Records of the Louisiana Constitutional Convention of 1973:
Journal and Calendar

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

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

BY AUTHORITY

E. L. HENRY
Chairman

MOISE W. DENNERY
Secretary

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

EIGHTY-SEVENTH DAY'S PROCEEDINGS

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

Friday, November 16, 1973, Baton Rouge, La.

The Convention was called to order at 9:00 o'clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—
Mr. Chairman .......................... Giorrussso .......................... Perez
Abraham ................................. Ginn ................................. Perkins
Aertker ................................. Goldman ............................ Pichard
Alario .................................. Graham ................................. Pugh
Alexander ............................... Gravel ................................. Rachal
Arnette ................................. Guarisco ............................. Reeves
Avant ................................... Hardee ................................. Ricke
Badeaux ................................. Hayes ................................. Roemer
Bel ........................................ Haynes ................................. Sandoz
Bergeron ............................... Heine ................................. Schmitt
Blair ..................................... Hernandez ........................... Segura
Bollinger ............................... Jack ................................. Shannon
Brien ..................................... Jackson, A. ......................... Sneytary
Brown ................................... Jackson, J. ........................ Slay
Burns .................................... Jenkins ................................. Smith
Burson ................................. Juneau ................................. Soniat
Cannon ................................. Kean ................................. Stagg
Carmouche ......................... Kelly ................................. Stephenson
Casey .................................. Kilbourne ............................. Stinson
Champagne .............................. Kilpatrick .......................... Stovall
Chatelain .............................. Lambert ............................... Sutherland
Chehardy ................................ Landrum ............................... Taper
Comar ..................................... Landry, A. ......................... Tate
Conino .................................. Landry, E. J. ...................... Thompson
Conroy ................................. Lanier ................................. Tobias
Corne ................................... LeBlue ................................. Toca
Cowen .................................. Leigh ................................. Toomy
D'Gerolamo ....................... Leithman ................................. Ullo
De Blieux ............................... Lowe ................................. Velazquez
Denner .................................. McDaniel ........................... Veach
Dennis .................................. Martin ................................. Vick
Drew ..................................... Moberret .............................. Wall
Dunlap ................................. Maybute ................................. Warren
Duval .................................. Miller ................................. Westigny
Edwards ................................. Mire ................................. Weiss
Elkins .................................... Morris ................................. Willis
Fayard .................................. Munson ................................. Winchester
Flory ..................................... Nunez ................................. Wisham
Fontenot ............................... O'Neil ................................. Womack
Fulco ................................... Ourso ................................. Zervigon
Gauthier ................................. Total—124.

ABSENT

Delegates—
Anzalone ............................. Fowler ................................. Roy
Derbes .................................. Newton ................................. Thistlewaite
Deshotels ................................

Total—7.

The Chairman announced that there were 124 members
present and a quorum.

829
The Convention ordered the Proposal engrossed and passed to its third reading.

Delegate D. Jackson moved to reconsider the vote by which the Proposal was ordered engrossed and passed to its third reading, and on his own motion, the motion to reconsider was laid on the table.

**UNFINISHED BUSINESS**

The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:

**Proposals Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 7**

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Cowen, Flory, Hernandez, Landry, Segura, Silverberg, Thistlethwaite, Toce, and Wisham:

A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Read.

**Section 13. Recognition of Existing Boards and Systems; Consolidation**

Section 13. (A) Recognition of Boards and Systems. Parish and city school board systems, in existence on the effective date of this constitution, by virtue of special or local legislative acts or previous constitutional provisions, are hereby recognized, subject to control by and supervision of the State Board of Elementary and Secondary Education and the power of the legislature to enact laws affecting them.

(B) Consolidation. Two or more school systems may be consolidated under procedures enacted by the legislature, subject to approval of a majority of the qualified electors voting in each system affected in an election called for that purpose.

Read.
Delegate Wall moved the adoption of the amendment. Delegate Dennis objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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<tr>
<th>Delegates</th>
<th>1st Name</th>
<th>2nd Name</th>
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<td>Mr. Chairman</td>
<td>Glinn</td>
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<td>Aertker</td>
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<td>Landry, E. J.</td>
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<td>Glarruso</td>
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NAYS

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NOT VOTING

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<td>Alexander</td>
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<td>Darbes</td>
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<td>Deshotels</td>
<td>Martin</td>
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<td>Fowler</td>
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<td>Goldman</td>
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<td>Jackson, J.</td>
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<td>Total—22.</td>
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And the amendment was adopted.

