 7 remain the responsibility of the Committee on the Judiciary. Motion adopted.

Mr. Stagg moved that Article VII, Sections 21, 33, 55, 56, 57, 60, 69, 72 and 93 all remain the responsibility of the Committee on Legislation and Welfare. Motion adopted.

Article XII, Section 5 was assigned to the Committee on Education and Welfare.

Mr. Juneau moved to assign Section 10 of Article XIX to the Committee on Legislative Powers and Functions. Motion adopted.

Section 34 of Article III was assigned to the Committee on Legislative Powers and Functions.

Mr. Juneau moved that Section J6 be considered jointly by the Committee on Education and Welfare and the Committee on Legislative Powers and Functions. Motion adopted.

Mr. Stagg moved that the request by the Committee on Legislative Powers and Functions be approved and some liaison be made between various committees and the Committee on Legislative Powers and Functions. (See C. on page 18 of Staff Memorandum No. 1). Motion adopted.

Mr. Stagg moved that the provisions dealing with penal and correctional institutions be assigned to the Committee on Education and Welfare. Motion adopted.

Assignment of the provisions dealing with retirement, at the request of Mr. Perez, was delayed until a later date.

The meeting adjourned at 11:25 A.M.

E.L. Henry, Chairman

APPENDIX A

CC/73
Subcommittee on Alternatives
Coordinating Committee
April 14, 1973

FINAL REPORT

SUBJECT: Alternatives available to substantive committees with regard to provisions in our present state constitution.

TO: Coordinating Committee, CC/73

FROM: Subcommittee on Alternatives

The Subcommittee on Alternatives met April 14, 1973 and unanimously adopted the following motion by Mr. Kean:

That this subcommittee recommend to the Coordinating Committee and to the Committee on Legislative Liaison and

Transitional Matters that these committees consider the
use of schedules or continuation provisions such as the
Florida provision, set forth in Staff Memorandum No. 3, taking into consideration language needed to protect subsequent legislative supplements to the 1921 Constitution. If approved, then it is recommended that the substantive
committees be requested to divide their materials in four parts:

1. Substantive, basic constitutional provisions;
2. Those provisions of the 1921 Constitution recommend to be:
   a. Treated as statutory material, subject to
      super majority amendment by the legislature
   b. Treated as statutory material to be approved,
      repealed or modified by a majority vote of
      the legislature; and
   c. Declared obsolete;

and that the question of whether or not these divisions will
be treated each as a separate item or section of the constitution or placed in schedules to be deferred until a later date.

Attached to this final report is a copy of Staff Memorandum No. 3, referred to in the motion adopted this date. The subcommittee previously submitted an Interim Report on April 2, 1973 and attached reports.

The subcommittee, having carried out the duties assigned to it to the best of its understanding, adjourned sine die.

Respectfully submitted,

Subcommittee on Alternatives:

Appoint Date: Jr.
Chairman
Camille F. Gravel, Jr.
Delegate
K. Gordon Kahn
Delegate
Edward M. LeFevre, Jr.
Delegate
Chalin O. Perez
Delegate
Norms M. Burdick
Direct of Field Work, DC73
DeVane R. Pettett
Executive Director, Senate, Legislative Council

APPENDIX B

CC 73. Altornatives outfit
Coordinating Committee
April 14, 1973
Staff Memorandum No. 3
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees</th>
</tr>
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<tbody>
<tr>
<td>I.14</td>
<td>Subordination of Military to Civil Power</td>
<td>1) Bill of Rights and Elections; 2) Executive Department</td>
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<tr>
<td>I.1.3</td>
<td>Continuity of Governmental Operations Under Enemy Attack</td>
<td>1) Bill of Rights and Elections; 2) Legislative Powers and Functions; 3) Executive Department</td>
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<tr>
<td>III,2,3, 4, 5, 6</td>
<td>Apportionment of Legislative Powers and Functions</td>
<td>1) Legislative Powers and Functions; 2) Bill of Rights and Elections (affected)</td>
</tr>
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<td>III,8</td>
<td>Special Elections to Fill Legislative Vacancies (Governor to Call)</td>
<td>1) Legislative Powers and Functions; 2) Executive Department (in part); 3) Executive Department</td>
</tr>
<tr>
<td>III,8.2</td>
<td>Veto Sessions</td>
<td>1) Legislative Powers and Functions; 2) Executive Department</td>
</tr>
<tr>
<td>III,9,10</td>
<td>Qualifications, Residence Requirements, Term, Election, Procedural Rules, Discipline</td>
<td>1) Legislative Powers and Functions; 2) Bill of Rights and Elections</td>
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<td>III,26</td>
<td>Signing of Bills; Delivery to Governor</td>
<td>1) Legislative Powers and Functions; 2) Executive Department</td>
</tr>
</tbody>
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CC-1

<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees</th>
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<tbody>
<tr>
<td>II,27</td>
<td>Effective Date of Laws; Publication</td>
<td>1) Legislative Powers and Functions; 2) Executive Department</td>
</tr>
<tr>
<td>II,30</td>
<td>Sale or Trade of Votes; Purchase of Supplies on Bonds; Contracts, Personal Interest, Approval</td>
<td>1) Legislative Powers and Functions; 2) Executive Department (excluding Sale or Trade of Votes)</td>
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<td>II,32</td>
<td>Merger or Consolidation of Similar Executive and Administrative Offices</td>
<td>1) Legislative Powers and Functions; 2) Executive Department</td>
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<td>II,33</td>
<td>Convict Labor, Public Works, Change</td>
<td>1) Legislative Powers and Functions; 2) Executive Department (requests liaison with Legislative Powers and Functions)</td>
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<td>II,34</td>
<td>Salaries of Public Officers; Change</td>
<td>1) Legislative Powers and Elections; 2) Legislative Powers and Functions</td>
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<td>Suits against the State; its Agencies and Political Subdivisions</td>
<td>1) Bill of Rights and Elections; 2) Legislative Powers and Elections</td>
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<td>II,37</td>
<td>Rights of Way; Roads of Necessity; Drainage</td>
<td>1) Bill of Rights and Elections; 2) Natural Resources and Environment</td>
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<td>II,44</td>
<td>Bond for Milk Processors</td>
<td>1) Legislative Powers and Functions; 2) Natural Resources and Environment</td>
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<td>IV,1</td>
<td>Appropriations; quarterly accounting</td>
<td>1) Legislative Powers and Functions; 2) Executive Department</td>
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<td>IV,1(a)</td>
<td>Board of Liquidation of 2(a) State Debt</td>
<td>1) Legislative Powers and Functions; 2) Executive Department</td>
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<td>IV,2</td>
<td>Public Debt, Alienation of Public Lands, Mineral Rights, Royalty Road Fund</td>
<td>1) Legislative Powers and Functions; 2) Executive Department</td>
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CC-2

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<td>IV,3-9</td>
<td>Public Service Commission</td>
<td>1) Executive Department</td>
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<td>V,1</td>
<td>Executive Officers</td>
<td>1) Education and Welfare; 2) Bill of Rights and Elections</td>
</tr>
<tr>
<td>V,2, 3</td>
<td>Governor, Lieutenant Governor, Executive Power, Term, Election</td>
<td>1) Executive Department</td>
</tr>
<tr>
<td>V,8, 9</td>
<td>Lieutenant Governor, President of Senate</td>
<td>1) Executive Department</td>
</tr>
<tr>
<td>V,11</td>
<td>Appointment of Officers</td>
<td>1) Legislative Powers and Functions; 2) Executive Department</td>
</tr>
<tr>
<td>V,14, 15</td>
<td>Governor, Extraordinary Session, Restricted on Power to License, Veto by Governor</td>
<td>1) Executive Department; 2) Legislative Powers and Functions</td>
</tr>
<tr>
<td>V,16</td>
<td>Item Veto, Appropriation Bills</td>
<td>1) Bill of Rights and Elections; 2) Legislative Powers and Functions</td>
</tr>
<tr>
<td>V,17</td>
<td>Acts Not Requiring Governor's Signature</td>
<td>1) Executive Department; 2) Legislative Powers and Functions</td>
</tr>
<tr>
<td>V,18</td>
<td>Constitutional Officers, Election, Terms, Vacancies</td>
<td>1) Executive Department; 2) Legislative Powers and Functions</td>
</tr>
<tr>
<td>V,20</td>
<td>Salaries of Constitutional Officers</td>
<td>1) Executive Department; 2) Legislative Powers and Functions</td>
</tr>
<tr>
<td>VI,1</td>
<td>Wildlife and Fisheries Commission</td>
<td>1) Executive Department; 2) Legislative Powers and Functions</td>
</tr>
</tbody>
</table>

CC-3

<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV,4</td>
<td>Local and Special Laws on Various Subjects</td>
<td>1) Local and Parochial Government; 2) Natural Resources and Environment; 3) Education and Welfare; 4) Legislative Powers and Functions; 5) Revenue, Finance and Taxation</td>
</tr>
<tr>
<td>IV,5</td>
<td>Wages, Hours, Working Conditions</td>
<td>1) Legislative Powers and Functions; 2) Education and Welfare; 3) Natural Resources and Environment</td>
</tr>
</tbody>
</table>

CC-4

<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees</th>
</tr>
</thead>
<tbody>
<tr>
<td>V,11</td>
<td>Boards of Health</td>
<td>1) Executive Department; 2) Education and Welfare</td>
</tr>
<tr>
<td>VI,11.1</td>
<td>Mosquito Abatement Districts</td>
<td>1) Local and Parochial Government; 2) Natural Resources and Environment</td>
</tr>
</tbody>
</table>
### Article VI, Section 11

**VIT. 11** Agriculture Department

1. Executive Department
2. Natural Resources and Environment

**VIT. 14** Agriculture and Forestry; Public Health

1. Education and Welfare
2. Natural Resources and Environment

**VIT. 16** Port of New Orleans

1. Revenue
2. Local and Parish Government
3. Natural Resources and Environment

**VIT. 19** State Highways and Bridges; Conservation and Recreation; Traffic; Police; Fire; Rights of Patrons, Municipalities and Political Subdivisions

1. Bill of Rights and Elections
2. Executive Department

**VIT. 19.1** Expropriation for Highway Purposes

1. Bill of Rights and Elections
2. Natural Resources and Environment
3. Executive Department

**VIT. 19.3** Beautification of Highways

1. Natural Resources and Environment
2. Education and Welfare
3. Executive Department

**VIT. 21** Highway Fund

1. Revenue, Finance and Taxation
2. Natural Resources and Environment
3. Executive Department

### Article VII

**VII. 24** Highway Bonds

1. Revenue, Finance and Taxation
2. Local and Parish Government

**VII. 26(2)** Legislative Auditor

1. Revenue, Finance and Taxation
2. Legislative Powers and Duties

**VII. 27** Board of Lake Pontchartrain Causeway

1. Local and Parish Government
2. Natural Resources and Environment
3. Executive Department

**VII. 28** Liquefied Petroleum Gas Commission

1. Natural Resources and Environment
2. Local and Parish Government

**VII. 29-31** Port Commissions

1. Natural Resources and Environment
2. Local and Parish Government

**VII. 32, 33, 34, 35, 36** Gasoline Tax for Parts; 7,9-12 Motor Fuel Tax; Dealers; Importers; Penalties; Exemptions, etc.

1. Executive Department
2. Local and Parish Government

**VII. 2** Writs of Habeas Corpus and In Aid of Jurisdiction; Reasons for Refusal

1. Judiciary Department
2. Bill of Rights and Elections

**VII. 6** Divisions; Rotation; Terms

1. Judiciary Department
2. Bill of Rights and Elections

**VII. 7** Limited Terms; Election

1. Judiciary Department
2. Bill of Rights and Elections

**VII. 10** Supervisory; Original and Appellate Jurisdiction

1. Judiciary Department
2. Bill of Rights and Elections

**VII. 22** First Circuit; Domicile

1. Judiciary Department
2. Bill of Rights and Elections

**VII. 23** Second Circuit; Domicile; Sessions

1. Judiciary Department
2. Bill of Rights and Elections

### Article VIII

**VIII. 44** Water and Sewage Commission

1. Executive Department
2. Local and Parish Government

**VIII. 45** Change of Name

1. Executive Department
2. Local and Parish Government

**VIII. 46** Justice of the Peace

1. Executive Department
2. Local and Parish Government

**VIII. 47** Justice; qualifications; election

1. Executive Department
2. Local and Parish Government

**VIII. 51** City Courts

1. Executive Department
2. Local and Parish Government

**VIII. 52** Creation; judges; terms

1. Executive Department
2. Local and Parish Government

**VIII. 54** Repealed

1. Executive Department
2. Local and Parish Government

**VIII. 55** Department of Justice; establishment of Commissions; attorneys, solicitors

1. Executive Department
2. Local and Parish Government

**VIII. 56** Attorney General; qualifications; terms; removal; vacancies

1. Executive Department
2. Local and Parish Government

**VIII. 57** Department of Justice

1. Executive Department
2. Local and Parish Government

**VIII. 58** District Attorney; qualifications; term

1. Executive Department
2. Local and Parish Government

### Article IX

**IX. 70** Salary; qualifications

1. Executive Department
2. Local and Parish Government

**IX. 71** Assistant District Attorney

1. Executive Department
2. Local and Parish Government

**IX. 72** District Attorney; power; term; salary

1. Executive Department
2. Local and Parish Government

**IX. 73** Attorney General, qualifications; terms; removal; vacancies

1. Executive Department
2. Local and Parish Government

**IX. 75** Attorney General

1. Executive Department
2. Local and Parish Government

**IX. 76** Vacancy, appointment; special election

1. Executive Department
2. Local and Parish Government

**IX. 77** Attorney General; qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 79** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 80** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 81** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 82** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 83** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 84** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 85** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 86** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 87** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 88** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 89** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 90** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 91** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 92** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 93** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 94** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 95** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 96** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 97** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 98** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government

**IX. 99** Attorney General, qualifications; term

1. Executive Department
2. Local and Parish Government
Local tax
Banks, license tax
Special local tax
Collection of taxes
Assessments, collections
Severance Tax
New industry, exemption
Tax for Micholls College
Tax relief for manufacturing establishments

Local banks, etc.

XII. 9 Appropriations: Institutions of Higher Learning
XII.13 No Appropriation of Public Funds for Private or sectarian Schools
XII.14-16 Funds for Parish Schools; Management; Orleans Parish School Board
XII.17 LSU; Funds (Mineral Revenues, etc.)
XII.18-20 Sixteenth Section Lands; Free School Fund
XII.21 A & M College Fund

Corporations; Stock or Bond Issues; Railroads
Corporations; Creation by General Law: Monopolies
Canal and Hydroelectric Development
Perpetual Franchises
Definitions

Articledesignation Subjects Committees
XIV. 10 Improvements, etc. 1 Local and Parishial
XIV. 11 Improvements by riparian owners; executive compensation; just compensation 1 Local and Parishial
XIV. 12 Port, harbor and terminal districts; creation as political subdivisions 1 Local and Parishial
XIV. 13 Lake Charles Harbor and Terminal District; cession 1 Local and Parishial
XIV. 14 Navigation and river improvement districts; creation as political subdivisions 1 Local and Parishial

Subject
XII. 9 Appropriations: Institutions of Higher Learning
XII.13 No Appropriation of Public Funds for Private or sectarian Schools
XII.14-16 Funds for Parish Schools; Management; Orleans Parish School Board
XII.17 LSU; Funds (Mineral Revenues, etc.)
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Definitions

Articledesignation Subjects Committees
XIV. 1 Improvements by riparian owners; executive compensation; just compensation 1 Local and Parishial
XIV. 2 Port, harbor and terminal districts; creation as political subdivisions 1 Local and Parishial
XIV. 3 Lake Charles Harbor and Terminal District; cession 1 Local and Parishial
XIV. 4 Navigation and river improvement districts; creation as political subdivisions 1 Local and Parishial

Subject
XII. 9 Appropriations: Institutions of Higher Learning
XII.13 No Appropriation of Public Funds for Private or sectarian Schools
XII.14-16 Funds for Parish Schools; Management; Orleans Parish School Board
XII.17 LSU; Funds (Mineral Revenues, etc.)
XII.18-20 Sixteenth Section Lands; Free School Fund
XII.21 A & M College Fund

Corporations; Stock or Bond Issues; Railroads
Corporations; Creation by General Law: Monopolies
Canal and Hydroelectric Development
Perpetual Franchises
Definitions

Articledesignation Subjects Committees
Riverview Waterway
New Orleans; vehicular and/or pedestrian crossing over or under Inner-Harbor Navigation Canal

Garbage districts

Jefferson Parish; community center and playground districts; bonds

Jefferson Parish; public improvement districts; levee systems; indebtedness; bonds

St. Charles Parish; reclamation projects; public improvement districts

City of Lake Charles; reclamation and development of lake front


Article II


1. Article VII. Judicial Department

Section 7: (Supreme Court; Initial Terms of Office; Vacancies; Presiding Justice)

Section 21: (Courts of Appeal; Division of Judges; Vacancies; Presiding Justice)

Section 33: (District Courts; Initial Terms of Office; Vacancies; Presiding Judges; Appointments)

Section 55: (Courts of Appeals; Initial Terms of Office; Vacancies; Appointments)

2. Article XII. Public Education

Section 5: (State Superintendent of Education)

III. Article VIII. Limitation

Section 9: (Appropriations - General Assembly and Governor to Education Fund)

IV. Article IV. Judicature

Section 1: (Supreme Court; Initial Terms of Office; Vacancies; Presiding Justice)

Section 21: (Courts of Appeal; Configuration; Vacancies; Presiding Justice)

Section 33: (District Courts; Initial Terms of Office; Vacancies; Presiding Judges; Appointments)

Section 55: (Courts of Appeals; Initial Terms of Office; Vacancies; Appointments)
Section 56: [Department of Justice; Attorneys General; Qualifications, duties and powers (administration)]

Section 57: [Department of Justice; Salaries]

Section 58: [District Attorneys; Qualifications, duties and power (administration)]

Section 59: [Vacancies Appointments; Special Elections]

Section 60: [Coroner's Vacancy]

Section 61: [New Orleans City Council; Vacancies; Temporary Filling by District Judges]

Article XIX - Public Education

Section 1: State Superintendent of Education

Article XIX - General Provisions

Section 10: Salaried Officers; Fees and Perquisites

B. Articles and Sections to be considered in Liaison with Committee on the Legislature

Article III - Legislative Department

Section 34: Salaries of Public Officers; Changes

C. The Committee on Legislative Powers and Functions requests that the Coordinating Committee appoint a subcommittee composed of its members and some of all of the appropriate committee with respect to the following:

Article III - Legislative Department

§ 36 Arbitration laws (Coordinate with Education and Welfare)

Article IV - Limitations

§ 14 State educational or charitable institutions; establishment; vote (Coordinate with Education and Welfare)

§ 15 Ex post facto laws; impairment of contracts; vested rights; just compensation (coordinate with Bill of Rights)

§ 17 Legislative approval of bond issuance and appropriation by the Board of Liquidation; procedure; nullity of issue for failure to observe (coordinate with Revenue and Taxation)

CC-18

Article V - Executive Department (coordinate the following with Executive)

§ 1 Executive officers; consolidation of offices

§ 2 Governor; Lieutenant Governor; executive powers; terms; election

§ 4 Commencement of term of Governor and Lieutenant Governor

§ 12 Appointment of officers; recess appointments

§ 13 Reports to Governor; information and recommendations to legislature

Article VII - Judiciary Department (coordinate the following sections with Judiciary)

§ 21 Circuit courts of appeal; domicile; number of judges; initial terms

§ 34 Arrangement of districts; change in number of judges

§ 52 Juvenile court; creation; judges; jurisdiction

§ 66 Clerks; establishment of office; election; powers and duties

§ 87 Criminal District Court for the Parish of Orleans; change of provisions relating to criminal courts

§ 96 The Juvenile Court for the Parish of Orleans; establishment; jurisdiction; appeals; procedure; judges

Article VIII - Suffrage and Elections

§ 7 Voting; ballot; machines; viva voce; ratification of Acts 1960 (coordinate with Bill of Rights)

Article X - Revenue and Taxation

§ 1(a) State tax, levy or increase in rate; approval by two-thirds of legislature (coordinate with Revenue and Taxation)

Article XII - Public Education

§ 7 Colleges and universities; supervisory coordinating council (coordinate with Education and Welfare)

CC-19

Article XVII - Militia

§ 3 Adjutant general (coordinate with Executive)

Article XXI - Amendments to the Constitution (coordinate the following sections with Bill of Rights)

§ 1 Proposals; procedure; approval; proclamation; multiple amendments; numbering

§ 1(a) Special elections

§ 2 Laws effectuating amendments

D. The Committee on Local and Parishal Government expresses a desire to consider the articles and sections listed in its "Exhibit B" but requests Coordinating Committee consideration because of possible conflict and or overlap with other substantive committee jurisdiction:

QUESTIONS

ARTICLE VII - JUDICIARY DEPARTMENT

Section:

46. Justice of the peace wards; number; reduction; abolition of office

47. Jurisdictions; qualifications; election; term of office

48. Jurisdiction

49. Constables; election; term of office; qualifications

50. Fees; salaries

51. Justice of the peace courts; city courts

51(a). Parish courts; Jefferson Parish

53. Family court for Parish of East Baton Rouge

65. Establishment of office; election; ex-officio tax collectors; bonds; discharge of collector

69. Vacancies; appointments; special elections; notices

CC-20

74. Compensation of sheriffs and clerks of court

75. Qualifications

80. Establishment; composition; compensation; additional sections; assignment of judges

81. Civil and appellate jurisdiction

82. Establishment; composition

83. Jurisdiction and powers

84. Transfer of cases

85. Stenographers; minute clerks; salaries; deputy sheriffs; judges' vacations and absences

86. Distribution of cases; control; rules

87. Change of provisions relating to criminal courts

88. Salaries of parish and city officers

89. Parish officers; election; continuation of prior law

90. First city court; judges; terms; salary

91. First city court; jurisdiction; pleadings; authority; procedure; costs; appeals; small claims

92. Second city court; jurisdiction; officers; interchange of judges and clerks

93. Vacancies; temporary filling by district judges

94. New Orleans; municipal and traffic courts; personnel; jurisdiction; appeals

95. Sources of fund; control and administration; accounting

96. Establishment; jurisdiction; appeals; procedure; judges

97. Time of election of judges and other parish officers

CC-21
ARTICLE X - TAXING POWER; SPECIFIC TAXES

Section:

1. Taxing power; specific taxes
Only insofar as said section applies to the evaluation and classification fixed for state purposes shall the evaluations and classifications for local purposes, etc.
3/4 of severance taxes on timber go to the parish where the timber is removed, and any other provisions of this section which affect local government

4. Tax exemptions:
Insofar as it applies to local government

9. Banks, domiciled out of state; international or foreign banking: tax
Insofar as it applies to 1/2 of the tax to go to the municipality wherein it has its principal office

11. Collection of taxes; sales; excise sales; titles; postpayment of taxes; loans to parishes:
Insofar as it pertains to "loans to parishes"

21. Severance tax on natural resources
Insofar as the percentage of proceeds go to parishes

24. Authority for tax relief for manufacturing establishments

ARTICLE XIV - PAROCHIAL AND MUNICIPAL AFFAIRS

Section:

15. Civil service system; state; cities

15.1 Fire and police civil service; municipalities of 11,000 to 250,000

ARTICLE VII - JUDICIARY DEPARTMENT

Section:

46. Justice of the peace wards: number; reduction; abolition of office

48. Jurisdiction

49. Constables; election; term of office; qualifications

50. Fees; salaries

51. Justice of the peace courts; city courts

51(a). Parish courts, Jefferson Parish

53. Family court for parish of East Baton Rouge

90. First city courts; judges: terms; salary

91. First city court: jurisdiction; proceedings; authority; procedure; costs; appeals; small claims

92. Second city court: jurisdiction; officers; interchanges of judges and clerks

94. New Orleans; municipal and traffic courts; personnel; jurisdiction; appeals

95. Sources of fund; control and administration; accounting

96. Establishment; jurisdiction; appeals; procedures; pay

97. Time of election of judges and other parish officers

ARTICLE XI - REVENUE AND TAXATION

Section:

1. Taxing power; specific taxes
Only insofar as said section applies to the evaluation and classification fixed for state purposes shall the evaluations and classifications for local purposes, etc.
3/4 of severance taxes on timber go to the parish where the timber is removed, and any other provisions of this section which affect local government

CC-23

4. Tax exemptions:
Insofar as it applies to local government

9. Banks, domiciled out of state; international or foreign banking: tax
Insofar as it applies to 1/2 of the tax to go to the municipality wherein it has its principal office.
binding with it. In those states in which the constitutions themselves must be ratified by the people, the validity of such ordinances depends on their submission to the people and their ratification in due form.

"Generally, a constitutional convention's authority to pass ordinances and give them validity depends on powers conferred on the convention by the law which authorizes their assembly, and where such law does not provide that the convention shall have the power of independent legislation, the validity of convention ordinances depends on their submission and ratification by the people." To the extent that an ordinance has been legally adopted, it is a part of the supreme law of the state, and, within the scope of its meaning, it is beyond the control of the legislature, but it cannot prevail against provisions of the permanent part of the constitution. Also, it must be remembered that such ordinances are usually intended to have only a temporary or transient operation, and therefore, in such cases, the arrangements made by them may be changed by the legislature when duly constituted, under the new constitution.

The provision of a schedule that all prior laws not inconsistent with the constitution shall continue will ordinarily be given effect, but a statute which is directly contrary to a provision of the constitution is not saved by such schedule provision. However, a suit to enforce a tax lien may be saved from any unconstitutionality by a schedule of the constitution providing that all laws inconsistent with the constitution should remain in full force and effect until a specified date, and that all taxes due and owing prior to the adoption of the constitution should continue to be valid as though the constitution had not been adopted.

The following states recently adopted new constitutions and provided for transitional schedules: Alaska (1959), Connecticut (1965), Hawaii (1968), Pennsylvania (1968), Florida (1969), North Carolina (1971), Illinois (1971), and Montana (1972). However, most of those states did not have the unique problem of providing for numerous provisions of the old constitution, if only in statutory form.

Generally, these states' schedule articles provide for the orderly transition from the old constitution to the new. Typical is the recently adopted constitution of Montana. Section 6 of the Schedule article provides for:

1. The rights and duties of all public bodies shall remain as if this Constitution had not been adopted with the exception of such changes as are contained in this Constitution. All laws, ordinances, regulations, and rules of court not contrary to, or inconsistent with, the provisions of this Constitution shall remain in force, until they shall expire by their own limitation or shall be altered or repealed pursuant to this Constitution.

2. The validity of all public and private bonds, debts, and contracts, and of all suits, actions, and rights of action, shall continue as if no change had taken place.

3. All officers filling any office by election or appointment shall continue the duties thereof, until the end of the terms to which they were appointed or elected, and until their offices shall have been abolished or their successors selected and qualified in accordance with this Constitution or laws enacted pursuant thereto.

Alaska, to effect an orderly transition from territorial government to state government, provided in its transitional schedule (Article XV, Section 1) that "All laws in force in the Territory of Alaska on the effective date of this constitution and consistent therewith shall continue in force until they expire by their own limitation, are amended, or repealed."

Hawaii included a similar provision in its constitution of 1950. Article XVI, Section 2, provided that "All laws in force at the time this constitution takes effect and not inconsistent therewith, including, among others, acts of the Congress relating to the lands in the possession, use and control of the Territory of Hawaii, shall be the laws of the state and remain in force, mutatis mutandis, until they expire by their own limitation, or are altered or repealed by the legislature."

More pertinent for Louisiana is the schedule provision of Florida, which had excessive statutory material in its 1885 constitution. Article XII, Section 1, provided that the Florida Constitution of 1885 is superseded. However, in Section 10 of the same article, "All provisions of Articles I through IV, VII and IX through XX of the Constitution of 1825, as amended, not embraced herein which are not inconsistent with this revision shall become statutes subject to modification or repeal as are other statutes."

Additional states with excessive statutory material in their constitutions, California, South Carolina, Texas, and Georgia, have not undertaken large-scale revision.

Notes

1 - 16 C.J.S. §11 (1956).

MINUTES

Minutes of the meeting of the Coordinating Committee of the Constitutional Convention of 1973

 Held pursuant to notice mailed by the Secretary of the Convention on April 26, 1973

 Senate Lounge, State Capitol, Baton Rouge, Louisiana

 Wednesday, May 2, 1973, 10:00 a.m.

 Presiding: E. L. Henry, Chairman of the Coordinating Committee
The meeting was called to order by Chairman E. L. Henry at 10:00 a.m. After the announcement of a quorum present, the chairman stated that the purpose of the meeting was to give consideration to the overlapping of subject matter of the 1921 Constitution between the substantive committees of the convention. Mr. Henry stated that this committee’s recommendations as to which committee should consider each subject matter, and which subject matters should be coordinated between two or more committees, will be submitted to the committees.

Chairman Henry asked Mrs. Norma Duncan, director of research, to discuss Staff Memorandum No. 2 prepared by the research staff and distributed at this meeting for purposes of its consideration. A copy of Coordinating Committee Staff Memorandum No. 2 is attached to and made a part of these minutes.

The committee considered each listed matter set out in the abovementioned memorandum, and by motions duly offered and passed, either adopted as suggested or made changes to the committee recommended to assume responsibility for the matter, as it deemed appropriate. These recommendations are reflected in Coordinating Committee Staff Memorandum No. 3, a copy of which is attached to and made a part of these minutes.

Mr. Aertker offered a motion that, with respect to the matters to be coordinated between two or more committees, each committee give the consideration it deems necessary after which the chairman of the affected committees meet and coordinate the suggestions of the respective committees. The chairman requested that Mrs. Duncan inform the committee chairman of subject matters to be coordinated between the various committees and, when each chairman reports to her that his committee has completed its work with respect to a certain subject, that she coordinate the necessary meetings to consolidate the work effort of the subject matter. The motion was unanimously passed, along with full agreement of the chairman’s request.

The meeting adjourned at 11:45 a.m.

E. L. Henry, Chairman
RE: Suggested committee jurisdiction over constitutional provisions presently under consideration by two or more committees

<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>I, 14</td>
<td>Subordination of Military to Civil Power</td>
<td>1) Bill of Rights and Elections</td>
<td>Bill of Rights and Elections</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Executive Department</td>
<td></td>
</tr>
<tr>
<td>II, 3</td>
<td>Continuity of Governmental Operations Under Enemy Attack</td>
<td>1) Bill of Rights and Elections</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Legislative Powers and Functions</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Executive Department</td>
<td></td>
</tr>
<tr>
<td>III, 2, 3, 4, 5, 6</td>
<td>Apportionment of Legislature</td>
<td>1) Legislative Powers and Functions</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections (affected)</td>
<td></td>
</tr>
<tr>
<td>III, 8</td>
<td>Special Elections to Fill Legislative Vacancies (Governor to Call)</td>
<td>1) Legislative Powers and Functions</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Executive Department</td>
<td></td>
</tr>
<tr>
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<td>Subject</td>
<td>Committees Presently Considering</td>
<td>Suggested Committee</td>
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<td>---------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>III,8.2</td>
<td>Veto Sessions</td>
<td>1) Legislative Powers and Functions 2) Executive Department</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1) Legislative Powers and Functions 2) Bill of Rights and Elections</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td>III,9, 10</td>
<td>Qualifications, Residence Requirements, Term, Election, Procedural Rules, Discipline</td>
<td></td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td>III,26</td>
<td>Signing of Bills; Delivery to Governor</td>
<td>1) Legislative Powers and Functions 2) Executive Department</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td>III,27</td>
<td>Effective Date of Laws; Publication</td>
<td>1) Legislative Powers and Functions 2) Executive Department</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td>III,30</td>
<td>Sale or Trade of Votes</td>
<td>1) Legislative Powers and Functions 2) Executive Department</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td></td>
<td>Purchase of Supplies on Bids; Contracts, Personal Interest, Approval</td>
<td>1) Legislative Powers and Functions 2) Executive Department</td>
<td>Executive Department</td>
</tr>
<tr>
<td>III,32</td>
<td>Merger or Consolidation of Similar Executive and Administrative Offices</td>
<td>1) Legislative Powers and Functions 2) Executive Department</td>
<td>Executive Department</td>
</tr>
<tr>
<td>III,33</td>
<td>Convict Labor, Public Works; Leases</td>
<td>1) Education and Welfare 2) Natural Resources and Environment</td>
<td>Education and Welfare</td>
</tr>
<tr>
<td>Article and Section</td>
<td>Subject</td>
<td>Committees Presently Considering</td>
<td>Suggested Committee</td>
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<td>------------------------------------------------------------------------</td>
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<td>--------------------------------------</td>
</tr>
</tbody>
</table>
| III,34              | Salaries of Public Officers; Change                                    | 1) Legislative Powers and Functions  
                        |                                                                             | 2) Executive Department           |
| III,35              | Suits against the State; its Agencies and Political Subdivisions        | 1) Bill of Rights and Elections  
                        |                                                                             | 2) Legislative Powers and Functions |
| III,37              | Rights of Way; Roads of Necessity; Drainage                            | 1) Bill of Rights and Elections  
                        |                                                                             | 2) Natural Resources and Environment |
| III,44              | Bond for Milk Processors                                               | 1) Legislative Powers and Functions  
                        |                                                                             | 2) Natural Resources and Environment |
| IV,1                | Appropriations                                                         | 1) Legislative Powers and Functions  
                        |                                                                             | 2) Executive Department           |
|                     | quarterly accounting                                                   | 1) Legislative Powers and Functions  
                        |                                                                             | 2) Executive Department           |
| IV,1(a) 2(a)        | Board of Liquidation of State Debt                                    | 1) Legislative Powers and Functions  
                        |                                                                             | 2) Executive Department           
<pre><code>                    |                                                                            | 3) Revenue, Finance and Taxation |
                    |                                                                            | 4) Local and Parochial Government   |
</code></pre>
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
</table>
| IV, 2               | Public Debt, Alienation of Public Lands, Mineral Rights, Royalty Road Fund | 1) Natural Resources and Environment  
2) Local and Parochial Government  
3) Revenue, Finance and Taxation  
4) Legislative Powers and Functions | Coordinate: Natural Resources and Environment - Local and Parochial Government - Revenue, Finance and Taxation |
| IV, 4               | Local and Special Laws on Various Subjects                              | 1) Local and Parochial Government  
2) Natural Resources and Environment  
3) Education and Welfare  
4) Legislative Powers and Functions  
5) Revenue, Finance and Taxation |                                          |

**Elections**

**Changing the names of Persons**

**Changing the venue in civil or criminal cases**

**Authorizing closing, altering or maintaining roads, highways, streets or alleys, etc.**

Bill of Rights and Elections

Judiciary Department

Judiciary Department

Local and Parochial Government
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committee Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV, 4 (cont'd)</td>
<td>Adoption or legitimation of children etc.</td>
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<td>Judiciary Department</td>
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<tr>
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<td>Granting divorces</td>
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<td>Changing law of descent or succession</td>
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<td>Affecting the estates of minors etc.</td>
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<td>Remitting fines, penalties and forfeitures, etc.</td>
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<td>Revenue, Finance and Taxation</td>
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<td>Authorizing constructing of street passenger railroads etc.</td>
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<td>Local and Parochial Government</td>
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<td>Regulating labor, etc.</td>
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<td>Education and Welfare</td>
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<td>Creating corporations, etc.</td>
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<td>Creating municipal corporations having a population of not less than twenty-five hundred inhabitants, etc.</td>
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<td>Local and Parochial Government</td>
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<td>Granting corporation special right, privilege or immunity</td>
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<td>Extending the time for the assessment or collection of taxes, etc.</td>
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<td>Revenue, Finance and Taxation</td>
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<td>IV, 4 (cont'd)</td>
<td>Regulating the practice or jurisdiction of any court, etc.</td>
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<td>Exempting property from taxation</td>
<td>Revenue, Finance and Taxation</td>
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<td>Fixing the rate of interest</td>
<td>Education and Welfare</td>
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<td>Concerning any civil or criminal actions</td>
<td>Judiciary Department</td>
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<td>Wills or deeds, or illegal disposition of property</td>
<td>Judiciary Department</td>
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<td>Management of public schools, etc.</td>
<td>Education and Welfare</td>
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<td>Legalizing the unauthorized or invalid acts of any officer, etc.</td>
<td>Legislative Powers and Functions</td>
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<tr>
<td>IV, 7</td>
<td>Wages, Hours, Working Conditions</td>
<td>Education and Welfare</td>
<td></td>
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<td></td>
<td>1) Bill of Rights and Elections</td>
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<td>2) Education and Welfare</td>
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<td>3) Natural Resources and Environment</td>
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<tr>
<td>IV, 8</td>
<td>Public Funds, Prohibited Expenditures</td>
<td>Revenue, Finance and Taxation</td>
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<td>1) Bill of Rights and Elections</td>
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<tr>
<td>IV,11</td>
<td>Appropriations Bill</td>
<td>1) Education and Welfare 2) Revenue, Finance and Taxation 3) Legislative Powers and Functions 4) Executive Department</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td>IV,12</td>
<td>Loan or Pledge of Public Credit</td>
<td>1) Revenue, Finance and Taxation 2) Bill of Rights and Elections 3) Natural Resources and Environment 4) Education and Welfare 5) Local and Parochial Government</td>
<td>Coordinate: Revenue, Finance and Taxation - Local and Parochial Government</td>
</tr>
<tr>
<td>IV,12(b)</td>
<td>State Market Commission; Guaranteed Loans</td>
<td>1) Legislative Powers and Functions 2) Executive Department 3) Natural Resources and Environment</td>
<td>Executive Department</td>
</tr>
<tr>
<td>IV,12(c)</td>
<td>Commissioner of Agriculture; Guaranteed Loans; Farm Youth Organizations</td>
<td>1) Legislative Powers and Functions 2) Executive Department 3) Natural Resources and Environment</td>
<td>Executive Department</td>
</tr>
<tr>
<td>IV,14</td>
<td>State Educational and Charitable Institutions; Establishment; Vote</td>
<td>1) Education and Welfare 2) Bill of Rights and Elections</td>
<td>Education and Welfare</td>
</tr>
<tr>
<td>Article and Section</td>
<td>Subject</td>
<td>Committees Presently Considering</td>
<td>Suggested Committee</td>
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</tbody>
</table>
| IV, 16              | Forced Heirship, Adoption, Trusts | 1) Education and Welfare  
2) Bill of Rights and Elections | Judiciary Department |
| V, 1                | Executive Officers | 1) Executive Department  
2) Bill of Rights and Elections | Executive Department |
| V, 2, 3             | Governor, Lieutenant Governor, Executive Power, Term, Election | 1) Executive Department  
2) Bill of Rights and Elections | Executive Department |
| V, 8, 9             | Lieutenant Governor, President of Senate | 1) Executive Department  
2) Legislative Powers and Functions | Legislative Powers and Functions |
| V, 11               | Appointment of Officers | 1) Legislative Powers and Functions  
2) Executive Department | Executive Department |
| V, 14, 15           | Governor, Extraordinary Session, Restriction on Power to Legislate, Veto by Governor | 1) Executive Department  
2) Legislative Powers and Functions | Coordinate: Executive Department - Legislative Department |
| V, 16               | Item Veto, Appropriation Bills | 1) Revenue, Finance and Taxation  
2) Legislative Powers and Functions  
3) Executive Department | Executive Department |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>V,17</td>
<td>Acts Not Requiring Governor's Signature</td>
<td>1) Executive Department</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td></td>
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<td>2) Legislative Powers and Functions</td>
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<tr>
<td>V,18</td>
<td>Constitutional Officers, Election, Terms, Vacancies</td>
<td>1) Executive Department</td>
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<td>2) Natural Resources and Environment</td>
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<td>3) Bill of Rights and Elections</td>
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<tr>
<td>V,20</td>
<td>Salaries of Constitutional Officers</td>
<td>1) Natural Resources and Environment</td>
<td>Executive Department</td>
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<td></td>
<td>2) Executive Department</td>
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<tr>
<td>VI,1</td>
<td>Wildlife and Fisheries Commission</td>
<td>1) Executive Department</td>
<td>Coordinate: Executive Department - Natural Resources and Environment</td>
</tr>
<tr>
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<td>2) Natural Resources and Environment</td>
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<tr>
<td>VI,3-9</td>
<td>Public Service Commission</td>
<td>1) Executive Department</td>
<td>Education and Welfare</td>
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<td>2) Bill of Rights and Elections</td>
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<td>4) Natural Resources and Environment</td>
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<td>VI,11</td>
<td>Boards of Health</td>
<td>1) Executive Department</td>
<td>Education and Welfare</td>
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<td>2) Education and Welfare</td>
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<tr>
<td>VI,11.1</td>
<td>Mosquito Abatement Districts</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
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<td>2) Natural Resources and Environment</td>
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CC-9
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<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
</table>
| VI,13               | Agriculture Department                                                 | 1) Executive Department  
2) Natural Resources and Environment                                                                                                                                                                                                  | Executive Department                        |
| VI,14               | Agriculture and Immigration; Public Policy                              | 1) Education and Welfare  
2) Natural Resources and Environment                                                                                                                                                                                                          | Natural Resources and Environment           |
| VI,16               | Port of New Orleans                                                    | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government  
3) Natural Resources and Environment                                                                                                                                                                                                     | Revenue, Finance and Taxation               |
| VI,19               | State Highways and Bridges Construction and Maintenance; Traffic Regulation; Rights of Parishes, Municipalities and Political Subdivisions | 1) Bill of Rights and Elections  
2) Executive Department                                                                                                                                                                                                                     | Executive Department                        |
| VI,19.1             | Expropriation for Highway Purposes                                     | 1) Bill of Rights and Elections  
2) Natural Resources and Environment  
3) Executive Department                                                                                                                                                                                                                     | Bill of Rights and Elections                |
| VI,19.3             | Beautification of Highways                                             | 1) Natural Resources and Environment  
2) Education and Welfare  
3) Executive Department                                                                                                                                                                                                                     | Executive Department                        |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>VI, 21-21.4</td>
<td>Highway Fund</td>
<td>1) Revenue, Finance and Taxation</td>
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<tr>
<td></td>
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<td>2) Natural Resources and Environment</td>
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<td>3) Executive Department</td>
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<tr>
<td>VI, 24</td>
<td>Highway Bonds</td>
<td>1) Revenue, Finance and Taxation</td>
<td>Revenue, Finance and Taxation</td>
</tr>
<tr>
<td>VI, 26(2)</td>
<td>Legislative Auditor</td>
<td>1) Revenue, Finance and Taxation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Local and Parochial Government</td>
<td></td>
</tr>
<tr>
<td>VI, 27</td>
<td>Board of Lake Pontchartrain; Causeway</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources and Environment</td>
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<td></td>
<td>3) Executive Department</td>
<td></td>
</tr>
<tr>
<td>VI, 28</td>
<td>Liquefied Petroleum Gas Commission</td>
<td>1) Executive Department</td>
<td>Executive Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources and Environment</td>
<td></td>
</tr>
<tr>
<td>VI, 29, 31, Port Commissions 32, 33, 33.1, 34, 35, 36</td>
<td></td>
<td>1) Natural Resources and Environment</td>
<td>Local and Parochial Government</td>
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<tr>
<td>VI-A,5,6, 7,9-12</td>
<td>Gasoline Tax for Parishes; Motor Fuel Tax; Dealers; Importers; Penalties; Exemptions, etc.</td>
<td>1) Executive Department 2) Local and Parochial Government 3) Revenue, Finance and Taxation</td>
<td>Revenue, Finance and Taxation</td>
</tr>
<tr>
<td>VII,2</td>
<td>Writs of Habeas Corpus and In Aid of Jurisdiction; Reasons for Refusal</td>
<td>1) Judiciary Department 2) Bill of Rights and Elections</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td>VII,6</td>
<td>Divisions; Rotation; Terms</td>
<td>1) Judiciary Department 2) Bill of Rights and Elections</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td>VII,7</td>
<td>Limited Terms; Election</td>
<td>1) Judiciary Department 2) Bill of Rights and Elections 3) Executive Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td>VII,10</td>
<td>Supervisory; Original and Appellate Jurisdiction</td>
<td>1) Judiciary Department 2) Bill of Rights and Elections 3) Revenue, Finance and Taxation</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td>VII,22</td>
<td>First Circuit; Domicile</td>
<td>1) Judiciary Department 2) Bill of Rights and Elections</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td>VII,23</td>
<td>Second Circuit; Domicile; Sessions</td>
<td>1) Judiciary Department 2) Bill of Rights and Elections</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td>Article and Section</td>
<td>Subject</td>
<td>Committees Presently Considering</td>
<td>Suggested Committee</td>
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<tr>
<td>VII,29</td>
<td>Court of Appeals; Jurisdiction</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
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<td>VII,33</td>
<td>District Courts; District</td>
<td>1) Judiciary Department</td>
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<td>2) Bill of Rights and Elections</td>
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<td>3) Executive Department</td>
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<tr>
<td>VII,41</td>
<td>Selection of Jurors; Women Jurors</td>
<td>1) Judiciary Department</td>
<td>Bill of Rights and Elections</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
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<tr>
<td>VII,42</td>
<td>Grand Jury; District Judges; Authority in Criminal Codes</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td>VII,43</td>
<td>Sessions; Findings of Fact</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
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<tr>
<td>VII,44</td>
<td>Waiver of Citation; Confession of Judgment</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
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<td>2) Bill of Rights and Elections</td>
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<tr>
<td>VII,45</td>
<td>Change of Venue</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
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<tr>
<td></td>
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<td>2) Bill of Rights and Elections</td>
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<tr>
<td>VII,46</td>
<td>Justice of the Peace Wards</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
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<tr>
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<td></td>
<td>2) Bill of Rights and Elections</td>
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<td>Suggested Committee</td>
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<tr>
<td>VII,47</td>
<td>Justices; Qualifications; Election</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
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<tr>
<td></td>
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<td>2) Bill of Rights and Elections</td>
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<tr>
<td>VII,51</td>
<td>Justice of the Peace Courts; City Courts</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
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<tr>
<td>VII,52</td>
<td>Creation; Judges; Jurisdiction</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td>VII,55</td>
<td>Department of Justice; Establishment; Composition; Attorney General</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
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<td></td>
<td>3) Executive Department</td>
<td></td>
</tr>
<tr>
<td>VII,56</td>
<td>Attorney General; Qualifications; Powers and Duties; Vacancies</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Executive Department</td>
<td></td>
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<tr>
<td>VII,57</td>
<td>Department of Justice</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Executive Department</td>
<td></td>
</tr>
<tr>
<td>VII,58</td>
<td>District Attorney; Establishment of Office; Election; Term</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td>VII,59</td>
<td>Salary; Qualifications</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
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<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
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<td>Article and Section</td>
<td>Subject</td>
<td>Committees Presently Considering</td>
<td>Suggested Committee</td>
</tr>
<tr>
<td>---------------------</td>
<td>----------------------------------------------</td>
<td>----------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>VII, 60</td>
<td>Assistant District Attorney</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Executive Department</td>
<td></td>
</tr>
<tr>
<td>VII, 62(2)</td>
<td>District Attorneys; Assistants; Salary</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Education and Welfare</td>
<td></td>
</tr>
<tr>
<td>VII, 65</td>
<td>Sheriffs; Establishment of Office; Election</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Revenue, Finance and Taxation</td>
<td></td>
</tr>
<tr>
<td>VII, 66</td>
<td>Clerks; Establishment of Office; Election; Powers and Duties</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td>VII, 69</td>
<td>Vacancies; appointments; Special Elections</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Legislative Powers and Functions</td>
<td></td>
</tr>
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<td></td>
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<td>4) Executive Department</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>5) Education and Welfare</td>
<td></td>
</tr>
</tbody>
</table>

With Respect to Judge of a District, Juvenile, Family, Parish or City Court, District Attorney, Clerk of a District Court, Registrar of Conveyances, Recorder of Mortgages

With Respect to Sheriff; Assessor State Tax Collector

Judiciary Department

Local and Parochial Government
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>VII, 69 (cont'd)</td>
<td>City or Parish School Board</td>
<td></td>
<td>Education and Welfare</td>
</tr>
<tr>
<td></td>
<td>Other Elective Parish Government or Ward Offices</td>
<td></td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td>Except Justice of Peace and Constable; Elective Municipal Offices</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Justice of Peace and Constable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VII, 70</td>
<td>Coroners; Establishment of Office; Election; Term</td>
<td>1) Judiciary Department 2) Bill of Rights and Elections</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td>VII, 71</td>
<td>Coroners; Qualifications; Acting for Sheriff</td>
<td>1) Judiciary Department 2) Bill of Rights and Elections</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td>VII, 72</td>
<td>Coroners; Vacancy</td>
<td>1) Judiciary Department 2) Executive Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td>VII, 93</td>
<td>City Courts of New Orleans; Vacancy</td>
<td>1) Judiciary Department 2) Executive Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td>VIII, 13</td>
<td>Residence Requirements for Officials</td>
<td>1) Bill of Rights and Elections 2) Executive Department 3) Education and Welfare</td>
<td>Bill of Rights and Elections</td>
</tr>
<tr>
<td>IX, 1, 2</td>
<td>Impeachment</td>
<td>1) Executive Department 2) Legislative Powers and Functions 3) Judiciary Department</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td>Article and Section</td>
<td>Subject</td>
<td>Committee Presently Considering</td>
<td>Suggested Committee</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------------------------------</td>
<td>---------------------------------</td>
<td>---------------------------------------</td>
</tr>
</tbody>
</table>
| IX,4                | Judiciary Commission; Removal and Retirement of Judges | 1) Judiciary Department  
2) Legislative Powers and Functions | Judiciary Department            |
| IX,6,7              | Removal of Suit                             | 1) Legislative Powers and Functions  
2) Executive Department | Legislative Powers and Functions |
| IX,8                | Suspension, Fiscal Officers                  | 1) Legislative Powers and Functions  
2) Revenue, Finance and Taxation  
3) Executive Department | Executive Department          |
| IX,9                | Removal, Recall                             | 1) Local and Parochial Government  
2) Legislative Powers and Functions | Legislative Powers and Functions |
| X,1                 | Taxing Power; Specific Taxes                | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government  
3) Natural Resources and Environment | Revenue, Finance and Taxation |
| X,4                 | Tax Exemptions                              | 1) Natural Resources and Environment  
2) Revenue, Finance and Taxation  
3) Education and Welfare  
4) Local and Parochial Government |                                      |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
</table>
| X, 5, 6            | Local Taxes              | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government                                                        | Coordinate: Revenue, Finance and Taxation - Local and Parochial Government             |
| X, 8               | Banks, License Tax       | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government                                                        | Revenue, Finance and Taxation                                                         |
| X, 10, 10A, 10B    | Special Local Taxes      | 1) Local and Parochial Government  
2) Education and Welfare  
3) Revenue, Finance and Taxation                                                          | Coordinate: Local and Parochial Government - Revenue, Finance and Taxation             |
| X, 11              | Collection of Taxes      | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government  
3) Natural Resources and Environment                                                       | Revenue, Finance and Taxation                                                         |
| X, 13-17           | Assessments, Collections | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government                                                        | Revenue, Finance and Taxation                                                         |
| X, 21              | Severance Tax            | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government  
3) Natural Resources and Environment                                                       | Revenue, Finance and Taxation                                                         |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
</table>
| X,22                | New Industry, Exemption                      | 1) Local and Parochial Government  
2) Education and Welfare  
3) Revenue, Finance and Taxation                                                                 | Revenue, Finance and Taxation                             |
| X,23                | Tax for Nicholls College                     | 1) Local and Parochial Government  
2) Education and Welfare  
3) Revenue, Finance and Taxation                                                                 | Revenue, Finance and Taxation                             |
| X,24                | Tax Relief for Manufacturing Establishments  | 1) Education and Welfare  
2) Revenue, Finance and Taxation                                                                 | Revenue, Finance and Taxation                             |
| XII,9               | Appropriations; Institutions of Higher Learning | 1) Education and Welfare  
2) Revenue, Finance and Taxation                                                                 | Coordinate: Education and Welfare - Revenue, Finance and Taxation|
| XII,13              | No Appropriation of Public Funds for Private or Sectarian Schools | 1) Bill of Rights and Elections  
2) Education and Welfare  
3) Revenue, Finance and Taxation                                                                 | Education and Welfare                                     |
| XII,14-16           | Funds for Parish Schools; Management; Orleans Parish School Board | 1) Revenue, Finance and Taxation  
2) Education and Welfare                                                                 | Coordinate: Revenue, Finance and Taxation - Education and Welfare|
| XII,17              | LSU; Funds (Mineral Revenues, etc.)          | 1) Revenue, Finance and Taxation  
2) Education and Welfare  
3) Natural Resources and Environment                                                                | Coordinate: Revenue, Finance and Taxation - Education and Welfare|
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
</table>
| XII,18-20           | Sixteenth Section Lands; Free School Funds | 1) Revenue, Finance and Taxation  
2) Education and Welfare  
3) Local and Parochial Government | Coordinate: Revenue, Finance and Taxation - Education and Welfare |
| XII,21              | A & M College Fund | 1) Revenue, Finance and Taxation  
2) Education and Welfare  
3) Natural Resources and Environment | Coordinate: Revenue, Finance and Taxation - Education and Welfare |
| XIII,2-3            | Corporations: Stock or Bond Issues; Railroads | 1) Legislative Powers and Functions  
2) Education and Welfare | Legislative Powers and Functions |
| XIII,5              | Corporations; Creation by General Laws; Monopolies | 1) Legislative Powers and Functions  
2) Education and Welfare  
3) Bill of Rights and Elections | Legislative Powers and Functions |
| XIII,6              | Canal and Hydroelectric Development | 1) Legislative Powers and Functions  
2) Natural Resources and Environment  
3) Education and Welfare | Coordinate: Natural Resources and Environment - Education and Welfare |
| XIII,7              | Perpetual Franchises | 1) Legislative Powers and Functions  
2) Education and Welfare  
3) Bill of Rights and Elections | Legislative Powers and Functions |
| XIII,8              | Definitions | 1) Legislative Powers and Functions  
2) Education and Welfare | Legislative Powers and Functions |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>XIV,1</td>
<td>New Parishes</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td>XIV,2</td>
<td>Change of Parish Lines; Election</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td>XIV,3</td>
<td>Optional Plans of Parochial Government</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td>XIV,3(b)</td>
<td>East Baton Rouge Parish; Recreation and Parks Commission</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources and Environment</td>
<td></td>
</tr>
<tr>
<td>XIV,3(d)</td>
<td>Parish Charter Commission</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td>XIV,3(g)</td>
<td>Parish Charter Commission; Duties, Powers, Functions</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td>XIV,4</td>
<td>Dissolution and Merger of Parishes</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
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<tr>
<td>Article and Section</td>
<td>Subject</td>
<td>Committees Presently Considering</td>
<td>Suggested Committee</td>
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<tr>
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<td>-------------------------------------------------------------------------</td>
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<td>--------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>XIV,5</td>
<td>New or Enlarged Parishes; Adjustment of Assets and Liabilities</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td>XIV,6</td>
<td>Property for Navigation Canals; Financing</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources and Environment</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td>XIV,7</td>
<td>Withdrawal of Municipality From Parochial Taxing Authority</td>
<td>1) Local and Parochial Government</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Revenue, Finance and Taxation</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td>XIV,8</td>
<td>Parochial Taxation in Cities and Towns; Limitation</td>
<td>1) Local and Parochial Government</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Revenue, Finance and Taxation</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td>XIV,10</td>
<td>Municipal Consolidation; Special Taxes</td>
<td>1) Local and Parochial Government</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Revenue, Finance and Taxation</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td>XIV,11</td>
<td>Parochial Tax Limits</td>
<td>1) Local and Parochial Government</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Revenue, Finance and Taxation</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td>XIV,12</td>
<td>Municipal Tax Limits</td>
<td>1) Local and Parochial Government</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Revenue, Finance and Taxation</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td>Article and Section</td>
<td>Subject</td>
<td>Committees Presently Considering</td>
<td>Suggested Committee</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------</td>
</tr>
</tbody>
</table>
| XIV,13              | City of Shreveport Bonds and Reaffirmed     | 1) Local and Parochial Government  
                        |                                                                | 2) Revenue, Finance and Taxation                        | Coordinate: Local and Parochial Government - Revenue, Finance and Taxation |
| XIV,14              | Subdivision of State; Creation; Indebtedness; Bond Issues | 1) Local and Parochial Government  
                        |                                                                | 2) Revenue, Finance and Taxation                        | Coordinate: Local and Parochial Government - Revenue, Finance and Taxation |
| XIV,15.2            | Financial Security for Surviving Spouses and Children | 1) Natural Resources and Environment  
                        |                                                                | 2) Education and Welfare                                | Education and Welfare                                           |
| XIV,16              | Servitudes; Public Acquisition by Prescription | 1) Local and Parochial Government  
                        |                                                                | 2) Natural Resources and Environment                    | Judiciary Department                                             |
| XIV,17              | State Penal Institutions; Reimbursement of Parish Expense | 1) Local and Parochial Government  
                        |                                                                | 2) Education and Welfare                                | Education and Welfare                                             |
| XIV,19              | Special Tax to Aid Public Utilities; Elections; Qualification of Voters | 1) Local and Parochial Government  
                        |                                                                | 2) Revenue, Finance and Taxation                        | Coordinate: Local and Parochial Government - Revenue, Finance and Taxation |
| XIV,22(a)           | Vieux Carre Commission                       | 1) Local and Parochial Government  
<pre><code>                    |                                                                | 2) Revenue, Finance and Taxation                        | Local and Parochial Government                                    |
</code></pre>
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
</table>
| XIV,23.1            | New Orleans; Sewerage, Water, and Drainage System; Special Tax          | 1) Local and Parochial Government  
2) Revenue, Finance and Taxation                                                                 | Coordinate: Local and Parochial Government - Revenue, Finance and Taxation                   |
| XIV,23.2            | New Orleans; Sewerage, Water, and Drainage System; Special Tax          | 1) Local and Parochial Government  
2) Revenue, Finance and Taxation                                                                 | Coordinate: Local and Parochial Government - Revenue, Finance and Taxation                   |
| XIV,23.3            | New Orleans; Sewerage and Water Board; Water Rates; Sinking Fund        | 1) Local and Parochial Government  
2) Revenue, Finance and Taxation                                                                 | Coordinate: Local and Parochial Government - Revenue, Finance and Taxation                   |
| XIV,24              | New Orleans; Board of Liquidation of City Debt                           | 1) Local and Parochial Government  
2) Revenue, Finance and Taxation                                                                 | Coordinate: Local and Parochial Government - Revenue, Finance and Taxation                   |
| XIV,24.1            | Motor Fuel; Local Taxation Prohibited                                   | 1) Local and Parochial Government  
2) Revenue, Finance and Taxation                                                                 | Coordinate: Local and Parochial Government - Revenue, Finance and Taxation                   |
| XIV,24.2            | New Orleans; Sewerage, Water and Drainage Bonds; Authorization         | 1) Local and Parochial Government  
2) Revenue, Finance and Taxation                                                                 | Coordinate: Local and Parochial Government - Revenue, Finance and Taxation                   |
| XIV,24.3            | New Orleans; Sewerage, Water and Drainage Bonds                         | 1) Local and Parochial Government  
2) Revenue, Finance and Taxation                                                                 | Coordinate: Local and Parochial Government - Revenue, Finance and Taxation                   |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>XIV,24.4</td>
<td>New Orleans; Sewerage, Water and Drainage Bonds; Funds for Payment</td>
<td>1) Local and Parochial Government 2) Revenue, Finance and Taxation</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td>XIV,24.5</td>
<td>New Orleans; Sewerage and Water Bonds; Taxes</td>
<td>1) Local and Parochial Government 2) Revenue, Finance and Taxation</td>
<td>Coordinate: Local and Parochial Government - Revenue, Finance and Taxation</td>
</tr>
<tr>
<td>XIV,29</td>
<td>Zoning Ordinances</td>
<td>1) Local and Parochial Government 2) Education and Welfare</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td>XIV,29.1</td>
<td>Parish Industrial Areas</td>
<td>1) Local and Parochial Government 2) Education and Welfare</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td>XIV,30</td>
<td>Improvements by Riparian Owners; Expropriation; Just Compensation</td>
<td>1) Local and Parochial Government 2) Natural Resources and Environment 3) Bill of Rights and Elections</td>
<td>Bill of Rights and Elections</td>
</tr>
<tr>
<td>XIV,30.1</td>
<td>Port, Harbor and Terminal Districts; Creation as Political Subdivisions</td>
<td>1) Local and Parochial Government 2) Natural Resources and Environment</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td>XIV,30.2</td>
<td>Lake Charles Harbor and Terminal District; Ratification</td>
<td>1) Local and Parochial Government 2) Natural Resources and Environment</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td>Article and Section</td>
<td>Subject</td>
<td>Committees Presently Considering</td>
<td>Suggested Committee</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>---------------------------------------------------------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td>XIV,30.3</td>
<td>Navigation and River Improvement Districts; Creation as Political Subdivisions</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources and Environment</td>
<td></td>
</tr>
<tr>
<td>XIV,30.4</td>
<td>Navigation and River Improvement Districts; Effect on Levee Boards</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources and Environment</td>
<td></td>
</tr>
<tr>
<td>XIV,30.5</td>
<td>Red River Waterway</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources and Environment</td>
<td></td>
</tr>
<tr>
<td>XIV,31</td>
<td>Port, Harbor and Terminal Districts; Creation as Political Subdivisions</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources and Environment</td>
<td></td>
</tr>
<tr>
<td>XIV,31.7</td>
<td>New Orleans; Vehicular and/or Pedestrian Crossing Over or Under Inner-Harbor Navigation Canal</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Executive Department</td>
<td></td>
</tr>
<tr>
<td>XIV,34</td>
<td>Garbage Districts</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources</td>
<td></td>
</tr>
<tr>
<td>XIV,36</td>
<td>Jefferson Parish; Community Center and Playground Districts; Bonds</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources and Environment</td>
<td></td>
</tr>
<tr>
<td>Article and Section</td>
<td>Subject</td>
<td>Committees Presently Considering</td>
<td>Suggested Committee</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>------------------------------------------------------------</td>
<td>------------------------------------</td>
</tr>
</tbody>
</table>
| XIV,38              | Jefferson Parish; Public Improvement Districts; Levee Systems; Indebtedness; Bonds | 1) Local and Parochial Government  
2) Natural Resources and Environment  
3) Executive Department | Local and Parochial Government |
| XIV,38.1            | St. Charles Parish; Reclamation Projects by Public Improvement Districts | 1) Local and Parochial Government  
2) Natural Resources and Environment  
3) Executive Department | Local and Parochial Government |
| XIV,39              | City of Lake Charles; Reclamation and Development of Lake Front         | 1) Local and Parochial Government  
2) Natural Resources and Environment | Local and Parochial Government |
| XIV,39.1            | Calcasieu Parish; Community Center and Playground Districts; Bond Issue | 1) Local and Parochial Government  
2) Natural Resources and Environment | Local and Parochial Government |
| XIV,40              | Municipalities; Charters and Parishes; Home Rule                        | 1) Local and Parochial Government  
2) Bill of Rights and Elections | Local and Parochial Government |
| XIV,44              | City of Lake Charles; Reclamation and Development of Lake Bed and Waterfront | 1) Local and Parochial Government  
2) Natural Resources and Environment | Local and Parochial Government |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
</table>
| XIV,44.1            | City of Lake Charles; Reclamation and Development of Lake Front; Acquisition of Property; Bonds | 1) Local and Parochial Government  
2) Natural Resources and Environment | Local and Parochial Government                                                                    |
| XIV,47              | Louisiana Stadium and Exposition District                                | 1) Local and Parochial Government  
2) Natural Resources and Environment | Local and Parochial Government                                                                    |
| XV,1-4              | Drainage Districts                                                      | 1) Revenue, Finance and Taxation  
2) Natural Resources and Environment  
3) Local and Parochial Government | Local and Parochial Government                                                                    |
| XVI,1               | Levee System; Maintenance State Tax                                     | 1) Revenue, Finance and Taxation  
2) Natural Resources and Environment  
3) Local and Parochial Government | Local and Parochial Government                                                                    |
| XVI,2,3             | Taxes and Bond Issues                                                   | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government | Coordinate: Revenue, Finance and Taxation - Local and Parochial Government |
| XVI,4-6             | Interstate Levee Districts; Cooperation with Federal Government; Levee Appropriation | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government | Local and Parochial Government                                                                    |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>XVI,7</td>
<td>Orleans Levee District</td>
<td>1) Education and Welfare 2) Natural Resources and Environment 3) Local and Parochial Government 4) Revenue, Finance and Taxation</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td>XVI,8,8(a)</td>
<td>Pontchartrain Levee District</td>
<td>1) Executive Department 2) Natural Resources and Environment 3) Local and Parochial Government 4) Revenue, Finance and Taxation</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td>XVIII,3,4, 6,8</td>
<td>Confederate Veterans; Civil War Memorials; Confederate Memorial Medical Center</td>
<td>1) Education and Welfare 2) Executive Department</td>
<td>Executive Department</td>
</tr>
<tr>
<td>XIX,8</td>
<td>Gambling; Futures of Agricultural Products; Lotteries</td>
<td>1) Bill of Rights and Elections 2) Natural Resources and Environment</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td>XIX,12</td>
<td>Bribes; Offering or Receiving; Disqualification from Office</td>
<td>1) Bill of Rights and Elections 2) Legislative Powers and Functions</td>
<td>Bill of Rights and Elections</td>
</tr>
<tr>
<td>XIX,13</td>
<td>Bribes; Self-Incrimination; Immunity</td>
<td>1) Bill of Rights and Elections 2) Legislative Powers and Functions</td>
<td>Bill of Rights and Elections</td>
</tr>
</tbody>
</table>

CC-29
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Suggested Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>XIX,14</td>
<td>Monopolies; Trusts, etc.</td>
<td>1) Bill of Rights and Elections</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Education and Welfare</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Natural Resources and Environment</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>4) Executive Department</td>
<td></td>
</tr>
<tr>
<td>XIX,15</td>
<td>Passes, Franking Privilege; Penalties</td>
<td>1) Legislative Powers and Functions</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Executive Department</td>
<td></td>
</tr>
<tr>
<td>XIX,16</td>
<td>Prescription Against State</td>
<td>1) Bill of Rights and Elections</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources and Environment</td>
<td></td>
</tr>
<tr>
<td>XIX,18</td>
<td>Police Power</td>
<td>1) Executive Department</td>
<td>Executive Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Legislative Powers and Functions</td>
<td></td>
</tr>
<tr>
<td>XIX,26</td>
<td>Special Agencies of State; Withdrawal of Consent to Suits</td>
<td>1) Bill of Rights and Elections</td>
<td>Legislative Powers and Functions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Executive Department</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Legislative Powers and Functions</td>
<td></td>
</tr>
<tr>
<td>XIX, 27</td>
<td>Governmental Ethics</td>
<td>1) Bill of Rights and Elections</td>
<td>Executive Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Executive Department</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Legislative Powers and Functions</td>
<td></td>
</tr>
</tbody>
</table>
May 14, 1973

TO: Chairman of the Substantive Committees of the Constitutional Convention

Gentlemen:

Several errors have been found in Coordinating Committee Staff Memorandum No. 3, which was mailed to you last week. This Staff Memorandum presented the recommendations of the Coordinating Committee as to committee jurisdiction over constitutional provisions under consideration by two or more substantive committees of the convention.

Please make the following corrections in the last column ('Committee or Committees To Assume Responsibility') of your copy of Staff Memorandum No. 3:

**Article III, Section 17.** on page C3-3: strike out "Bill of Rights and Elections" in the last column and insert in lieu thereof: "Coordinate: Bill of Rights and Elections and Local and Parochial Government".

**Article IV, Section 4.** on page C3-4. It was determined that the Committee on Legislative Powers and Functions would assume responsibility for preparation of the section, but any substantive committees having interest in any provision thereof may propose a provision prohibiting enactment of local or special laws in such area.

**Article VI, Section 14.** on page C3-10, relating to the Port of New Orleans: In the last column, strike out the words "Natural Resources & Environment" and insert in lieu thereof "Local and Parochial Government".

**Article VII, Section 19.** on page C3-10, relating to expropriation for highway purposes: In the last column, strike out "Bill of Rights and Elections" and insert in lieu thereof: "Coordinate: Bill of Rights and Elections and Executive Department".

We regret the above errors in the Memorandum and hope your committee consideration is not thereby deterred.

Kindest regards,

Norma M. Duncan
Director of Research

NMD:kb

TO: Chairman of Substantive Committees

FROM: Norma M. Duncan, Director of Research

Gentlemen:

The Coordinating Committee at its meeting of Wednesday, May 2, 1973 considered the various sections of the Constitution of 1921 which more than one substantive committee previously indicated they planned to consider.

The committee's determinations as to the committee which should assume sole or primary responsibility in each instance is indicated in the enclosed Staff Memorandum No. 3. Also indicated are various provisions which the committee believes must be considered by more than one committee, with coordination between the committees after each has had an opportunity to consider all or that portion of the section relating to matter within its jurisdiction.

It was recommended that, following consideration by any committee which is to coordinate subject matter with another committee, the chairman contact me. I then will be glad to assist in the coordination effort after consulting with the chairman in order to fix a date for a joint meeting of the committees affected.

I will look forward to hearing from each of you as you approach the time for setting up a meeting date for necessary joint committee meetings.

Cordially yours,

Norma M. Duncan
Director of Research

NMD:kb

Enclosure

NOTES

Coordinating Committee Staff Memo No. 3, May 2, 1973, reproduces Staff Memo No. 2 except as reproduced below reflecting determinations by the Committee.
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Committee or Committees To Assume Responsibility</th>
</tr>
</thead>
</table>
| IV,11               | Appropriations Bill                                          | 1) Education and Welfare  
2) Revenue, Finance and Taxation  
3) Legislative Powers and Functions  
4) Executive Department | Legislative Powers and Functions                                                                |
| IV,12               | Loan or Pledge of Public Credit                              | 1) Revenue, Finance and Taxation  
2) Bill of Rights and Elections  
3) Natural Resources and Environment  
4) Education and Welfare  
5) Local and Parochial Government | Coordinate: Revenue, Finance and Taxation, and Local & Parochial Government                      |
| IV,12(b)            | State Market Commission; Guaranteed Loans                   | 1) Legislative Powers and Functions  
2) Executive Department  
3) Natural Resources and Environment | Coordinate: Executive Department, and Natural Resources & Environment                      |
| IV,12(c)            | Commissioner of Agriculture; Guaranteed Loans; Farm Youth Organizations | 1) Legislative Powers and Functions  
2) Executive Department  
3) Natural Resources and Environment | Coordinate: Executive Department, and Natural Resources & Environment                      |
| IV,14               | State Educational and Charitable Institutions; Establishment; Vote | 1) Education and Welfare  
2) Bill of Rights and Elections | Education and Welfare                                                                  |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Committee or Committees To Assume Responsibility</th>
</tr>
</thead>
</table>
| V,17               | Acts Not Requiring Governor's Signature     | 1) Executive Department  
2) Legislative Powers and Functions                                    | Legislative Powers and Functions                                      |
| V,18               | Constitutional Officers, Election, Terms, Vacancies | 1) Executive Department  
2) Natural Resources and Environment  
3) Bill of Rights and Elections                                             | Executive Department                                                  |
| V,20               | Salaries of Constitutional Officers         | 1) Natural Resources and Environment  
2) Executive Department                                                    | Executive Department                                                  |
| VI,1               | Wildlife and Fisheries Commission           | 1) Executive Department  
2) Natural Resources and Environment                                        | Coordinate: Executive Department and Natural Resources & Environment   |
| VI,3-9             | Public Service Commission                   | 1) Executive Department  
2) Bill of Rights and Elections  
3) Education and Welfare  
4) Natural Resources and Environment                                         | Coordinate: Natural Resources & Environment and Executive Department   |
| VI,11              | Boards of Health                            | 1) Executive Department  
2) Education and Welfare                                                   | Education and Welfare                                                 |
| VI,11.1            | Mosquito Abatement Districts                | 1) Local and Parochial Government  
2) Natural Resources and Environment                                           | Local and Parochial Government                                       |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Committee or Committees To Assume Responsibility</th>
</tr>
</thead>
</table>
| VI,13               | Agriculture Department                                                 | 1) Executive Department  
2) Natural Resources and Environment                                                                       | Coordinate: Executive Department, and Natural Resources & Environment                                         |
| VI,14               | Agriculture and Immigration; Public Policy                              | 1) Education and Welfare  
2) Natural Resources and Environment                                                                       | Natural Resources and Environment                                                                 |
| VI,16               | Port of New Orleans                                                    | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government  
3) Natural Resources and Environment                                                                       | Coordinate: Revenue, Finance & Taxation, and Natural Resources & Environment                                   |
| VI,19               | State Highways and Bridges Construction and Maintenance; Traffic Regulation; Rights of Parishes, Municipalities and Political Subdivisions | 1) Bill of Rights and Elections  
2) Executive Department                                                                                     | Executive Department                                                                                         |
| VI,19.1             | Expropriation for Highway Purposes                                     | 1) Bill of Rights and Elections  
2) Natural Resources and Environment  
3) Executive Department                                                                                     | Bill of Rights and Elections                                                                                   |
| VI,19.3             | Beautification of Highways                                             | 1) Natural Resources and Environment  
2) Education and Welfare  
3) Executive Department                                                                                     | Coordinate: Executive Department, and Natural Resources & Environment                                         |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Committee or Committees To Assume Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>VII,60</td>
<td>Assistant District Attorney</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Executive Department</td>
<td></td>
</tr>
<tr>
<td>VII,62(2)</td>
<td>District Attorneys; Assistants; Salary</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Education and Welfare</td>
<td></td>
</tr>
<tr>
<td>VII,65</td>
<td>Sheriffs; Establishment of Office; Election</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Revenue, Finance and Taxation</td>
<td></td>
</tr>
<tr>
<td>VII,66</td>
<td>Clerks; Establishment of Office; Election; Powers and Duties</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td>VII,69</td>
<td>Vacancies; Appointments; Special Elections</td>
<td>1) Judiciary Department</td>
<td>Judiciary Department</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Bill of Rights and Elections</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Legislative Powers and Functions</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>4) Executive Department</td>
<td></td>
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<td></td>
<td>5) Education and Welfare</td>
<td></td>
</tr>
</tbody>
</table>

With Respect to Judge of a District, Juvenile, Family, Parish or City Court, District Attorney, Clerk of a District Court, Registrar of Conveyances, Recorder of Mortgages