Delegate Wall moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

PASSAGE

Committee Proposal No. 7, Section 13 was read, as amended.

Delegate Hernandez moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

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<th>Delegates</th>
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<td>Mr. Chairman</td>
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</table>
purposes shall be made to and administered by the appropriation board, agency, or authority and shall be used solely for the operations of the institutions for which designated in the appropriations."

On motion of Delegate Corne the amendment was withdrawn.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Morris to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 8, line 12, at the end of the line, add the punctuation and word "Prohibitions"

**AMENDMENT No. 2**

On page 8, line 13, immediately after the number and punctuation "41," and before the word "The" insert "A"

**AMENDMENT No. 3**

On page 8, between lines 15 and 16, insert the following:

"(B) No appropriation of public funds shall be made to any private or sectarian school, but nothing in this Paragraph shall be construed to prohibit the supplying of free school books, school lunches, school bus transportation or other goods and services which were provided from public funds to children in private or sectarian schools and handicapped persons as of January 1, 1972. The legislature may enact appropriate legislation to permit institutions of higher learning which receive all or part of their support from the state of Louisiana to engage in interstate and intrastate education agreements with other state governments, agencies of other state governments, institutions of higher learning of other state governments and private institutions of higher learning within or outside state boundaries."

**Point of Order**

Delegate Kelly raised a point of order as to whether the subject matter contained in the amendments were germane to the Section and asked a ruling from the chair.

**Ruling of the Chair**

The Chair ruled that the amendments were in order at this time.

**Appeal From the Ruling of the Chair**

Delegate Abraham appealed the ruling of the Chair.

Under the rules the vote recurred on the question of sustaining the Chair.

By a vote of 76 yeas and 26 nays the Chair was sustained.

**Motion**

Delegate Morris moved to withdraw the amendments.

Delegate Bollinger objected.

By a vote of 82 yeas and 12 nays the amendments were withdrawn.

**Motion**

Delegate Gravel moved that the Convention recess until 1:15 o'clock P.M.

Delegate Abraham objected.

By a vote of 67 yeas and 22 nays the Convention recessed until 1:15 o'clock P.M.

**After Recess**

The Convention was called to order at 1:15 o'clock P.M. by Hon. E. L. Henry, Chairman of the Convention.

**ROLL CALL**

The roll being called, the following named Delegates answered to their names:
AMENDMENT No. 4—

On page 8, immediately after the language added by Amendment No. 3, add the following sentence:

“The legislature may enact appropriate legislation to permit institutions of higher learning which receive all or part of their support from the state of Louisiana to engage in interstate and intrastate education agreements with other state governments, agencies of other state governments, institutions of higher learning of other-state governments and private institutions of higher learning within or outside state boundaries.”

Motion

On motion of Delegate Tobias a limit of one hour was set for debate on the above amendments.

Motion

On motion of Delegate Tobias the previous question was ordered on the amendments.

Division of the Question

On request of Delegate Morris a division of the question was ordered.

Delegate Morris moved the adoption of amendments Nos. 1, 2 and 3.

Delegate Gauthier objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Aaltar

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, line 12, at the end of the line, add the punctuation and word “: Prohibitions”

AMENDMENT No. 2—

On page 8, line 13, immediately after the number and punctuation “4.” and before the word “The” insert “(A)”

AMENDMENT No. 3—

On page 8, between lines 15 and 16, insert the following:

“(B) No appropriation of public funds shall be made to any private or sectarian school, but nothing in this Paragraph shall be construed to prohibit the supplying of free school books, school lunches, school bus transportation or other goods and services which were provided from public funds to children in private or sectarian schools and handicapped persons as of January 1, 1972.”
Delegate Aertker moved to reconsider the vote, by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 15. Appropriations; Higher Education

Section 15. Appropriations for the institutions of higher education and post-secondary vocational-technical training and career education shall be made to their respective managing boards. The appropriations shall be administered by the managing boards and used solely for the operations of the institution for which designated in the appropriations.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Rayburn to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 8, line 21, after the word “solely” delete the remainder of the line and delete line 22 in its entirety and insert in lieu thereof the following:

“as provided by law.”

Delegate Rayburn moved the adoption of the amendment.

Delegate Flory objected.