Sheriff

Assessor; State Tax Collector

Coordinate:
Local & Parochial Government and Judiciary

Local and Parochial Government
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Committee or Committees To Assume Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>VII,69 (Contd)</td>
<td>City or Parish School Board</td>
<td></td>
<td>Education and Welfare</td>
</tr>
<tr>
<td></td>
<td>Other Elective Parish Government or Ward Offices Except Justice of Peace and Constable; Elective Municipal Offices</td>
<td></td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td>Justice of Peace and Constable</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| VII,70              | Coroners; Establishment of Office; Election; Term                      | 1) Judiciary Department  
2) Bill of Rights and Elections                                                             | Coordinate:  
Judiciary Department, and Local & Parochial Government                   |
| VII,71              | Coroners; Qualifications; Acting for Sheriff                           | 1) Judiciary Department  
2) Bill of Rights and Elections                                                             | Coordinate:  
Judiciary Department, and Local & Parochial Government                   |
| VII,72              | Coroners; Vacancy                                                      | 1) Judiciary Department  
2) Executive Department                                                                  | Coordinate:  
Judiciary Department, and Local & Parochial Government                   |
| VII,93              | City Courts of New Orleans; Vacancy                                    | 1) Judiciary Department  
2) Executive Department                                                                  | Judiciary Department                                                  |
| VIII,13             | Residence Requirements for Officials                                   | 1) Bill of Rights and Elections  
2) Executive Department  
3) Education and Welfare                                                             | Bill of Rights and Elections                                           |
| IX,1,2              | Impeachment                                                            | 1) Executive Department  
2) Legislative Powers and Functions  
3) Judiciary Department                                                              | Legislative Powers and Functions                                       |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committee Presently Considering</th>
<th>Committee or Committees To Assume Responsibility</th>
</tr>
</thead>
</table>
| IX,4                | Judiciary Commission; Removal and Retirement of Judges | 1) Judiciary Department  
2) Legislative Powers and Functions | Judiciary Department |
| IX,6,7              | Removal by Suit                       | 1) Legislative Powers and Functions  
2) Executive Department | Legislative Powers and Functions |
| IX,8                | Suspension, Fiscal Officers           | 1) Legislative Powers and Functions  
2) Revenue, Finance and Taxation  
3) Executive Department | Executive Department |
| IX,9                | Removal, Recall                       | 1) Local and Parochial Government  
2) Legislative Powers and Functions | Coordinate: Legislative Powers & Functions, and Local & Parochial Government |
| X,1                 | Taxing Power; Specific Taxes          | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government  
3) Natural Resources and Environment | Revenue, Finance and Taxation |
| X,4                 | Tax Exemptions                        | 1) Natural Resources and Environment  
2) Revenue, Finance and Taxation  
3) Education and Welfare  
4) Local and Parochial Government | Revenue, Finance and Taxation |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Committee or Committees To Assume Responsibility</th>
</tr>
</thead>
</table>
| X,5,6              | Local Taxes              | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government                                                             | Coordinate: Revenue, Finance & Taxation, and Local & Parochial Government                                      |
| X,8                | Banks, License Tax       | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government                                                             | Revenue, Finance and Taxation                                                                                 |
| X,10, 10A, 10B     | Special Local Taxes      | 1) Local and Parochial Government  
2) Education and Welfare  
3) Revenue, Finance, and Taxation                                                            | Coordinate: Local & Parochial Government, and Revenue, Finance & Taxation                                    |
| X,11               | Collection of Taxes      | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government  
3) Natural Resources and Environment                                                           | Coordinate: Revenue, Finance & Taxation, and Local & Parochial Government                                    |
| X,13-17            | Assessments, Collections | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government                                                             | Coordinate: Revenue, Finance & Taxation, and Local & Parochial Government                                    |
| X,21               | Severance Tax            | 1) Revenue, Finance and Taxation  
2) Local and Parochial Government  
3) Natural Resources and Environment                                                            | Revenue, Finance and Taxation                                                                                 |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Presently Considering</th>
<th>Committee or Committees To Assume Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>XIV,13</td>
<td>City of Shreveport Bonds and Reaffirmed</td>
<td>1) Local and Parochial Government</td>
<td>Coordinate: Local &amp; Parochial Government and Revenue, Finance &amp; Taxation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Revenue, Finance and Taxation</td>
<td></td>
</tr>
<tr>
<td>XIV,14</td>
<td>Subdivision of State; Creation; Indebtedness; Bond Issues</td>
<td>1) Local and Parochial Government</td>
<td>Coordinate: Local &amp; Parochial Government and Revenue, Finance, &amp; Taxation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Revenue, Finance and Taxation</td>
<td></td>
</tr>
<tr>
<td>XIV,15.2</td>
<td>Financial Security for Surviving Spouses and Children</td>
<td>1) Natural Resources and Environment</td>
<td>Education &amp; Welfare</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Education and Welfare</td>
<td></td>
</tr>
<tr>
<td>XIV,16</td>
<td>Servitudes; Public Acquisition by Prescription</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Natural Resources and Environment</td>
<td></td>
</tr>
<tr>
<td>XIV,17</td>
<td>State Penal Institutions; Reimbursement of Parish Expense</td>
<td>1) Local and Parochial Government</td>
<td>Education and Welfare</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Education and Welfare</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Revenue, Finance and Taxation</td>
<td></td>
</tr>
<tr>
<td>XIV,19</td>
<td>Special Tax to Aid Public Utilities; Elections; Qualification of Voters</td>
<td>1) Local and Parochial Government</td>
<td>Coordinate: Local &amp; Parochial Government and Revenue, Finance, &amp; Taxation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Revenue, Finance and Taxation</td>
<td></td>
</tr>
<tr>
<td>XIV,22(a)</td>
<td>Vieux Carre Commission</td>
<td>1) Local and Parochial Government</td>
<td>Local and Parochial Government</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Revenue, Finance and Taxation</td>
<td></td>
</tr>
<tr>
<td>Article and Section</td>
<td>Subject</td>
<td>Committees Presently Considering</td>
<td>Committee or Committees To Assume Responsibility</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------</td>
<td>--------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
</tbody>
</table>
| XIV, 24.4           | New Orleans; Sewerage, Water and Drainage Bonds; Funds for Payment | 1) Local and Parochial Government  
                        2) Revenue, Finance and Taxation | Coordinate:  
Local & Parochial Government and Revenue, Finance, & Taxation |
| XIV, 24.5           | New Orleans; Sewerage and Water Bonds; Taxes | 1) Local and Parochial Government  
                        2) Revenue, Finance and Taxation | Coordinate:  
Local & Parochial Government and Revenue, Finance, & Taxation |
| XIV, 29             | Zoning Ordinances | 1) Local and Parochial Government  
                        2) Education and Welfare | Local and Parochial Government |
| XIV, 29.1           | Parish Industrial Areas | 1) Local and Parochial Government  
                        2) Education and Welfare | Local and Parochial Government |
| XIV, 30             | Improvements by Riparian Owners; Expropriation; Just Compensation | 1) Local and Parochial Government  
                        2) Natural Resources and Environment  
                        3) Bill of Rights and Elections | Local and Parochial Government |
| XIV, 30.1           | Port, Harbor and Terminal Districts; Creation as Political Subdivisions | 1) Local and Parochial Government  
                        2) Natural Resources and Environment | Local and Parochial Government |
| XIV, 30.2           | Lake Charles Harbor and Terminal District; Ratification | 1) Local and Parochial Government  
                        2) Natural Resources and Environment | Local and Parochial Government |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Committee or Committees To Assume Responsibility</th>
</tr>
</thead>
</table>
| XIV,38              | Jefferson Parish; Public Improvement Districts; Levee Systems; Indebtedness; Bonds | 1) Local and Parochial Government  
2) Natural Resources and Environment  
3) Executive Department                  | Local and Parochial Government                                                                  |
| XIV,38.1            | St. Charles Parish; Reclamation Projects by Public Improvement Districts | 1) Local and Parochial Government  
2) Natural Resources and Environment  
3) Executive Department                  | Coordinate: Local & Parochial Government and Natural Resources & Environment                   |
| XIV,39              | City of Lake Charles; Reclamation and Development of Lake Front        | 1) Local and Parochial Government  
2) Natural Resources and Environment                                                                  | Coordinate: Local & Parochial Government and Natural Resources & Environment                   |
| XIV,39.1            | Calcasieu Parish; Community Center and Playground Districts; Bond Issue | 1) Local and Parochial Government  
2) Natural Resources and Environment                                                                  | Local and Parochial Government                                                                  |
| XIV,40              | Municipalities; Charters and Parishes; Home Rule                        | 1) Local and Parochial Government  
2) Bill of Rights and Elections                                                                      | Local and Parochial Government                                                                  |
| XIV,44              | City of Lake Charles; Reclamation and Development of Lake Bed and Waterfront | 1) Local and Parochial Government  
2) Natural Resources and Environment                                                                  | Coordinate: Local & Parochial Government and Natural Resources & Environment                   |
<table>
<thead>
<tr>
<th>Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Committee or Committees To Assume Responsibility</th>
</tr>
</thead>
</table>
| XIV,44.1| City of Lake Charles; Reclamation and Development of Lake Front; Acquisition of Property; Bonds | 1) Local and Parochial Government  
  2) Natural Resources and Environment | Coordinate: Local & Parochial Government and Natural Resources & Environment |
| XIV,47  | Louisiana Stadium and Exposition District                              | 1) Local and Parochial Government  
  2) Natural Resources and Environment | Local and Parochial Government |
| XV,1-4  | Drainage Districts                                                    | 1) Revenue, Finance and Taxation  
  2) Natural Resources and Environment  
  3) Local and Parochial Government | Local and Parochial Government |
| XVI,1   | Levee System; Maintenance State Tax                                    | 1) Revenue, Finance and Taxation  
  2) Natural Resources and Environment  
  3) Local and Parochial Government | Local and Parochial Government |
| XVI,2,3 | Taxes and Bond Issues                                                  | 1) Revenue, Finance and Taxation  
  2) Local and Parochial Government | Coordinate: Revenue, Finance & Taxation and Local & Parochial Government |
| XVI,4-6 | Interstate Levee Districts; Cooperation with Federal Government; Levee Appropriation | 1) Revenue, Finance and Taxation  
  2) Local and Parochial Government | Local and Parochial Government |
<table>
<thead>
<tr>
<th>Article and Section</th>
<th>Subject</th>
<th>Committees Presently Considering</th>
<th>Committee or Committees To Assume Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>IV, 9</td>
<td>Retirement; Notice of Intention to Introduce Bills in Legislature</td>
<td></td>
<td>Education and Welfare</td>
</tr>
<tr>
<td>XII, 23</td>
<td>Retirement Funds; Teachers; School Employees</td>
<td></td>
<td>Education and Welfare</td>
</tr>
<tr>
<td>XVIII, 2, 3, 5, 9, 9, 11, 12</td>
<td>Pensions; Veterans; Bonuses, etc.</td>
<td></td>
<td>Education and Welfare</td>
</tr>
<tr>
<td>XIX, 25</td>
<td>Retirement Systems; Notice of Intention to Propose Amendment or Change; Publication</td>
<td></td>
<td>Education and Welfare</td>
</tr>
</tbody>
</table>

CC-31
B. Subcommittee Minutes

1. Subcommittee on Alternatives

MINUTES

Minutes of the meeting of the Subcommittee on Alternatives of the Coordinating Committee of the Constitutional Convention of 1973
Held pursuant to notice given by Chairman Albert Tate, Jr. on March 21, 1973
State Capitol, Baton Rouge, Louisiana
Monday, April 2, 1973, 6:00 P.M.

Presiding: Albert Tate, Jr., Chairman of the Subcommittee on Alternatives

Present: Camille F. Gravel, Jr. R. Gordon Kean Edward F. LeBreton, Jr.
Chalin O. Perez

Others present: Devan D. Daggett Norma Duncan

Absent: None

Quorum present

The meeting was called to order by the chairman, Judge Albert Tate, Jr. Judge Tate said that the purpose of the meeting was to hear brief presentations by Mrs. Duncan, Mr. Daggett, and himself, generally outlining proposals suggested to the committee. Judge Tate said that the task of the subcommittee was to look at the present constitution and present proposals to the Coordinating Committee for its consideration.

Mrs. Duncan gave a presentation on the general contents of Staff Memo No. 1, a copy of which is attached hereto and made a part of these minutes.

Mr. Daggett gave a report on alternatives. He feels that there are two basic needs. One is to find a mechanical means to move statutory material that the convention deletes from the constitution into the statutory law, to be effective at the same time that the new constitution goes into effect. Another is to provide a safeguard for this statutory material.

Mrs. Duncan was asked to have her research staff make a study which would identify those items which are obsolete in the present constitution, and also those items in the constitution which are duplicated in the statutory form.

Judge Tate then gave his report on alternatives, a copy of which is attached hereto and made a part of these minutes.

Delegate Mary Servigon was requested by Judge Tate to speak to the subcommittee on what should happen to matters in the constitution which are purely local in nature. She spoke to the New Orleans city attorney and decided that these matters should remain in the constitution with the provision that they remain enforced in the constitution until acted on by local government.

Mr. Chalin Perez made a proposal that all provisions in the present constitution as statutory material, not in conflict with the new constitution, should be continued until amended by the legislature.

Mr. LeBreton requested that the research staff study what other states, especially Florida, who have recently passed a constitution, have done to reenact their legislation.

There being no further business to come before the subcommittee, the meeting adjourned at 8:30 p.m., April 2, 1973.

Chairman

-3-

CC/73
Subcommittee on Alternatives
Coordinating Committee
April 2, 1973

INTERIM REPORT

Subject: Alternatives available to substantive committees with regard to provisions in our present state constitution.

TO: Coordinating Committee, CC/73

FROM: Subcommittee on Alternatives

By resolution of March 7, 1973, the Coordinating Committee established this subcommittee and directed it to report within a month on alternatives available to substantive committees with regard to provisions in our present state constitution.

The Problem

The present Louisiana Constitution is more than 700 pages in length. Although some of the material included is obsolete, probably by far the greater proportion represents sound regulation and governmental structure.

Due to the detail of many provisions and the number of detailed enactments included, many critics note that numerous amendments are required, each to be voted upon by the people of the entire state, to accomplish even minor changes needed to keep our organic law current and viable.

This report centers upon the narrow problem of presenting alternatives possible to preserve what is worthwhile in our present state constitution, yet to avoid the necessity of statewide popular vote in the amendment process as to the less fundamental provisions presently contained. The scope of this report does not include changes and new concepts our proposed new constitution may include.
Categories of Present Constitutional Provisions

For present purposes, we observe that the present state constitution contains provisions which may be categorized as follows:

(1) Those providing the essential framework of government and essential safeguards for life, liberty, and property regarded universally as appropriate to constitutional enactment subject to change only by vote of the people. The classification of provisions as falling within this category naturally varies with the point of view of the classifier. However, for one example, the 1954 Projet for a Louisiana Constitution prepared by the Louisiana State Law Institute contains 74 pages of constitutional text, about one-seventh of the constitutional length of 1954 and about one-tenth of the constitutional length of 1973.

(2) At the other extreme, provisions clearly obsolete. The provisions detailing a state highway system as of 1934, for example, are clearly among these, as are provisions listing salaries, districts, and other minutiae subject to legislative changes long since made. Likewise in this category should be placed provisions the delegates may wish to repeal as unnecessary. Estimates vary, but at least one responsible count suggests at least two hundred pages of the present constitution could easily be evaluated as obsolete.

The essential problem however, concerns the disposition of the other two types of provisions continued within our constitution. Most responsible observers feel these should be retained, if only in statutory form. These are:

(1) Those detailed regulations of a narrow area of government included in our constitution because of our unique political history, although in most states regarded as legislative in nature.

The primary example of this is civil service, some 25 pages for state and city civil service, with an additional 25 pages for fire and police civil service. In many states, a general provision listing the fundamental essentials of civil service tenure is included in the constitution, leaving the implementing details to legislation. In Louisiana, however, detailed civil service enactment was included in toto in the constitution to prevent a repetition of the destruction of civil service through a powerful governor and a compliant majority of the legislature.

For similar reasons, this category probably includes the provisions providing detailed regulation of the governments of some localities. Home rule enactments are embodied in our present constitution to prevent easy interference by variable legislative majorities with stable and self-controlled government by the localities concerned.

(4) Likewise included in the present state constitution are many provisions, sound in nature, but given constitutional status often for some reason valid only under prior law or past conditions. Some may characterize as of this nature constitutional creation of special types of districts to assure easy bonding or to assure special taxing powers. With the ease of constitutional amendment, it was sometimes easier to prevent attacks upon bonds by creating these units constitutionally rather than legislatively. These are valid enactments which should be preserved, but the question is, can their valid objectives not be assured by legislative status rather than by constitutional status, with the rigidity and difficulty of amendment thereby resulting?

Prior Contemplated Approach

The Constitution of 1921 convened the legislature into special session to enact supplementary legislation. Rule 50 of the standing rules of CC/73 creates, among the procedural committees, the Committee on Legislative Liaison and Transition Measures. The function of this committee is to 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.

If no other alternative is adopted by the substantive committees or the Coordinating Committee, the present model will be for each substantive committee to recommend for legislative enactment those provisions of the 1921 constitution which are not proposed to be incorporated into the new constitution but which should be retained. The chief possible drawbacks to this solution, which may be avoided by the alternatives suggested (including the subcommittee(s)) are:

(1) interests presently protected by the 1921 constitution may be inclined to fight ratification of the new constitution, on the argument that re-enactment of the provisions desired by them is not assured by the recommendation and is only a "maybe" act of the post-ratification legislature; (2) the expense of the special session inevitable necessitated.

Further Study Needed; Interim Report

At the meeting of April 2, 1973, the subcommittee decided to request staff research and a staff report before reaching a final conclusion. The report will be on what other states, especially Florida and Alaska, had done with statutory materials deleted from the prior constitution or organic law upon the adoption of a new constitution. The subcommittee decided to meet again upon receiving this report and to defer its final report until then.

Alternatives Suggested to Date

With regard to categories 3 and 4 of the provisions
of our present state constitution, the subcommittee has received several suggested alternatives for retaining these substantive provisions, yet avoiding the necessity of

popular statewide vote in each instance changes are needed in such provisions.

The simplest method proposed to the subcommittee is that there should be a savings article to the new constitution continuing in effect as legislation all provisions of the Constitution of 1921 not inconsistent with the present constitution.

We should additionally comment briefly upon three other alternatives proposed to the subcommittee.

The first, Staff Memorandum No. 1, March 21, 1973, attached as an appendix, is a full theoretical discussion of the problem, including several variables. The primary variable proposed is a three-part constitution, with the functional difference being in the requisite amendment process: Part I requiring vote of the people (and including category 1 provisions above), Part II requiring two-thirds vote of each house of the legislature (and including category 3 provisions above), and Part III requiring amendment only by majority vote of the legislature (and including category 4 provisions above). This model is based on several European constitutions.

The second alternative, the Memorandum of March 16, 1973, from DeVan D. Daggett, Executive Director of the Legislative Council, also attached as an appendix, envisages the present legislature enacting the entire present constitution as statutory law, either at the coming fiscal session or at the special session called for that purpose. Thus,

the new constitution need contain only what is needed for the fundamental organic law of our state.

The Third Alternative

The third proposal would be to submit to the people for simultaneous ratification: (1) The organic body of the new constitution itself, reduced insofar as possible to fundamental provisions, accompanied by (2) Schedule I of quasi-constitutional provisions (being category 3 provisions above), which, incorporated in special sections of the Revised Statutes, may be subsequently amended only by two-thirds vote of each house of the legislature, and (3) Schedule II, being provisions to be incorporated into the Revised Statutes and thereafter subject to legislative amendment (i.e., by majority vote) and to statutory construction as in the case of all other statutory enactments.

Before proceeding to specific comment upon the mechanics of this model, it might be well to state the basic premise upon which it is based: The power of the people in constitutional convention is plenary. If the constitution itself may be ratified by vote of the people as organic law, all the more may mere legislation and quasi-constitutional enactments be ratified by vote of the people. While the convention is not necessarily restricted by Act 2 of 1972 creating it, such a proposal is not inconsistent with the Act's authorization that "The convention shall have full authority to frame a new constitution for the state, including such alternative provisions as it deems appropriate, which

shall be submitted to the electors of the state for their approval or rejection * * *" (Section 4. See also Section 9.)

Mechanics of Third Alternative

The mechanics of accomplishing and establishing the effect of these enactments as proposed by the subcommittee is as follows:

An article of the constitution shall provide:
"Provisions of the Constitution of 1921, as amended, shall be retained as quasi-constitutional and legislative enactments and subject to amendment as provided by Schedules I and II appended to this constitution. All others are repealed."

Schedule I shall provide: "The following provisions of the Constitution of 1921, as amended, are retained as hereinafter revised as quasi-constitutional enactments. All legislation in conflict therewith is invalid. These provisions shall be incorporated in the Louisiana Revised Statutes or in subsequent codifications in titles especially identified, and they may not be amended or repealed except by specific reference to title, section number, and subject, and then only by a vote of two-thirds of each house of the legislature."

"The quasi-constitutional enactments so ratified are:

[Note: Here, list by article and section number and full text, with such slight editorial revision as may be necessary.]
Schedule I provisions, preferably prohibiting it but perhaps permitting it so as to avoid statewide amendments. A lurking problem is whether an "amendment" is so non-germane as to constitute entirely different legislation rather than that continued as quasi-constitutional.

Schedule II shall provide: "The following provisions of the Constitution of 1921, as amended, are retained as hereinafter revised and are to be incorporated into the Louisiana Revised Statutes as in the case of legislative acts. They may be amended or repealed by the legislature as in the case of other legislative enactments. In the event of conflict with legislation enacted prior to ratification of this constitution, these provisions shall be construed as subsequent legislation enacted as of the date of ratification of this constitution.

"The provisions so ratified are:

[Note: Here, list by article and section number and by full text, with such slight editorial revision as may be necessary.]

[Further Note: La.R.S. 251-254 provides for continuous revision of legislative acts as amended by the Louisiana State Law Institute to accomplish their integration into the Revised Statutes. La.R.S. 24:253 notes that the Institute "shall not alter the sense, meaning, or effect of any act of the legislature", and then lists the specific minor editorial changes it may make. La.R.S. 24:251 and 252 are attached in photocopy form in the footnote below. This mechanism has worked well in integrating legislative acts in the Revised Statutes.]

[Final Additional Note: The provisions of the Constitution of 1921 prevail over inconsistent prior legislation. The final sentence of the Schedule II preamble is designed to continue this priority. However, as to subsequent legislation, the Schedule II provisions are construed as in the case of other legislation's modification by subsequent legislation.]

Footnote 1:

Title 24, Sections 251 and 252 provide as follows:

"§ 251. Continuous revision under supervision of Louisiana State Law Institute

The Louisiana State Law Institute, as the official advisory law revision commission of the State of Louisiana, shall direct and supervise the continuous revision, clarification and co-ordination of the Louisiana Revised Statutes in a manner not inconsistent with the provisions of this Chapter.

§ 252. New Legislation; incorporation in Revised Statutes

At the close of each legislative session the Louisiana State Law Institute shall prepare for printer's copy, either for a supplement to the Revised Statutes of 1950, or for a volume to be called "Louisiana Revised Statutes", containing the text of the Louisiana Revised Statutes of 1950 as they may have been amended, and omitting therefrom or noting therein those sections that have been repealed. There shall also be incorporated therein, in an appropriate place and classification, the text of all the new legislation of a general and public nature, assigning to these laws an appropriate Title, Chapter, and Section number, and indicating the source of the legislative acts from which they are taken.

The Louisiana State Law Institute shall also prepare and attach to the printer's copy a list, by number and title only, of the local, special and private acts enacted at that session of the legislature."

A suggestion was also made to the subcommittee that a Schedule III might be added to contain purely local matters contained in the Constitution of 1921, and providing that these provisions are continued in effect for five years (or less) until repealed or revised by the local government concerned or by vote of the locality affected.

Conclusion

It is recognized that, in the prevailing view of political scientists, retention of quasi-constitutional provisions as well as of detailed constitutional regulation is disfavored. However, in view of Louisiana's unique political history, and in the interests of ratification of the proposed new constitution, some such expedient as above proposed is necessary if we are to avoid retention of detailed local or special provisions in the constitution, with the consequent need for statewide popular vote on amendments to keep the provisions viable and current.

We hereby submit this interim report to the Coordinating Committee, pending our final report.

Respectfully submitted,

Subcommittee on Alternatives:

Albert Tate, Jr., Chairman
Camille F. Gravel, Jr., Delegate
R. Gordon Keen, Delegate
Edward F. LeBreton, Jr., Delegate
Chalin O. Perez, Delegate
Norma M. Duncan, Director of Research, CC/73
DeVan D. Daggett, Executive Director, Louisiana Legislative Council

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CC/73 Research Staff
Subcommittee on Alternatives of Coordinating Committee
March 21, 1973
Staff Memo No. 1

RE: Tentative proposals, for discussion purposes only for presentation, planning, and effect of provisions in the proposed new constitution

This recommendation is forth a proposal which seeks in essence to formulate a conceptual framework which would be a vehicle for compromise between interests deriding to retain protected or preferential treatment of certain existing constitutional provisions, and interests deeming to reduce, in such areas, the necessity of constitutional amendment, as presently understood, to a level compatible therewith. This proposal aims at achieving this goal by establishing various levels or hierarchies of law, each with separate and increasingly more cumbersome or difficult modes of amendment
or repeal. In this light (in terms of the general amendment process) the proposals differ, not in intent or actual substantive effect, but in conceptualization and terminology.

This proposal contemplates that the constitution presented to the people contain three separate divisions (Parts), levels or hierarchies of law, each "constitutional" in status vis-a-vis statutory law, but varying among themselves as to the amendment process which would be necessary to effect change therein. In particular, provisions of the constitution would be classified as to mode of amendment in one of three separate ways: (a) by amendment in accordance with the method set forth in the Constitution of 1921; (b) by amendment, upon the affirmative vote of two-thirds of the elected members of each house without the necessity of ratification by the people; and, (c) by simple affirmative vote of a majority of the elected membership of each house of the legislature. Classification could be effected in a number of ways, including (1) by division of the constitution into three separate "codes" or "divisions" each with a prescribed mode of amendment; (b) by actual enumeration of each section of the constitution as to its mode of amendment; or, (c) by any number of similar devices.

It is noted, irrespective of the kind of amendment, each provision of the constitution, under this proposal, would be considered as part of the constitution. In this light, all such provisions would take precedence over a statute on the same subject adopted before or after the constitution, despite the fact that such statutes might be subject to the same (or perhaps greater) requirements for amendment. For example, if the salary of the governor were established in the constitution, with provision for its amendment to be effected in accordance with amendment process (c) above, such constitutional provision would have legal efficacy over a contravening statute, although that statute may have been adopted by the legislature by a two-thirds vote (in accordance with present Const. Art. III, Sec. 34).

This proposal, then, distinguishes itself from other similar proposals which would establish a new body of statutory law as a separate code or separate title or titles of the Revised Statutes with such special statutes amendable only by the modes prescribed in the proposed constitution. It is submitted that this alternative concept may be deemed meritorious for the following reasons:

(1) It retains a clarity of distinction between statutes and constitutional provisions, thereby effecting the established jurisprudence distinctions between such bodies of law as opposed to raising a new and difficult question of judicial distinction between categories of statutes.

(2) It allows the Convention to stay well within the confines of its authority, that is, to propose a new constitution, and thus avoid the "ambit" question of the Convention's authority to legislate, either directly or by reference.

The primary drawback to the proposal perhaps is in the development and presentation of the concept that the constitution be amended by other than submission to the people or to representative bodies of the people in addition to initiation by the legislature.

The proposal suggested is basically as follows:

PART I

This portion of the constitution would contain all matter actually contained in a basic, fundamental constitution, being the organic law of the state in which is set forth the fundamental rights and privileges of the people and the basic structure of the state government (and, to the extent deemed desirable, the political subdivisions of the state government).

The provisions contained in the Articles and Sections comprising this Part, which could be officially designated the "Constitution", would be made subject to amendment, repeal or addition in such manner as is stipulated within it. If the pattern of the present amending process were followed, change would be effected by propositions to amend, add, repeal, etc., initiated by introduction of bills in the legislature which would require the affirmative vote of two-thirds of the elected members of each house; would not require the signature of the governor; would require promulgation by the secretary of state prior to submission to the people, and would require submission to the people for adoption or rejection at a state-wide election, either the state general election held every four years or at the congressional elections held in November every two years.

PART II

This part of the document would contain all provisions of the existing constitution which are deemed to require "protection" against too frequent or too easily accomplished change or repeal. This protection would be assured by a provision included as the first (or perhaps the last) section of Part II which would stipulate in a manner similar to the following:

Section 1. The provisions contained in this Part shall be subject to change or repeal by the legislature without the necessity for submission to a vote of the qualified voters of the state; however, no provision of this Part shall be changed or repealed without the affirmative vote of at least two-thirds of the elected members of the two houses of the legislature, and the bill proposing such change or repeal shall be enacted in the manner provided in Article ___ (III ?) of Part I of this constitution.
This Part would be composed of three parts: "Legislative," "Executive," and "Judicial." The "Executive" Part would contain provisions that any part of the Constitution is amended by the majority vote of the Legislature.

As a part of the new Constitution, the Part II would be submitted initially to the people, but it would pass a status in the hierarchy of laws equal to any legislatively enacted statute and could be changed or repealed by simple majority vote. As a part of the new Constitution, this Part is also written to the people, but it would have the status of the Constitution of the Constitutional Convention of 1973.

As a part of the new Constitution, Part II would be submitted initially to the people, but it would pass a status in the hierarchy of laws equal to any legislatively enacted statute and could be changed or repealed by simple majority vote.

VARIATION 1: Only the material in Part I above would constitute a new constitution itself. Parts II and III then would be placed in the Revised Statutes as new titles, after initial adoption by the people at the same time the new Constitution is voted upon. To accommodate this proposal, it would be apparent that this part would be written beyond its mandate, the Constitution itself should establish an initiative and referendum procedure, and those Parts II and III would be passed as initiative and referendum measures.

VARIATION 2: With respect to Part II, it might be proposed that after a stated period (ten or twenty years), the two-thirds vote requirement for change cease to have effect, allowing the Legislature thereafter to change the provisions by majority vote.

VARIATION 3: In lieu of the additional protection to Part II, it might be proposed that Section 117 contain a provision that any change in the Constitution is submitted to the people at the next General Election, with the decision to be taken in the manner specified in the Constitution of 1973. This provision would include the sign of whether to pass a proposal in Part X, or XI.

Page 2

MEMORANDUM

March 16, 1973

TO: Honorable Albert Tate, Jr., Associate Justice of the Supreme Court of Louisiana and Chairman of the Sub-Committee on the Coordination of the Constitutional Convention of 1973

Honorable Members of the Sub-Committee

FROM: DeVan D. Daggett

Dear Chairman and Members of the Sub-Committee,

For your consideration at your meeting on April 2, 1973, the following material is submitted. In view of the historical development of Louisiana's constitution and in view of the experience of other states which have attempted constitutional revision in recent years, it would appear impractical to attempt to present one document to the voters of the state with any hope of its being accepted politically unless some means can be devised for alternative proposals or other safeguards for a number of the numerous provisions applicable to special or local interest groups. Unless the many working groups can be reassured that changes in basic law applicable to them cannot be hastily made, there is the probability that they would unite at the polls to defeat any proposed new constitution regardless of its merits. As a practical solution for procuring with the draft of a new constitution, I recommend for your consideration the following proposals:

I. That the legislature, preferably at the 1973 Fiscal Session if a 3/4 vote could be obtained to introduce such a proposal, or certainly at a special session at the earliest practical time and in no event later than the 1974 regular session or the date of the election called by the governor for consideration of a new constitution, enact the present entire constitution without changing a single word, figure or period into statutory law. Many sections of our present constitution are repeated in statutory law although enabling legislation is generally not thought to be necessary. While this seems an expensive and redundant effort, it offers the following advantages in my opinion:

A. The general public can be assured that the present constitution remains intact in statutory law unless the new constitutional proposals specifically provide to the contrary.

B. It would permit the new draft of a new constitution to protect either all or a portion of the existing constitution which is no longer to be included in the new document too easy change or repeal by the legislature if the succeeding proposals II and III are utilized.

C. If this could be done at the 1973 session of the legislature, the copy of the printed bill including the entire prior constitution could be made available to the entire membership of the convention and its staff.

D. An existing statute would then be available as a body of our statutory law for easy amendment at special session or at the 1974 regular session to conform to the proposed constitution with the effective date of the amendatory acts being conditioned upon the adoption of the new proposed constitution.

Thus the legislature would have acted prior to the vote of the people upon the new constitution so that there can be no speculation as to whether or not the legislature will conform.

II. Article III, Section 16 of the present constitution provides as follows:

Section 16. Every statute enacted by the legislature shall embrace but one object, and shall have a title indicative of its object.

The legislature may, however, by means of a single statute, enact or revive a system of laws of a general or public nature, such as the general statutes, or a codification of laws on the same general subject matter, or both. Such a statute shall be deemed to embrace but one object and its title need only refer to the general purpose and scope of the statute.
It was the amendment adopted in 1948 to this section which permitted the enactment in 1950 of the revised statutes. In keeping with the previous contents it is suggested that the section might be encompassed in the new constitution with the following additional language:

That constitutions of laws enacted by the legislature and known as the Constitutional Law Amendments, embodied in Title 57 of the Louisiana Revised Statutes of 1950, and any of the provisions thereof contained, may be revised, amended or repealed. If the members elected to each house thereof shall concur therein.

III. Article XXI of the present constitution should be amended for incorporation in the new document so as to express substantially the following concepts:

Section 1. Propositions for amending this constitution may be made by the legislature at any session of the legislature.

A. Propositions for amending the following sections of this constitution shall be adopted only upon the majority vote of the members voting in favor thereof and may be submitted to the voters of the state only if 2/3 of the members elected to each house of the legislature concur therein.

B. The following sections of this constitution may be amended without a vote of the members of this state provided 2/3 of the members elected to each house of the legislature shall concur therein.

C. The following sections of this constitution may be amended only if propositions therefore have been approved by a majority of the members elected to each house of the legislature and the proposal has been adopted by a majority of the electors voting therein within the affected political subdivision; provided further that the legislature shall qualify and designate such proposed amendments and such propositions shall be limited to those which directly affect five or fewer parishes, municipalities, special districts or a combination of any of these.

D. The following articles of this constitution may be amended by the legislature at any session by a majority vote of the legislature elected to each house:

It is contemplated that the Constitutional Convention would designate those articles or sections of the proposed new constitution which would fall into the various categories above set forth. This same designation in the new proposed Article XXI or its counterpart would furnish the guideline for the amendment by the legislature at the 1974 regular session or special session of the constitutional amendments previously mentioned prior to the election by the voters of the state upon the question of ratification of the proposed new constitution. It is believed that this procedure, although seemingly cumbersome and contingent upon the cooperation of the legislature, at least does assure a vehicle for proceeding with the draft of the new constitution and the enactment into statutory form of each of the statutory type material presently encompassed in the 1921 constitution before the voters of the state are to vote upon the question of ratification. Obviously, any of these proposals will require further drafting and refinement even if the basic concept should prove worthy of further exploration.

Respectfully yours,

DeVan Daggett
Executive Director

MINUTES

Minutes of the Subcommittee on Alternatives of the Constitutional Convention of 1973

Held pursuant to notice mailed by the Secretary of the Convention on April 5, 1973

Committee Room 211, State Capitol

Baton Rouge, Louisiana

Saturday, April 14, 1973

Present: Justice Albert Tate, Jr., Chairman of the Subcommittee on Alternatives

Absent: None

Albert Tate, Jr.
Camille P. Gravel, Jr.
R. Gordon Keen
Edward F. LeBreton, Jr.
Chalin G. Perez
Norma M. Duncan

DeVan Daggett

The subcommittee met to receive and review the staff report on approaches adopted by other states (Staff Memorandum No. 1) and to adopt a final report for submission to the Coordinating Committee. A copy of Staff Memorandum No. 3 is attached hereto and made a part of these minutes as Appendix A.

After some discussion, the subcommittee adopted unanimously the following motion by Mr. Keen:

That this subcommittee recommend to the Coordinating Committee and to the Committee on Legislative Liaison and Transitional Matters that these committees consider the use of schedules or continuation provisions such as the Florida provision, set forth in Staff Memorandum No. 3, taking into consideration language needed to protect subsequent legislative supplements to the constitution.

If approved, then it is recommended that the substantive committees be requested to divide their material into four parts:

1. Substantive, basic constitutional provisions
2. Those provisions of the 1921 Constitution recommended to be:
   a. Treated as statutory material, subject to super majority amendment by the legislature and/or by vote of the local electorate;
   b. Treated as statutory material to be approved, repealed or modified by a majority vote of the legislatures; and
   c. Declared obsolete;

and that the question of whether or not these divisions will be treated each as a separate item or section of the constitution or placed in schedules be deferred until a later date.

There being no further business, the subcommittee adjourned sine die at 5:30 p.m.

Albert Tate, Jr., Chairman

NOTES

Staff Memo No. 3 is reproduced above as an Addendum to Minutes, April 18, 1973.

[1449]
II. Miscellaneous Documents

March 28, 1973

TO: The Chairmen of the substantive committees of the Constitutional Convention

FROM: Norma M. Duncan, Director of Research

Gentlemen:

Discussion was had in today's meeting of the Coordinating Committee of the necessity to consider and take indicated action concerning subject matter which appears to fall within the jurisdiction of or is of interest to more than one substantive committee, and also assignment of provisions of the 1921 Constitution which have not been specifically assigned by the Convention Rules.

The pertinent provisions of the Rules are found in:

1. Rule 49, which provides that "Other provisions that may not be covered by the areas of responsibility shown above (in the specific committee assignment provisions) may be assigned by the Coordinating Committee to the appropriate committee;" and

2. Rule 54, which states that 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.

In order that the Coordinating Committee, at its next meeting, may commence its consideration of matters within these categories, the Chairman requests that you consult with your committee at its next meeting and determine (1) those specific subjects or provisions which you definitely plan to consider as part of the responsibility of your committee; (2) those specific or general subjects included within the compilation of constitutional provisions prepared for your committee which you wish to propose to consider; and (3) any provisions of the present Constitution which you believe have not to date been specifically assigned to any substantive committee.

It is the Chairman's hope that you can furnish this information to him by April 9th in order that you may be in a position to bring these matters to committee consideration within a short time thereafter.

If I or members of the Research Staff can assist you in this matter, please do not hesitate to contact me or the coordinator for your committee.

Kindly personal regards.

Cordially yours,

Norma M. Duncan
Director of Research

TO: Norma M. Duncan, Director of Research

FROM: Walter J. Landry, Senior Research Assistant

March 28, 1973

Page Two

of your committee; (2) those specific or general subjects included within the compilation of constitutional provisions prepared for your committee which you wish to propose to consider; and (3) any provisions of the present Constitution which you believe have not to date been specifically assigned to any substantive committee.

It is the Chairman's hope that you can furnish this information to him by April 9th in order that you may be in a position to bring these matters to committee consideration within a short time thereafter.

If I or members of the Research Staff can assist you in this matter, please do not hesitate to contact me or the coordinator for your committee.

Kindly personal regards.

Cordially yours,

Norma M. Duncan
Director of Research

MEMORANDUM

April 9, 1973

TO: Walter J. Landry

FROM: Norma M. Duncan

Dear Mrs. Duncan:

Chairman Alphonse Jackson and the members of the Committee on Bill of Rights and Elections have asked that I respond to your letter of March 28 to Chairman Jackson with reference to the subject-matter jurisdiction of the Committee in relation to the other substantive committees of CC/73.

The Committee on Bill of Rights and Elections definitely plans to consider the following provisions of the 1921 constitution as part of its responsibility:

The Committee wishes to point out that the following sections of the 1921 Constitution may be affected by provisions which it adopts for the new Constitution:

Article III, §§5, 6, 10
Article IV, §§6, 14
Article V, §§4, 18
Article VI, §§2, 4, 11
Article VII, §§2, 6, 9, 12, 13, 14, 16, 17, 21, 22, 23, 24, 26, 27
Article XII, §§1, 10
Article XIV, §§1, 2, 3, 34, 35, 44, 45, 46, 47, 51
Article XVII, §§1, 2
Article XIX, §§1, 18

The above includes all of the constitutional provisions included in the compilation of constitutional provisions prepared for the Committee on Bill of Rights and Elections plus a few additional provisions. The Committee considers that the affected provisions listed fall more properly under the jurisdiction of another substantive committee, but it wishes to alert the substantive committees involved that provisions adopted by the Committee on Bill of Rights and Elections within its own jurisdiction may affect those provisions and in all probability will affect some of them.

Included in the suggested subject matter of the Committee on Bill of Rights and Elections is generally Article XIX (General Provisions). It is suggested that some of the provisions in this article do not seem to fit easily within the jurisdiction of any substantive committee, and they may well be assigned to the Committee on Bill of Rights and Elections which could prepare a general government article to take care of such matters. Distribution of powers and elections, which is within the Committee's jurisdiction, might be included in such an article.

For the convenience of the coordinating committee, attached is a complete Table of Contents of the 1921 Constitution as amended with appropriate markings to indicate the provisions to be considered definitely and the provisions that might be affected by new provisions adopted by the Committee on Bill of Rights and Elections.

A. Articles and Sections to be definitely considered by the Committee on Bill of Rights and Elections

TABLE OF CONTENTS

Volume I

CONSTITUTION OF 1921, AS AMENDED

* -- Articles and Sections to be definitely considered by the Committee on Bill of Rights and Elections

A -- Sections that may be affected by proposed new provisions to be prepared by the Committee on Bill of Rights and Elections in its areas of responsibility.

TABLE OF CONTENTS

* (entire article)

ARTICLE I - BILL OF RIGHTS

3. Right of Petition

4. Right of Speech and Press; Responsibility for Abuse
ARTICLE III—LAWMAKING DEPARTMENT
1. Exclusive Legislative Care: Representation; Apportionment; Number roll.
7. Annual session; general budgetary and special sessions; duration; bills and joint resolutions; vacancies.

8. Passage of bills and joint resolutions, limitations.

8.1 Veto sessions: Irreparable Damages; Conference Committee reports; veto required.
9. Dispatch of Bills: Delivery to Governor.
10. Effective Date of Laws: Publication.
11. General Orders: Committee on Legislative Committee.
18. Constitutional Officers: Election; Term; Visitation; Vacancies, Absences.
20. Acts Not Stopping Governor's Signature: Legislative Inactivity.
21. Constitutional Officers: Election; Term; Visitation; Absences, Vacancies.
22. Commissions, Judicial.

ARTICLE VI—ADMINISTRATIVE OFFICERS AND BODIES
1. Wild Life and Fisheries Commission; Forestry Commission; Department of Conservation; Powers, Duties, Functions, etc.
2. (A-B) District Courts: Jurisdiction in Coastal Waters; Provisions; Conflicts.
3. Parishes; Assessors' Taxes; Mortgaged Assessments.
4. Public Service Commission; Powers.
5. Public Service Commission; Orders; Effective Dates; Expiration; Enforcement; Appeals.
6. Public Service Commission; Public Service Commission.
7. Public Service Commission; Local Regulation of Utilities.
8. Public Service Commission; Drainage and Sewers.
9. Public Service Commission; Applications.
10. Public Service Commission; Petitions.
11. Board of Health; State, Parish, and Municipal; State Health Officer.
12. Mosquito abatement districts.
13. Public Health; Prevent or Control the Spread.
14. Agriculture; Commissioner to direct department.
15. Agriculture; public policy.
17. Board of Commissioners of the Port of New Orleans.
18. Parishes of Parish; Leases of Public Property in the State.
19. Board of Education; Education of Public Schools.
20. Education; Primary and Secondary Education.
21. Board of Education; Secondary Education.
22. Board of Education; Secondary Education.
23. Board of Education; Secondary Education.
24. Board of Education; Secondary Education.
25. Board of Education; Secondary Education.
26. Board of Education; Secondary Education.
27. Board of Education; Secondary Education.
28. Board of Education; Secondary Education.
29. Board of Education; Secondary Education.
30. Board of Education; Secondary Education.
31. Board of Education; Secondary Education.
32. Board of Education; Secondary Education.
33. Board of Education; Secondary Education.
34. Board of Education; Secondary Education.
35. Board of Education; Secondary Education.
36. Board of Education; Secondary Education.
37. Board of Education; Secondary Education.
38. Board of Education; Secondary Education.
39. Board of Education; Secondary Education.
40. Board of Education; Secondary Education.
41. Board of Education; Secondary Education.
42. Board of Education; Secondary Education.
43. Board of Education; Secondary Education.
44. Board of Education; Secondary Education.
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47. Board of Education; Secondary Education.
48. Board of Education; Secondary Education.
49. Board of Education; Secondary Education.
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51. Board of Education; Secondary Education.
52. Board of Education; Secondary Education.
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70. Board of Education; Secondary Education.
71. Board of Education; Secondary Education.
72. Board of Education; Secondary Education.
73. Board of Education; Secondary Education.
74. Board of Education; Secondary Education.
75. Board of Education; Secondary Education.
76. Board of Education; Secondary Education.
77. Board of Education; Secondary Education.
78. Board of Education; Secondary Education.
79. Board of Education; Secondary Education.
80. Board of Education; Secondary Education.
81. Board of Education; Secondary Education.
82. Board of Education; Secondary Education.
83. Board of Education; Secondary Education.
84. Board of Education; Secondary Education.
85. Board of Education; Secondary Education.
86. Board of Education; Secondary Education.
87. Board of Education; Secondary Education.
19.2 Board of highways; directors; powers, duties and functions. [Deletes 3rd
15.1 entry in index] 19.3 Beautification of highways; regulation of outdoor advertising and junkyards.
19.4 Board of highways; regulation and control of annual budget.
20. Road Districts: Graduated Contribution or Bond Tax ...55
21. General Highway Fund: Expenditures; Reimbursement of Parish to State ...55
22. General Highway Fund ...55
23. Long Range Highway Fund: revenues to be paid into fund; bonds for construction, maintenance, improvement and extension of state highways; limitation on withdrawal of funds for state and parish highways and roads; continuation of certain taxes.
23.1 Financing of construction, maintenance, improvement and extension of highways.
24. Bonds for New Orleans-Chet Mender and New Orleans-Houma Bridges ...60
24.1 Automobile License Taxes: Allocation to Fund ...60
25. Assessor Tax: Application ...60
25.1 Bridges: Construction and Maintenance ...60
27. Lake Pontchartrain: Isle of Bourbon lands; islands;.Cemetery ...60
28. Unappropriated Revenue Ex Commiss ...60
29. Created Entergy Port Commission ...60
29.1 Debt limitation
29.2 Ascension parish included in Port area.
29.3 Number of commissioners
29.4 Full faith and credit of parishes pledged.
31. Greater ouachita Port Commission
32. Caddo-Bossier Parishes Port Commission
33. Lake Providence Port Commission
33.1 South Louisiana Port Commission
34. Concordia Parish Port Commission
35. Avoyelles Parish Port Commission
36.1 Rapides Parish Port Commission
39. Authority of governor to obtain reports and information.

ARTICLE VI.—GASOLINE TAX FOR FORTS
1. Additional Motor Fuel Tax ...67
2. Bidders: Payment of Freight; Collection ...67
3. Bidders: Record ...67
4. Bidders: Payment of Tax; Reports; Bond, Enforcement, Audits; Fund ...67
5. Disposition of Collections; Allotments; Expenditures; Inter-Building Navigation; Coal License or Trust ...67
6. Purpose and Intent of Article ...67
7. Supervision of Public Accounts; Payments and Disbursements ...67
8. Provisions for Reimbursement ...67
9. Failure to Execute License; Enforcement; Computation of Tax ...67
10. Administration, Enforcement, Bond ...67
11. Costs and Expenses ...67
12. Enforcement Answer ...67
13. Self-Defense Effort ...67
14. Improving ...67
15. (Reserved) ...67

ARTICLE VII.—JUDICIARY DEPARTMENT

1. Judicial Power; Judges; Conversion of Power; Style of Process; Resort for Judgment; Appeals ...6
2. Right of Litigants in Cause and at Aid of Jurisdiction; resort for Relief ...6
3. Federal Functions; Law Practice by Judges ...6

SUPREME COURT
4. Membership; Ex Parte; Number Necessary to Judgment; Calling an Judge of Other Court ...6
5. Duties; Number Required to Judgment; Applications for Relief ...6
6. Elections; Election; Conversion of Court; Qualifications; Terms; Compensation ...6
7. Initial Terms; Election; Expenditure of Terms; Votings; President Judges ...6
8. Retirement ...6
9. Supreme Court Duties; Judges ...6

JURISDICTION
10. Supervision; Ordinance and Appellate Jurisdiction ...6
11. Custodies; and Other Wills; Costs at Appear: Time; Judgment of Court of Appeals ...6
12. Appointment of Chief Justice; Judge of Supreme Court; Reports, Investments ...6
12.1 Judicial Administrator, Creation, Appointment, Salary; Tenure of Office; Removal; Members ...6
13. Elections and Election of Assigned Judges ...6
14. Return of New Judges ...6
15. Clerks ...6
16. Court Chancery; Court Library; State Library ...6
17. Duties of Supreme Court and Courts of Appeals; Reports, Publications, Pamphlets ...6
18. Trial of Appeals; Order of Preference ...6

COURTS OF APPEAL
19. Confirmation of Judges; Election and Terms of Office ...6
20. Courts and Duties ...6
21. Circuit courts of appeal; domicile; number of judges, initial terms ...6
22. Presiding judge; panels; sessions on banc; vacancy in office ...6
23. Second Circuit; Domicile; Sessions ...6
24. Sessions at domicile; time return of appeals; notices of judgment ...6
25. Certificates to Supreme Court of Questions of Law; Determination ...6
26. Number necessary to judgment; appointment of district judges or lawyers to sit in the case ...6
27. Trial of original record; rules of procedure ...6
28. Court facilities; clerks; sheriff ...6
29. Appellate and supervisory jurisdiction ...6
30. Disposition of appeals; transfer ...6

DISTRICT COURTS
31. Judicial Districts ...6
31.1 Twenty-sixth judicial district; additional judge ...6
32. Twenty-sixth judicial district; additional judge ...6
32.1 Number of Judges ...6
32.2 District Judges, Election; Rotation; Terms; Experiences; Qualifications; Appointments; Membership ...6
32.3 Determination of Hic; Change of Number or Judges ...6
32.4 Elections; Jurisdiction ...6
32.5 Appellate Jurisdiction; Trial by Jury ...6
32.6 Cases Within Concurrent Jurisdiction; Proceeding; Clerk, Duties; Appeals by Direct or Certiorari ...6
32.7 Trial of Special Cases ...6
32.8 Procedure at Law; Docket; Session on Banc; Appeals ...6
32.9 Jurisdiction; Effect of Laws Changing Terms in Oxford, Sarpy or Johnson Counties ...6
33. Selection of Judges; Women Judges; Trial by Judge; Trial by Jury ...6
34. Second Circuit; District Judges; Authority on Criminal; Trial ...6
35. Second Circuit; District Judges; Authority on Criminal; Trial ...6
36. Second Circuit; District Judges; Authority on Criminal; Trial ...6
37. Appellate Combined Court of Appeals; Jurisdiction ...6
38. Change of Venue ...6

JUSTICES OF THE PEACE AND Constables
39. Justices of the Peace; Wages; Number; Election; Extension of Office ...6
40. Justices; Qualifications; Tenure of Office ...6
41. Jurisdiction; Election of Term of Office; Qualifications ...6
42. Constables; Elections; Term of Office; Qualifications ...6
43. Justices; Qualifications; Tenure of Office ...6
44. Constables; Elections; Term of Office; Qualifications ...6
45. Fees; Salaries ...6

MUNICIPAL COURTS
41. Justice of the Peace Courts; City Courts ...6
41(a) Parish courts, Jefferson Parish ...6

JUVENILE COURTS
42. Creation; Judges; Jurisdiction ...6
43. Family Court for Parish of St. Landry Parish ...6

[1452]
DEPARTMENT OF JUSTICE

A 45. Establishment; Commissioners; Attorney General; Election and Assistant
   46. Attorney General; Qualifications; Salary; Resignation
   47. Solicitors

DISTRICT ATTORNEYS
   55. Establishment of Office; Election; Term
   56. Salary; Qualifications; Resignation
   57. Assistant District Attorneys
   58. Attorney
   59. Defense of Criminal Prosecutions; Removal from Office
   60. Salary Payments; Effective Date; Test

SHERIFFS
   65. Establishment of Office; Election; Ex-Office Tax Collector
   66. Disabilities and Elections

CLERKS
   66. Establishment of Office; Election; Powers and Duties
   67. Registrars
   68. Bonds

VACANCIES
   65 Vacancies; appointments; special elections; notices


criminal district court for the parish of Orleans

A 46. Establishment; Compensation

JURISDICTION

A 49. Jurisdiction and Powers

ALLOTMENT

A 95. Distribution of Cases; Central Register
   96. Change of Probation Area; Qualifications; Trees Voted
   97. Sheriff of Parish and City Officers
   98. Parish Officers; Election; Constitution of Prior Law

MUNICIPAL COURT OF NEW ORLEANS

A 84. New Orleans; Municipal and Traffic Courts; Personnel; Jurisdiction; Appeals

JUDICIAL EXPENSE FUND

A 85. Sources of Fund; Control and Administration; Account

THE JUVENILE COURT

A 86. Establishment; Jurisdiction; Appeals; Procedure; Judges
   87. Time of Election of Judges and Other Parish Officers

A 54. Courts authority in criminal neglect of family cases; rights and procedure.

$91. Civil and appellate jurisdiction.

CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS

A 82. Establishment; Compensation

Fees

A 70. Fee for Fees and Costs; Compensations; Surrogate of Persons and Executors by Laws
   71. Compensation of Sheriffs and Clerks of Court

COUNTS AND OFFICERS FOR THE PARISH OF ORLEANS

A 75. Qualifications

A 76. Establishment and Compensation

A 77. Jurisdiction

A 78. Appraisers Reimbursed in Cases of Damage

A 79. Nondisabled Officers

A 80. Establishment; Compensation; Compensations; Additional

§91. Civil and appellate jurisdiction.

$1. Income taxes; exemption for Armed Forces personnel while on overseas duty in Viet Nam.

§1a. State Tax, levy or increase in rate; approval by two-thirds of legislature.

2. Tax Collection; Powers, Appointment; Terms; Salaries.

3. Rate of State Taxation; Limitation

4. Exemptions.

5. Parish and Municipal Corporation; Public Earnings; Taxing Power; Undertakings

§5.1 Action to be taken upon the integration of any tax supported facility of any political subdivision of the state which was authorized to be taken by law when the tax was authorized.

§6. Local, Municipal and Parish Lines; Assessments; Collection

7. Inheritance and Donation Taxes; Exemptions

8. License Taxes; Exemptions

9. Bills; honorary Out of State, Institutional or Foreign Bonded Tax

10. Political subdivisions; Special Local Taxes; Payments; Limitations

$10a. Special tax for municipal services.

$10b. Revenue Sharing Fund

A 11. Collection of Taxes; Tax Sales; Owing Tax; Tax Deeds

A 12. Collection of Taxes; Tax Sales; Owing Tax; Tax Deeds

$22. New industries; exception from municipal and parochial taxation.

$23. Tax levy for Capital Improvements at Francis T. Nicholls State College at Thibodaux.


ARTICLE XIV—IMPEACHMENT AND REMOVAL FROM OFFICE

A 1. Treses Power; Special Taxes

§1. Income taxes; exemption for Armed Forces personnel while on overseas duty in Viet Nam.

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12. Collection of Taxes; Tax Sales; Owing Tax; Tax Deeds

22. New industries; exception from municipal and parochial taxation.

23. Tax levy for capital improvements at Francis T. Nicholls State College at Thibodaux.


ARTICLE XVII—PUBLIC EDUCATION

1. Education of school children; financial assistance; beginning

2. Coordination of Schools

3. Elementary Schools; Course of Study

4. State Board of Education; Members; Terms

5. State Superintendent of Public Education

6. Annual payment to Louisiana State University and Agricultural and Mechanical College

7. Self-operative provision.

8. Colleges and universities; supervision; coordinating council

9. Administrative Boards; Examiners; Legislative Control

10. Tax Paraphernalia Power to Tax; Amendment

11. Recreational Tax on Natural Resources

12. New industries; exception from municipal and parochial taxation.

13. Tax levy for capital improvements at Francis T. Nicholls State College at Thibodaux.

SUMMARY OF CONTENTS

Volume I

CONSTITUTION OF 1921, AS AMENDED

Article I  Page

Preamble: ........................................ 6
I. Bill of Rights ................................ 20
II. Declaration of Rights ...................... 190
III. Legislative Department ................... 205
IV. Limitations ................................ 307
V. Executive Department ....................... 633
VI. Administrative Officers and Boards ....... 666
VI-A. Gasoline Tax for Pools ................. 672

Volume 2

VII. Judicial Department ...................... 2
VIII. Suffrage and Elections ................. 31
IX. Impeachment and Removal from Office ... 353
X. Revenue and Taxation ...................... 500
XI. Homestead Exemptions .................... 831
XII. Public Education .......................... 819
XIII. Corporations and Corporate Elephants ... 828

Volume 3

XIV. Parochial and Municipal Affairs ....... 2
XV. Drainage Districts ......................... 509
XVI. Leases ...................................... 573
XVI-A. Conservation Bank Corporation Loans ... 316
XVII. Media ..................................... 355
XVIII. Persons .................................. 327
XIX. General Powers ........................... 554
XX. Precedent ................................... 411
XXI. Amendments to the Constitution ...... 446
XXII. Schedule 1 ................................. 456

SUMMARY OF CONTENTS

Volume 3—Cont’d.

MISCELLANEOUS ORDINANCES

Article  Page

XXIII. Loan to Defray Expenses of the Convention 459
XXIV. Concerning the Continuance of Cases .......... 491
XXV. Extending Serafino of the Legislature ... 485
Convened by Constitution .................... 483

TREATIES AND ORGANIC ACTS

Gcnsion of Louisiana—Treaty of 1928 ........ 495
Payment to French Government—Treaty of 1803 .... 493
Taking Possession of Louisiana—1803 ............ 491
Territorial Government of 1803 .......................... 492
Territorial Government of 1834 ..................... 493
Territory of Louisiana ............................ 501
Proclamation—Taking Possession of East Louisiana ... 491
Enabling Act .................................. 505
Admission of the State of Louisiana ........ 496
Limits of Louisiana—Enlargement .................. 497

EARLIER CONSTITUTIONS

Constitution of 1812 .......................... 511
Constitution of 1814 .......................... 514
Constitution of 1850 .......................... 511
Constitution of 1851 .......................... 511
Constitution of 1853 .......................... 511
Constitution of 1858 .......................... 515
Constitution of 1868 .......................... 611
Constitution of 1879 .......................... 616
Constitution of 1898 .......................... 616
Constitution of 1913 .......................... 653

UNITED STATES

Declaration of Independence .................. 503
Constitution of the United States ........... 503
Index to Constitution of the United States .... 204
Index to Constitution of Louisiana 1722 .... 219

MEMORANDUM

April 13, 1973

TO: Norma M. Duncan, Director of Research
FROM: Walter J. Landry, Senior Research Assistant
VIA: Lee Hargrave, Coordinator

Dear Mrs. Duncan:

In accordance with your request, attached is a Table of Provisions from the 1921 Constitution which the Bill of Rights Committee expects to consider showing the provisions that are:

(1) Obsolete and why — listed as OBSOLETE.
(2) Repeated verbatim in statutes — listed as VERRATIM with the statute(s) cited in each case.
(3) Repeated in substance in statutes — listed as SUBSTANSE with the statute(s) cited in each case.

Those provisions to be considered by the committee that do not fit into any category above have been omitted from the table.

Walter J. Landry

Attachment

Committee on Bill of Rights and Elections

TABLE OF OBSOLETE PROVISIONS, PROVISIONS REPEATED IN SUBSTANCE IN THE STATUTES, AND PROVISIONS REPEATED VERBATIM IN THE STATUTES.

TABLE OF CONTENTS

ARTICLE I. BILL OF RIGHTS

§ 7 Searches and Seizures; Requirements for Warrant. Substance C.Cr.P. Art. 162.
§ 9 Criminal Prosecutions; Speedy Public Trial; Jury; Venue; Witnesses; Counsel; Indictment and Information; Double Jeopardy. Substance, C.Cr.P. Arts. 294, 382, 513, 515, 611, 791.
§ 10 Criminal Prosecutions; Information as to Accusation; Peremptory Challenges. Substance, C.Cr.P. Arts. 464, 465, 484, 799.
§ 11 Self-incrimination; Confessions. Substance, RS 15:451
§ 12 Excessive Bail or Fines; Cruel and Unusual Punishment; Offenses not Bailable. Substance, C.Cr.P. Arts. 311–341.
§ 13 Habeas Corpus; Suspension of Privilege. Substance, C.Cr.P. Arts. 351–370.
§ 14 Subordination of Military to Civil Power. Substance, RS 29:15.

ARTICLE II. DISTRIBUTION OF POWERS

§ 1 Departments of Government. Substance, RS 42:31.

ARTICLE III. LEGISLATIVE DEPARTMENT

§ 15 Suits against the state, its agencies and political subdivisions. Substance, RS 47:1481–86.
§ 37 Rights of Way; Roads of Necessity; Drainage. Substance, RS 48:217 and RS 38:1481–1577.

ARTICLE IV. LIMITATIONS

§ 16 Trusts; Forced Heirship; Abolition Prohibited; Adopted Children. Substance, CC, Art. 1447 et seq. and RS 9:1791 et seq.

ARTICLE V. ADMINISTRATIVE OFFICERS AND BOARDS

§ 19 State Highways and Bridges; Construction and Maintenance; Traffic Regulation; Rights of Parishes, Municipalities and Political Subdivisions. Substance, RS 19:15 et seq. and 48:218 et seq.

ARTICLE VII. JUDICIARY DEPARTMENT

§ 2 Writs of Habeas Corpus and in Aid of Jurisdiction; Reasons for Refusal. Substance, C.Cr.P. 351–370.

ARTICLE VIII. SUFFRAGE AND ELECTIONS

§ 1 Right to Vote; Qualifications of Electors; Registration; Obsolete, As To Age, see U. S. Const. Amend. 26; as to constitutional interpretation test, see La. v. U. S., 336 US 145 (1949). Substance, RS 18:31–42.
§ 4 Primary Elections; Conventions; Fairness; Qualifications of Voters and Delegates. Subsance, RS 18:281-284.

§ 5 Denial of Registration; Remedy; Illegal Registration; Removal of Name; Prosecution. Subsance, RS 18:138.

§ 6 Disqualification from Voting or Holding Office. Subsance, RS 18:42.


§ 8 General Election; Time; Presidential and Congressional Elections. Subsance, RS 18:544, RS 18:141.

§ 11 Residence; State or Federal Service; Semen; Students. Subsance, RS 18:1071 et seq.

§ 12 Election Contests; Trials. Subsance, RS 18:1251-52.

§ 13 Office Holders; Residence Requirements. Subsance, RS 18:42

(2)

§ 14 Election Returns, Officers Commissioned by Governor. Subsance, RS 14:12.1.

§ 15 Ballots; methods of voting; secrecy; independent candidates; statements of candidacy. Subsance, RS 18:671 et seq.

§ 16 Close of Registration before Election; Transfers; New Voters; Changes of Address in Orleans Parish Between First and Second Primaries. Subsance, RS 18:83, 18:170.

§ 17 Registration. Subsance, RS 18:1-261.

§ 20 Right to Serve as Commissioner at Polls. Subsance, RS 18:555.

§ 21 Registration after Moving to Another Precinct. Subsance, RS 18:138.

§ 22 Absentee Voting. Subsance, RS 18:1071 et seq.

ARTICLE XII. PUBLIC EDUCATION

§ 13 No appropriation of public funds for private or sectarian schools. Subsance, (Part), RS 17:153.

ARTICLE XIX. GENERAL PROVISIONS


§ 3 Treason. Subsance, RS 14:113.

§ 8 Gambling; Futures of Agricultural Products; Lotteries. Subsance, RS 14:90.


§ 12 Bribe; Offering or Receiving; Disqualification from Office. Subsance, RS 14:120.

§ 13 Bribe; Self Incrimination; Immunity. Subsance, RS 14:121.

§ 14 Monopolies, Trusts, Combinations or Conspiracies in Restraint of Trade. Subsance, RS 51:121-152.

§ 17 Contempt of Court. Subsance, RS 13:461 and numerous other references.


TO: Norma M. Duncan, Director of Research

FROM: Committee on Legislative Powers and Functions

In response to your memorandum dated March 28, 1973, the committee has asked that the following reply be made.

The committee reviewed those provisions relative to the legislature which were contained in their compilation and made a determination of the following:

1) Those specific subjects or provisions which the committee definitely plans to consider as part of their responsibility (See attachment A).

2) Those specific or general subjects included within the compilation of constitutional provisions prepared for the committee which they do not plan to consider as part of their responsibility (See attachment B).

3) Those provisions of the present constitution contained in their compilation which the committee believes have not been specifically assigned to any substantive committee are restricted to the provisions of Article XIII dealing with corporations which the committee respectfully requests be assigned to it by the Coordinating Committee.

4) Those provisions which the committee feels may well overlap with the responsibilities of other committees and which they believe should be coordinated with those other committees through the establishment of subcommittees composed of delegates from the two or more substantive committees with overlapping responsibilities (See attachment C).

Attachment A

PROVISIONS THAT WILL BE CONSIDERED

Organization - Composition

Article III Legislative Department

§ 1 Bicameral legislature

§ 2 House of representatives; representation; apportionment; number

§ 3 Senatorial districts; new parishes; number of senators

§ 4 Senatorial districts; number of senators for each district

§ 5 House of representatives; number; apportionment

§ 6 Reapportionment; restriction; new parishes

§ 8 Annual sessions; general, budgetary and special sessions; duration; bills and joint resolutions; vacancies

§ 8.2 Veto sessions

§ 9 Qualifications; residence requirements; term

§ 10 Judging qualifications, election, and returns; officers; procedural rules; discipline

§ 13 Privileges and immunities

§ 14 Compensation and mileage

§ 19 Quorum; adjournments from day to day; compulsory attendance

§ 20 Adjournments; consent of other house

§ 29 Personal interest in bill; disclosure; vote

§ 30 Sale or trade of votes; purchase of supplies on bids; contracts; personal interest; approval

Article V - Executive Department

§ 8 Lieutenant Governor; president of senate; vote; president pro tempore

§ 9 Lieutenant Governor; vacancy in office

§ 11 Appointment of officers

§ 14 Governor; execution of laws; extraordinary sessions of legislature; restriction on power to legislate; limitation on time; proclamation and notice

Article VI - Administrative Officer and Boards

§ 26(2) Legislative auditor

Article XIX - General Provisions

§ 11 Fiscal officers; discharge prerequisite to other officer; suspension

§ 12 Bribe; offering or receiving; disqualification from office

§ 13 Bribe; self incrimination; immunity

§ 15 Passes, franking privileges or discriminatory rates for public officials; penalties; testimony

Powers - Limitations

Article II - Distribution of Powers

§ 3 Continuity of governmental operations upon enemy attack

Article III - Legislative Department

§ 32 Merger or consolidation of similar executive and administrative offices

§ 34 Salaries of public officers; change

§ 35 Suits against the state, its agencies or political subdivisions

[1457]
§ 44 Milk manufacturers, pasteurizers and distributors; bond

Article IV - Limitations
§ 1 Appropriations; quarterly accounting
§ 1(a) Board of liquidation of the state debt
§ 2 Public debt; alienation of public lands; reservation of mineral rights; mineral leases
§ 4 Local or special laws; prohibited subjects (only those paragraphs dealing with corporatons)
§ 6 Local or special laws; notice of intention; publication

Article IX - Impeachment and Removal from Office
-2-
§ 1 State and district officers; grounds for impeachment
§ 2 Impeachment; trial; effect of conviction; other prosecutions; suspension
§ 3 Removal on address by legislature
§ 4 Judiciary Commission; removal or involuntary retirement of judges and justices
§ 6 Removal by suit; officers subject; commencement of suit
§ 7 Removal by suit; citation; appeals; effect; costs and attorney's fee
§ 8 Fiscal officers; suspension
§ 9 Recall

Article XIII - Corporations and Corporate Rights
§ 2 Stock or bond issues; consideration fictitious issues
§ 3 Railroads; public highways; crossing; traffic interchange
§ 5 Creation and regulation by general laws; monopolies
§ 6 Canal and hydro-electric developments; use of state waters; state ownership
§ 7 Perpetual franchises or privileges
§ 8 Definition

Article XIX - General Provisions
§ 25 Retirement systems; notice of intention to propose amendment or change; publication
§ 26 Special agencies of state; withdrawal of consent to suits
§ 27 Governmental Ethics

Procedure - Mechanics

Article III - Legislative Department
§ 7 Style of laws; enacting clause
§ 8.1 Passage of bills and joint resolutions, limitations
§ 11 Disrespect, disorderly or contemptuous behavior

§ 15 Journals of proceedings
§ 16 Statutes; single object; title; revision or codification
§ 17 Revival or amendment of law
§ 18 System or code of laws; adoption
§ 21 Yeas and nays; entry in journal
§ 22 Revenue bills; origin; amendments
§ 23 Rejected matters; resubmission; consent
§ 24 Bills and codes; procedure for enactment
§ 25 Amendments to bills; concurrence; conference committees; voting
§ 25.1 Tax measures; amendments; conference committee reports; vote required
§ 26 Signing of bills; delivery to Governor

§ 27 Effective date of laws; publication
§ 28 Clerical officers: contingent expense committee records; audit; unexpended balances
§ 31 Legislative bureau; membership; duties

Article IV - Limitations
§ 9 Appropriation bills; forms and contents
§ 10 Appropriations; purpose and amount; contingencies
§ 11 Appropriations; last five days of session; formalities; extraordinary session

Article V - Executive Department
§ 15 Signature of bills; veto; passage over veto; failure to act
§ 16 Appropriation bills; veto of items
§ 17 Acts not requiring Governor's signature; legislative investigations

Article XIX - General Provisions
§ 5 Suspension of laws; vote required for

-4-

Attachment B

PROVISIONS THAT WILL NOT BE CONSIDERED

Article III - Legislative Department
§ 33 Convict labor; public works; leases
§ 37 Rights of way; roads of necessity; drainage
§ 39 Code of Criminal Procedure

Article IV - Limitations
§ 2(a) Board of liquidation of state debt; bonds; public works
§ 3 Extra compensation; claims against state, parish or municipality; unauthorized contracts
§ 4 Local or special laws; prohibited subjects (except for those paragraphs dealing with corporations)
§ 5 Local or special laws; indirect enactment; repeal
§ 7 Price of manual labor; wages, hours, and working conditions of women
§ 8 Public funds; prohibited expenditure for sectarian, private, charitable or benevolent purposes; state charities; religious discrimination
§ 12 Loan or pledge of public credit; relief of destitute; donations; transfers of property; bonds; leasing or health institutions; donation to U.S. for veterans Hospital

§ 12(a) Bonds; state indebtedness; Confederate veterans' pensions; reimbursement of general highway fund
§ 12(b) State market commission; guaranteed loans; agricultural facilities
§ 12(c) Commissioner of agriculture and immigration; guaranteed loans; farm youth organizations
§ 13 Release of obligation of state, parish or municipal corporation; taxes on classified property
§ 16 Trusts; force heirship; abolition prohibited; adopted children
§ 18 Legislation to enable compliance with federal laws and regulations to secure federal aid in capital improvement projects

Article V - Executive Department
§ 28 Constitutional officers; elections; terms; vacancies; assistants
§ 20 Salaries of constitutional officers; fees; expenses

Article VI - Administrative Officers and Boards
§ 19.4 Board of highways; regulation and control of annual budget
§ 22 General highway fund
§ 26(1) Department of Revenue
§ 31 Greater Ouachita Port Commission
As per the request of Delegate Kean and the Subcommittee on Alternatives of the Coordinating Committee we have examined the 1921 constitution on those areas to be considered by the Committee on Legislative Powers and Functions.

I. We have determined that the following provisions are obsolete.

A. Those provisions in Article III dealing with reapportionment (Sections 2, 3, and 6) which are based on other than "one-man, one-vote" standards are obsolete because of the Reynolds v. Sims decision.

B. Those provisions in Article III which apportioned the Senate and the House of Representatives (Sections 4 and 5) are obsolete.
obsolete because of the *Bannister v. Davis* decision which declared them unconstitutional and subsequently the legislature has enacted statutory apportionment. (R.S. 24:35 and 35.1)

C. The provision in Article III dealing with legislative compensation and mileage (Section 14) is obsolete because the legislature has under authority of Article III, Section 34 increased both the per diem and mileage allowable. (R.S. 24:31)

D. The provision in Article III dealing with the accrual of prescription or peremption prior to January 1, 1962 (Section 35) is obsolete since that section also provides that suit must have been brought prior to January 1, 1962.

E. The provision in Article III dealing with the drafting of a Code of Criminal Procedure is obsolete since the Code of Criminal Procedure was adopted in 1966.

F. The provision in Article IV dealing with the board of liquidation of state debt found in Section 2(a) is obsolete since a later amendment to the constitution now contained in Article IV, Section 1(a) transferred all power and authority formerly vested in the board of liquidation under Section 2(a) to the board of liquidation created under Section 1(a).

G. The provisions in Article IV dealing with the funding of bonds for the purpose of erecting the state capitol building and to pay the outstanding indebtedness of the state, and L.S.U., to pay the Confederate veterans' pensions and to reimburse the General Highway Fund (Sections 12 and 12-a) are obsolete since the bonds have been paid off.

H. The provision in Article X dealing with the rate of state taxation on property (Section 3) is obsolete since that section was repealed effective January 1, 1973 by the passage of Article X-A, Sections 1-5 which repealed all state ad valorem taxes.

II. We have determined that only one provision to be considered by the Committee on Legislative Powers and Functions is repeated verbatim in the statutes.

The provision in Article XIX dealing with governmental ethics which recites in a preamble a policy and purpose (Section 27, paragraph 1 A, B, and C) is repeated verbatim in the statutes. (R.S. 42:1101)

III. We have determined that the following provisions are repeated in the statutes in substance.

A. The provisions in Article IX dealing with the suspension of a fiscal officer when he is in arrears (Section 8) are repeated in substance in the statutes. (R.S. 42:301)

B. The provisions in Article XVII dealing with the appointment of the adjutant general (Section 3) are repeated in substance in the statutes. (R.S. 29:5)

C. The provisions in Article XIX dealing with eligibility of a fiscal officer for another office (Section 11) are repeated in substance in the statutes. (R.S. 42:34)

D. The provisions of Article XIX dealing with bribes (Section 12) are repeated in substance in the statutes (R.S. 14:118 and 120)

E. The provisions of Article XIX dealing with the immunity granted to an individual who may be compelled to testify involving bribery (Section 13) are repeated in substance in the statutes. (R.S. 14:121)

F. The provisions of Article XIX dealing with appeals of decisions involving governmental ethics (Section 27, paragraph 3C) are repeated in substance in the statutes. (R.S. 42:1121)

MEMORANDUM

TO: E.L. "Bubba" Henry, Chairman
Coordinating Committee

FROM: Tom Stagg, Chairman
Committee on the Executive Department

RE: (a) Constitutional provisions to be considered by the Committee on the Executive Department;
(b) provisions the Committee will not consider;
(c) provisions to be referred to the Coordinating Committee

The Committee on Executive Department has considered the entirety of the 1921 Louisiana Constitution in search of those provisions which may directly or indirectly relate to the executive department of state government.

In looking at the totality of the document, this Committee has necessarily noted that many sections assigned for study to other substantive committees also affect the operations of the executive branch either as it now exists, or as this Committee has tentatively concluded it should exist. However, rather than being inordinately aggressive in choosing topics for consideration by the Committee on the Executive, thereby duplicating the efforts of the other substantive committees, this Committee has chosen to consider only those articles, sections, and topics listed on Attachment A of this memorandum.

The Committee has decided that it will NOT consider the articles, sections, and topics listed on Attachment B.

The Committee wishes to consider the topics and sections listed on Attachment C, but desires to have these items considered by the Coordinating Committee because of possible conflicts and/or overlap with other substantive committees. The Committee, of course, retains the right to review reports from all committees prior to July 5, 1973, and to consider recommendations from other committees which affect the executive department.

ATTACHMENT A

CONSTITUTIONAL PROVISIONS WHICH THE COMMITTEE ON THE EXECUTIVE DEPARTMENT WILL CONSIDER*
Article III. Legislative Department

Section 9: (Governor to call special elections to fill legislative vacancies) (In part)

Section 8.2: Veto sessions

Section 26: Signing of bills; delivery to governor

Section 27: Effective date of laws; publication

Section 30: ..........; purchase of supplies on bids; contracts, personal interest, approval (In part)

Section 32: Merger or consolidation of similar executive and administrative offices

* Constitutional section titles are used except where the Committee's jurisdiction extends only to a limited aspect of a section, as indicated by material enclosed in parentheses.

Section 34: Salaries of public officers; change (Liaison: Committee on Legislature)

Article IV. Limitations

Section 1: Appropriations; quarterly accounting

Section 1(a): Board of Liquidation of State Debt

Section 2(a): Board of Liquidation of State Debt; bonds; public works

Section 3: General Appropriation Bill (Governor's office devised) (Coordinating Committee)

Section 12(b): State Market Commission; guaranteed loans; agricultural facilities

Section 12(c): Commissioner of Agriculture; guaranteed loans; farm youth organizations

Article V. Executive Department

Section 1: Executive Officers; Consolidation of offices

Section 2: Governor; Lieutenant Governor; Executive power; Term; Election

Section 3: Qualifications of Governor and Lieutenant Governor

Section 4: Commencement of Term of Governor and Lieutenant Governor

Section 5: Salary of Governor and Lieutenant Governor

Section 6: Governor; Vacancy; Inability to Act; Succession

Section 7: Salary of Acting Governor

Section 8: Lieutenant Governor; President of Senate; Vote; President Pro Tempore

Section 9: Lieutenant Governor; Vacancy in Office

Section 10: Reprieves; Pardons; Commutation of Sentences; Remission of Fines and Forfeitures

Section 11: Appointment of Officers

Section 12: Appointment of Officers; Recess Appointments

Section 13: Reports to Governor; Information, and Recommendations to Legislature

Section 14: Governor; Execution of Laws; Extraordinary Sessions of Legislature; Restriction on Power to Legislature; Limitation on Time; Proclamation and Notice

Section 15: Signature of Bills; Veto; Passage over Veto; Failure to Act

Section 16: Appropriation Bills; Veto of Items

Section 17: Acts Not Requiring Governor's Signature; Legislative Investigations

Section 18: Constitutional Officers; Election; Term; Vacancy; Assistants

Section 19: Treasurer; Eligibility to Succeed Self

Section 20: Salaries of Constitutional Officers; Fees; Expenses

Section 21: Commissions; Formalities

Article VI. Administrative Offices and Boards

Section 1: Wildlife and Fisheries Commission; Forestry Commission; Department of Conservation; powers; duties; functions, etc.

Section 3: Public Service Commission

Section 4: Public Service Commission; powers

Section 5: Public Service Commission; orders; effective date; injunction; review; enforcement; appeals

Section 6: Public Service Commission; orders; penalties for violation

Section 7: Public Service Commission; local regulation of utilities; retention of surrender

Section 8: Public Service Commission districts

Section 9: Public Service Commission; applicability of laws relating to Railroad Commission

Section 11: Boards of health; state, parochial and municipal; state health officer

Section 12: Public Health; practice of healing arts; food and drug regulations

Section 13: Agriculture; Commissioner to direct department

Section 15: Fire Marshal

Section 18: State Bank Commissioner

Section 19: State highways and bridges; construction and maintenance; traffic regulations; rights of parishes, municipalities and political subdivisions

Section 19.2: Board of highways; director; powers, duties and functions

Section 19.3: Beautification of highways; regulation of outdoor advertising and junk yards

Section 19.4: Board of highways; regulation and control of annual budget

Sections 21, 22, 23, 21.1, 24, 24.1: (General Highway Fund. Constitutional provisions limit governor's powers over state funds.)

Section 25.1: Bridges; construction and maintenance

Section 26: Department of Revenue; Legislative Auditor; State Printing Board

Section 27: Lake Pontchartrain; sale of submerged lands; islands; Causeway
Section 28: Liquified Petroleum Gas Commission

Section 39: (Governor has authority to obtain reports and information from all executive and administrative departments)

Article VI-A. Gasoline Tax For Ports

Section 5: (Relates to disposition of collections from "gasoline tax for ports", to be expended in part by the Board of Highways, an executive agency.)

Sections 6, 7,9,10,11, 12: (Refers to collection of "gasoline tax for ports" by "Supervisor of Public Funds", later referred to as "Supervisor of Public Funds").

Article VII. Judiciary Department

Section 7: (Governor to call special election to fill vacancies on Supreme Court.)

Section 21: (Governor to call special election to fill vacancies in appellate judgeships.)

Section 33: (Governor to call special election to fill vacancies in district judgeships.)

Section 55: (Attorney General)

Section 56: (Attorney General)

Section 57: (Salaries, Department of Justice)

Article VIII. Suffrage and Elections

Section 13: Office holders; residence requirements

Article IX. Impeachment and Removal from Office

Section 1: State and district officers; grounds for impeachment

Section 2: Impeachment; trial; effect of conviction; other prosecutions; suspension

Section 3: Removal on address of Legislature

Section 6: Removal by suit; officers subject; commencement of suit.

Section 7: Removal by suit; citation; appeals; effect; costs and attorney's fees

Section 8: Fiscal officers; suspension

Section 9: Recall

Article X. Revenue and Taxation

Section 2: Tax Commission; powers, appointment; terms; salary

Article XII. Public Education
following constitutional provisions, but will NOT consider them.

Article II. Distribution of Powers
Section 1: Departments of government
Section 2: Separation of departmental powers

Article III. Legislative Department
Section 25.1: (2/3) vote of the Legislature necessary to increase taxes
Section 30: Sale or trade of votes; .......... (In part)
Section 31: Legislative bureau; membership; duties
Section 38: Obsolete (1936 Oil and Gas Code Commission)
Section 39: Code of Criminal Procedure

Article IV. Limitations
Section 7: Public debt; alienation of public lands; reservation of mineral rights; mineral leases
Section 12: Mineral revenues; minerals beyond three mile limit
Section 16: Mineral revenues; payment to general highway fund
Section 20: Revenue from tidelands mineral leases; use of
Section 37: Price of manual labor; wages, hours and working conditions of women
Section 41: Public funds; prohibited expenditure for sectarian, charitable or benevolent purposes; state charities; religious discrimination

*Constitutional section titles are used except where the Committee's jurisdiction extends only to a limited aspect of a section, as indicated by material enclosed in parentheses. EC-9

Section 10: (Contingency Appropriations prohibited.)
Section 12: Loan or pledge of public credit; relief of destitute; donations; transfers of property; bonds; leasing of health institutions; donations to U.S. for Veterans Hospital
Section 12a: Bonds; state indebtedness; Confederate Veterans' pensions; reimbursement of General Highway Fund
Section 14: State educational or charitable institutions; establishment; vote
Section 17: Legislative approval of bond issuance and appropriation by the Board of Liquidation; procedure; nullity of issue for failure to observe

Article V. Executive Department
Sections 22 - 30: (Invalid)

Article VI. Administrative Officers and Boards
Section 11.1: Mosquito abatement districts
Section 16: (New Orleans Port; governor to give approval for certain borrowing.)
Section 17: (Governor to fill vacancies on New Orleans Port Commission from list of nominees.)
Section 29: (Governor to appoint members to Baton Rouge Port Commission.)
Section 31: (Governor to appoint members to Ouachita Port Commission.)
Section 32: (Governor to appoint members to Caddo-Bossier Port Commission.)

Article VII. Judiciary Department
Section 8: (Retiring judges to notify governor of retirement) EC-10

Section 65: (Tax collection functions of sheriffs.)

Article VIII. Suffrage and Elections
Section 6: (Voting by felons unpardoned by governor, prohibited.)
Section 9: (Date of State General Election)
Section 14: Election returns, officers commissioned by governor
Section 15: Ballots; methods of voting; secrecy; independent candidates; statements of candidacy
Section 18: Registrars of Voters; board of registration

Article X. Revenue and Taxation
Section 1(a): (Tax increases and levies subject to 2/3 vote of legislature.)
Section 4(9): (Homestead Exemptions payable from property tax relief fund.) Obsolete
Section 4(10): (State Board of Commerce. Industry authorized to enter into contracts for new manufacturing industries with governor's approval.)
Section 4(10b): (Revenue Sharing Fund, composed from monies in State General Fund.)