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

**ROLL CALL**

The roll was called with the following result:

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| NOT VOTING |                          |              |
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And the Chair declared that the above Section was finally passed.
And the Chair declared that the above Section was finally passed.

Delegate Aertker moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 16. Funding; Elementary and Secondary Education; Apportionment
Section 16. (A) State Funds. State funds for the education of the school children of this state at the elementary and secondary levels shall be derived from the sources and shall be apportioned to the parish and city school boards in the manner hereinafter set forth:

First: After dedication of annual amounts required by this constitution to be deducted from the first moneys available to the State Supreme Court Tax Fund, and after deduction of not to exceed five hundred thousand dollars per annum to pay for the costs of collecting this tax and administering the laws pertaining to the conservation of the natural resources of the state, out of the first moneys constituting the residue then existing in the fund, the legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of this state at the elementary and secondary levels. After July first of each year, the state treasurer shall set up a fund for the payment of the amounts set forth in Paragraph (A) of this Section. When sufficient funds have accumulated in the fund for the payment of the moneys required for the purposes mentioned above, including school books and other materials of instruction, then, before the tenth day of each month, the state treasurer shall transfer to a fund in the state treasury designated as the State Elementary and Secondary Education Fund such balances as have accumulated.

Second: The proceeds of particular taxes now or hereafter levied by the legislature and dedicated, appropriated, or otherwise made available to the State Elementary and Secondary Education Fund or for the support of public schools shall be apportioned:

Third: Such other funds as the legislature has provided or hereafter provides for the education of the school children of Louisiana.

(B) Allocation of Funds. The funds specified in Paragraph (A) hereof shall be apportioned as follows:

(1) Minimum program. There shall be appropriated from the State Public School Fund and from the State General Fund sufficient funds to insure a minimum program of education in all public elementary and secondary schools. The minimum program of education to be maintained in all parish and city school systems shall be established by the State Board of Elementary and Secondary Education. The board shall adopt formulas and procedures for the distribution of these funds to the several school boards.

(2) Other state funds. Any other funds provided by the legislature for the support of public schools shall be apportioned and distributed in accordance with a formula established by the State Board of Elementary and Secondary Education, except as otherwise specifically provided for by the law appropriating the funds.

(3) Other Funds. Any funds for the education of the school children of Louisiana from any other source shall be distributed in the manner determined by the State Board of Elementary and Secondary Education, subject, however, to the terms of the laws governing such funds or the lawful stipulations of the source of the funds.

(C) Local Funds. The local funds for the support of elementary and secondary public schools shall be derived from the following sources:

First: Each parish school board, the parish of Orleans excepted, and no other parochial or municipal authority except as otherwise specifically provided for in this constitution, shall levy annually an ad valorem maintenance tax of five mills, or as much thereof as is necessary, on all property subject to such taxation within the parish.

Second: The provisions of Paragraph (C) First above shall not apply to property within a municipality which is exempt from parochial taxation. In lieu of the governing authority of each of these municipalities shall levy a tax annually and shall collect and pay, to the parish school board in which such municipality is situated, out of the proceeds of the general ad valorem tax for municipal purposes, such an amount as shall equal the rate of five mills levied hereunder by the parish school board.

The provisions of Paragraph (C) First shall not apply to
municipalities which under constitutional or legislative authority are actually operating, maintaining, and supporting a system of public schools. In lieu of such tax, however, the school board in each such municipality shall levy an annual tax of five mills on the dollar on the assessed valuation of all property within the municipality. The proceeds thereof shall be used exclusively for the support of the public schools.

Third: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar on the assessed valuation of all property within the city of New Orleans assessed for city taxation and shall certify the fact to the governing authority of the city. The governing authority shall cause said tax to be entered on the tax rolls of the city and collected in the manner and under the conditions and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

Fourth: For giving additional support to the public elementary and secondary schools, any parish, school district, or subdistrict or any municipality which supports a separate city system of public schools may levy ad valorem taxes for specific purposes, when authorized by a majority of the electors voting in the parish, municipality, district, or subdistrict in an election called for the purpose. The amount, duration, and purpose of such taxes shall be in accord with any limitations imposed by the legislature. No such tax shall be levied for a period longer than ten years, except that any tax levied to pay the costs of bonds or other debts incurred shall be levied and collected until the principal and interest on the bonds or other debts have been paid.

Fifth: The legislature may provide for additional sources of local support for elementary and secondary schools.

(D) Monroe, Bogalusa: Treatment as Parishes. For the effects and purposes of the provisions of this entire Section, the municipalities of Monroe, in Ouachita Parish, and Bogalusa in Washington Parish, and no other, shall be regarded as, and treated upon the same basis and shall have the same authority as though they were separate parishes instead of municipalities.

(E) Ouachita Parish. The school board of Ouachita Parish shall not be required to pay to the city of Monroe out of the public funds any per capita for children residing without the limits of said city and who may attend the schools maintained by the city of Monroe under its legislative charter.

Read.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Zervigon, Aertker, Roemer, Burson and Conroy to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 8, delete lines 25 through 29, both inclusive, in their entirety.

**AMENDMENT No. 2—**

On page 8, delete lines 30 through 32, both inclusive, in their entirety. On page 9, delete lines 1 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 16. (A) The legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of this state at the elementary and secondary levels."

**AMENDMENT No. 3—**

On page 9, delete lines 19 through 23, both inclusive, in their entirety.

**AMENDMENT No. 4—**

On page 9, delete lines 24 through 26, both inclusive, in their entirety.

**AMENDMENT No. 5—**

On page 9, delete lines 27 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) The legislature shall appropriate sufficient funds to insure a minimum program of education in all public elementary and secondary schools."

**AMENDMENT No. 6—**

On page 10, delete lines 6 through 17, both inclusive, in their entirety.

**AMENDMENT No. 7—**

On page 10, line 18, at the beginning of the line, delete "(C) Local Funds" and insert in lieu thereof "(C)"

**AMENDMENT No. 8—**

On page 10, delete lines 21 through 32, both inclusive, and on page 11 strike out lines 1 through 12 in their entirety and insert in lieu thereof the following:

"First: Each parish school board, the parish of Orleans excepted, shall levy annually an ad valorem maintenance tax of five mills, or as much thereof as is necessary, on all property subject to such taxation within the parish or city in the manner prescribed by law."

**AMENDMENT No. 9—**

On page 11, line 13, at the beginning of the line, delete the word "Third" and insert in lieu thereof the word "Second."

**AMENDMENT No. 10—**

On page 11, line 23, at the beginning of the line, delete the word "Fourth" and insert in lieu thereof the word "Third."

**AMENDMENT No. 11—**

On page 11, line 21, immediately after the word and punctuation "legislature," delete the remainder of the line and delete line 32, in its entirety and on page 12, delete lines 1 through 3, both inclusive, in their entirety.

**AMENDMENT No. 12—**

On page 12, delete lines 4 and 5, in their entirety.

**AMENDMENT No. 13—**

On page 12, delete line 6 in its entirety, and insert in lieu thereof the following:

"(D) For the"

**AMENDMENT No. 14—**

On page 12, delete lines 13 through 17, both inclusive, in their entirety.

Delegate Zervigon moved the adoption of the amendments.

Delegate Rayburn objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEARS**

Delegates—


Total—76.
87th Days Proceedings—November 16, 1973

Delegates—
Alario
Asseff
Avant
Bergeron
Blair
Brien
Chehardy
Comar
Conino
D’Gerolamo
De Blieux
Dennis
Fayard
Flory

Total—41.

Delegates—
Mr. Chairman
Anzalone
Brown
Derbes
Deshotels

Total—14.

NOT VOTING

Delegate Zervigon moved to reconsider the vote by which the amendments were adopted, and on her own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Keen the Convention deferred further action on Committee Proposal No. 7, Section 16, at this time.

Section 17. Tulane University

Section 17. The Tulane University of Louisiana, located in New Orleans, is hereby recognized as created and to be developed in accordance with provisions of the Legislative Act No. 43 approved July 5, 1884.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 12, delete lines 28 through 22, both inclusive, in their entirety.

Delegate Tobias moved the adoption of the amendment.

Delegate Smith objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Alario
Alexander
Asseff
Badeaux
Bel
Bergeron
Blair
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conlino
Corne
Cowen
D’Gerolamo
De Blieux
Dennery

Total—38.

Delegates—
Mr. Chairman
Aertker
Alario
Alexander
Asseff
Badeaux
Bel
Bergeron
Blair
Brien
Brown
Burns
Burson
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Corne
Cowen
D’Gerolamo
De Blieux
Dennery

Total—71.

NOT VOTING

Delegate Smith moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 7, Section 17 was read.