Article XI. Homestead Exemption
Section 1: (Homestead Exemptions.)
Section 2: (Homestead Exemptions.)
Section 3: (Homestead Exemptions.)
Section 4: (Homestead Exemptions.)

Article XII. Public Education
Section 4: State Board of Education; members; powers and duties

EC-11

Section 6: State Board of Education; control of public schools
Section 7: Colleges and universities; supervision; Coordinating Council
Section 8: Administrative departments; expenditures; legislative control
Section 9: Higher institutions of learning; appropriations
Sections 10: (State Board of Education, powers and duties relative to local systems)
Sections 25: (Constitutional agencies, L.S.U.N.O. and Southerns, New Orleans.)

Article XIII. Corporations and Corporate Rights
Section 6: (Reference to duties of a "State Board of Engineers"). Obsolete

Article XIV. Parochial and Municipal Affairs
Section 15: Civil service system; state; cities; parishes governed jointly with one or more cities under a plan of government
Section 15.1: Fire and Police Civil Service; municipalities of 13,000 to 250,000
Section 15.2: Financial security for surviving spouses and children of law enforcement officers in certain cases
Section 20: (Orleans Parish, Board of Assessors.)
Section 21: (State Tax Collector, City of New Orleans.)
Section 22-A: (Creation of Vieux Carre Commission.)
Section 26: (Constitutional local agency, New Orleans Public Belt Railroad Commission.)
Section 30.2: (Governor appoints members to Lake Charles Harbor & Terminal District.) EC-12
Special authorities, outside executive control, except insofar as governor is a member: Sabino River Authority, Louisiana Stadium and Exposition District.

Section 4: Governor appoints member to Latt Lake Water Conservation District.

Article XVII. Levees
Section 1: Governor to fill vacancies on levee boards.
Section 7(b): A state agency under control of governor appoints member of Lake Pontchartrain sanitary district.

Article XVIII. Pensions
Section 1: Soldier's Home
Section 7: Social Security and Public Welfare
Sections 10, 11, 12, 13: Duties of certain state agencies regarding veterans; bonuses; dedication of revenues.

Article XIX. General Provisions
Section 20: Duties of Governor and Department of Highways relative to New Basin Canal and Shell Road.
Section 26: Special agencies of state; withdrawal of consent to suits.

Article XX. Penitentiary
Section 1: Governor's duties relative to Angola Bond issue.

Article XXI. Amendments to the Constitution
Section 1: Governor's duties in proclaiming constitutional amendments.

EC-13

ATTACHMENT C

CONSTITUTIONAL PROVISIONS REQUIRING CONSULTATION WITH OTHER COMMITTEES

A. Articles and sections to be sent to the Coordinating Committee

Article IV. Limitations
Section 9: Appropriation Bills; form and contents (General Appropriation Bill as related to Executive Budget)

Article VII. Judiciary Department
Section 7: (Supreme Court) Initial Terms; Election; Expiration of Terms; Vacancies; Presiding Justice
Section 21: (Courts of Appeal) Confirmation of Courts; Elections; Vacancies
Section 33: (District Courts) District Judges; Election; Residence, Training, and Experience Qualifications; Bar Association Membership
Section 55: (Department of Justice) Establishment; Composition; Attorney General; Election and Assistants
Section 56: (Department of Justice) Attorney General; Qualifications; Powers and Duties; Vacancies
Section 57: (Department of Justice) Salaries
Section 60: (District Attorneys) Assistants
Section 69: (Vacancies) Appointments; Special Elections
Section 72: (Coroners) Vacancy
Section 93: (New Orleans City Courts) Vacancies; Temporary Filling by District Judges

Article XII. Public Education
Section 5: State Superintendent of Education

EC-14

Article XIX. General Provisions
Section 10: Salaried officers; Fees and Perquisites

B. Articles and Sections to be considered in Liaison with Committee on the Legislature

Article III. Legislative Department
Section 34: Salaries of Public Officers; change

EC-15

STATE OF LOUISIANA, CONSTITUTIONAL CONVENTION OF 1973, STATE CAPITOL, BATON ROUGE, LOUISIANA 70804

April 11, 1973

MEMORANDUM:

TO: Norma Duncan, Director of Research  
FROM: Gene Tarver, Coordinator of Research

RE: Obsolete aspects of constitutional provisions being considered by the Committee on the Executive Department

Article IV. Limitations
Section 2(a): Board of Liquidation of State Debt; bonds; public works

Obsolete, by superseding law.

(Later law changed the composition of the Board, see Art. IV, Sec. 1(a). The Board of Liquidation is no longer a bonding agency; the authorized bond issue has been paid.)

Article V. Executive Department
Section 3: Salary of Governor and Lieutenant Governor

Obsolete, by statutory change.

(Constitutional salaries, obsolete. Statutory salaries at R.S. 49:201, 202)

Section 20: Salaries of Constitutional Officers; Fee; Expenses

Obsolete, in part, by statutory change.

(Constitutional salaries, obsolete. Reference to Insurance Department "attached to the office of Secretary of State", obsolete.)

Article VI. Administrative Offices and Boards
Section 3: Public Service Commission

Obsolete, in part, by superseding laws.

(References to Railroad Commission and constitutional salary, obsolete. Paragraph 2 is now covered by Code of Ethics.)

Section 7: Public Service Commission; local regulation of utilities; retention or surrender

Obsolete, in part, by language.

(Constitutional provision refers to public utilities "now" vested in local governments. Questions of interpretation have been concerned with the meaning of "now". . . 1921, or presently?)
Section 8: Public Service Commission Districts

Obsolete by later law.

(Public service commission districts were reappropriated by Act 459 of 1972)

Section 9: Public Service Commission; application of laws relating to Railroad Commission

Obsolete, in part, by reference.

(References to the Railroad Commission are obsolete. If the Convention passes a general provision adopting the Revised Statutes, this section will be unnecessary.)

Section 10: Boards of health; state, parochial and municipal; state health officer

Obsolete, in part, by statutory change.

(Louisiana State Board of Health and the State Department of Health merged by legislative act into the Health, and Social and Rehabilitation Services Administration, Act 725 of 1972.)

Section 11: State highways and bridges; construction and maintenance; traffic regulation; rights of parishes, municipalities and political subdivisions

Obsolete, in part, by law and practice

(Reference to Board of State Engineers is obsolete. Provisions relative to local governments are obsolete by practice)

Article XVI. Levees

Section 6: (Constitutional functions given to Department of Public Works, including expenditure of public funds)

Obsolete, in part, by reference.

(Provisions authorizing the Department of Public Works to expend funds from a "General Engineering Fund" are obsolete.)

Article XVIII. Pensions

Section 1: (Constitutional functions of fiscal agency not under executive control, Board of Liquidation)

Obsolete.

(Board of Liquidation is no longer a bonding agency; state property tax repealed.)

Section 6: (Constitutional functions of fiscal agency not under executive control, Board of Liquidation)

Obsolete.

(Board of Liquidation no longer a bonding agency; 1940 Confederate veterans $900,000 bond issue paid.)

Section 8: Confederate Memorial Medical Center; correctional, charitable and penal institutions; bonds; tax

(Obsolete. Board of Liquidation no longer a bonding agency; state property tax repealed.)

Article XIX. State Highways and Roads

Obsolete, in part.

(All authorizations for bonds already issued can be considered obsolete, whether paid out or not; dedicated revenues to support bonds already issued need to be retained; continuation of existing laws can be covered by general provision.)

Section 16: Department of Revenue; Legislative Auditor; State Printing Board

Obsolete, in part, by reference.

(References to Supervisor of Public Funds and to the State Printing Board and its functions are obsolete)

Section 22: Lake Pontchartrain; sale of submerged lands; islands; Causeway

Obsolete, in part, by expiration of need.

(A Causeway across Lake Pontchartrain is now constructed: no islands were necessary)

Article VI-A. Gasoline Tax for Ports

Sections 6, 7, 9, 10, 11, 12: (Refers to collection of "gasoline tax for ports" by "Supervisor of Public Accounts" or "Supervisor of Public Funds").

Obsolete, in part, by references.

(All references to Supervisor of Public Funds (Public Funds) (Legislative Auditor) should be reviewed for relevancy. The Legislative Auditor, formerly Supervisor of Public Funds, has no tax collecting functions.)

Article XII. Public Education

Section 5: State Superintendent of Education

Obsolete, in part, by statutory change.

(Constitutional salary replaced by statutory salary.)

Article XIV. Parochial and Municipal Affairs

Section 31:7: (Constitutional authority granted to Department of Highways to cooperate with and expend funds on New Orleans Inner-Harbor Navigational Canal and New Orleans Port.)

Obsolete, in part, by practice.

(The Department of Highways has never exercised authority under this provision, which does not add to the department's authority granted by other Constitutional provisions.)
seizures, indictment, speedy trial, jury trial, venue, witnesses, right to counsel, double jeopardy, information as to accusation, peremptory challenges, self-incrimination, confessions, excessive bail and fines, cruel and unusual punishment.

Art. II, Secs. 1-2 Separation of powers provision.
Art. III, Sec 31 Attorney General on the Legislative Bureau
Art. IV, Sec. 2 (a) Attorney General as member of the Board of Liquidation of State Debt.
Art. V, Sec. 10 Pardon and Commutation of Sentences
Art. VIII, Sec. 23 Corrupt Election Practices
Art. IX, Secs. 1-3 Impeachment and Removal of Officials
Art. X, Sec. 11 Tax Sales
Art. XIV, Secs. 15 ff. Civil Service System
Art. XIX, Sec. 4 Dual Office Holding
Art. XIX, Sec. 9 Libel—Truth as Defense
Art. XIX, Sec. 13 Immunity in Bribery Cases
Art. XIX, Sec. 26 Immunity from Suit of Special State Agencies
Art. XIX, Sec. 27 Governmental Ethics
Art XX The Penitentiary

3. Non-assigned Material

None.

STATE OF LOUISIANA CONSTITUTIONAL CONVENTION OF 1973 STATE CAPITOL BATON ROUGE LOUISIANA THIRD

April 16, 1973

M E M O R A N D U M:

TO: E. L. "Bubba" Henry, Chairman of the Coordinating Committee

FROM: Chain O. Perez, Chairman, Committee on Local and Parochial Government

RE: Provisions in the 1921 Constitution to be considered by the Committee on Local and Parochial Government and provisions referred to the Coordinating Committee

The Committee on Local and Parochial Government has considered the entirety of the 1921 Louisiana Constitution in search of those provisions which may directly or indirectly relate to local and parochial government. The committee has noted that many sections assigned for study to other substantive committees also affect local and parochial government as it now exists, or as the committee feels it should exist.

The committee proposes that it deal with those articles and sections listed on Exhibit "A" which affect local government or its funding, and reserves the right to consider at a later date other articles and sections, contingent on reports from other substantive committees.

The committee wishes to consider the articles and sections listed on Exhibit "B", but desires to have those items considered by the Coordinating Committee because of possible conflicts and/or overlap with other substantive committees.

COPIES

Attachment

EXHIBIT "A"

The following groupings of provisions in the Constitution of 1921 are considered to be within the scope of the assigned jurisdiction of the Committee:

GROUP I - GENERAL PROVISIONS

A. ARTICLE IV - Limitations

Section:
2. Public debt; alienation of public lands; reservation of mineral rights; mineral leases; royalty road fund; parish road bonds
2(a) Board of liquidation of state debt; bonds; public works
4, 5, 6 Local or special laws
12. Loan or pledge of public credit; relief of destitute; donations; transfer of property; bonds; leasing of health institutions; donations to U.S. for Veterans Hospital

13. Legislation to enable compliance with federal laws and regulations to secure federal aid in capital Improvement projects.

B. ARTICLE IX - Removal from Office

Section:
9. Recall

C. ARTICLE X - REVENUE AND TAXATION

Section:
1. Taxing power; specific taxes
4. Tax exemptions
5. Parochial and municipal corporations; public boards, taxing powers; limitations
6. Local, municipal and district taxes; assessment; collection
8. License taxes; restrictions
9. Banks, domicile out of state; international or foreign banking; tax
10. Political subdivisions; special local taxes; purposes; limitations
10a. Special tax for municipal services
10b. Revenue Sharing Fund

EXHIBIT "A" (continued)

11. Collection of taxes; tax sales; quieting tax titles; postponement of taxes; loans to parishes
13. Local improvement assessments
14. Local application of certain constitutional provisions
15. Survey and maps to aid assessment and taxation; cost
17. Vehicles; license taxes; double taxation
19. Dwelling house exemption; in certain municipalities; time limit
21. Severance tax on natural resources
22. New industries; exemption from municipal and parochial taxation; school tax exception
23. Tax levy for capital improvements at Francis T. Nicholls State College at Thibodaux

ARTICLE XIV - PAROCHIAL & MUNICIPAL AFFAIRS

Section:
1. New Parishes
2. Change of parish lines or removal of seat; election
3. Optional plans of parochial government
3a. East Baton Rouge Parish
3b. Jefferson Parish; charter commission; plan of government
3d. Parish Charter Commission
3e. St. Bernard Parish; home rule powers, plan of government
3f. St. Charles Parish; charter commission; plan of government
3g. Parish charter commission; its duties, powers, functions and limitations
4. Dissolution and merger of parishes.
17. State penal institutions; crimes in, or by inmates or employees; reimbursement of parish expense.
18. Municipal ice factories.
19. Special tax to aid public utilities; elections; qualification of voters.
21. Motor fuel; local taxation prohibited.
22. Zoning ordinances.
23. Parish industrial areas.
25. Shreveport; home rule; charter commission.
27. Municipalities; charters and powers; home rule.
28. City of Lake Charles: reclamation and development of Lake front; acquisition of property; bonds.
29. Governing authorities of parishes and municipalities; power to abolish agencies created by them; fiscal and budgetary controls.
30. Municipalities and special service districts; annexed areas; contracts; taxation and transfer of facilities.

EXHIBIT "A" (continued)

29(4). Full faith and credit of parishes pledged.
29(5). Greater Ouachita Port Commission.
29(6). Caddo-Bossier Parishes Port Commission.
29(7). Lake Providence Port Commission.
29(8). South Louisiana Port Commission.
29(9). Concordia Parish Port Commission.
29(10). Avoyelles Parish Port Commission.
29(11). Rapides Parish Port Commission.

D. ARTICLE VI - GASOLINE TAX FOR PORTS
Section:
1. Additional motor fuel tax.
2. Dealers; persons taxable; definition.
3. Importers; reports.
4. Dealers; payment of tax; reports; bond; enforcement; aircraft fuel.
5. Disposition of collections; allocation; expenditures.
6. Purpose and intent of article.
7. Supervisor of public accounts; powers and duties.
8. Penalties for delinquency.
9. Failure to report; examination of books and records; computation of tax.
10. Falsification; enforcement; bond.
11. Costs and receipts.
12. Enforcement expenses.

EXHIBIT "A" (continued)

C. ARTICLE XIV - PAROCHIAL & MUNICIPAL AFFAIRS
Section:
6. Property for navigation canals; acquisition by parishes or municipalities; financing.
30. Improvements by riparian owners in cities over 5,000 or within port of New Orleans; expropriation; just compensation.
30(1). Port, harbor and terminal districts; creation as political subdivisions.
30(2). Lake Charles harbor and terminal district; ratification.
30(3). Navigation and river improvement districts; creation as political subdivisions.
30(4). Navigation and river improvement districts; effect on levee boards.
30(5). Red River Waterway.
30(6). Port, harbor and terminal districts; creation as political subdivisions; ratification of Lake Charles harbor and terminal district.
30(7). New Orleans: Moffett International Airport Improvements.
30(8). Sabine River Authority.

GROUP III - SPECIAL DISTRICTS

A. ARTICLE VI - ADMINISTRATIVE OFFICERS & BOARDS
Section:
11(1). Mosquito abatement districts.

B. ARTICLE XIV - PAROCHIAL & MUNICIPAL AFFAIRS
Section:
3(b). East Baton Rouge Parish; recreation and park commission.
3(d). Acquisition and financing of sewage improvements.
14. Subdivisions of state; creation; indebtedness; bond issues; special taxes.
33. Industrial plant erection; agricultural industrial boards.
34. Garbage districts
35. Fourth Jefferson drainage district; bond issue
36. Jefferson Parish; community center and playground districts; bonds
37. Jefferson Parish; sub-sewerage districts

EXHIBIT "A" (continued)

38. Jefferson Parish; public improvement districts; levee systems, pumps, etc.; indebtedness; bonds
38. Jefferson Parish; public improvement districts
38(1) St. Charles Parish; reclamation projects by public improvement districts
39(1) Calcasieu Parish; community center and playground districts; bond issue; secretary-treasurer's performance bond
43. Jefferson Parish; consolidated drainage districts; bonds; taxation
47. Louisiana Stadium and Exposition District

C. ARTICLE XV - DRAINAGE DISTRICTS

Section:
1. Authorization; powers
2. Existing laws continued
3. Bayou Lafourche fresh water district
4. Latt Lake Water Conservation District

D. ARTICLE XVI - LEVEES

Section:
1. Levee system; maintenance; state tax
2. District taxes; Orleans levee district tax
3. Bond issues
4. Interstate districts
5. Cooperation with federal government
6. Compensation for property used or destroyed; tax
7. Orleans levee district; board of commissioners; powers
8. Pontchartrain levee district; commissioners; land protection; bonds
8(a) Pontchartrain levee district; additional bond issue

GROUP IV - CITY OF NEW ORLEANS

A. ARTICLE XIV - PAROCHIAL AND MUNICIPAL AFFAIRS

Section:
22. New Orleans; election of officers; form of government; powers; home rule charter

EXHIBIT "A" (continued)

23. New Orleans; special acts ratified
23(1) New Orleans; sewerage, water and drainage system; special tax; disbursements
23(2) New Orleans; sewerage, water and drainage system; extension; special tax
23(3) New Orleans; sewerage and water board; water rates; sinking fund; water works construction
23(4) New Orleans; sewerage, water and drainage bonds; limitation upon bonded indebtedness
23(5) New Orleans; tax levy to pay bonds; disposal of residue; proceeds from assessments
23(6) New Orleans; tax exemption of bonds; investment in bonds; use as security; registration
23(7) New Orleans; interest rate of bonds; form; making a annual amount due; signatures; cost of preparation and sale
23(8) New Orleans; sale of bonds
23(9) New Orleans; proceeds of bond sale
23(10) New Orleans; continuation of board of liquidation, city debt; application of tax proceeds
23(11) New Orleans; application of #2 23.1 to 23.10 to other related provisions
23(12) New Orleans; effective date
23(13) New Orleans; classification for drainage purposes
23(14) New Orleans; hearing relating to drainage area
23(15) New Orleans; proceedings following hearing relating to drainage area
23(16) New Orleans; construction of drainage works
23(17) New Orleans; assessments charged in drainage area
23(18) New Orleans; property subject to assessment; interest; certification; collection
23(19) New Orleans; delinquent installments
23(20) New Orleans; issuance of certificates following no interest period
23(21) New Orleans; sale of certificates
23(22) New Orleans; use of funds
23(23) New Orleans; debt limit; exclusion of certificates
23(24) New Orleans; sale for other taxes; continuation of lien
23(25) New Orleans; tax exemption of certificates; investment in certificates; certificates as security

EXHIBIT "A" (continued)

23(26) New Orleans; sections 23.13 to 23.27 self-operative
23(27) New Orleans; effective date of sections 23.13 to 23.26
23(28) New Orleans; rate fixing; private users of sewerage system; revenue bonds
23(29) New Orleans; no obligation to provide funds
23(30) New Orleans; rules and regulations; provisions self-operative; board continued; repeal; severability
23(31) New Orleans; drainage system; special tax; investments; disbursements
23(32) New Orleans; drainage bonds
23(33) New Orleans; tax levy to pay bonds; disposal of residue; proceeds from assessments
23(34) New Orleans; tax exemption of bonds; investments; use as security; registration
23(35) New Orleans; interest rate of bonds; form; maximum annual amount due; signatures; costs
23(36) New Orleans; sale of bonds
23(37) New Orleans; proceeds of bond sale
23(38) New Orleans; continuation of board; application of proceeds
23(39) New Orleans; application of #2 23.32 to 23.38 to other related provisions
23(40) New Orleans; provisions self-operative
23(41) New Orleans; effective date
23(42) New Orleans; termination of right to mill levy; use of proceeds
23(43) New Orleans; validity of bonds; repealer; severability
24 New Orleans; board of liquidation of city debt; bond issues for public improvements
24 (2) New Orleans; sewerage, water and drainage bonds; authorization
24(3) New Orleans; sewerage, water and drainage bonds; authorization by election
24(4) New Orleans; sewerage, water and drainage bonds; funds for payment.
24(5) New Orleans; sewerage, water and drainage bonds; tax
24 (6) New Orleans; sewerage, water and drainage bonds; payment; tax exemption; authorized investment or security
24 (7) New Orleans; sewerage, water and drainage bonds; interest; form

EXHIBIT "A" (continued)

24 (8) New Orleans; sewerage, water and drainage bonds; sale
24 (9) New Orleans; sewerage, water and drainage bonds; use of proceeds
24 (10) New Orleans; sewerage, water and drainage bonds; board of liquidation; duties
24 (11) New Orleans; sewerage, water and drainage bonds; self-operative provisions
24 (12) New Orleans; 1930 bond issue; authorization
24 (13) New Orleans; 1930 bond issue; purposes
24 (14) New Orleans; 1930 bond issue; debt limit
24 (15) New Orleans; 1930 bond issue; funds; pledged for payment
24 (16) New Orleans; 1930 bond issue; tax
24 (17) New Orleans; 1930 bond issue; payment; tax exemption; authorized investment; security for deposits
24 (18) New Orleans, 1930 bond issue; interest; form
24 (19) New Orleans; 1930 bond issue; sale of bonds
24 (20) New Orleans; 1930 bond issue; application of revenues to payment
24 (21) New Orleans; 1930 bond issue; self-operative provisions
24 (22) New Orleans; 1930 bond issue; emergency borrowing
24 (23) New Orleans; street, water and sewer improvements; assessments; liens
25. New Orleans; special tax for fire and police departments
25 (1) New Orleans; special tax for general municipal purposes
26. New Orleans; public belt railroad; commission
27. New Orleans; public belt railroad; bonds and notes
28. New Orleans; public belt bridge over Mississippi; use; financing
31 (1) New Orleans; bond issue to purchase ferry system
31 (3) New Orleans; railroad passenger stations
31 (4) New Orleans; Upper Pontalba Building; refinancing obligations
31 (7) New Orleans; vehicular and/or pedestrian crossing over or under Inner-Harbor Navigation Canal

B. ARTICLE XIX - General Provisions

Section 20. New Basin Canal and Shell Road

EXHIBIT "B"

QUESTIONS

ARTICLE VII - JUDICIARY DEPARTMENT

Section:
46. Justice of the peace wards; number; reduction; abolition of office
47. Justices; qualifications; election; term of office
48. Jurisdiction
49. Constables; election; term of office; qualifications
50. Fees; salaries
51. Justice of the peace courts; city courts
51 (a). Parish courts, Jefferson Parish
53. Family court for Parish of East Baton Rouge
55. Establishment of office; election; ex-Officio tax collector; bonds; discharge as collector
69. Vacancies; appointments; special elections; notices

74. Compensation of sheriffs and clerks of court
75. Qualifications
80. Establishment; composition; compensation; additional sections; assignment of judges
81. Civil and appellate jurisdiction
82. Establishment; composition
83. Jurisdiction and powers
84. Transfer of cases
85. Stenographers; minute clerks; salaries; deputy sheriffs; judges' vacations and absences
86. Distribution of cases; control; rules
87. Change of provisions relating to criminal courts
88. Salaries of parish and city officers
89. Parish officers; election; continuation of prior laws
90. First city court; judges; terms; salary
91. First city court; jurisdiction; pleadings; authority; procedure; costs; appeals; small claims
92. Second city court; jurisdiction; officers; interchange of judges and clerks
93. Vacancies; temporary filling by district judges
94. New Orleans; municipal and traffic courts; personnel; jurisdiction; appeals

EXHIBIT "B" (continued)

95. Sources of fund; control and administration; accounting
96. Establishment; jurisdiction; appeals; procedure; judges
97. Time of election of judges and other parish officers

ARTICLE X - REVENUE AND TAXATION

Section:
1. Taxing power; specific taxes

Only so far as said section applies to the evaluation and classification fixed for state purposes shall the evaluations and classifications for local purposes, etc.

2/4 of the severance taxes on timber goes to the parish wherein the timber is severed and any other provisions of this section which affect local government

4. Tax exemptions:

Insofar as it applies to local government

Banks, domicile out of state; international or foreign banking; tax

Insofar as it applies to 1/2 of the tax to go to the municipality wherein it has a principal office.

11. Collection of taxes; tax sales; quieting tax titles; postponement of taxes; loans to parishes

Insofar as it pertains to "loans to parishes"

21. Severance tax on natural resources

Insofar as the percentage of proceeds go to parishes

24. Authority for tax relief for manufacturing establishments

ARTICLE XIV - PAROCHIAL AND MUNICIPAL AFFAIRS

Section:
15. Civil service system; state; cities
15.1 Fire and police civil service; municipalities of 13,000 to 250,000

EXHIBIT "B"

QUESTIONS

ARTICLE VII - JUDICIARY DEPARTMENT

Section:
46. Justice of the peace wards; number; reduction; abolition of office
48. Jurisdiction
49. Constables; election; term of office; qualifications
50. Fees; salaries
Justice of the peace courts; city courts; Parish courts, Jefferson Parish; Family court for parish of East Baton Rouge; First city court; judges; terms; salary; First city court; jurisdiction; pleadings; authority; procedure; costs; appeals; small claims; Second city court; jurisdiction; officers; interchange of judges and clerks; New Orleans; municipal and traffic courts; personnel; jurisdiction; appeals; Sources of funds; control and administration; accounting; Establishment; jurisdiction; appeals; procedure; judges; Time of election of judges and other parish officers

ARTICLE X - REVENUE AND TAXATION

Section:

1. Taxing power; specific taxes; Only insofar as said section applies to the evaluation and classification fixed for state purposes shall be the evaluations and classifications for local purposes, etc.; 3/4 of severance taxes on timber goes to the parish where timber is severed and any other provisions of this section which affect local government

4. Tax exemptions: Insofar as it applies to local government

5. Banks, domicile out of state; international or foreign banking; tax; Insofar as it applies to 1/2 of the tax to go to the municipality wherein it has its principal office

11. Collection of taxes; tax sales; quieting tax titles; postponement of taxes; loans to parishes; Insofar as it pertains to "loans to parishes"

ARTICLE X - REVENUE AND TAXATION (continued)

21. Severance tax on natural resources; Insofar as the percentage of proceeds go to parishes

24. Authority for tax relief for manufacturing establishments

ARTICLE XIV - PARochIAL AND MUNICIPAL AFFAIRS

Section:

15. Civil service system; state; cities; Fire and police civil service; municipalities of 13,000 to 250,000

April 10, 1973

MEMORANDUM

TO: Norma M. Duncan, Director of Research

FROM: CC/73 Research Staff, Committee on Revenue, Finance and Taxation

In response to your letter, dated March 28, 1973, requesting (I) specific subjects or provisions which Committee on Revenue, Finance and Taxation definitely plans to consider; (II) specific subjects or provisions contained in compilation of constitutional materials which Committee on Revenue, Finance and Taxation plans not to consider: (III) any provisions of present constitution which to date specifically have not been assigned to any substantive committee; and (IV) any subject areas or constitutional provisions where there appear to be conflicts or overlaps among various committees, the following is respectfully submitted:

1. Specific subjects or provisions which Committee on Revenue, Finance and Taxation definitely plans to consider:

   (I) Taxing power; specific taxes;
   (II) Tax exemptions;
   (III) Banks, domicile out of state; international or foreign banking; tax;
   (IV) Collection of taxes; tax sales; quieting tax titles; postponement of taxes; loans to parishes;
   (V) Authority for tax relief for manufacturing establishments;

2. The Committee on Revenue, Finance and Taxation plans to consider all provisions contained within its compilation of constitutional materials.

3. To our knowledge presently there are no constitutional provisions which have not been assigned to a substantive committee.

4. There appear to be possible conflicts or overlaps among various substantive committees as to the following constitutional provisions:

   Provision and Committees
   Summary
   Art. IV, § 1 (a) Creates the Board of Liquidation of the State Debt and provides for membership, interim appropriations, maximum borrowings and appropriations. Considerations and determinations, meetings, payment of loans, and requires the treasurer and other public officials to comply with resolutions thereof.
   Art. IV, § 2 Provides that the legislature shall have no power to contract through any state agency for the issuance of bonds except by two-thirds vote of the membership of each house, and then only if the funds are to be used to make capital improvements, repel invasion or suppress insurrection. This prohibition does not apply to political subdivisions of the state. The legislature is also prohibited from alienating the fees on the bed of any body of water except for purposes of reclamation. Also provides that in all cases, mineral rights or any and 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.
   Art. IV, § 4 Prohibits the legislature from passing any local or special law exempting property from tax or requiring the tax from the state. Also prohibits the legislature from passing any local or special law extending the time for the assessment of collection of taxes, or the relief of any assessor or collector of taxes from the performance of his official duties, or his surcharges or from liability; nor shall any such law or ordinance be passed by any political corporation of the state.
   Art. IV, § 8 Prohibits expenditures from the state treasury for sectarian, private charitable, or benevolent purposes. This prohibition does not apply to state schools for the handicapped and public charitable institutions conducted under state authority.
   Art. IV, § 9 Provides that the general appropriation bill shall only contain ordinary expenses of the government, pensions, the public debt, public schools, public roads, public charities and state institutions. All other appropriations are required to be made by separate bills.
   Art. IV, § 12 Provides that the funds, credit, property or things of value of the state, or any political subdivision thereof, shall not be loaned, pledged or granted to any private person, association or corporation. Also provides that the state or its political subdivision may convey to the...
United States any property for public purposes such as flood control, forest preserves, irrigation districts. Therefore, the Board of Liquidation of State Debt is required to take steps to pay the indebtedness of the Louisiana State University and Agricultural and Mechanical College as evidenced by certificates of indebtedness issued under authority of its Board of Supervision in the amount of one million dollars. This section does not prohibit a municipality from leasing a hospital, sanitarium or other institution, provided however, that the lease require a minimum of two percent per annum rental fee.

Requires the Board of Liquidation of the State Debt to fund into bonds so much of the State Bond and Interest Tax Fund as may be necessary to reimburse the General Fund the sum transferred to the Public School Fund under the provisions of a resolution adopted by the Board of Liquidation of the State Debt on March 13, 1940, among other things.

Provides that the governor has the power to veto any item or items of bills appropriating money.

Creates the Board of Commissioners of the Port of New Orleans and grants to said board the power to borrow money and issue notes and bonds.

Authorizes the Board of Commissioners of the Port of New Orleans to exempt the lands and improvements of the industries located within said industrial districts from state, municipal and parochial taxation for a period not exceeding ten years.

Limits the bonded indebtedness of the Board of Commissioners of the Port of New Orleans for all purposes, exclusive of the bonds for the construction of the Inner Harbor-Navigation Canal, to ninety-five million dollars.

Authorizes the Board of Commissioners of the Port of New Orleans to expend sums of money as shall be necessary to acquire or construct a marine facility or warehouse, and provides for the liquidation of the debt incurred thereby.

Grants to the legislature the power to authorize the governing authorities of road districts to impose a benefit tax on all property situated within the districts.

Requires the legislature to provide an equitable reimbursement out of the general highway fund to the parishes for the monie spent by them on the state highway system.

Provides for the sources of revenue for the General Highway Fund. All such revenue is required to be paid into the treasury.

Provides for the sources of revenue for the Long Range Highway Fund, and bonds for construction and improvement of parish roads and highways.

Authorizes the issuance of bonds for the financing of construction, maintenance, improvement and extension of highways of the state and parishes.

Provides that bonds issued for the building of the "New Orleans-Chef Menteur" and "New Orleans-Hammond" highways are exempt from constitutional provisions.

Grants power to the State Board of Liquidation of the State Debt to fund into bonds the proceeds of a specified automobile license tax to retire the bonds for the highways mentioned in Article VI, Sec. 24.

Creates the office of legislative auditor.

Gasoline tax for ports.

Provides that among other things that the Supreme Court shall have appellate jurisdiction in all cases where the constitutionality of any tax or local improvement assessment is at issue.

Establishes the office of sheriff and provides that he shall be the ex officio collector of state, parish and all other taxes, except municipal taxes, which, under legislative authority, he may also collect.

Provides that the governor acting on the recommendation of the auditor, may suspend any officer charged with the custody or collection of public funds when in arrears.

Provides that the valuation and classification of property for state purposes shall be the same for local purposes.

Requires state treasurer to remit 75 percent of the proceeds of the severance tax on timber severed in each parish to the governing authority of the parish from which the timber is severed.

Provides that obligations of the state or its political subdivision shall be exempt from taxation.

Provides that household property to the value of one thousand dollars shall be exempt from taxation.

Provides that books, philosophical apparatus and paintings kept in a public hall shall be exempt from taxation.
Art. X, § 4 (8)
1) Revenue, Finance & Taxation
2) Local & Parochial Government

Provides that real estate and appurtenant property constituting auditorium, opera house, temples of music, museums of art or carnival organization, conducted as civic enterprises for the public welfare while used solely for the promotion of art and not operated for profit to the owners, shall be exempt from taxation.

Provides for exemption of all motor vehicles used on public highways of state from state, parish and special taxes.

Art. X, § 4 (9)
1) Revenue, Finance & Taxation
2) Local & Parochial Government

Provides for bona fide homestead exemptions up to two thousand dollars of assessed valuation from state, parish and special taxes.

Art. X, § 4 (9) (b), (c), (d) & (e)
1) Revenue, Finance & Taxation
2) Local & Parochial Government
3) Education and Welfare

Provides for bona fide homestead exemption up to five thousand dollars for each year for a period of five years beginning on the date a veteran takes the property, from state, parish and special taxes.

All provisions of the constitution, relative to homestead exemption from taxation, are extended to the city of Monroe or the Monroe City School Board as to any tax levied for school purposes.

Provides that property of new manufacturing establishment that is exempted shall be listed on assessment rolls but no tax collected in parish in which the property is located.

Provides that the legislative body of any municipality in which an urban redevelopment project is or is to be located, may exempt such corporation from the payment of local and municipal taxes.

Provides that parochial and municipal corporations may exercise the power of taxation subject to control by the legislature.

Provides that the legislature may provide for assessment and extension of all local, municipal and district taxes, on parish rolls.

Art. X, § 8
1) Revenue, Finance & Taxation
2) Local & Parochial Government

Provides that no political subdivision shall impose a greater license tax than is imposed for state purposes.

Provides that those who pay municipal licenses equal in amount to taxes levied by the parochial authorities shall be exempt from the payment of parochial taxes.

Provides the procedure to be taken upon the integration of any tax supported facility of any political subdivision of the state which was segregated as to race by law when the tax was authorized.

Provides that any political subdivision may levy taxes, in excess of limitations under the constitution for special public purposes. Also places limits upon such taxes.

Art. X, § 10-A
1) Revenue, Finance & Taxation
2) Local & Parochial Government

Provides that municipalities may levy taxes for special services not authorized in Article X, Section 10, of the constitution.

Established and created a special fund known as the Revenue Sharing Fund.

Provides procedure for the sale of property on which taxes are due.

Art. X, § 13
1) Revenue, Finance & Taxation
2) Local & Parochial Government

Provides that nothing in the constitution shall prohibit the legislature from conferring upon municipalities and other subdivisions the authority to levy and collect local or special assessments on real property for purposes of public improvement.

Provides for local application of certain constitutional provisions relating to state taxes.

Art. X, § 15
1) Revenue, Finance & Taxation
2) Local & Parochial Government
3) Natural Resources & Environment

Provides that for purposes of assessment and taxation, the legislature may provide a survey and maps. Also provides that the legislature may impose a charge for such costs on parishes and municipalities not to exceed 60 percent.

Provides for a revenue tax on natural resources and establishes a rate of the levy and allocation to parishes.

Provides that any municipality or parish may exempt new industries from the payment of parish or municipal taxes with the exception of school taxes.

Provides for a tax levy for capital improvement at Francis T. Nicholls State University at Thibodaux.

Provides authority for the legislature to grant tax relief to manufacturing establishments against parish or municipal taxes.
2) Local & Parochial Government

3) Education and Welfare

Art. XII, § 9

Provides for annual appropriation of certain higher institutions of learning.

1) Education and Welfare

2) Revenue, Finance and Taxation

Art. XII, § 13

Prohibits the use of public funds for the support of any private or sectarian school.

1) Education & Welfare

2) Revenue, Finance & Taxation

Art. XII, § 14

Provides for sources and apportionment of funds for public elementary and secondary schools.

1) Education & Welfare

2) Revenue, Finance & Taxation

Art. XII, § 15

Provides for deviation of parish funds for the support of public elementary and secondary schools.

1) Education & Welfare

2) Local & Parochial Government

3) Revenue, Finance & Taxation

Art. XII, § 16

Requires that the Orleans Parish School Board shall levy an annual tax not to exceed $300 on the dollar of assessed valuation of all property within the City of New Orleans. Also provides for the issuance of bonds and additional taxes with respect thereto.

1) Education & Welfare

2) Local & Parochial Government

3) Revenue, Finance and Taxation

Art. XII, § 17

Provides for the sources of funds for the operation, maintenance, and support of the Louisiana State University and A & M College.

1) Education & Welfare

2) Revenue, Finance and Taxation

Art. XII, § 18, § 19, § 20

Provides that where sixteenth section or indemnity lands granted by Congress for public school purposes have been erroneously sold by the state, amount of the deficiencies shall be credited to the parish school boards of the parishes in which such towns are situated.

1) Education & Welfare

2) Revenue, Finance & Taxation

Art. XII, § 21

Requires the legislature to provide for a retirement fund for aged and incapacitated teachers, and aged and incapacitated employees of the State Public School System.

1) Education & Welfare

2) Revenue, Finance & Taxation

3) Local & Parochial Government

Art. XIV, §§ 6 - 14, Local and municipal taxes.

Art. XV, §§ 18 - 21, 27a,

23-1, 23-2, 23-3, 24, 24-1, 24-2, 24-3, 24-4, and 24-5

1) Revenue, Finance & Taxation

2) Local & Parochial Government

-12-

Art. XV

Drainage districts.

1) Revenue, Finance & Taxation

2) Local & Parochial Government

I. Possible Overlap of Subject Matter

A. Revenue, Finance and Taxation - revenue; finance; taxation; assessors and assessment; exemptions; state debts and management of state funds.

1. Does Rule 49 (6) contemplate this committee will (a) restrict its work to state taxes, finance, debt, etc., or (2) handle all state, local and district taxes and finance, etc.?

COMMENT: If the latter act (i.e., either case), there must be coordination with at least three committees:

a) Local Government and Parochial Government, which surely will give consideration to (1) parochial, municipal and strict authority to levy and collect taxes, (2) any constitutional limitation or exemptions by localities for any one purpose and/or all purposes, (3) assessors and assessment for local purposes, (4) collection of taxes and other revenues to extent covered by the constitution, (5) bonding and debt 'incurrence and limitation' as to purposes and aggregate amounts (or amounts for any one or several purposes).

b) Education and Welfare, to the extent this committee considers financing of education and/or welfare a matter for inclusion in the constitution.

c) Judiciary, to the extent this committee may consider financing of the courts and their personnel a constitutional matter.

d) Any other committee which may include in the constitution provisions it drafts any provision relating to finance or revenues. For example, the Committee on Legislative Powers and Functions could retain or consider provisions requiring appropriations for designated purposes, such as for legislative expenses, likely, provisions in the Legislative Article on when appropriation measures become effective should be coordinated with the overall state finance provisions drafted by the Revenue, Finance and Taxation Committee.