Delegate Aertker moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

NAYS

Delegates—
Dennis
Drew
Elkins
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Gravel
Heine
Hernandez
Jack
Kean
Kelly
Kilbourne
Kilpatrick
Landry, A.
Landry, E. J.

Total—38.

Delegates—
Mr. Chairman
Aertker
Alario
Alexander
Asseff
Badeaux
Bel
Bergeron
Blair
Brien
Brown
Burns
Burson
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Corne
Cowen
D’Gerolamo
De Blieux
Dennery

Total—71.

NOT VOTING

Delegate Smith moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Page 9

877
87th Days Proceedings—November 16, 1973

Tapper  
Tate  
Whitmer  
Toca  
Vesich  
Total—49.

NAYS

Delegates—

Arbe'l  
Avant  
Bellinguer  
Conroy  
Dunlap  
Flory  
Guarisco  
Total—21.

NOT VOTING

Delegates—

M. Chair'n  
Anzalone  
Darbe's  
Deshotels  
Edwards  
Fontenot  
Fowler  
Total—21.

And the Chair declared that the above Section was finally passed.

Delegate Aertker moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Burson the Convention took up Committee Proposal No. 7, Section 16, out of its regular order at this time.

Section 16. Funding; Elementary and Secondary Education; Apportionment

Section 16. (A) State Funds. State funds for the education of the school children of this state at the elementary and secondary levels shall be derived from the sources and shall be apportioned to the parish and city school boards in the manner hereinafter set forth.

First: After deduction of annual amounts required by this constitution to be deducted from the first moneys available to the State Sevence Tax Fund, and after deduction of not to exceed five hundred thousand dollars per annum to pay for the costs of collecting this tax and administering the laws pertaining to the conservation of the natural resources of the state, out of the first moneys comprising the residue then existing in the fund, the legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of this state at the elementary and secondary levels. After July first of each year, the state treasurer shall set up a fund for the payment of the amounts set forth in Paragraph (A) of this Section. When sufficient funds have accumulated in the fund for the payment of the moneys required for the purposes above mentioned including school books and materials of instruction, then, before the tenth day of each month, the state treasurer shall transfer to a fund in the state treasury designated as the State Elementary and Secondary Education Fund such balances as have accrued.

Second: The proceeds of particular taxes now or hereafter levied by the legislature and dedicated, appropriated, or otherwise made available to the State Elementary and Secondary Education Fund or for the support of public schools.

Third: Such other funds as the legislature has provided or hereafter provides for the education of the school children of this state.

(B) Allocation of Funds. The funds specified in Paragraph (A) above shall be apportioned as follows:

1. Minimum program. There shall be appropriated from the State Public School Fund and from the State General Fund sufficient funds to insure a minimum program of education in all public elementary and secondary schools. The minimum program of education to be maintained in all parish and city school systems shall be established by the State Board of Elementary and Secondary Education. The board shall adopt formulas and procedures for the distribution of these funds to the several school systems.

2. Other state funds. Any other funds provided by the legislature for the support of public schools shall be apportioned and distributed in accordance with a formula established by the State Board of Elementary and Secondary Education, except as otherwise specifically provided for by law.

3. Other Funds. Any funds for the education of the school children of Louisiana from any other source shall be distributed in the manner determined by the State Board of Elementary and Secondary Education, subject, however, to the terms of the laws governing such funds or the lawful stipulations of the source of the funds.

Fiscal Funds. The local funds for the support of elementary and secondary public schools shall be derived from the following sources:

First: Each parish school board, the parish of Orleans excepted, and no other parochial or municipal authority except as otherwise specifically provided for in this constitution, shall levy annually an ad valorem maintenance tax of five mills, or as much thereof as is necessary, on all property subject to such taxation within the parish.

Second: The provisions of Paragraph (C) of Section 16 here above shall not apply to property within a municipality which is exempt from parish taxation. In lieu of that, the governing authority of each of these municipalities shall levy a tax annually and shall collect and pay, to the parish school board in which such municipality is situated, out of the proceeds of the general ad valorem tax for municipal purposes, such an amount as shall equal the rate of five mills levied hereunder by the parish school board.

Fourth: The provisions of Paragraph (D) of Section 16 here above shall not apply to municipalities which under constitutional or legislative authority are actually operating, maintaining, and supporting a separate city system of public schools. In lieu of such tax, the school board in such municipality shall levy an annual tax of five mills on the dollar on the assessed valuation of all property within the municipality. The proceeds thereof shall be used exclusively for the support of the public schools.