Also, the Committee on Bill of Rights and Elections may recommend such provisions as

(1) a requirement for indigent defendants to be represented by a full-time defender, etc.

(2) that the state shall be responsible for the cost of all (or some) election expenses, such provisions, which would affect state finance and the revenues of the state, should be coordinated with the work of the Revenue, Finance and Taxation Committee.

B. Legislative Powers and Duties - Legislative Department, apportionment, qualifications, regular and special sessions.

1. Any other committees which consider the vote by which the Legislature may enact particular laws should coordinate with this committee. Examples (from the 1921 Constitution) might include:

a) Tax and/or bond provisions requiring a two-thirds vote.

b) Requirement for a two-thirds vote to increase a salary (Art. III, Sec. 3).

c) Requirement for a two-thirds vote to create a college or university (Art. IV, Sec. 14).

2. Any provision for a Board of Liquidation, State Debt and for "emergency appropriations" by that board, or in any other manner, should be reviewed, perhaps, both by the Committee on Legislative Powers and Functions and the Committee on Revenue, Finance and Taxation (see Art. IV, Sec. 2 (a))

3. Any provision on the veto power likely should be reviewed both by this committee and the Committee on Executive Department.

C. Limitations on Local (and special) Laws - Art. IV, Secs. 4, 5 and 6. Are these matters of legislative interest? Local government interest? Both?

D. Suits against the state and its political subdivisions - Art. III, Sec. 35; Art. XIV, Sec. 26. Is this a legislative matter? Judicial? Executive?

E. Militia - Art. XVII. Should this subject be handled by the Committee on (a) Bill of Rights; (b) Executive, or (c) Education and Welfare?
II. Provisions of 1921 Constitution Apparently Not Specifically Assigned to a Committee

A. Sue's office holding - Art. XIX, Sec. 4
B. Seat of government - Art. XIX, Sec. 2
C. Treason (Art. XIX, Sec. 3), quartering members of armed forces (Art. XIX, Sec. 7), Gambling, lotteries (Art. XIX, Sec. 8) - Query whether these will be handled by the Committee on Bill of Rights and Elections?
D. Continuance in office until successor is duly elected - Art. XIX, Sec. 6 and prohibition against fees or perquisites by salaried officials (Art. XIX, Sec. 10)
E. Line: - Art. XIX, Sec. 9. Query whether this will be handled by the Committee on Bill of Rights and Elections, or by the Committee on the Judiciary?
F. Bribery as qualification from office - Art. XIX, Secs. 12, 13
G. Prohibition against passing, franking privileges, etc. for public officials - Art. XIX, Sec. 14
H. Huey P. Long birthday - Art. XIX, Sec. 22
I. Retirement for state employees - Art. XVIII, Sec. 9, notice of intention to introduce retirement legislation affecting any retirement system - Art. XIX, Sec. 25

QUERY: Is it clear that retirement systems for local employees will be handled by the Local Government Committee, or could it be a matter of "welfare" and hence under the jurisdiction of the Education and Welfare Committee. (See Art. XVIII, Sec. 9.1)

QUERY: Same as above, as to penal and correctional institutions matters. (See Art. XVIII, Secs.; Art. III, Sec. 3)

J. Bonus and veteran provisions:
   1. Soldiers Home - Art. XVIII, Sec. 2
   2. Confederate veterans and their widows; pensions - Art. XVIII, Sec. 2 (see also Sections 3, 6 and 7 (2)
   3. Civil War memorial hall - Art. XVIII, Sec. 4
K. Arbitration Laws - Art. III, Sec. 36
L. Forced heirship, etc. - Art. IV, Sec. 16
M. Filling of vacancies in various public offices - Art. VII, Sec. 69. Note: Office not covered by this provision is judges, local government officials, assessors, etc.
N. Impeachment and removal from office - Art. IX
O. Corporations and corporate rights - Art. XIII
P. Militia - Article XVII

April 9, 1973

TO: Norma M. Duncan, Director of Research
FROM: Committee on Education and Welfare

In response to your memorandum dated March 28, 1973, the Committee has asked that the following reply be made.

1. The Committee on Education and Welfare plans to consider the following provisions of the Louisiana Constitution (1921)
   - Education
     - Article IV, Sections 8, 9, 12, 14, 16
     - Article IV, Section 69(2)
     - Article VIII, Section 13
     - Article X, Section 7
     - Article X, Section 12
     - Article X, Section 22
     - Article XX, Section 4
     - Article XIII, Section 1-26
     - Article XIV, Section 14 (b.1)
     - Article XIV, Section 26
   - Welfare
     - Article IV, Sections 8, 9, 12(e), 14
     - Article XVIII, Sections 1-12
   - Consumer Affairs
     - Article IV, Section 4
     - Article VI, Section 4, 6, 12, 14
     - Article XIX, Section 14
   - Civil Service
     - Article XIV, Section 15 (A) – (X)
     - Article XIV, Section 15.1
     - Article XIV, Section 15.2
   - Labor and Industry
     - Article IV, Section 4.7
     - Article VI, Section 3-9
     - Article III, Section 10
     - Article XIV, Section 4, 6, 12, 14
     - Article XVIII, Section 14
     - Article XIX, Section 14

II. Provisions of the 1973 Constitution

A. Adoption of the 1973 Constitution (Art. XIX, Sec. 1)
B. Vote on whether to amend the 1921 Constitution (Art. XIX, Sec. 2)
C. Impeachment and removal from office (Art. XIX, Sec. 9)
D. Continuance in office until successor is duly elected (Art. XIX, Sec. 6 and prohibition against fees or perquisites by salaried officials (Art. XIX, Sec. 10)
E. Bribery as qualification from office (Art. XIX, Secs. 12, 13)
F. Prohibition against passing, franking privileges, etc. for public officials (Art. XIX, Sec. 14)
G. Huey P. Long birthday (Art. XIX, Sec. 22)
H. Retirement for state employees (Art. XVIII, Sec. 9, notice of intention to introduce retirement legislation affecting any retirement system (Art. XIX, Sec. 25)

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N. Impeachment and removal from office (Art. IX)
O. Corporations and corporate rights (Art. XIII)
P. Militia (Article XVII)

Funds for construction improvements and repair of correctional and charitable institutions.
Legislature prohibited from passing local and special laws fixing the rate of interest.
Governments appropriation bills shall include nothing but appropriations for ordinary expenses of government charitable institutions and public schools.

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FROM: Committee on Education and Welfare

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     - Article XIV, Section 14 (b.1)
     - Article XIV, Section 26
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     - Article XVIII, Sections 1-12
   - Consumer Affairs
     - Article IV, Section 4
     - Article VI, Section 4, 6, 12, 14
     - Article XIX, Section 14
   - Civil Service
     - Article XIV, Section 15 (A) – (X)
     - Article XIV, Section 15.1
     - Article XIV, Section 15.2
   - Labor and Industry
     - Article IV, Section 4.7
     - Article VI, Section 3-9
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Governments appropriation bills shall include nothing but appropriations for ordinary expenses of government charitable institutions and public schools.
Article XIV, Section 15(A) - (X)
(Local & Parochial Government)

Civil Service, state, city
Civil Service, firemen, policemen

Provides benefits for surviving spouses and children of law enforce-
ment officers in certain
cases.

Parishes shall be
reimbursed for expenses
incurred by inmates,
employees, or by crimes
committed in institutions
within the parish

Allows parishes to establish
industrial districts

Tax may be levied to
provide pensions for
widows of confederate
veterans

Bonds for repairs,
construction of penal,
correctional, and charitable
institutions

Provides that bonds be
issued and taxes levied to
provide bonuses for service-
men and service-women

Requires that no bonuses
be paid to servicemen,
service-women, or their
claimants unless claim is
in writing; Tax on beer
dedicated to payment until
all valid claims for bonuses
are paid.

Provides that a tax be
levied on beer to provide
bonuses for veterans of
Korean War, widows and
orphans or parents.

Bonds to provide funds
for acquisition of
property construction of
levee, etc. of Angola

The Committee on Education and Welfare recognizes that Article
XIII, Section 16, which provides that the Orleans Parish School
Board shall levy taxes on property within the city of New
Orleans, falls within the responsibilities assigned to other
committees. However, the Committee on Education and Welfare
wishes to review said provision and present its recommendations.

Audrey LeBlanc
cc: Robert Aestker, chairman, and members of the committee

STATE OF LOUISIANA, CONSTITUTIONAL CONVENTION OF 1972, STATE CAPITOL, BATON ROUGE, LOUISIANA 70802

April 9, 1973

MEMORANDUM

TO: Norma M. Duncan, Director of Research
FROM: Louis J. Lambert, Jr., Chairman Committee on Natural Resources and Environment

APPENDIX 1

Constitutional Provisions Which the Committee on
Natural Resources and Environment Will Consider*

ARTICLE III. LEGISLATIVE DEPARTMENT
§ 33 Convict labor (work on state owned farms)
§ 37 Rights of way; roads of necessity; drainage
§ 44 Milk manufacturers, etc.; bond

ARTICLE IV. LIMITATIONS
§ 2(d) Allotment of public lands; reservation of
mineral rights; mineral leases
§ 2(b) Royalty Road Fund (dedication of mineral revenues)
§ 2(c) Mineral revenues; minerals beyond three mile limit
§ 2(d) Mineral revenues; payment into general highway fund
§ 4(a) Revenue from tidelands mineral leases
§ 7 Price of manual labor (except for agricultural or
domestic purposes)
§ 12 Loan or pledge of public credit
§ 12(a) State Market Commission; guaranteed loans; agri-
cultural facilities
§ 12(c) Commissioner of Agriculture; guaranteed loans; farm
youth organization

* Constitutional section titles are used except where the
Committee's jurisdiction extends only to a limited aspect of a
section, as indicated by material enclosed in parentheses.

ARTICLE V. EXECUTIVE DEPARTMENT
§ 1 Executive officers; consolidation of offices
(creation of Register of the State Land Office, Commissioner of Agriculture, and Commissioner of Conservation)
§ 18 Constitutional officers; election; term; vacancies; assistants (election of Register of the State Land Office and the Commissioner of Agriculture and appointment of the Commissioner of Conservation)
§ 20 Salaries of constitutional officers; fees; expenses

ARTICLE VI. ADMINISTRATIVE OFFICERS AND BOARDS
§ 1 Wildlife & Fisheries Commission; Forestry Commission;
Department of Conservation; powers; duties; functions, etc.
§ 2 Forestry; acreage taxes; homestead exemptions
§ 4 Public Service Commission (sale of natural gas to
industry; prohibition)
§ 11.1 Mosquito abatement districts
§ 13 Agriculture; commission to direct department
§ 14 Agriculture; public policy
§ 16 & 17 Port of New Orleans

[1475]
<table>
<thead>
<tr>
<th>Section</th>
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<tbody>
<tr>
<td>$ 19.3</td>
<td>Reutilization of highways; regulation of outdoor advertising and junkyards</td>
</tr>
<tr>
<td>$ 22(1)</td>
<td>Refund on motor fuel tax used for agricultural purposes</td>
</tr>
<tr>
<td>$ 23(1)(P)</td>
<td>Mineral royalty (dedication to long range highway fund)</td>
</tr>
<tr>
<td>$ 27</td>
<td>Lake Pontchartrain; sale of submerged lands; islands; causeway</td>
</tr>
<tr>
<td>$ 28</td>
<td>Liquefied Petroleum Gas Commission</td>
</tr>
<tr>
<td>$ 29</td>
<td>Greater Baton Rouge Port Commission</td>
</tr>
<tr>
<td>$ 31</td>
<td>Greater Duschita Port Commission</td>
</tr>
<tr>
<td>$ 39</td>
<td>City of Lake Charles; reclamation and development of lake front</td>
</tr>
<tr>
<td>$ 39.1</td>
<td>Calcasieu Parish; community center and playground district</td>
</tr>
<tr>
<td>$ 44</td>
<td>City of Lake Charles; reclamation and development of lake front</td>
</tr>
<tr>
<td>$ 44.1</td>
<td>City of Lake Charles; reclamation and development of lake front</td>
</tr>
<tr>
<td>$ 45</td>
<td>Sabine River Authority</td>
</tr>
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<td>$ 47</td>
<td>Louisiana Stadium and Exposition District</td>
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**ARTICLE VI. Administrative Officers and Boards (cont'd)**

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<tr>
<th>Section</th>
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<tbody>
<tr>
<td>$ 32</td>
<td>Caddo-Bossier Port Commission</td>
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<td>$ 33</td>
<td>Lake Providence Port Commission</td>
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<td>$ 33.1</td>
<td>South Louisiana Port Commission</td>
</tr>
<tr>
<td>$ 34</td>
<td>Comordia Port Commission</td>
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<tr>
<td>$ 35</td>
<td>Avoyelles Port Commission</td>
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<td>$ 36.1</td>
<td>Rapides Port Commission</td>
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**ARTICLE X. REVENUE AND TAXATION**

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<tr>
<th>Section</th>
<th>Description</th>
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<tbody>
<tr>
<td>$ 1</td>
<td>Taxing power; specific taxes (forest lands)</td>
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<tr>
<td>$ 4(1)</td>
<td>Tax exemptions; public property</td>
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<td>$ 4(2)</td>
<td>Tax exemptions; agricultural products</td>
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<td>$ 4(4)</td>
<td>Tax exemptions; irrigation, navigation and hydro-electric power systems</td>
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<td>$ 4(5)</td>
<td>Tax exemptions; natural gas facilities</td>
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<tr>
<td>$ 11(55)</td>
<td>Postponement of taxes (cases of emergency)</td>
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<tr>
<td>$ 21</td>
<td>Severance tax on natural resources</td>
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<td>$ 21(2)</td>
<td>Forestry Commission allocation</td>
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**ARTICLE XII. PUBLIC EDUCATION**

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<td>$ 17</td>
<td>L.S.U.; source of funds (dedication for benefit of agricultural arts)</td>
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<td>$ 21</td>
<td>Agricultural and mechanical college fund</td>
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**ARTICLE XIII. CORPORATIONS**

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<tbody>
<tr>
<td>$ 6</td>
<td>Canal and hydro-electric developments; use of state waters; state ownership</td>
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**ARTICLE XIV. PAROCHIAL AND MUNICIPAL AFFAIRS**

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<tr>
<td>$ 3(b)</td>
<td>East Baton Rouge Parish; Recreation and Park Commission</td>
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**Article XIV. Parochial and Municipal Affairs (cont'd)**

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<tr>
<td>$ 6</td>
<td>Property for navigation canals</td>
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<tr>
<td>$ 15.2</td>
<td>Financial security for surviving families of law enforcement officers (including wildlife and fisheries agents)</td>
</tr>
<tr>
<td>$ 16</td>
<td>Prescription; public acquisition by prescription</td>
</tr>
<tr>
<td>$ 30</td>
<td>Improvements by riparian owners</td>
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<td>$ 30.1</td>
<td>Port, harbor and terminal districts</td>
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<td>$ 30.2</td>
<td>Lake Charles Harbor and Terminal District</td>
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<td>$ 30.3</td>
<td>Navigation and river improvement districts</td>
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<td>Navigation and river improvement districts</td>
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<td>$ 30.5</td>
<td>Red River Waterway</td>
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<td>$ 31</td>
<td>Port, harbor and terminal districts</td>
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<tr>
<td>$ 34</td>
<td>Garbage districts</td>
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<td>$ 36</td>
<td>Jefferson Parish, community center and playground districts</td>
</tr>
<tr>
<td>$ 38</td>
<td>Jefferson Parish; public improvement districts (reclamation project)</td>
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<td>$ 38.1</td>
<td>St. Charles Parish; reclamation project by public improvement district</td>
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<td>$ 39</td>
<td>City of Lake Charles; reclamation and development of lake front</td>
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**ARTICLE XV. DRAINAGE DISTRICT**

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<tr>
<td>$ 1</td>
<td>Authorization; powers</td>
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<td>$ 2</td>
<td>Existing laws continued</td>
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<td>$ 3</td>
<td>Bayou Lafourche Fresh Water District</td>
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<td>$ 4</td>
<td>Iatt Lake Water Conservation District</td>
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**ARTICLE XVI. LEVEES**

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<td>$ 1</td>
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<td>Interstate districts</td>
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<td>$ 5</td>
<td>Cooperation with Federal government</td>
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<td>$ 6</td>
<td>Compensation for property used or destroyed</td>
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<tr>
<td>$ 7</td>
<td>Orleans Levee District</td>
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<td>$ 8</td>
<td>Pontchartrain Levee District</td>
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**ARTICLE XIX. GENERAL PROVISIONS**

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<tr>
<td>$ 8</td>
<td>Gambling; futures of agricultural products; lotteries</td>
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<td>$ 14</td>
<td>Monopolies, trusts, combinations or conspiracies in restraint of trade</td>
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<tr>
<td>$ 16</td>
<td>Prescription against state</td>
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**ATTACHMENT 2**

Constitutional Provisions Which the Committee on Natural Resources and Environment Will Not Consider

**ARTICLE IV. LIMITATIONS**

<table>
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<tr>
<td>$ 2(1)</td>
<td>Public debt</td>
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<tr>
<td>$ 2(a)</td>
<td>Bond of liquidation of the State Debt</td>
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<tr>
<td>$ 12(a)</td>
<td>Bonds; state indebtedness</td>
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**ARTICLE VI. ADMINISTRATIVE OFFICERS AND BOARDS**

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<tr>
<td>$ 1(A-1)</td>
<td>District courts; jurisdiction in coastal waters</td>
</tr>
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<td>$ 19</td>
<td>State highways and bridges; construction and maintenance</td>
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<td>$ 11(91, 2, 3, &amp; 4)</td>
<td>Collection of taxes; tax sales; quieting tax titles</td>
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**ARTICLE XIV. PAROCHIAL AND MUNICIPAL AFFAIRS**

<table>
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<tr>
<td>$ 24.23</td>
<td>New Orleans; street, water and sewer improvement</td>
</tr>
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<td>$ 31.6</td>
<td>New Orleans; Molsant International Airport improvements</td>
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<td>$ 2</td>
<td>District taxes; Orleans Levee Tax District</td>
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<td>$ 3</td>
<td>Bond issues</td>
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<tr>
<td>$ 8a</td>
<td>Pontchartrain Levee District; additional bond issue</td>
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Introduction

The preceding volumes of the Documents of the Louisiana Constitutional Convention of 1973 represent a full reporting of the Convention’s work. Volumes I, II, III, IV record the documentary process of the Convention in plenary session. These volumes contain the Journal and Calendar of Proceedings, the Constitution in full text and each instrument considered by the Convention. Volumes V, VI, VII, VIII and IX contain the edited verbatim transcripts of proceedings of the Convention in plenary session. Volumes X, XI, XII, XIII, XIV-A and XIV-B contain documents generated by the committees and staff of the Convention. What follows here is a brief description of the contents of the various volumes together with references to internal finding aids and a statement of editorial policy governing the selection of documents in each.

Volumes I & II Journal and Calendar

These volumes were produced by the Convention under its Rules of Procedure. For the purposes of this series they were simply rebound. Their style and format is an adaptation of that used by the Louisiana Legislature with modifications demanded by unique Convention procedures. Found in Volume I, and nowhere else indicated in the series of volumes, are proposals offered by the substantive committees of the Convention when it reconvened after its statutory recess on July 5, 1973. These proposals which begin at I Journal 84 contain source and comment notations prepared by the committees and their staff after introduction but prior to consideration of the proposals by the full Convention.

The Calendar portion of Volume II contains a transposition table showing the origin of each section of the Constitution by Convention instrument and section number beginning at II Journal xiii. The Calendar also contains an author index and a subject matter index to the committee and delegate proposals and resolutions.

Volume III Louisiana Constitution of 1974

The proposed constitution in proof-perfect copy was prepared by the Convention together with the signatures of the delegates. The only alteration from that text was a change in the title page to indicate that this document is the Louisiana Constitution of 1974 rather than the Proposed Constitution, as it was styled in the Convention version. Its text is complete and accurate and it includes the entire text of the alternative Education Article and the ballot proposition.

Volume IV Convention Instruments

The contents and use of this volume are described in detail in IV Documents iv-vi. Taken together with Volumes I-III, this set of volumes is a complete guide to the official instruments and their disposition by the Convention.

Volumes V-IX Convention Transcripts

These four volumes reproduce all of the substantive debate of the Convention in plenary session beginning January 5, 1973 and concluding January 20, 1974. The text was derived from the Verbatim Transcripts of Proceedings produced by the Constitutional Convention in thirty-nine volumes and covering some 12,000 single spaced pages in an 8½” × 14” format. To reduce this material to a format having utility to the researcher the following editorial techniques were employed.

Headings were inserted to indicate the Convention day and date on each page. Headings were also inserted in the text to denote the type of business before the Convention. Recognition of speakers and questioners by the Chairman of the Convention were deleted and parliamentary procedure forms have been reduced to bracketed material to indicate actions taken. For example:

Delegate Blank: Mr. Chairman, I move the previous question on the section.

Mr. Chairman: Delegate Blank has moved the previous question on the section. Is there
any objection to the previous question? There being no objection to the previous question, the previous question is ordered on the section.

Now therefore when the machine is opened, all those in favor of the adoption of the section vote yea, all those opposed vote nay. And the Clerk will open the machine. The Clerk will close the machine. The vote is seventy-five yeas and thirty-six nays and the section is finally passed. Mr. Blank now moves to reconsider the vote by which the section was passed and lay that motion on the table. Without objection, so ordered.

This recitation in the edited version becomes:

Previous question ordered. Section passed 75 yeas, 37 nays. Motion to reconsider tabled.

Thus the researcher may easily identify that portion of the transcript relative to each section by the headings beginning with Reading of the Section and concluding after the amendment process with the bracketed vote.

The only other deletions from the original text are those dealing exclusively with Convention procedure relative to the time of adjourning or convening and those matters reported in full in the Journal of Proceedings as noted by bracket reference in the text. The primary editorial rule was to err in favor of inclusion of material rather than in its omission.

Volumes X- XIV-B Committee Documents

These volumes are devoted to the materials generated by the substantive, procedural and administrative committees of the Convention. Each committee produced its documents in a unique manner, subject only to the board requirements of the Rules of Procedure. Within that framework each committee produced minutes reflecting its activities. Beyond that the similarities are only coincidental. An examination of the Table of Contents of each volume will give an indication of how each committee worked in addition to revealing internal finding aids produced by the committees and Convention staff.

The primary editorial principle applied in the committee volumes was to produce as much useful material as possible without printing materials published in other places. Where documents are reproduced in part, the exclusions are indicated in the box forms entitled Notes. Those materials appearing in these volumes are reproductions of those materials found in the records of the Convention having only been reduced in size photographically. In cases where the copy is not clear, the lack of clarity is in the original actually used by the Convention. In these volumes the error was in favor of inclusion rather than exclusion in order to obtain as full a record as possible from the available documents.

Volume XIV-B User Guides

Included here are indices, concordance tables and other guides for potential researchers. The name index covers Volumes V to XIV-B. The Sectional Index is confined to the Transcripts of Proceedings found in Volumes V to IX and is an expansion of an earlier publication by the Records Commission entitled A Preliminary Index to the Official Transcripts of Proceedings of the Louisiana Constitutional Convention of 1973 which referenced the unedited original transcripts. The subject matter index is based on the Congressional Index Service model as modified by the Louisiana Legislative Council. The index to committee tapes indicates those meetings of committees for which recorded cassette tapes are found in the records of the Convention. Those tapes and in some cases transcripts, as indicated, are available to researchers at the State Department of Archives and Records in the office of the Louisiana Secretary of State.
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Elouise S. Seay,  
*Executive Assistant*

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November 21, 1975 - April 9, 1976  
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February 5, 1976 - December 20, 1976

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October 22, 1975 - November 10, 1975  
October 22, 1975 - August 2, 1976  
August 18, 1976 - December 31, 1977  
May 5, 1975 - January 20, 1976  
August 30, 1976 - March 13, 1977  
September 15, 1975 - October 19, 1975  
August 26, 1975 - September 10, 1975  
December 15, 1975 - February 23, 1976  
September 2, 1975 - March 7, 1976  
January 17, 1977 - June 15, 1977  
June 1, 1977 - December 31, 1977  
March 10, 1975 - August 1, 1975  
July 20, 1976 - August 20, 1976  
December 13, 1976 - January 14, 1977  
May 3, 1976 - January 14, 1977
STAFF
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Mark Windham
George Ann Younger
### Concordance and Disposition Tables

**PREAMBLE AND ARTICLE I**

**DEPARTMENT OF RIGHTS**

**1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS**

**COMMITTEE ON BILL OF RIGHTS AND ELECTIONS**

**January 31, 1974**

<table>
<thead>
<tr>
<th>1921 CONSTITUTION</th>
<th>1974 CONSTITUTION (PROPOSED)</th>
<th>PROVISIONS REMOVED FROM 1921 CONSTITUTION</th>
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Note: x₁, x₂, x₃, x₄, x₅, x₆ indicate the status of amendment or statute preparation.
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1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON BILL OF RIGHTS AND ELECTIONS: Footnotes--Preamble and Article I, Declaration of Rights

1. R.S. 19:4, C.C. 2632 and R.S. 48:450-457 need to be amended to provide for trial by jury in expropriation cases.

2. C.Cr.P. 162 needs to be amended to provide that a search warrant include the purpose or reason for the search.

3. C.Cr.P. 511-513 need to be amended to have the right to counsel conform to new Section 13.

4. C.Cr.P. 217-218 need to be amended to provide that an arrested or detained person be informed of his legal rights as provided by new Section 13.

5. R.S. 18:369-373 and R.S. 15:572.1 need to be amended to conform to provision that full rights of citizenship are restored upon termination of supervision for any offense.

6. C.Cr.P. 312-314 need to be amended to conform to bail provisions of new Section 18.

7. C.Cr.P. 1795 needs to be amended to provide that the votes of ten jurors instead of nine are required to convict and five out of six for relative felonies.

8. R.S. 18 (entire) needs to be extensively amended to conform to the right to vote provisions of new Section 10 as well as new Article XI, Section 2.

9. C.Cr.P. 502 needs to be amended to conform to the right to a preliminary examination in new Section 14.
<table>
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*Detail
# 1921 Constitution: Disposition of Articles and Sections

Committee on Legislative Powers and Functions

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### 1921 Constitution: Disposition of Articles and Sections

**Committee on Legislative Powers and Functions**

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### 1921 Constitution: Disposition of Articles and Sections

**Committee on Legislative Powers and Functions**

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[1496]
1921 Constitution: Disposition of Articles and Sections

Committee on Legislative Powers and Functions

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*Detail
1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON Legislative Powers and Functions

FOOTNOTES:

1 Present statutes only provide for continuity of government following "enemy attack", proposed §11 contemplates the possibility of other "periods of emergency".

2 Present statutes do in fact apportion the state into single-member districts in both the House and the Senate; proposed sections, however, remove all detail presently in constitution specifying House and Senate districts.

3 Proposed §18 provides for "automatic" veto sessions following each session unless a majority of either house indicates in writing that no veto session is necessary. Mechanics for indicating that no veto session is necessary as well as provisions for the governor's return of bills vetoed with his message should be provided.

4 Present statutes prohibit participation in transactions where there is "substantial personal economic interest" but do not require disclosure.

5 Present statutes prohibit sale or trade of votes, accepting bribes, etc., but conviction does not result in automatic forfeiture of office.

6 Present statutes contemplate that legislative authorization is necessary in all types of suits, proposed §10 abolishes state and political subdivision immunity from suit and liability in suit in tort or contract.

7 Lieutenant governor is no longer ex officio the President of the Senate. Senate elects its own presiding officer.

8 The detail in the present provision has been removed and some present statutes still contain a reference to the Supervisor of Public Funds.

9 Procedure and mechanics of removal of officers by suit are contained solely in present provisions.

10 Present statutes prohibit receipt of "any thing of economic value" other than that to which an officer is entitled but conviction does not result in forfeiture of office.

11 Present provision withdraws the consent of the state to suits against certain named "special agencies"; proposed §10 no longer requires legislative approval for suits in tort or contract and would allow legislature to waive immunity from suit and liability of the state, its agencies, or political subdivisions in all other types of suits.
### 1921 Constitution: Disposition of Articles and Sections

**Committee on Executive Department**

(Sources: CP-4, CP-22, CP-23, CP-31, CP-37)

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<th>Unconst'l Obsolete, etc.</th>
<th>Deleted by Committee</th>
<th>Place in Statutes</th>
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(a) CED considered only a portion of 1921, III, 30; that portion was deleted and discontinued.

(b) Provide that certain state contracts shall be subject to approval of governor, president of Senate, speaker of House, or any two of them.

(c) Mandatory Reorganization.
### 1921 Constitution: Disposition of Articles and Sections

**Committee on Executive Department**

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(a) Considered by CED in part only. Statement of receipts and expenditures of public moneys to be published every three months.

(b) "Auditor" renamed "controller", obsolete.

(c) Reference to Commissioner of Conservation as a member of the executive department, deleted.
1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON EXECUTIVE DEPARTMENT

<table>
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(a) Legislature's duty to decide tie votes for governor, lt. governor, deleted. Provide for tie votes cast for governor and lt. governor to be decided by legislature. [See also R.S. 18:550, 18:567(D)].

(b) Constitutional salaries for governor and lieutenant governor, obsolete.

(c) Lieutenant governor when acting as governor to receive same salary as governor.
### 1921 Constitution: Disposition of Articles and Sections

**Committee on Executive Department**

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(a) Deleted provision that legislature may pardon for treason.

(b) Moved in part to proposed Article III, §2(B).
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(a) Reference to commissioner of conservation as appointed official, deleted. Add to statutes.

(b) Treasurer eligible to succeed self, deleted and discontinued.

(c) Reference to insurance department as part of secretary of state's office, obsolete.

(d) Provide that treasurer, secretary of state, register of land office, commissioner of agriculture, commissioner of conservation shall receive no compensation except salary.
<table>
<thead>
<tr>
<th>1921 CONSTITUTION</th>
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(a) All commissions to be in name of state, sealed with state seal, and signed by governor, deleted. (Countersignatures of secretary of state covered in proposed IV:7). Place in statutes.

(b) Provisions relative to transfer of employees and property from old to new agencies and references to old legislative acts, obsolete.

(c) Authority to consider delegated to Committee on Natural Resources and Environment. CED deleted the provisions.

(d) Act 348 of 1944 created a department and a commissioner of wildlife and fisheries. Act 47 of 1952 rewrote the law to substitute a commission and a director for the department and the commissioner. Present statutory provisions are a mixture of the two organizational plans and should be rewritten.
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(a) References to Railroad Commission are obsolete.

(b) Statute needed to provide the following: domicile of the commission, quorum, qualifications of commissioners, appointment of a secretary and other employees, travel expenses of commissioners and employees.

(c) Statutory provisions on public service commission districts (R.S. 45:1161.1) and salaries of commissioners (R.S. 45:1162) are sufficient.
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(a) 1921 provisions deleted from the proposed constitution include: delineation in detail of carriers and utilities to be regulated; the specific authority to fix rates; restrictions on regulating sales of natural gas; regulation of all service connected activities; unrestricted right of PSC to regulate carriers and utilities; the power to call witnesses, punish for contempt, etc.

** Title 45 contains numerous sections relating to powers of the Public Service Commission. General powers of the commission are stated in R.S. 45:1163, 1164, and specific powers relating to particular carriers or utilities are given in other sections of the title. The proposed constitutional provision replaces the detailed language of the 1921 Constitution with general statements. It would seem advisable, therefore, to prepare stronger statutory language using some of the provisions deleted from the 1921 Constitution, although the present statutory language on specific powers and duties seems sufficient.
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(a) Deleted are the 1921 provisions that appeals against the commission shall be made at its domicile; that appeals to the supreme court shall be returned within ten days after being granted; that no bond is required when the commission appeals. Add to statutes.
## 1921 Constitution: Disposition of Articles and Sections

Committee on Executive Department

### Provisions Removed from 1921 Constitution

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>1921 Constitution</th>
<th>1974 Constitution (Proposed)</th>
<th>Transitional Provisions</th>
<th>Unconst'l Obsolete, etc.</th>
<th>Deleted by Committee</th>
<th>Place in Statutes</th>
<th>Matters to be Handled by Statute Presently in Statutes</th>
<th>New Statute Required</th>
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(a) References to Railroad Commission changed to PSC in revised statutes of 1950.
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(a) While the law of evidence presently protects confidential communications between client and physician, the committee may wish to enact a more general law on this subject. Other laws requiring the licensing of various medical professional groups and for State boards should cover sufficiently the 1921 constitutional mandate that the medical laws shall protect the welfare in regard to the public health.
### 1921 Constitution: Disposition of Articles and Sections

**Committee on Executive Department**

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(a) Numerous statutory references establish powers and duties of the bank commissioner in fulfillment of the 1921 mandate that such powers and duties be provided by the legislature.

(b) All provisions of 1921, Art. VI, Sec. 19 are adequately covered by statutes except the provision that parishes are to be compensated for highway funds for certain paved roads taken into the state system. Reference to Board of Taxpayers is deleted.
<table>
<thead>
<tr>
<th>ARTICLE</th>
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<th>1974 CONSTITUTION (PROPOSED)</th>
<th>PROVISIONS REMOVED FROM 1921 CONSTITUTION</th>
<th>MATTERS TO BE HANDLED BY STATUTE</th>
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(a) Enact statute creating highway board, department, director, establishing powers and duties, i.e. enactment of 1921 constitutional provisions into statutory law. (Note: Art. VI, Sec. 19.2 superseded various sections of Title 48 which pertain to the creation of the highway board and establishes its powers and duties).

(b) Enact statute granting department of highways powers of zoning and expropriation for purposes of highway beautification; provide that zoning shall be consistent with local zoning authority.

(c) Amend Title 39 to specifically include Department of Highways as a budget unit of the state.
### 1921 Constitution: Disposition of Articles and Sections

Committee on Executive Department

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</table>

(a) State Printing Board referred to in Constitution of 1921 is defunct.

(b) Prepare amendment creating a department of revenue, the office of commissioner and his appointment, term, removal, salary, and powers.

(c) Amend to place deleted portions of VI, 28 (1921) re Liquified Petroleum Gas Commission into statutes (i.e. creation, domicile, composition, eligibility of dealers for membership, compensation, terms, quorum, power of investigation).

(d) Place entire constitutional provision in statutes. [VI, 39 (1921)] re reports to the governor is considerably broader than proposed provision.
### 1921 Constitution: Disposition of Articles and Sections

**Committee on Executive Department**

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| VII | 55 | IV | 3(A), 8, 13 | XIV | 16 | x(a)  
(in part) | | x | | | | | | |
| VII | 56 | IV | 2, 8, 13, 16, 19 | | | | | | | | | | |
| VII | 57 | IV | 4 | | x(b)  
(x(b)) | | x | | | | | | | | | |
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(a) 1921 provisions for an office force for attorney general. deleted. Statute needed to provide.

(b) Constitutional salaries. obsolete. deleted.
<table>
<thead>
<tr>
<th>ARTICLE</th>
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</table>

(a) References to Board of State Affairs and authority of tax commission over state budget are obsolete.

(b) Superintendent's constitutional salary is obsolete.

(c) Amend R.S. 47:1831 or R.S. 18:1832 to give tax commission authority re. assessment and taxation.
### 1921 Constitution: Disposition of Articles and Sections

**Committee on Executive Department**

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(a) Bonds outstanding will be paid out Dec. 31, 1973; provisions merged with Art. XVIII, Sec. 7.

(b) No bonds outstanding; purposes of bond levy completed.

(c) Amend R.S. 29:8 to provide that adjutant general shall discharge his duties at the capital.

(d) Amend R.S. 29:9 to incorporate provisions of 1921, XVII, Sec. 14 re preservation of reported banners, relics.

(e) Provide for civil war memorial hall for relics, i.e. incorporate Art. XVIII, Sec. 4 into revised statutes.

(f) Amend R.S. 46:891 to incorporate services to be rendered by Confederate Memorial Medical Center as outlined in Art. XVIII, Sec. 14.
### 1921 Constitution: Disposition of Articles and Sections

**Committee on Executive Department**

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(a) Art. XIX, Sec. 10 applies to "constitutional salaries"; proposed constitution will have no salaries.

(b) "The exercise of the police power of the state shall never be abridged." (Placed in Local Government Article; deleted by CED)

(c) Amend R.S. 42:2 to read the same as XIX, Sec. 6, i.e. add "except in case of impeachment or suspension".

(d) Amend R.S. 42:1144 to incorporate XIX, Sec. 27, Paragraph 4(c) on appeals from decision of the State Board of Ethics in cases involving official.
<table>
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**MATTERS TO BE HANDLED BY STATUTE**

- **PRESENTLY IN STATUTES**
- **R.S. CITATION**
- **SUFFICIENT AS IS**
- **AMENDMENT NEEDED**
- **AMENDMENT PREPARED**

**NEW STATUTE REQUIRED**

- **DRAFT NEEDED**
- **DRAFT PREPARED**
### 1921 Constitution: Disposition of Articles and Sections

**Committee on The Judicial Branch**

January 31, 1974

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1921 CONSTITUTION: DISPOSITION OF ARTICLES AND SECTIONS

COMMITTEE ON ARTICLE VII: REVENUE AND FINANCE

January 31, 1974

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### 1921 Constitution: Disposition of Articles and Sections

**Committee on Article VII: Revenue and Finance**

**Part II: Property Taxation (As Finally Adopted)**

**January 31, 1974**

#### Part III: Revenue Sharing

**Provisions Removed from 1921 Constitution**

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### 1921 Constitution: Disposition of Articles and Sections

#### Committee on Article VII: Revenue and Finance

**Part II. Property Taxation (As Finally Adopted)**

#### Part III. Revenue Sharing

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*Alternative A provides for a Board of Regents for higher education and management boards for state colleges and universities.
### 1921 Constitution: Disposition of Articles and Sections

**Committee on Education and Welfare (Continued)**

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## 1921 Constitution: Disposition of Articles and Sections

**Committee on Education and Welfare**

**Alternative B**

**Chart B**

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*If Alternative B contained in Art. XIV, §38 is adopted and the proposed constitution is adopted, then the Article on education contained in §38 will become "Article VIII. Education" and this disposition of Articles and Sections beginning at this point will become applicable.*
Footnotes: Chart A

1Article XIV, §4

2The powers of the state board as to higher educational institutions were eliminated and are now exercised by the Board of Trustees for State Colleges and Universities and the Board of Supervisors for Southern University and Agricultural and Mechanical College.

3The proposed new constitution provides that there shall be a state superintendent of public education "for elementary and secondary education".

4Article XIV, §2

5Specific provision regarding certification and qualification of teachers found in Article XII, §7(8) of 1921 Constitution was deleted from Committee Proposal No. 7 by the convention.

6Article XIV, §4

7Article XIV, §2

8Article XII, §14 of the 1921 Constitution enumerates the sources of funds for elementary and secondary schools (severance taxes, ad valorem taxes, taxes levied on retail sale of gasoline, etc.). Article VIII, §16 of the proposed constitution provides that the legislature shall appropriate funds for elementary and secondary education sufficient to insure a minimum foundation program of education.

9Although reference is made to indemnity lands (R.S. 41:801 et seq.) and sixteenth section lands (R.S. 41:1111), the specific provisions of Article XII, §18 are not covered in the cited statutes.

10Although reference is made to the Agricultural and Mechanical College Fund (R.S. 17:2186), the specific provisions of Article XII, §21 are not covered in the cited statute.
# Article IX. Natural Resources

1921 Constitution: Disposition of Articles and Sections

Committee on Natural Resources and Environment

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* Made statutory in part, i.e., the Register of the Land Office and the Department of Conservation.
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*Repealed in part since Article IX, §4 requires that reclamation be for public use.
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*Repealed in part since Article IX, §4 requires that reclamation be for public use.