Eighth: The Orleans Parish School Board shall levy annually a tax not to exceed three hundred mills on the dollar on the assessed valuation of all property within the city of New Orleans assessed for city taxation and shall certify the fact to the taxing authority for the city. The taxing authority shall cause said tax to be entered on the tax rolls of the city and collected in the manner and under the conditions and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board as such.

Fourth: For giving additional support to the public elementary and secondary schools, any parish, school district, or school system, or any municipality which supports a separate city system of public schools may levy ad valorem taxes for specific purposes, when authorized by a majority of the electorate voting in the parish, municipality, district, or subdistrict, in an election called for the purpose. The amount, duration, and purpose of such taxes shall be in accord with any limitations imposed by the legislature. No such tax shall be levied for a period longer than ten years, except that any tax levied to pay the costs of bonds or other debts incurred shall be levied and collected until the principal and interest on the bonds or other debts have been paid.

Fifth: The legislature may provide for additional sources of local support for elementary and secondary schools.

(D) Monroe. Bogalusa: Treatment as Parishes. For the effects and purposes of the provisions of this entire Section, the municipalities of Monroe, in Ouachita Parish, and Bogalusa in Washington Parish, and no other, shall be regarded and treated upon the same basis and shall have the same authority as though they were separate parishes instead of municipalities.

(E) Ouachita Parish. The school board of Ouachita Parish shall not be required to pay to the city of Monroe cut of the parish the amount of any per capita tax for children residing without the limits of said city of and who may attend the schools maintained by the city of Monroe under its legislative charter.
Delegate Burson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Burson, Comar, and Gravel to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, delete lines 23 through 32, both inclusive, in their entirety and on page 9, delete lines 1 through 32, both inclusive, in their entirety and on page 10, delete lines 1 through 32, both inclusive, in their entirety and on page 11, delete lines 1 through 32, both inclusive, in their entirety and on page 12, delete lines 1 through 17, both inclusive, in their entirety and delete floor amendments nos. 1 through 14, proposed by Delegate Zervigon and adopted by the convention on November 16, 1973 and insert in lieu thereof the following:

"Section 16. Funding; Elementary and Secondary Education; Apportionment

Section 16. (A) The legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of this state at the elementary and secondary levels.

(B) The legislature shall appropriate sufficient funds to insure a minimum program of education in all public and secondary schools. Such funds as the legislature appropriates shall be equitably allocated to the parish and city school systems according to formulas adopted by the State Board of Elementary and Secondary Education and approved by the legislature prior to the time such appropriation is made.

(C) Other Funds. Any funds for the education and benefit of the school children of Louisiana from any other source shall be distributed in the manner determined by the State Board of Elementary and Secondary Education, subject, however, to the terms of the laws appropriating or governing such funds.

(D) The local funds for the support of elementary and secondary public schools shall be derived from the following sources:

First: Each parish school board, the parish of Orleans excepted, shall levy annually an ad valorem maintenance tax of five mills, or as much thereof as is necessary, on all property subject to such taxation within the parish or city in the manner prescribed by law.

Second: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar on the assessed valuation of all property within the city of New Orleans assessed for city taxation and shall certify the fact to the governing authority of the city. The governing authority shall cause said tax to be entered on the tax rolls of the city and collected in the manner and under the conditions and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

Third: For giving additional support to the public elementary and secondary schools, any parish, school district, or subdistrict, or any municipality with support a separate city system of public schools may levy ad valorem taxes for specific purposes, when authorized by a majority of the voters voting in the parish, municipality, district, or subdistrict, in an election called for the purpose. The amount, duration, and purpose of such taxes shall be in accord with any limitations imposed by the legislature.

(E) For the effects and purposes of the provisions of this entire Section, the municipalities of Monroe, in Ouachita Parish, and Bogalusa in Washington Parish, and no other, shall be regarded as, and treated upon the same basis and shall have the same authority as though they were separate parishes instead of municipalities.”

On motion of Delegate Burson the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Burson, Comar, and Gravel to Committee Proposal No. 7 by Delegate Aertker, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, delete lines 23 through 32, both inclusive, in their entirety and on page 9, delete lines 1 through 32, both inclusive, in their entirety and on page 10, delete lines 1 through 32, both inclusive, in their entirety and on page 11, delete lines 1 through 32, both inclusive, in their entirety and on page 12, delete lines 1 through 17, both inclusive, in their entirety and through such elementary school systems as are included in the school districts called for by and operated under the provisions of the 1849, 1850, 1860, 1861, 1862, and 1873 acts of the legislature, and through the church and parochial schools, the school districts therein included, and also through such other schools as may be established by or under authority of this act, and the same is hereby declared to be a subject of taxation in the manner prescribed by law.

Section 16. The legislature shall appropriate sufficient funds to ensure a minimum foundation program of education in all public elementary and secondary schools. Such funds as the legislature appropriates shall be equitably allocated to the parish and city school systems according to formulas adopted by the State Board of Elementary and Secondary Education and approved by the legislature, prior to the time such appropriation is made.

(C) The local funds for the support of elementary and secondary public schools shall be derived from the following sources:

First: Each parish school board, the parish of Orleans excepted, shall levy annually an ad valorem maintenance tax of one mill, or as much thereof as is necessary, on all property subject to such taxation within the parish or city in the manner prescribed by law.

Second: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar on the assessed valuation of all property within the city of New Orleans assessed for city taxation, and shall certify the fact to the governing authority of the city. The governing authority shall cause said tax to be entered on the tax rolls of the city and collected in the manner and under the conditions and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

Third: For giving additional support to the public elementary and secondary schools, any parish, school district, or subdistrict, or any municipality which supports a separate city system of public schools may levy ad valorem taxes for specific purposes, when authorized by a majority of the electors voting in the parish, municipality, district, or subdistrict, in an election called for the purpose. The amount, duration, and purpose of such taxes shall be in accord with any limitations imposed by the legislature.

(D) For the effects and purposes of the provisions of this entire Section, the municipalities of Monroe, in Ouachita Parish, and Bogalusa in Washington Parish, and no other, shall be regarded as, and treated upon the same basis and shall have the same authority as though they were separate parishes instead of municipalities.
FLOOR AMENDMENT

Amendment proposed by Delegate Landrum to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

In Convention Floor Amendment No. 1 proposed by Mr. Burson and adopted by the Convention on November 16, 1973, at the end of line 15 of the text, add the following:

"Funds appropriated under such formulas shall include moneys for travel purposes related to educational and learning experiences."

Delegate Landrum moved the adoption of the amendment.

Delegate Duval objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

NAYS

Delegates—
Mr. Chairman, Edwards, Elkins, Fayard, Gauthier, Goldberg, Graham, Guerard, Heine, Hernandez, Juneau, Kean, Lambert, Landrum, Lowo, McDaniel, Mauberret, Miller, Mire, Morris, O'Neil, Orsco, Perkins, Pugh, Reeves, Riecke, Sander, Shonnard, Singleterry, Slipps, Stagg, Stinson, Towles, Ulo, Winchester, Zervignon, Total—44.

NOT VOTING

Delegates—
Anzalone, Fowler, Kilbourne, Martin, Munson, Newton, Perez, Roy, Segura, Stovall, Tatum, Thistlewaite, Toca, Wattigny, Womack, Total—21.

And the amendment was adopted.

Delegate LeBlanc moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Aertker and Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

In Convention Floor Amendment No. 1 proposed by Mr. Burson and adopted by the Convention on November 16, 1973, at the end of line 15 of the text, add the following:

"First: Each parish school board, the parish of Orleans excepted, and each municipality of municipal school board actually operating, maintaining, or supporting a separate school system of public schools, shall levy annually an ad valorem maintenance tax of five mills, or as much thereof as is necessary, on all property subject to such taxation
within the parish or city, as the case may be, in the manner prescribed by law."

Delegate Leigh moved the adoption of the amendment.
Delegate Conroy objected.

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

ROLL CALL
The roll was called with the following result:

**YEAS**

Delegates—
Abraham
Aertker
Alerio
Alexander
Arnette
Aseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Casey
Champagne
Chataignier
Chehardy
Comar
Conin
Corne
Cowie
D'Gerolamo
De Blieux
Dennery
Dennis
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fulco
Gauthier

Total—133.

**NAYS**

Delegates—
Mr. Chairman
Arnette
Aseff
Blair
Brown
Casey
Chehardy
Conin
Corne
Elkins
Flory
Fulco
Gauthier

Total—2.

Delegates—
Anzalone
Carmouche
Derbes
Descoteaux
Fontenot
Fowler

Total—16.