Source: Committee Proposal No. 34
Footnotes: Chart B

1 Article XIV, §40(A) [§1(2),(4)]

2 The powers of the state board as to higher educational institutions are eliminated and are now exercised by the Board of Regents and, to a limited extent, the Board of Supervisors of L.S.U.

3 Provides that the state superintendent is to be the "administrative head of the Department of Education and the Board of Regents...."

4 Article XIV, §40(A) [§1(1),(2),(3),(5)]

5 Action was taken by Committee on Education and Welfare with reference to Committee Proposal No. 7, however there was no discussion in this regard when the Alternative Proposition contained in Delegate Proposal No. 98, Article XIV, §38, and was considered by the convention. Since the difference between Committee Proposal No. 7 and Delegate Proposal No. 98 are basically concerned with board structure the inference is that action taken by the committee and adopted by the convention (see Article XIV, §§16 and 17) regarding provisions of the 1921 Constitution not directly affecting board structure apply if the Alternative Proposition B contained in Article XIV, §38 is adopted.

6 Article XIV, §4

7 Article XIV, §2
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### 1921 Constitution: Disposition of Articles and Sections

**Committee on Education and Welfare** *(Article X, Public Officials and Employees)*  
Part II. Fire and Police Civil Service

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### 1921 Constitution: Disposition of Articles and Sections

**Committee on Education and Welfare (Other Provisions)**

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## 1921 Constitution: Disposition of Articles and Sections

**Committee on Education and Welfare (Other Provisions)**

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1. Details of existing provision is deleted, but commission is authorized to adopt rules relating to promotion, demotion, suspension, reduction in pay, removal, and all other personnel matters. Authorizes commission to impose penalties for violation of civil service rules.

2. R.S. 33:2471-2591 repeat verbatim the provisions of the 1921 Constitution. The proposed constitution, X, §18, retains the provisions of Article XIV, §15.1 of 1921 Constitution that are not inconsistent with Article X, §§16-20 of the proposed constitution, except legislature may by a two-thirds vote of elected members of each house amend or modify any of those provisions.

3. R.S. 33:2471 must be amended to extend coverage to municipalities with a population exceeding 13,000 which operate regularly paid fire and police departments.

### 1921 Constitution: Disposition of Articles and Sections

**Committee on Bill of Rights and Elections**

January 31, 1974

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1. R.S. 18 (Chpts.) needs to be extensively amended to conform to new Section 2 as well as new Article I, Section 19.

2. R.S. 18, Chpts. 1 and 1A need to be amended to conform to new Section 11 on registrars.

3. R.S. 18: 1071-80 involving absentee voters needs to be amended to conform to the right to vote provisions of Section 2 and Article 1, Section 19.
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Index of Constitution—Article and Section

SECTIONAL INDEX TO TRANSCRIPTS OF PROCEEDINGS
LOUISIANA CONSTITUTIONAL CONVENTION OF 1973

[Style and Drafting Amendments References to Final Report of Style and Drafting Committee of January 18, 1974 are omitted. See II Journal 1384-1392.]

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ARTICLE I. DECLARATION OF RIGHTS

Section 1. Origin and Purpose of Government [CP 25, Sec. 1]

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Section 2. Due Process of Law [CP 25, Sec. 2]

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Section 3. Right to Individual Dignity [CP 25, Sec. 3]

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Section 4. Right to Property [CP 25, Sec. 4]

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Section 5. Right to Privacy [SP 25, Sec. 5]

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Section 6. Freedom from Intrusion [CP 25, Sec. 6]

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Section 7. Freedom of Expression [CP 25, Sec. 9]

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Section 9. Right of Assembly and Petition [CP 25, Sec. 11]

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Section 10. Right to Vote [CP 25, Sec. 19]

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Section 11. Right to Keep and Bear Arms [CP 25, Sec. 20]

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Section 12. Freedom from Discrimination [CP 25, Sec. 26]

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**ARTICLE II. DISTRIBUTION OF POWERS**

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**ARTICLE III. LEGISLATIVE BRANCH**

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<td>445-451</td>
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ARTICLE IV. EXECUTIVE BRANCH

Section 1. Composition; Number of Departments; Reorganization [CP 4, Sec. 1] [See also Art XIV, § 6]

Section 2. Qualifications [CP 4, Sec. 2]

Section 3. Election; Term [CP 4, Sec. 3]

Section 4. Compensation [CP 4, Sec. 4]

Section 5. Governor; Powers and Duties [CP 4, Sec. 5]

Section 6. Lieutenant Governor; Powers and Duties [CP 4, Sec. 6] [See also IX 3199-3197]

Section 7. Secretary of State; Powers and Duties [CP 4, Sec. 7]

Section 8. Attorney General; Powers and Duties [CP 4, Sec. 8]

Section 9. Treasurer; Powers and Duties [CP 4, Sec. 9]

Section 10. Commissioner of Agriculture; Powers and Duties [CP 4, Sec. 10] [See also, CP 34, Sec. 11]

Section 11. Commissioner of Insurance; Powers and Duties [CP 4, Sec. 11]

*NOTE: Discussion relative to the Department of Justice and the Attorney General is also located at the following which were deleted by the Convention:

CP 21, Sec. 26. Department of Justice; Composition; Attorney General; Election and Assistants

CP 21, Sec. 27. Attorney General; Powers and Duties; Vacancy
<table>
<thead>
<tr>
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<th>Date 1</th>
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<td>IX</td>
<td>114th</td>
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<td>13</td>
<td>First Assistants; Appointment [CP 4, Sec. 10]</td>
<td>8/10</td>
<td>VI</td>
<td>29th</td>
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<td>IX</td>
<td>114th</td>
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<td>Vacancy in Office of Governor [CP 4, Sec. 11]</td>
<td>8/10</td>
<td>VI</td>
<td>29th</td>
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<td>IX</td>
<td>114th</td>
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<td>Vacancy in Office of Lieutenant Governor [CP 4, Sec. 12]</td>
<td>8/10</td>
<td>VI</td>
<td>29th</td>
<td>673-680</td>
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<td>1/10</td>
<td>IX</td>
<td>114th</td>
<td>3268</td>
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<tr>
<td>16</td>
<td>Vacancies in Other Statewide Elective Offices [CP 4, Sec. 13]</td>
<td>8/10</td>
<td>VI</td>
<td>29th</td>
<td>680-681</td>
</tr>
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<td>1/10</td>
<td>IX</td>
<td>114th</td>
<td>3268</td>
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<td>17</td>
<td>Declaration of Inability by Statewide Elected Officials [CP 4, Sec. 16]</td>
<td>8/10</td>
<td>VI</td>
<td>29th</td>
<td>690-692</td>
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<td>1/10</td>
<td>IX</td>
<td>114th</td>
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<td>1/18</td>
<td>IX</td>
<td>121st</td>
<td>3500</td>
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<tr>
<td>18</td>
<td>Determination of Inability of Statewide Elected Official [CP 4, Sec. 17]</td>
<td>8/10</td>
<td>VI</td>
<td>29th</td>
<td>692-697</td>
</tr>
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<td>1/10</td>
<td>IX</td>
<td>114th</td>
<td>3269</td>
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<td>Temporary Absences [CP 4, Sec. 18]</td>
<td>8/10</td>
<td>VI</td>
<td>29th</td>
<td>697</td>
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<td>1/10</td>
<td>IX</td>
<td>114th</td>
<td>3268-3269</td>
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<td>20</td>
<td>Appointment of Officials; Merger, Consolidation of Offices and Departments [CP 4, Sec. 23]</td>
<td>8/10</td>
<td>VI</td>
<td>29th</td>
<td>685-690</td>
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<td>8/23</td>
<td>VI</td>
<td>35th</td>
<td>883-902</td>
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<td>1/10</td>
<td>IX</td>
<td>114th</td>
<td>3269, 3274</td>
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<td>1/18</td>
<td>IX</td>
<td>121st</td>
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<td>21</td>
<td>Public Service Commission [CP 37, Sec. 14]</td>
<td>12/19</td>
<td>IX</td>
<td>104th</td>
<td>2978-2985</td>
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<td>12/20</td>
<td>IX</td>
<td>105th</td>
<td>3004-3035</td>
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<td>12/21</td>
<td>IX</td>
<td>106th</td>
<td>3036, 3042-3051</td>
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<td>IX</td>
<td>107th</td>
<td>3052-3071</td>
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<td>1/14</td>
<td>IX</td>
<td>117th</td>
<td>3335-3349</td>
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</table>

**ARTICLE V. JUDICIAL BRANCH**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Date 1</th>
<th>Volume</th>
<th>Convention Day</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Judicial Powers [CP 21, Sec. 1]</td>
<td>8/15</td>
<td>VI</td>
<td>30th</td>
<td>705-707</td>
</tr>
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<td>1/9</td>
<td>IX</td>
<td>115th</td>
<td>3239</td>
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<td>2</td>
<td>Habeas Corpus, Needful Writs; Orders and Process; Contempt [CP 21, Sec. 2]</td>
<td>8/15</td>
<td>VI</td>
<td>30th</td>
<td>707-708</td>
</tr>
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<td>1/9</td>
<td>IX</td>
<td>115th</td>
<td>3239</td>
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<td>Supreme Court; Composition; Judgments; Terms [CP 21, Sec. ]</td>
<td>8/15</td>
<td>VI</td>
<td>30th</td>
<td>708-713</td>
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<td>1/9</td>
<td>IX</td>
<td>115th</td>
<td>3239</td>
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<td>4</td>
<td>Supreme Court; Districts [CP 21, Sec. 4]</td>
<td>8/15</td>
<td>VI</td>
<td>30th</td>
<td>713-721</td>
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<td>IX</td>
<td>100th</td>
<td>2810-2811</td>
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<td>1/9</td>
<td>IX</td>
<td>113th</td>
<td>3230</td>
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<td>Supreme Court Jurisdiction; Rule-Making Power; Assignment of Judges [CP 21, Sec. 5]</td>
<td>8/15</td>
<td>VI</td>
<td>30th</td>
<td>721-737</td>
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<td>IX</td>
<td>113th</td>
<td>3240</td>
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<td>Supreme Court; Chief Justice [CP 21, Sec. 6]</td>
<td>8/16</td>
<td>VI</td>
<td>31st</td>
<td>738-748</td>
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<td>1/9</td>
<td>IX</td>
<td>113th</td>
<td>3240</td>
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<td>Supreme Court; Personnel [CP 21, Sec. 7]</td>
<td>8/16</td>
<td>VI</td>
<td>31st</td>
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<td>IX</td>
<td>113th</td>
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<td>Title</td>
<td>Date 1</td>
<td>Volume</td>
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<td>8/16</td>
<td>VI</td>
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<td>IX</td>
<td>113th</td>
<td>3240, 3245-3246</td>
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<td>[CP 21, Sec. 8]</td>
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<td>Courts of Appeal; Circuits and Districts [CP 21, Sec. 9] [DP 32]</td>
<td>8/16</td>
<td>VI</td>
<td>31st</td>
<td>760-763</td>
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<td>11/9</td>
<td>IX</td>
<td>91st</td>
<td>2557-2559</td>
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<td></td>
<td>11/16</td>
<td>IX</td>
<td>87th</td>
<td>2413-2417</td>
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<td>1/9</td>
<td>IX</td>
<td>113th</td>
<td>3240</td>
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<td>IX</td>
<td>118th</td>
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<td>Courts of Appeal; Jurisdiction [CP 21, Sec. 10]</td>
<td>8/16</td>
<td>VI</td>
<td>31st</td>
<td>763-767</td>
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<td>1/9</td>
<td>IX</td>
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<td>Courts of Appeal; Certification [CP 21, Sec. 11]</td>
<td>8/16</td>
<td>VI</td>
<td>31st</td>
<td>767</td>
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<td>IX</td>
<td>113th</td>
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<td>Courts of Appeal; Chief Judge [CP 21, Sec. 12]</td>
<td>8/16</td>
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<td>Courts of Appeal; Personnel [CP 21, Sec. 13]</td>
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<td>IX</td>
<td>113th</td>
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<td>District Courts; Judicial Districts [CP 21, Sec. 14]</td>
<td>8/16</td>
<td>VI</td>
<td>31st</td>
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<td>1/9</td>
<td>IX</td>
<td>113th</td>
<td>3241</td>
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<td>Courts; Retention; Jurisdiction; Judicial District Changes; Term [CP 21, Sec. 15, 15.1]</td>
<td>8/16</td>
<td>VI</td>
<td>31st</td>
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<td>VI</td>
<td>37th</td>
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<td>IX</td>
<td>113th</td>
<td>3241, 3246</td>
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<td>District Courts; Jurisdiction [CP 21, Sec. 16]</td>
<td>8/17</td>
<td>VI</td>
<td>32nd</td>
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<td>IX</td>
<td>113th</td>
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<td>District Courts; Chief Judge [CP 21, Sec. 17]</td>
<td>8/17</td>
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<td>Juvenile and Family Courts; Jurisdiction [CP 21, Sec. 18] [See also DP 43]</td>
<td>8/17</td>
<td>VI</td>
<td>32nd</td>
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<td>VI</td>
<td>37th</td>
<td>974-987</td>
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<td>IX</td>
<td>113th</td>
<td>3198-3211, 3241-3242</td>
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<td>Special Juvenile Procedures [DP 43]</td>
<td>11/16</td>
<td>IX</td>
<td>87th</td>
<td>2417-2419</td>
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<td>IX</td>
<td>112th</td>
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<td>IX</td>
<td>118th</td>
<td>3373-3377</td>
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<td>1/16</td>
<td>IX</td>
<td>119th</td>
<td>3393</td>
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<td>Mayors' Courts; Justice of the Peace Courts [CP 21, Sec. 19]</td>
<td>8/17</td>
<td>VI</td>
<td>32nd</td>
<td>804-807</td>
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<td>IX</td>
<td>113th</td>
<td>3242</td>
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<td>Judges; Decrease in Terms and Compensation Prohibited [CP 21, Sec. 21]</td>
<td>8/17</td>
<td>VI</td>
<td>32nd</td>
<td>809-811</td>
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<td>1/9</td>
<td>IX</td>
<td>113th</td>
<td>3242</td>
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<tr>
<td>22</td>
<td>Judges; Election; Vacancy [CP 21, Sec. 22]</td>
<td>8/18</td>
<td>VI</td>
<td>33rd</td>
<td>812-836</td>
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<td>IX</td>
<td>113th</td>
<td>3242</td>
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<td>23</td>
<td>Judges; Retirement [CP 21, Sec. 23] [See also DP 36]</td>
<td>8/18</td>
<td>VI</td>
<td>33rd</td>
<td>836-851</td>
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<td>8/22</td>
<td>VI</td>
<td>34th</td>
<td>852-864</td>
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<td>9/1</td>
<td>VI</td>
<td>40th</td>
<td>1070-1072</td>
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<td>1/9</td>
<td>IX</td>
<td>113th</td>
<td>3242</td>
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</tbody>
</table>

[1587]
| Section 24. Judges; Qualifications | 8/22 | VI | 34th | 864-865, 871-874, 3242 |
| [CP 21, Sec. 24] | 1/9 | IX | 113th | 3242 |
| Section 25. Judiciary Commission | 8/22 | VI | 34th | 865-871 |
| [CP 21, Sec. 25] | 8/24 | VI | 36th | 972-973 |
| 1/9 | IX | 113th | 3242-3243 |
| Section 26. District Attorneys | 8/23 | VI | 35th | 915-926 |
| [CP 21, Sec. 29] | 1/9 | IX | 113th | 3243 |
| Section 27. Sheriffs [CP 21, Sec. 30] | 8/24 | VI | 36th | 933-940 |
| 1/9 | IX | 113th | 3243 |
| Section 28. Clerks of Courts | 8/24 | VI | 940-943 |
| [CP 21, Sec. 31] | 1/9 | IX | 113th | 3243 |
| Section 29. Coroners [CP 21, Sec. 32] | 8/24 | VI | 36th | 943-948 |
| 1/9 | IX | 113th | 3243 |
| Section 30. Vacancies [CP 21, Sec. 33] | 8/24 | VI | 36th | 948-951 |
| 1/9 | IX | 113th | 3243-3244 |
| Section 31. Reduction of Salaries and Benefits Prohibited [CP 21, Sec. 34] | 8/24 | VI | 36th | 951-952 |
| 1/9 | IX | 113th | 3244 |
| Section 32. Orleans Parish Courts, Officials [CP 21, Sec. 35] | 8/24 | VI | 36th | 952-959 |
| 1/9 | IX | 113th | 3244 |
| Section 33. Jurors [CP 21, Sec. 36] | 8/24 | VI | 36th | 959-962 |
| 1/9 | IX | 113th | 3244 |
| Section 34. Grand Jury [CP 21, Sec. 37] | 8/24 | VI | 36th | 962-972 |
| 8/28 | VI | 37th | 987-988 |
| 1/9 | IX | 113th | 3244 |
| 1/11 | IX | 115th | 3300-3306 |

**ARTICLE VI. LOCAL GOVERNMENT**

**PART I. GENERAL PROVISIONS**

Introduction

Section 1. Parishes [CP 17, Secs. 1, 3] 9/19 | VII | 49th | 1296-1304 |
| 9/19 | VII | 49th | 1304-1314 |
| 1/14 | IX | 117th | 3222 |

Section 2. Municipalities [CP 17, Sec. 5] 9/19 | VII | 49th | 1314-1315 |
| 1/14 | IX | 117th | 3222-3225, 3332 |

[See also, CP 17, Sec. 8, Below]

Section 3. Classification [CP 17, Sec. 6] 9/19 | VII | 49th | 1315-1319 |
| 1/14 | IX | 117th | 3225 |

Section 4. Existing Home Rule Charters and Plans of Government [CP 17, Sec. 7] 9/19 | VII | 49th | 1319-1326 |
<p>| 9/20 | VII | 50th | 1328-1340 |
| 9/25 | VII | 54th | 1432 |
| 1/14 | IX | 117th | 3225 |</p>
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>DATE</th>
<th>VOLUME</th>
<th>CONVENTION DAY</th>
<th>PAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.</td>
<td>Intergovernmental Cooperation [CP 17, Sec. 23]</td>
<td>9/29</td>
<td>VII</td>
<td>57th</td>
<td>1519-1523</td>
</tr>
<tr>
<td></td>
<td>[See also VII, 1604]</td>
<td>10/ 2</td>
<td>VII</td>
<td>58th</td>
<td>1549-1556</td>
</tr>
<tr>
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<td></td>
<td>10/ 3</td>
<td>VII</td>
<td>59th</td>
<td>1574-1576</td>
</tr>
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<td></td>
<td>1/14</td>
<td>IX</td>
<td>117th</td>
<td>3328</td>
</tr>
<tr>
<td>21.</td>
<td>Assistance to Local Industry [CP 17, Sec. 24]</td>
<td>9/29</td>
<td>VII</td>
<td>57th</td>
<td>1523-1528</td>
</tr>
<tr>
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<td></td>
<td>10/ 2</td>
<td>VII</td>
<td>58th</td>
<td>1529-1536</td>
</tr>
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<td></td>
<td>1/14</td>
<td>IX</td>
<td>117th</td>
<td>3328</td>
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<tr>
<td>22.</td>
<td>Procedure for Certain Special Elections [CP 17, Sec. 26]</td>
<td>10/ 3</td>
<td>VII</td>
<td>59th</td>
<td>1561-1563</td>
</tr>
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<td></td>
<td></td>
<td>1/14</td>
<td>IX</td>
<td>117th</td>
<td>3328</td>
</tr>
<tr>
<td>23.</td>
<td>Acquisition of Property [CP 17, Sec. 27]</td>
<td>10/ 3</td>
<td>VII</td>
<td>59th</td>
<td>1563-1565</td>
</tr>
<tr>
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<td></td>
<td>1/14</td>
<td>IX</td>
<td>117th</td>
<td>3328</td>
</tr>
<tr>
<td>24.</td>
<td>Servitudes of Way; Acquisition by Prescription [CP 17, Sec. 28]</td>
<td>10/ 3</td>
<td>VII</td>
<td>59th</td>
<td>1565-1572</td>
</tr>
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<td></td>
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<td>IX</td>
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<td>IX</td>
<td>117th</td>
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**PART II. FINANCE**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>DATE</th>
<th>VOLUME</th>
<th>CONVENTION DAY</th>
<th>PAGES</th>
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<td>Parish Ad Valorem Tax [CP 17, Sec. 31]</td>
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<td>VII</td>
<td>59th</td>
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<td>59th</td>
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PART III. LEVEE DISTRICTS

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<th>Date</th>
<th>Volume</th>
<th>Convention Day</th>
<th>Pages</th>
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<td>Levee Districts [CP 17, Sec. 44]</td>
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PART IV. PORT COMMISSIONS AND DISTRICTS

<table>
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<th>Date</th>
<th>Volume</th>
<th>Convention Day</th>
<th>Pages</th>
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<td>43.</td>
<td>Port Commissions and Districts [CP 17, Sec. 50]</td>
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<td>60th</td>
<td>1609-1619</td>
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<td>VII</td>
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PART V. DEFINITIONS

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<th>Section</th>
<th>Description</th>
<th>Date</th>
<th>Volume</th>
<th>Convention Day</th>
<th>Pages</th>
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<tbody>
<tr>
<td>44.</td>
<td>Terms Defined [CP 17, Sec. 51]</td>
<td>10/5</td>
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<td>61st</td>
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<td>IX</td>
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ARTICLE VII. REVENUE AND FINANCE

PART I. GENERAL PROVISIONS

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Date</th>
<th>Volume</th>
<th>Convention Day</th>
<th>Pages</th>
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<tr>
<td>1.</td>
<td>Power to Tax; Public Purpose [CP 15, Sec. 1]</td>
<td>12/14</td>
<td>IX</td>
<td>99th</td>
<td>2789-2790</td>
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<td>IX</td>
<td>117th</td>
<td>3349-3350</td>
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<td>Power to Tax; Limitation [CP 15, Sec. 2]</td>
<td>10/19</td>
<td>VIII</td>
<td>68th</td>
<td>1800-1803</td>
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<td>12/14</td>
<td>IX</td>
<td>99th</td>
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<td>Income Tax; Severance Tax; Political Subdivisions</td>
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<td>IX</td>
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<td>[CP 15, Sec. 4; CP 34, Sec. 8]</td>
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<td>Donation, Loan, or Pledge of Public Credit</td>
<td>12/17</td>
<td>IX</td>
<td>102nd</td>
<td>2896-2901, 2907-2908</td>
</tr>
<tr>
<td></td>
<td>[CP 15, Sec. 16]</td>
<td>1/14</td>
<td>IX</td>
<td>117th</td>
<td>3354</td>
</tr>
<tr>
<td>15</td>
<td>Release of Obligations to State, Parish, or Municipality</td>
<td>12/15</td>
<td>IX</td>
<td>102nd</td>
<td>2902-2906</td>
</tr>
<tr>
<td></td>
<td>[CP 15, Sec. 17]</td>
<td>1/14</td>
<td>IX</td>
<td>117th</td>
<td>3354</td>
</tr>
<tr>
<td>16</td>
<td>Taxes; Prescription</td>
<td>1/14</td>
<td>IX</td>
<td>117th</td>
<td>3354</td>
</tr>
<tr>
<td></td>
<td>[CP 15, Sec. 16, New]</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>17</td>
<td>Legislation to Obtain Federal Aid</td>
<td>12/17</td>
<td>IX</td>
<td>102nd</td>
<td>2906</td>
</tr>
<tr>
<td></td>
<td>[CP 15, Sec. 18]</td>
<td>1/14</td>
<td>IX</td>
<td>117th</td>
<td>3354</td>
</tr>
</tbody>
</table>
### PART II. PROPERTY TAXATION

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Date</th>
<th>Volume</th>
<th>Page Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.</td>
<td>Ad Valorem Taxes</td>
<td>10/17</td>
<td>VII</td>
<td>66th-669th, 1726-1734</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/18</td>
<td>VIII</td>
<td>67th-688th, 1735-1763</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/19</td>
<td>VIII</td>
<td>68th-698th, 1765-1799</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/20</td>
<td>VIII</td>
<td>69th-708th, 1803-1836</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/23</td>
<td>VIII</td>
<td>70th-718th, 1837-1855</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/24</td>
<td>VIII</td>
<td>71st-728th, 1856-1881</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/12</td>
<td>IX</td>
<td>116th-1178th, 1882-1903</td>
</tr>
<tr>
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<td></td>
<td></td>
<td></td>
<td>3308-3309, 3313-3314</td>
</tr>
<tr>
<td>19.</td>
<td>State Property Taxation; Rate Limitation</td>
<td>10/17</td>
<td>VII</td>
<td>66th-669th, 1734</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/19</td>
<td>VIII</td>
<td>68th-689th, 1800-1803</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/20</td>
<td>VIII</td>
<td>69th-699th, 1849-1855</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/23</td>
<td>VIII</td>
<td>70th-719th, 1903-1905</td>
</tr>
<tr>
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<td></td>
<td>1/12</td>
<td>IX</td>
<td>116th-1179th, 3308</td>
</tr>
<tr>
<td>20.</td>
<td>Homestead Exemptions</td>
<td>10/17</td>
<td>VII</td>
<td>66th-669th, 1734-1744</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/19</td>
<td>VIII</td>
<td>68th-689th, 1803-1836</td>
</tr>
<tr>
<td></td>
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<td>10/20</td>
<td>VIII</td>
<td>69th-709th, 1837-1855</td>
</tr>
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<td>10/24</td>
<td>VIII</td>
<td>71st-729th, 1856-1887</td>
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<td>1/12</td>
<td>IX</td>
<td>116th-1179th, 1905-1913</td>
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<tr>
<td></td>
<td></td>
<td></td>
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<td>3308-3309, 3313-3314</td>
</tr>
<tr>
<td>21.</td>
<td>Other Property Exemptions</td>
<td>10/24</td>
<td>VIII</td>
<td>71st-729th, 1905-1913</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/25</td>
<td>VIII</td>
<td>72nd-739th, 1914-1953</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/26</td>
<td>VIII</td>
<td>73rd-749th, 1953-2002</td>
</tr>
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<td>10/27</td>
<td>VIII</td>
<td>74th-759th, 2004</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/31</td>
<td>VIII</td>
<td>75th-769th, 2005-2050</td>
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<td>1/11</td>
<td>IX</td>
<td>115th-1169th, 3310-3312</td>
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<td>1/12</td>
<td>IX</td>
<td>116th-1179th, 3314-3318</td>
</tr>
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<td>1/15</td>
<td>IX</td>
<td>118th-1199th, 3308-3309</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/16</td>
<td>IX</td>
<td>119th-3313-3314</td>
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<td>22.</td>
<td>No Impairment of Existing Taxes or Obligations</td>
<td>10/17</td>
<td>VII</td>
<td>66th-669th, 1734</td>
</tr>
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<td>10/27</td>
<td>VIII</td>
<td>74th-759th, 2004-2006</td>
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<td>1/12</td>
<td>IX</td>
<td>116th-1179th, 3312</td>
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<td></td>
<td>1/15</td>
<td>IX</td>
<td>118th-3312</td>
</tr>
<tr>
<td>23.</td>
<td>Adjustment of Ad Valorem Tax Millages</td>
<td>10/17</td>
<td>VII</td>
<td>66th-669th, 1734</td>
</tr>
<tr>
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<td></td>
<td>10/27</td>
<td>VIII</td>
<td>74th-759th, 2006-2017</td>
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<td></td>
<td>11/1</td>
<td>VIII</td>
<td>76th-779th, 2050-2006</td>
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<td>1/12</td>
<td>IX</td>
<td>116th-1179th, 3312</td>
</tr>
<tr>
<td>24.</td>
<td>Tax Assessors</td>
<td>10/17</td>
<td>VII</td>
<td>66th-669th, 1735</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11/2</td>
<td>VIII</td>
<td>77th-789th, 2115-2116</td>
</tr>
<tr>
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<td></td>
<td>11/3</td>
<td>VIII</td>
<td>78th-798th, 2117-2123</td>
</tr>
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<td>1/12</td>
<td>IX</td>
<td>116th-1179th, 2130-2135</td>
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<tr>
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<td></td>
<td></td>
<td></td>
<td>3312-3313</td>
</tr>
<tr>
<td>25.</td>
<td>Tax Sales</td>
<td>11/6</td>
<td>VIII</td>
<td>79th-809th, 2140-2141</td>
</tr>
<tr>
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<td></td>
<td>1/12</td>
<td>IX</td>
<td>116th-1179th, 2147-2151</td>
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<td>3313</td>
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[1593]
### PART III. REVENUE SHARING

<table>
<thead>
<tr>
<th>Section</th>
<th>Revenue Sharing Fund</th>
<th>DATE</th>
<th>VOLUME</th>
<th>CONVENTION DAY</th>
<th>PAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>26.</td>
<td>[CP 26, Sec. 6]</td>
<td>10/17</td>
<td>VII</td>
<td>66th</td>
<td>1735</td>
</tr>
<tr>
<td></td>
<td>[CP 26, Sec. 7]</td>
<td>10/27</td>
<td>VIII</td>
<td>74th</td>
<td>2017-2019</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/31</td>
<td>VIII</td>
<td>75th</td>
<td>2020</td>
</tr>
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<td></td>
<td>11/1</td>
<td>VIII</td>
<td>76th</td>
<td>2063-2078</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11/2</td>
<td>VIII</td>
<td>77th</td>
<td>2079-2115</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11/3</td>
<td>VIII</td>
<td>78th</td>
<td>2123-2130</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/12</td>
<td>IX</td>
<td>116th</td>
<td>3312</td>
</tr>
</tbody>
</table>

### ARTICLE VIII. EDUCATION

| [Introduction] | 11/9 | VIII | 82nd | 2230-2233 |

### PREAMBLE

| [CP 7, Sec. 1] | 11/9 | VIII | 82nd | 2233-2242 |
|                | 1/11 | IX   | 115th | 3280 |

| Section 1. | Public Educational System | 11/9 | VIII | 82nd | 2242-2247 |
| [CP 7, Sec. 2] | 1/11 | IX   | 115th | 3280 |

| Section 2. | State Superintendent of Education | 11/9 | VIII | 82nd | 2247-2250 |
| [CP 7, Sec. 3] | 11/10 | IX   | 83rd | 2260-2302 |
| [See also CP 7, Sec. 4] | 1/11 | IX   | 115th | 3281 |
|                | 1/15 | IX   | 119th | 3419-3421 |

| Section 3. | State Board of Elementary and Secondary Education | 11/9 | VIII | 82nd | 2250-2272 |
| [CP 7, Sec. 4] | 11/10 | VIII | 83rd | 2272-2280, |
|                | 11/13 | VIII | 84th | 2304-2315 |
|                | 1/11  | IX   | 115th | 3280-3281 |
|                | 1/16  | IX   | 119th | 3419-3421 |

| Section 4. | Approval of Private Schools | 11/13 | VIII | 84th | 2317-2319 |
| [CP 7, Sec. 6] | 1/11 | IX   | 115th | 3281 |

| Section 5. | Board of Regents | 11/13 | VIII | 84th | 2319-2340 |
| [CP 7, Sec. 7] | 11/14 | IX   | 85th | 2341-2356 |
| [See also, CP 7, Sec. 4] | 11/11 | IX   | 115th | 3281 |

| Section 6. | Board of Trustees for State Colleges and Universities | 11/14 | IX | 85th | 2356 |
| [CP 7, Sec. 8] | 11/15 | IX   | 86th | 2387-2394 |
| [See also, CP 7, Sec. 4] | 1/11 | 115th | 3282-3283 |

| Section 7. | Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; Board of Supervisors of Southern University and Agricultural and Mechanical College | 11/14 | IX | 85th | 2356-2376 |
| [CP 7, Sec. 9] | 11/15 | IX   | 86th | 2377-2387, |
| [See also CP 7, Sec. 4] | 1/11 | IX   | 115th | 2394-2399 |
|                | 3281-3282, | | 3283 |

| Section 8. | Boards; Membership; Compensation | 11/15 | IX | 86th | 2399-2406 |
| [CP 7, Sec. 11] | 1/11 | IX   | 115th | 3282 |

| Section 9. | Parish School Boards; Parish Superintendents | 11/15 | IX | 86th | 2406-2412 |
| [CP 7, Sec. 12] | 1/11 | IX   | 115th | 3282, 3283 |
|                | 1/16 | IX   | 119th | 3419-3421 |

| Section 10. | Existing Boards and Systems Recognized; Consolidation | 11/16 | IX | 87th | 2419-2424 |
| [CP 7, Sec. 13] | 1/11 | IX   | 115th | 3282, 3283-3284 |
Section 11. Appropriations; State Boards [CP 7, Sec. 14] 11/16 IX 87th 2424-2430
Section 12. Appropriations; Higher Education [CP 7, Sec. 15] 11/16 IX 87th 2430-2435
Section 13. Funding; Apportionment 11/16 IX 87th 2435-2439
[CP 7, Sec. 16] 11/17 IX 88th 2442-2455
1/11 IX 115th 2456-2465
Section 14. Tulane University [CP 7, Sec. 17] 11/16 IX 87th 2439-2442
1/11 IX 115th 3283

ARTICLE IX. NATURAL RESOURCES*

Section 1. Natural Resources and Environment; Public Policy [CP 34, Sec. 1] 12/18 IX 103rd 2911-2913
1/15 IX 118th 3358

Section 2. Natural Gas [CP 34, Sec. 2] 12/18 IX 103rd 2920-2933
12/21 IX 106th 3036-3041
1/15 IX 118th 3358

Section 3. Alienation of Water Bottoms [CP 34, Sec. 4] 12/18 IX 103rd 2936-2942
[See also ]
1/15 IX 118th 3358

Section 4. Reservation of Mineral Rights; Prescription [CP 34, Sec. 5] 12/18 IX 103rd 2942-2944
[See also, IX, 2914-2917], 2993-2998
1/15 IX 118th 3358

Section 5. Public Notice; Public Bidding Requirements [CP 34, Sec. 6.1] 12/20 IX 105th 2986-2993,
1/15 IX 118th 2999-3004
3358

Section 6. Tidelands Ownership [CP 34, Sec. 9] 12/18 IX 103rd 2945-2947
1/15 IX 118th 3358-3359

Section 7. Wildlife and Fisheries Commission [CP 34, Sec. 12] 12/19 IX 104th 2957-2971
1/15 IX 118th 3359

Section 8. Forestry [CP 34, Sec. 13] 12/19 IX 104th 2971-2978
1/15 IX 118th 3359

ARTICLE X. PUBLIC OFFICIALS AND EMPLOYEES

PART 1. STATE AND CITY CIVIL SERVICE

Section 1. Civil Service Systems 12/6 IX 93rd 2594-2616

*Closing on the Article IX, 2465-2466
Section 2. Classified and Unclassified Service [CP 9, Sec. 2]

Section 3. State Civil Service Commission [CP 9, Sec. 3]

Section 4. City Civil Service Commission [CP 9, Sec. 4]

Section 5. Removal [CP 9, Sec. 5]

Section 6. Department of Civil Service; Directors [CP 9, Sec. 6]

Section 7. Appointments; Promotions [CP 9, Sec. 7]

Section 8. Appeals [CP 9, Sec. 8]

Section 9. Prohibitions Against Political Activities [CP 9, Sec. 9]

Section 10. Rules; Investigations; Wages and Hours [CP 9, Sec. 10]

Section 11. Penalties [CP 9, Sec. 11]

Section 12. Appeal [CP 9, Sec. 12]

Section 13. Appropriations [CP 9, Sec. 13]

Section 14. Acceptance of Act; Other Cities, Parishes; City and Parish Governed Jointly [CP 9, Sec. 14]

Section 15. City, Parish Civil Service System; Creation; Prohibition [CP 9, Sec. 15]

PART II. FIRE AND POLICE CIVIL SERVICE

[CP 10]*

Section 16. Establishment [CP 10, Sec. 16]

Section 17. Appointments and Promotions [CP 10, Sec. 17]

* Debate was on whole proposal rather than section by section.
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Date</th>
<th>Volume</th>
<th>Convention Day</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.</td>
<td>Prior Provisions [CP 10, Sec. 18]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Exclusion [CP 10, Sec. 19]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20.</td>
<td>Political Activities [CP 10, Sec. 20]</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PART III. OTHER PROVISIONS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/10</td>
<td>IX</td>
<td>114th</td>
<td>3260</td>
</tr>
<tr>
<td>22.</td>
<td>Dual Employment and Dual Officeholding [CP 23]</td>
<td>10/11</td>
<td>VII</td>
<td>65th</td>
<td>1717-1725</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/17</td>
<td>VII</td>
<td>66th</td>
<td>1763 [E.M.]</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/10</td>
<td>IX</td>
<td>114th</td>
<td>3260</td>
</tr>
<tr>
<td></td>
<td></td>
<td>7/26</td>
<td>V</td>
<td>20th</td>
<td>390-397</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11/18</td>
<td>IX</td>
<td>89th</td>
<td>2510</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11/18</td>
<td>IX</td>
<td>89th</td>
<td>2515, 2520</td>
</tr>
<tr>
<td>25.</td>
<td>Removal by Suit; Official Subject [CP 3, Sec. 26]</td>
<td>7/28</td>
<td>V</td>
<td>22nd</td>
<td>477</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11/18</td>
<td>IX</td>
<td>89th</td>
<td>2515</td>
</tr>
<tr>
<td>26.</td>
<td>Recall [CP 3, Sec. 27]</td>
<td>7/28</td>
<td>V</td>
<td>22nd</td>
<td>477-478</td>
</tr>
<tr>
<td></td>
<td></td>
<td>11/18</td>
<td>IX</td>
<td>89th</td>
<td>2515</td>
</tr>
<tr>
<td>27.</td>
<td>Filling of Vacancies [CP 4, Sec. 14]</td>
<td>8/10</td>
<td>VI</td>
<td>29th</td>
<td>681-684</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/10</td>
<td>IX</td>
<td>114th</td>
<td>3268</td>
</tr>
<tr>
<td>28.</td>
<td>Definition of Vacancy [CP 4, Sec. 15]</td>
<td>8/10</td>
<td>VI</td>
<td>29th</td>
<td>684</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/10</td>
<td>IX</td>
<td>114th</td>
<td>3268</td>
</tr>
<tr>
<td>29.</td>
<td>Retirement and Survivor's Benefits [CP 11, Sec. 1]</td>
<td>12/5</td>
<td>IX</td>
<td>92nd</td>
<td>2560-2593</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/11</td>
<td>IX</td>
<td>115th</td>
<td>3284-3286</td>
</tr>
<tr>
<td>30.</td>
<td>Oath of Office [CP 35, Sec. 5]</td>
<td>1/3</td>
<td>IX</td>
<td>107th</td>
<td>3082-3084</td>
</tr>
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<td>1/12</td>
<td>IX</td>
<td>116th</td>
<td>3308</td>
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</tbody>
</table>

**ARTICLE XI. ELECTIONS**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Date</th>
<th>Volume</th>
<th>Convention Day</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Election Code [CP 33, Sec. 2]</td>
<td>10/5</td>
<td>VII</td>
<td>61st</td>
<td>1636-1641</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/6</td>
<td>VII</td>
<td>62nd</td>
<td>1643-1645</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10/9</td>
<td>VII</td>
<td>63rd</td>
<td>1691</td>
</tr>
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<td>1/10</td>
<td>IX</td>
<td>114th</td>
<td>3254</td>
</tr>
<tr>
<td>2.</td>
<td>Secret Ballot; Absentee Voting; Preservation of Ballot [CP 33, Sec. 3]</td>
<td>10/6</td>
<td>VII</td>
<td>62nd</td>
<td>1649-1657</td>
</tr>
<tr>
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### ARTICLE XII. GENERAL PROVISIONS

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Date</th>
<th>Volume</th>
<th>Convention Day</th>
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<td>107th</td>
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<td>IX</td>
<td>112th</td>
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### ARTICLE XIII. CONSTITUTIONAL REVISION

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<th>Volume</th>
<th>Convention Day</th>
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<td>1/ 5</td>
<td>IX</td>
<td>109th</td>
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<td>111th</td>
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### ARTICLE XIV. TRANSITIONAL MEASURES

#### PART I.

<table>
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<th>Volume</th>
<th>Convention Day</th>
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<td>Board of Regents [CP 30, Sec. 1]</td>
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<td>Board of Supervisors of Southern University [CP 38, Sec. 27]</td>
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<td>IX</td>
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<td>State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities [CP 30, Sec. 3]</td>
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<td>2554-2557</td>
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<td>118th</td>
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<td>Mandatory Reorganization of State Government [CP 31, Sec. 1]</td>
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<td>29th</td>
<td>697-700</td>
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<td>Civil Service Commission; State; Cities [DP 28, Sec. 1]</td>
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<td>IX</td>
<td>111th</td>
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<td>Civil Service Officers; Employees; State; Cities [DP 28, Sec. 2]</td>
<td>1/7</td>
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<td>111th</td>
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<td>Offshore Mineral Revenues; Use of Funds [CP 34, Sec. 10]</td>
<td>12/18</td>
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<td>103rd</td>
<td>2947-2952</td>
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<td>IX</td>
<td>104th</td>
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<td>Effective Date of Property Tax Provisions [CP 26, Sec. 10]</td>
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#### PART II

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<th>Volume</th>
<th>Convention Day</th>
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<td>Limitation on Transitional Provisions [CP 38, Sec. 1]</td>
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<td>121st</td>
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<td>IX</td>
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<td>Existing Officials [CP 38, Sec. 8]</td>
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<td>IX</td>
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<td>Provisions of 1921 Constitution Made Statutory [CP 38, Sec. 9]</td>
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<td>IX</td>
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<td>Provisions of Constitution of 1921 Repealed [CP 38, Sec. 10]</td>
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<td>IX</td>
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<td>121st</td>
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**PART III**

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<td>IX</td>
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<td>3546-3547</td>
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<td>IX</td>
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<tr>
<td>31</td>
<td>Pardon Board [CP 38, Sec. 21]</td>
<td>1/18</td>
<td>IX</td>
<td>121st</td>
<td>3469</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/19</td>
<td>IX</td>
<td>122nd</td>
<td>3546-3547</td>
</tr>
<tr>
<td>32</td>
<td>Levee Districts; Compensation for Property [CP 38, Sec. 22]</td>
<td>1/18</td>
<td>IX</td>
<td>121st</td>
<td>3469-3470</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/19</td>
<td>IX</td>
<td>122nd</td>
<td>3546-3547</td>
</tr>
<tr>
<td>33</td>
<td>Suits Against the State; Effective Date [CP 38, Sec. 23]</td>
<td>1/18</td>
<td>IX</td>
<td>121st</td>
<td>3471</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/19</td>
<td>IX</td>
<td>122nd</td>
<td>3546-3547</td>
</tr>
<tr>
<td>34</td>
<td>Exemption from Seizure and Sale [CP 38, Sec. 24 B]</td>
<td>1/18</td>
<td>IX</td>
<td>121st</td>
<td>3471</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/19</td>
<td>IX</td>
<td>122nd</td>
<td>3546-3547</td>
</tr>
<tr>
<td>35</td>
<td>Effective Date [CP 38, Sec. 25]</td>
<td>1/18</td>
<td>IX</td>
<td>121st</td>
<td>3458-3460</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/19</td>
<td>IX</td>
<td>122nd</td>
<td>3471-3474</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
<td>Date</td>
<td>Volume</td>
<td>Convention Day</td>
<td>Pages</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
<td>------</td>
<td>--------</td>
<td>---------------</td>
<td>-------</td>
</tr>
<tr>
<td>Section 36</td>
<td>Effect of Adoption [CP 38, Sec. 29]</td>
<td>1/18</td>
<td>IX</td>
<td>121st</td>
<td>3486-3490</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/19</td>
<td>IX</td>
<td>122nd</td>
<td>3546-3547</td>
</tr>
<tr>
<td>Section 37</td>
<td>Severability Clause [CP 38, Sec. 30]</td>
<td>1/18</td>
<td>IX</td>
<td>121st</td>
<td>3495-3498</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/19</td>
<td>IX</td>
<td>122nd</td>
<td>3546-3547</td>
</tr>
</tbody>
</table>

**PART IV**

<table>
<thead>
<tr>
<th>Section 38</th>
<th>Alternative Proposition [DP 98; DR 52]*</th>
<th>Date</th>
<th>Volume</th>
<th>Convention Day</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1/16</td>
<td>IX</td>
<td>119th</td>
<td>3407-3419</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/17</td>
<td>IX</td>
<td>120th</td>
<td>3423,3444-3445</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1/19</td>
<td>IX</td>
<td>122nd</td>
<td>3499, 3503-3556</td>
</tr>
</tbody>
</table>

Section 39. Alternative Article VIII [See Section 38, above]

Section 1. Public Educational System [DP 98]

Section 2. State Superintendent of Education [DP 98]

Section 3. State Board of Elementary and Secondary Education [DP 98]

Section 4. Approval of Private Schools [DP 98]

Section 5. Board of Regents [DP 98]

Section 6. Boards; Membership; Compensation [DP 98]

Section 7. Parish School Boards; Parish Superintendents [DP 98]

Section 8. Existing Boards and Systems Recognized; Consolidated [CP 98]

Section 9. Appropriations; State Boards [DP 98]

Section 10. Appropriations; Higher Education [DP 98]

Section 11. Funding; Apportionment [DP 98]

Section 12. Tulane University [DP 98]

*Debated as a single proposal rather than by sections.
D.P. 53, IX, 3065-3088
Education
## ALTERNATIVE PROPOSALS CONSIDERED BY THE CONVENTION

[The following are subject matters on which the Convention considered and rejected alternative proposals to be presented to the electorate.]

<table>
<thead>
<tr>
<th>Proposition</th>
<th>Date</th>
<th>Volume</th>
<th>Convention Day</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ad Valorem Taxation</td>
<td>1/18</td>
<td>IX</td>
<td>121st</td>
<td>3395-3426-3436</td>
</tr>
<tr>
<td>Appointment of Certain Officials in Lieu of Election</td>
<td>1/19</td>
<td>IX</td>
<td>122nd</td>
<td>3395-3396, 3436-3440</td>
</tr>
<tr>
<td>Attorney General, Powers</td>
<td></td>
<td>IX</td>
<td></td>
<td>3396-3407</td>
</tr>
<tr>
<td>Executive Branch Composition</td>
<td></td>
<td>IX</td>
<td></td>
<td>3395-3397, 3440-3444, 3474</td>
</tr>
<tr>
<td>Governor, Succeed Himself</td>
<td></td>
<td>IX</td>
<td></td>
<td>3395, 3424-3426</td>
</tr>
<tr>
<td>Legislative Sessions</td>
<td></td>
<td>IX</td>
<td></td>
<td>3396-3397, 3440-3444, 3474</td>
</tr>
</tbody>
</table>

## PROPOSAL SECTIONS REJECTED BY THE CONVENTION ON FINAL PASSAGE

[The following is a list of those sections of proposals considered by the Convention and rejected on final passage which do not otherwise appear as cross-reference in the sectional index, above.]

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Volume</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acreage Taxes</td>
<td>VIII</td>
<td>2137-2139, 2141-2147</td>
</tr>
<tr>
<td>Adjutant General</td>
<td>VI</td>
<td>701-702</td>
</tr>
<tr>
<td>Appropriations by Legislature to Political Subdivisions</td>
<td>VIII</td>
<td>1557-1561</td>
</tr>
<tr>
<td>Assessment Ratio Studies</td>
<td>VIII</td>
<td>2136-2137</td>
</tr>
<tr>
<td>Burial of Indigents</td>
<td>IX</td>
<td>3102-3103</td>
</tr>
<tr>
<td>Candidacy for Public Office</td>
<td>VII</td>
<td>1667-1669</td>
</tr>
<tr>
<td>Charter Ratification</td>
<td>IX</td>
<td>3484-3485</td>
</tr>
<tr>
<td>Citizenship</td>
<td>VII</td>
<td>1711-1714</td>
</tr>
<tr>
<td>Commissioners and Poll Watchers</td>
<td>VII</td>
<td>1685-1686</td>
</tr>
<tr>
<td>Compensation of Persons Wrongfully Convicted</td>
<td>VII</td>
<td>1226-1232, 1249-1252, 1269</td>
</tr>
<tr>
<td>Compulsary Arbitration</td>
<td>IX</td>
<td>2488-2494</td>
</tr>
<tr>
<td>Constitutional Amendments Limitation</td>
<td>IX</td>
<td>2808-2810</td>
</tr>
<tr>
<td>Consumer Protection</td>
<td>VI</td>
<td>700-701</td>
</tr>
<tr>
<td></td>
<td>IX</td>
<td>3197-3198</td>
</tr>
<tr>
<td>Election Contests</td>
<td>VII</td>
<td>1689</td>
</tr>
<tr>
<td>Election Fraud</td>
<td>VII</td>
<td>1689-1691</td>
</tr>
<tr>
<td>Election Returns</td>
<td>VII</td>
<td>1686-1688</td>
</tr>
<tr>
<td>Topic</td>
<td>Volume</td>
<td>Pages</td>
</tr>
<tr>
<td>------------------------------------------------------------</td>
<td>--------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Expenses of the Judiciary</td>
<td>IX</td>
<td>3182-3186</td>
</tr>
<tr>
<td>Extension of Homestead Exemption to Additional Millages</td>
<td>VIII</td>
<td>2221-2228</td>
</tr>
<tr>
<td>Free Elections</td>
<td>VII</td>
<td>1635-1636, 1641-1642</td>
</tr>
<tr>
<td>Geothermal Resources</td>
<td>IX</td>
<td>2933-2936</td>
</tr>
<tr>
<td>Investment Policy</td>
<td>IX</td>
<td>2909-2910</td>
</tr>
<tr>
<td>Liberal Construction of Home Rule Powers</td>
<td>VII</td>
<td>1415-1416</td>
</tr>
<tr>
<td>Limitations on Banking</td>
<td>IX</td>
<td>3088-3099, 3106-3112, 3237-3239</td>
</tr>
<tr>
<td>Maximum Charges for Attorney Fees</td>
<td>VIII</td>
<td>2217-2221</td>
</tr>
<tr>
<td>Maximum Debt Services</td>
<td>IX</td>
<td>2879-2883</td>
</tr>
<tr>
<td>Minority Representation</td>
<td>IX</td>
<td>2399</td>
</tr>
<tr>
<td>Multi-parish Districts</td>
<td>VIII</td>
<td>2136</td>
</tr>
<tr>
<td>Natural Resources Management Policy</td>
<td>IX</td>
<td>2917-2920</td>
</tr>
<tr>
<td>Open Primary</td>
<td>VII</td>
<td>1647-1648, 1701-1702</td>
</tr>
<tr>
<td>Political Activities</td>
<td>VII</td>
<td>1660-1663</td>
</tr>
<tr>
<td>Preservation of Evidence</td>
<td>VI</td>
<td>807-809</td>
</tr>
<tr>
<td>Qualification and Certification of Teachers</td>
<td>VIII</td>
<td>2315-2316</td>
</tr>
<tr>
<td>Removal by Address of Legislature</td>
<td>V</td>
<td>474-476</td>
</tr>
<tr>
<td>Residency</td>
<td>VII</td>
<td>1657-1660, 1714-1715</td>
</tr>
<tr>
<td>Right to a Healthful Environment</td>
<td>VII</td>
<td>1253-1255</td>
</tr>
<tr>
<td>Right to Suspensile Appeal in Expropriation Cases</td>
<td>VII</td>
<td>1576-1578</td>
</tr>
<tr>
<td>Supremacy of the Constitution</td>
<td>VII</td>
<td>1572-1574</td>
</tr>
<tr>
<td>Term of Office</td>
<td>VII</td>
<td>1669-1670</td>
</tr>
<tr>
<td>Uniform Compensation</td>
<td>IX</td>
<td>2527-2531</td>
</tr>
<tr>
<td>Voter Registration</td>
<td>VII</td>
<td>1645-1649, 1688-1689</td>
</tr>
<tr>
<td>Zoning</td>
<td>VII</td>
<td>1549</td>
</tr>
</tbody>
</table>
Subject Matter Index

| Committee on Bill of Rights and Elections | Retirement (13) 250-251, 368-370 |
| Committee on Jurisdiction | Right to Work (13) 428-435 |
| | School Lunches (13) 454 |
| | Sixteenth Section Lands (13) 248, 442 |
| | Superintendent (13) 290, 296-273, 440, 450 |
| Committee, Executive | Committee on the Executive Department |
| Composite (14) 1359-1380 |
| Minutes (14) 1289-1380 |
| Committee on the Executive Department | Attorney General (11) 58-59, 233-234 |
| [see also Executive Branch] | Background Material (11) 171-173, 222-224 |
| | Cabinet Form (11) 77-90, 186-188 |
| | Commission of Agriculture (11) 33-35 |
| | Commission of Elections (11) 31-33, 142-149 |
| | Elected Officials (see Executive Department, generally) |
| Ethics (11) 41-42 |
| Forestry Commission (11) 42-45 |
| Governor (see Executive Department, generally) |
| Impeachment (11) 215-221 |
| Jurisdiction (11) 3-8, 232-235 |
| Legislative Auditor (11) 56-57 |
| Lieutenant Governor (11) 29 |
| Minutes (11) 3-153 |
| Minutes, subcommittee (11) 154-170 |
| Officials (see Executive Department, generally) |
| Pardons (11) 70 |
| Proposals (11) 60-70, 110-113, 119-129, 234-235 |
| Proposals, subcommittee (11) 155-170 |
| Registrar of State Lands (11) 24-28 |
| Powers of Officials (11) 173, 186, 189-215 |
| Reorganization (11) 91-104, 215 |
| Secretary of State (11) 9 |
| Tax Commission (11) 52-56 |
| Treasurer (11) 30 |
| Wildlife and Fisheries (11) 38 |

Committee on Judiciary

[see also Judicial Branch]

Appointment of Judges (11) 365-307
Attorney General (11) 279, 342-343
City Courts (11) 283-286, 312-313
Court of Appeals (11) 283-286
Correspondence (11) 374-387
District Attorneys (11) 309-310
District Courts (11) 228-289, 274-275, 298, 302-303
Forced Heirship (11) 314-358
Justice of the Peace (11) 307
Judicial Administrator (11) 299, 309-309, 311
Juvenile Commission (11) 312, 358
Juvenile (Family) Court (11) 279, 283-286, 295-299
Index (Memoranda) (11) 319
Mayor's Court (11) 251, 283-285, 210-311
Meeting Materials (11) 282-318
Minutes (11) 239-281
Orleans Parish (11) 272-273, 274, 295-297, 361
Parish Courts (11) 390-362
Proposals (11) 318, 320-338, 340-356, 363-373
Resolutions (11) 244-245, 343-345
Retirement (11) 251, 256, 277, 396-396, 375-379
Sheriffs (11) 357
Supreme Court (11) 269-270, 283-283, 297

Schedule (Committee) (11) 241-242
Committee on Legislative Liaison and Transitional Measures
Disposition Charts (11) 1059-1088
Minutes (11) 1031-1053
Miscellaneous Documents (11) 1054-1058
Committee on Local and Parochial Government
[see also Local Government]
Minutes 3-101
Minutes, subcommittee 102-167
Jurisdiction 97-101, 178, 249, 288, 289
New Orleans 157-162, 193-194, 222
Transitional Measures 163-166, 189-190
Levee 123-126, 188, 215, 256, 284-285
Ports and Harbors (see Transportation)
Sewerage (see Levees)
Annexation, 167
Municipalities, Tax Liability 170, 183, 185
Recall 171, 187
Fordham Plan 172, 243, 264
Intergovernmental Co-operation 174, 177
Zoning, 175
Obsolete Constitutional Provisions 177-178, 179
Public Officials, Terms 177
Drafting 179
Domed Stadium 179
Supremacy 180
Proposals 181
Classification 182
Local and Special Laws 184, 188
Extraterritorial Powers 187
Proposals 194-245
Home Rule 213, 214, 249, 263
Governmental Finance 233-244 (see also Specific Topics)
Bonds 179, 180, 191, 193, 243, 250-254, 274-279
Sales Tax 265-267
Correspondence 270-273, 279-284
Committee on Legislative Powers and Functions
[see also Legislative Branch]
Amendments (10) 222-224, 226-229
Board of Liquidation of State Debt (10) 205
Committee Conflicts (10) 191-192, 263, 265
Conflict of Interest (10) 254-255
Domicile (10) 253
Enacting Clause (10) 250
Impeachment (10) 256-259
Jurisdiction (10) 188-190
Legislative Bureau (10) 260
Lieutenant Governor (10) 197-200, 259
Local and Special Laws (10) 205
Loggeds (10) 237
Minutes (10) 165-231
Procedure (10) 220-240
Proposals (10) 205-218, 222
Qualifications (10) 214, 232
Reapportionment (10) 194-195, 215, 243-250
Sessions (10) 213, 233-235
Size (10) 214, 240
Sovereign Immunity (10) 260-262
Terms (10) 241-242
Vacancies (10) 251-253
Signing of

Bills;

Delivery to Governor (5)

443-445, (9) 2514, 2518
Size (5) 312-316, (9) 2509
Style of Laws; Enacting Clause (5) 437, (9)

2510
Suspension of Laws (5) 452-462, 480^81, (9)
2515
Taking Office (5) 495-496, (9) 2515-2516

Local Government
[see also CuitDtiittee

on Local and Parochial

GoveniDient]
Acquisition of Property (7) 1563-1565, (9) 3328
Assistance to Local Industry (7) 1523-1536, (9)

Bond Issues

(7) 1604, (8) 2203, (9)

3331

Classification (7) 1315-1319, (9) 3325

Compensation for Property Destroyed (Levee
Purposes) (7) 1604-1609, (8) 2203-2216, (9)
3332
Codification of Ordinances (7) 1465-1466, (9)
3326
Contesting Political Subdivision Bonds (7)
1578, (8) 2173-2174, 2177-2180, 2199-2201,
(9) 3330
Cooperation with Federal Government (7)
1604-1609, (8) 2203-2216, (9) 3332
Courts Not Affected (9) 3329
Existing Home Rule Charters (7) 1319-1340,
1432, (9) 3325

Increasing Financial Burden of Political
Subdivisions (7) 1477-1501, (9) 3326
Industrial Areas (7) 1509-1515, (9) 3327-3328
Intergovernmental Cooperation (7) 1519-1523,
1549-1556, 1574-1576, 1604, (9) 3328
Rule Charter (7) 1340-1353, 1356, 1394,

Home

Taxing Power (7) 1578,
3329
Other Local Subdivisions (7)
1395-1415, (8) 1427-1432, (9) 3325
Port Commissions and Districts (7) 1609-1632,
Political Subdivisions

(8) 2166-2167, (9)

Powers

of

(9) 3331
Procedures for Certain Special Elections (7)
1561-1563, (9) 3328
Revenue Producing Property (7) 1578. (8)

2176-2177, 2201-2202, (9) 3331
Servitudes of Way, Acquisition by Prescription
(7) 1565-1572, (9) 3328
Special Districts (7) 1515-1519, (9) 3328
Special Districts and Local Public Agencies (7)
1501-1506, (9) 3326-3327
Special Taxes (7) 1578, (9) 3329
Taxes, Ratification (7) 1578, (8)2167-2128, (9)
3329, 3330, 3332
Terms, Defined (7) 1632-1635, (9) 3331
Vacancies (7) 1473-1476, (9) 3326

Natural Resources
on Natural Resources and
Environment]
Water Bottoms (9) 2936-2942,

[see also Coniiiiittee

the

Alienation of

Forestry (9) 2971-2978, 3359
Natural Gas (9) 2920-2933, 3036-3041, 3358
Natural Resources and Environment; PubUc
Policy (9) 2911-2913, 3358
Public Notice; Public Bidding Requirements (9)
2986-2993, 2999-3004, 3358
Reservation of Mineral Rights; Prescription (9)
2942-2944, 3358
Tidelands Ownership (9) 2945-2951, 3358-3359
Wildlife and Fisheries

Commission

(9)

2957-2971

1432, (9) 3325

Home

Rule Charter Legislature Prohibited (9)
3323
Rule Parish (7) 1416-1426, 1432-1442, (9)
3326
Land Use; Zoning; Historic Preservation (7)
1506-1508, 1523-1548, (9) 3327

Home

Levee

Districts (7) 1578-1588, (8) 1589-1598,

(9)3331
Levee District Taxes

(7) 1598-1604, (8)

2202-2203, (9) 3331
Limitations on Bonded Indebtedness (7) 1578,
(8) 2170-2173, 2180, 2202, 2216-2217
Limitations of Local (Governmental
Subdivisions (7) 1442-1465, (9) 3326

Local Governmental Subdivisions Control Over
Agencies (7) 1501-1506, (9) 3326-3327
Local CJovemmental Subdivisions;
Occupational License Tax (7) 1578, (8)
2154-2155, (9) 3329
Local (jovemmental Subdivisions and School
Boards; Sales Tax (7) 1578, (8) 2155-2166,

(9)3329
Local Improvement Assessments (7) 1578,
2174-2176, (9) 330
Local Officials (7) 1466-1469, 1472-1473. (9)

3326
Local Officials, Compensation (7) 1469-1472,
(9) 3326
Municipal Ad Valorem Tax (7) 1578, (8) 2154,
(9) 3331-3332
Municipalities (7) 1314-1315, (9) 3322-3325,
;i332

Parish

Ad Valorem Tax

(9)

Public Officials and Employees
[see also Committee on Education and
Welfare]

Systems (9) 2594-2616, 2617-2647,
2648-2665, 2666-2700, 2701-2726,
2727-2768, 3071-3072, 3335-3363,
3364-3366, 3500

Civil Service

Code of Ethics (7) 1275-1295, (9) 3260
Compensation of Elected Officials (5) 377-388,
390-397, (9) 2510
Vacancy (6) 684, (9) 3268
Dual Employment and Dual Officeholding (7)
1717-1725, (9) 3260
Filling of Vacancies (6) 681-684, (9) 3268
Fire and Police Civil Service (9) 2769-2789,
2812-2821, 3357
Impeachment (5) 464-475, (9) 2515, 2520
Oath of Office (9) 3082-3084, 3308
Recall (5) 477478, (9)2515
Removal by Suit; Official Subject (5) 477, (9)
2515
Retirement and Sur\-ivor's Benefits (9)
2560-2593, 3284-3286
Definition of

Taxation

]

Ad Valorem Taxes

(7) 1726-1734, 1735-1763,

(8) 1765-1799, 1803-1836, 1837-1855,

1856-1881, 1882-1903, (9) 3308-3309,

3313-3314

Parishes (7) 1296-1314, (9) 3322
Political Subdivisions (General Obligation Bonds
(7) 1578, (8) 2168-2170, (9) 3329-3330

(7)

1734, (8) 2006-2017, 2050-2063, (9) 3312

Budgets

3353
Collection of Taxes (9) 2793, 3322, 3350
Donation, Loan, or Pledge of Public Credit (9)
28%-2901, 2907-2908, 3354
(9) 2522-2527, 2895-2896,

(itijv.il -2895,

3353

(7) 17o4-1744, (8)
1803-1836, 1837-1855, 1856-1887,
1882-1903, 1905-1913, (9) 3308-3309,

3313-3314

Income Tax; Severance Tax;

Political

Subdivisions (9) 2793-2794, 2828-2839,
2840-2875, 2906, 2908-2909, 2998-2999,

3350
Investment of State Funds

(9) 2896, 2901-2902,

3354
Legislation to Obtain Federal Aid (9) 2906,

3354

Motor Vehicle License Tax

(9) 2794-2800,

3350-3351

No Impairment

Taxes or
Obligations (7) 1734, (8) 2004-2006, (9)
of Existing

3312

Other Property Exemptions

(8) 1905-1913,
2036-2050, (9) 3308-3309, 3310-3312,
3313-3314, 3314-3318, 3381-3391, 3420

Power

to Tax; Limitation (8) 1800-1803, (9)
2790-2793, 3350

Power

to Tax; Public Purpose (9) 2789-2790,
3349-3350
Release of Obligations to State, Parish, or
MunicipaUty (9) 2902-2906, 3354
Reports and Records (9) 2896, 2901-2902, 3354
Revenue Sharing Fund (7) 1735, (8)2017-2019,

2020, 2063-2078, 2079-2115, 2123-2130, (9)

3312

Bond Commission (9) 2883-2888, 3352
State Debt; Full Faith and Credit Obligations
(9) 2800-2807, 2906-2907, 3351-3352,
3366-3371
State Debt; Interim Emergency Board (9)
2821-2828, 3352
State Funds (9) 2888-2891, 3353. 3372-3373
State Property Taxation; Rate Limitation (7)
1734, (8) 1800-1803, 1849-1855, 1903-1905,
(9) 3308
Tax Assessors (7) 1735, (8) 2115-2116,
2117-2123, 2130-2135, (9) 3312-3313
Tax Sales (8) 2140-2141, 2147-2151, (9) 3313
Taxes; Prescription (9) 3354
State

Transitional Measures
[see also Committee on Legislative Liason and
Transitional Measures ]
Alternative Article VIII (9) 3407-3419, 3423,
3444-3445, 3479, 3503-3556
Alternative Proposition (9) 3407-3419, 3423,
3444-3445, 3479, 3503-3556
Board of Regents (9) 2551-2553, 33&3
Board of Supei-visors of Louisiana State
University (9) 2553, 3363
Board of Supervisors of Southern University
(9) 3485-3486
Boards; New Appointments (9) 2554-2557, 3363
Civil Sei-vice

Revenue and Finance
[see also Committee on Revenue, Finance and

Adjustment of Ad Valorem Tax Millages
(7) 1578, (8) 2151-2154,

3330

Expenditure of Stale FuihI-

Homestead Exempti<JM.s

Commission; State; Cities

(9)

3179-3180
Civil Service Officers;

Employees; State; Cities

(9) 3180
Commissioner

of Elections (9) 3470-3471,
3546-3547
Constitution Not Retroactive (9) 3466-3467,
3546-3547
Continuation of Actions and Rights (9)
3461-3463, a>16-3547
Effect of Adoption (9) 3486-3490, 3546-3547
Effect of Titles (9) 3460-3461, 3546-3547
Effective Date (9) 3458-3460, 3471-3474,
3546-3547

[1607]


Effective Date of Property Tax Provisions (9) 3313
Exemption from Seizure and Sale (9) 3471, 3546-3547
Existing Laws (9) 3100-3101, 3483-3484, 3546-3547
Existing Officials (9) 3475-3476, 3546-3547
Forfeitures Prior to 1800 (9) 2902-2906, 3354
Impairment of Debt Obligations Prohibited (9) 3466, 3546-3547
Judiciary Commission (9) 3468-3469, 3546-3547
Legislative Provisions (9) 3467-3468, 3546-3547
Legislative Sessions (9) 3177-3179
Levee Districts; Compensation for Property (9) 3469-3470, 3546-3547
Limitation on Transitional Provisions (9) 3449-3458, 3546-3547
Mandatory Reorganization of State Government (6) 697-700, (9) 2494-2507, 3260
Offshore Mineral Revenues; Use of Funds (9) 2947-2952, 2953-2956, 3358
Pardon Board (9) 3469, 3546-3547
Ports; Transition to Statutes (9) 3484, 3546-3547
Prescription; Tidelands Taxes (9) 3354
Protection of Existing Taxes (9) 3463-3466, 3546-3547
Provisions of Constitution of 1921 Repealed (9) 3483-3484, 3546-3547
Provisions of 1921 Constitution Made Statutory (9) 3476-3483, 3546-3547
Public Service Commission (9) 3485, 3546-3547
References to 1921 Constitution (9) 3469, 3546-3547
Severability Clause (9) 3495-3498, 3546-3547
State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities (9) 2553-2554, 3363
Statewide Elected Officials (9) 3469, 3546-3547
Suits Against the State; Effective Date (9) 3471, 3546-3547
Transition to Board of Regents and State Board of Elementary and Secondary Education (9) 3491-3495, 3555
NON-DELEGATES

A

Adams, Bert A. (12) 481, 483, 484
Adams, Clifford C. (11) 356
Adams, Tom (11) 157
Abernathy, Byron B. (11) 234
Alcock, Gene (13) 429
Alexander, C. J. (12) 48
Alexander, Gerald (12) 258-59
Alexander, J. Earl (12) 272
Alexander, James R. (11) 357
Alford, Steve (11) 357
Alhain, Ray (13) 20
Allen, Douglas A. (11) 244, 287, 382-83
Allen, Elsie J. (10) 6
Allen, Harwell L. (11) 305, 356
Alpert, Charles (13) 573
Alvares, Ted (Rep.) (13) 494
Amos, George (13) 626
Anderson, Wendell R. (Gov.) (13) 99
Andres, Smiley (10) 24
Angel, J. Burton (11) 36 (13) 486, 609
Anseman, M. G. (10) 14, 16, 153, 166
Anzelmo, Salvador (12) 103
Apple, H. S. (10) 24
Arceneaux, Charles (12) 271
Arceneaux, James (12) 145
Arceneaux, William (13) 123, 132, 138
Arnold, Allan C. (12) 38, 324
Artell, J. J. (11) 511
Ashman, Allen (11) 245, 295
Attaway, Miriam (10) 25
Augustine, Israel M. (11) 305, 357
Awagain, Kirby K. (13) 138, 141
Ayres, H. W. (11) 293

B

Babin, Stanley (10) 25 (13) 46
Babineaux, Allen M. (10) 110 (11) 357
Badeaux, J. A. (10) 14, 153
Baden, Fred H. (12) 683
Bagert, Ben (11) 242, 244, 287, 305, 342, 356, 384
Bailey, James Dr. (13) 76, 261, 262
Bailey, Wallace (13) 53
Baldwin, Cuthbert S. (11) 304
Ballard, Melvin (5) 2
Balsley, Howard L. (12) 645
Banister, Ross (10) 14, 125, 126
Barkston, Albert (14) 1356
Barkston, Jesse (13) 6, 46, 90, 91, 116-19, 138, 277
Bare, Allen R. (13) 425-26
Barham, Mack E. (11) 243
Barker, Paul (13) 58
Barker, Thomas M. (12) 19-21, 273
Barranger, Kenneth (13) 516
Barre, Melvin P. (11) 242, 310, 342
Barthelemy, Sidney (11) 278
Bass, Charles M., Jr. (11) 304
Battle, Turner W. (11) 39-40
Batz, Roger (10) 7, 16, 24, 27
Bauer, Carl (10) 176, 178
Bayh, Birch (11) 185
Beard, Jack (11) 311
Bebout, John E. (10) 179, 182
Beck, Karen D. (11) 294
Beck, Raymond (13) 169, 190
Becker, Rudolph F., III (11) 357
Becnel, Sidney (12) 766
Beeson, John (12) 484
Bell, Murphy (11) 243
Bellar, Melvin (10) 27
Bennett, Dale (10) 116
Bennett, Frank W. (10) 310, 320-21
Bennett, William T. (11) 293, 305, 357
Benton, Fred, Sr. (8) 2187-90 (12) 17, 38, 124, 142-43, 149-50, 274-78, 282, 355 (13) 384
Benton, Fred, Jr. (12) 145, 274
Bernard, Sherman (11) 10, 13-20
Bernstein, Joseph (12) 39
Berri, Manuel P. (13) 455-47
Berry, Benjamin L. (11) 357
Bertrand, Lucien, Jr. (11) 357
Beslin, Donald A. (11) 305
Best, Ken (12) 234
Beven, Terence (10) 25
Beychok, Sheldon (11) 4
Bickham, Thomas (12) 7
Bier, Peter (12) 309
Black, Trudy (12) 27
Blackman, John C.
Blake, W. D. (12) 310, 314-15
Blaine, James G. (13) 95
Blanche, Fred A., Jr. (11) 299
Blessing, Leo R. (11) 279, 285
Blomberg, Mildred (13) 38
Blomberg, Robert (11) 254
Bobbs, John, Jr. (11) 310
Boggs, Lindy (8) 1552
Boggs, T. Hale (10) 153
Bolin, C. J., Jr. (11) 246, 299, 305, 357
Bollens, John C. (12) 176
Bond, H. (13) 436
Bonner, Edward (14) 1200
Bonner, Everett J. (11) 1297
Bonin, Garland (13) 156, 157
Bonnecaurre, C. J. (12) 477 (13) 457
Booher, Edward (11) 254, 299
Bosetta, Joseph R. (11) 305
Bordes, Ed (13) 561
Borron, Paul (13) 550
Borton, Mark E. (12) 182
Boudreaux, F. E. (12) 328
Boudreaux, Lester J. (13) 220
Boudreaux, Ruben J. (12) 273
Bourg, Baron B. (11) 305, 357
Bowes, Fred S. (11) 356
Boyd, Joe (13) 110
Boyd, R. P., Jr. (11) 305, 357
Boyd, William J. D. (10) 244
Braden, George D. (12) 245-46 (14) 1047-53
Bradley, C. William (11) 356
Bradley, John W. (13) 164, 171, 185-86, 287-88
Brahney, Thomas H., Jr. (11) 356
Bramiff, Matthew S. (11) 245, 285, 305, 357
Brant, Irving (11) 220
Braud, Francis J. (13) 609
Breaux, Jack (12) 7
Brehm, Stuart (12) 158, 245
Brendler, J. S. (12) 329, 330-31
Brener, Mike (10) 24
Brindell, James R. (13) 572
Britton, Harvey (10) 24
Broadhurst, Bob (12) 327
Brooksher, Robert R. (11) 131-35 (12) 352 (13) 512, 514-15
Broom, George A. (12) 671-72
Broughton, Robert (13) 533
Broussard, Arthur (10) 30
Broussard, Elmo, Jr. (11) 311
Broussard, Marcus A., Jr. (11) 305
Brown, David (Mrs.) (10) 16

[1621]
Swanson, A. L. (13) 130
Sweeney, H. K. (13) 155-56, 158
Swift, Goulding William, Jr. (11) 305, 356

T
Tanner, Thomas W. (11) 357
Tapp, Charles (11) 59 (13) 160-62, 158, 339
Tarver, Gene F. (11) 3, 5-8, 163, 186, 232, 239 (12) 3, 274 (14) 1464
Tarver, Leon (11) 37, 38 (12) 39
Tate, Paul (10) 22
Tatum, Scott (5) 1
Taylor, Cecil G. (13) 123
Taylor, W. T. (12) 490, 499
Taylor, William T., Jr. (11) 37, 49-51
Theis, Arthur R. (13) 552-53
Templet, J. W., Jr. (12) 271-72
Terrell, James C., Jr. (11) 357
Theriot, Roy (11) 9
Thibaut, James H. (13) 550, 551, 561, 613-14
Thomas, Ashton (10) 24, 158-59 (13) 157, 159
Thomas, Lea S. (11) 305
Thompson, Sandra (13) 533-54
Thompson, Troy W., Jr. (12) 273
Thompson, W. W. (12) 485
Tierney, Karlene (10) 4, 24, 27 (14) 1369
Tigar, Michael (10) 98
Timberlake, Robert E. (13) 608
Toefner, Chris (13) 38
Toefner, Betty (13) 35
Tollett, Charles
Toups, Leonard (12) 18, 35-37
Traigle, Joseph N. (11) 38 (12) 357, 365, 679, 682, 683
Trauth, Leycheester L. (11) 243
Treece, Joshua R. (10) 109
Trent, Louis P. (11) 245, 295
Troy, Richard (13) 326, 335
Trygg, John E. (13) 502, 503-11
Tucker, John H., Jr. (10) 139
Tundermann, David (13) 572
Turcan, Benny (12) 179
Tureaud, A. P. (13) 139
Turner, Lewis (13) 210
Turnley, Richard (13) 184, 287, 288
Tuttle, William E. (12) 401, 462, 477

U
Ullo, Chris (12) 16, 310, 322-23

W
Wade, Thomas L., III (11) 186
Waechter, A. J. (12) 158, 329, 334
Walker, Annabell (10) 4
Walker, Lillian (10) 24
Walker, Mable (10) 4
Wall, Charles (12) 16, 145
Walters, Lamar (13) 147
Ward, Charles R. (11) 357
Ward, Hugh T. (12) 44, 48-52 (13) 164, 168-70, 288
Ward, John F., Jr. (10) 25
Ward, John (12) 426
Ware, Edwin O. (6) 876-77, 878 (10) 14, 24, 145-48 (13) 193, 208 (11) 59, 243, 246, 279, 310, 389
Ware, Jim (12) 427, 457-58
Wascom, Wayne (12) 671-72
Watson, Arthur C. (12) 671
Watson, Jack (11) 277
Watts, C. O. (12) 35
Wayne, James (12) 6
Weaver, Bernice (14) 334
Weaver, Burton (12) 351
Webb, Arthur (12) 389, 390, 675
Webb, Philip A., Jr. (12) 158, 279
Webb, Roy D. (11) 242, 342
Weekly, Nell (13) 162, 330
Weignard, Chip (12) 158
Weiler, Nancy (10) 7
Weist, Bernard J. (13) 157
Wendell, Mitchell (12) 181
West, Robert (13) 110
Wheeler, Katherine (14) 1369, 1370, 1371
Wheeler, Mark (10) 24
Wheeler, Patton G. (11) 234
Whetstone, W. E. (13) 136
White, Bill (12) 6
White, Donald L. (12) 310, 311
Whitefield, George (13) 184, 186
Whitford, W. P. (13) 423
Whitmore, Will W. (10) 30
Whitstone, Ed. (13) 138
Whittinghill, Don (13) 527-28
Wicker, Thomas (11) 248, 299, 357
Wiggins, Adolf (14) 1200
Wigmore, John H. (11) 301, 302
Williams, Ashford (13) 117, 277
Williams, Elizabeth (13) 619
Williams, Richard B. (11) 305, 357
Williams, T. Harry (11) 221
Williamson, Donald (13) 117, 123, 277
Willis, Earl H., Jr. (12) 352, 364, 426
Wilkes J. A. "Bob" (11) 242, 243, 342 (12) 425, 453-54, 675
Wimbish, Sam, Jr. (12) 461, 469
Winfield, Thomas W. (13) 459
Winfield, Tom (11) 57
Wingerter, Lorain F. (11) 287
Winstone, Jerome M. (11) 357
Winters, Glenn R. (11) 246, 299
Wittie, Gertrude (12) 273
Woodin, Martin (13) 123
Wood, C. C. "Red" (11) 253, 305
Woods, William F. (11) 395
Woodward, M., Truman, Jr. (11) 382, 385-86 (12) 672-73
Workman, Lois (13) 94, 104-05
Worthy, Jack (13) 149
Wyche, Monty M. (11) 305, 357

V
Van Beek, Johannes (13) 621
Vanderbilt, Arthur T. (11) 300, 301, 302
Van Poperin, Jean (12) 457
Van Poperin, Jean (Mrs.) (12) 457
Veillon, Edgar (13) 612
Veron, Earl H. (11) 246, 299, 357
Veters, Fred (13) 561
Vidrine, Joe R. (11) 305
Vidrine, Ramson K., (13) 502
Vincent, Rodney M. (12) 687
Vincent, Ross (13) 535, 538-40

Y
Yancey, Clarence L. (11) 304
Yancey, Richard (13) 487
Yeager, Charles (13) 8, 10-11
Yelverton, Henry (11) 357
Yenni, Joseph S. (12) 6
Yiannopolous, A. N. (13) 459, 466, 475, 476-78, 480-81, 576
Young, Betris (12) 351
Young, D. S. (13) 132, 136, 138
Young, Eugene A. (12) 18

Z
Zaracchia, Frank V. (11) 305, 357
Zimmerman, Hillery (5) 276, 296
Zimmermann, Frederick L. (12) 181