And the amendment was adopted.

Delegate Leigh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Burson to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 10, in Floor Amendment No. 1 proposed by Delegate Leigh, and adopted by the Convention on November 16, 1973, in line 8 of said floor amendment place a period ".", after the word "be" and delete the remainder of line 8 and delete line 9 in its entirety.

On motion of Delegate Burson the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 7, Section 16 was read, as amended.

Delegate Aertker moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

**YEAS**

Delegates—
Abraham
Aertker
Alerio
Alexander
Arnette
Aseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Casey
Champagne
Chataignier
Chehardy
Comar
Conin
Corne
Cowie
D'Gerolamo
De Blieux
Dennery
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fulco
Gauthier

Total—58.

**NAYS**

Delegates—
Mr. Chairman
Anzalone
Aertker
Aseff
Blair
Brown
Casey
Chehardy
Conin
Corne
Elkins
Flory

Total—53.

**NOT VOTING**

Delegates—
Anzalone
Carmouche
Derbes
Descoteaux
Fontenot
Fowler

Total—20.

Failed to pass. Motion to reconsider pending.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Juneau, Leithman, and
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 12, line 23, add the following:
"Section 18. Right to Preserve Linguistic and Cultural Heritage
Section 18. All people have the inherent right to preserve, foster and promote their respective linguistic and cultural heritage which still exists in substantial form among such people."

Delegate Corne moved the adoption of the amendment.
Delegate Stinson objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Alario
Alexander
Asseff
Badeaux
Bergeron
Blair
Bollinger
Brown
Burns
Burcon
Champagne
Chatelain
Chehardy
Comar
Conlin
Corne
D’Gerolamo
Denney
Fayard
Fuco
Gauthier

Glenn
Goldman
Gravel
Grier
Harde
Jackson, J.
Jenkins
Juneau
Kelly
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.,
LeBlanc
LeBlanc
LeBlanc
Maybux
Miller
Mire
Nunez
Perkins
Rachal
Rayburn
Reeves
Riecke
Sandoz
Stephenson
Sutherland
Tapp
Tate
Thompson
Tobias
Toca
Ulo
Velasquez
Verich
Viel
Warren
Wills
Winchester
Zervigon

NAYS

Delegates—
Abraham
Aertker
Arnette
Avant
Cannon
Casey
Conroy
De Blieux
Drew
Dunlap
Duval
Flory

Giarussso
Graham
Guarisco
Hayes
Haynes
Heine
Jackson, A.
Kean
Lanier
Leigh
Lowe
O’Neill

Planchard
Roemer
Schmitt
Singleton
Slay
Smith
Soniat
Stinson
Vick
Weiss
Wisham

NOT VOTING

Delegates—
Mr. Chairman
Anzalone
Bel
Carmouche
Cowan
Dennis
Derbes
Deshotel
Edwards
Eldins
Fontenot

Fowler
Hernandez
Kilbourne
McDaniel
Martin
Mauherret
Morris
Munson
Newton
Ouazo
Perez

Pugh
Roy
Segura
Shannon
Stagg
Stovall
Thistlethwaite
Wattignay
Wamack

Total—35.

The amendment not having received a majority vote of the total membership of the Convention, necessary to adopt a Section to a Proposal, was rejected.

Delegate Kean moved to reconsider the vote by which the amendment was rejected, and to lay the motion to reconsider on the table.
Delegate Corne objected to tabling the motion to reconsider.
By a vote of 37 yeas and 59 nays the Convention refused to table the motion to reconsider.

Motion
Delegate Corne insisted on the motion to reconsider the vote by which the amendment was rejected.
Delegate De Bleux objected.

Motion
Delegate Tobias moved to limit debate on the reconsideration to 10 minutes.
Delegate Abraham objected.
By a vote of 83 yeas and 10 nays the Convention limited the debate on the motion to reconsider to 10 minutes.

Reconsideration
By a vote of 63 yeas and 36 nays the vote by which the amendment was rejected was reconsidered.

FLOOR AMENDMENT
Amendment proposed by Delegates Juneau, Leithman and Corne to Committee Proposal No. 7 by Delegate Aertker, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 12, line 23, add the following:
"Section 18. Right to Preserve Linguistic and Cultural Heritage
Section 18. All people have the inherent right to preserve, foster and promote their respective linguistic and cultural heritage which still exists in substantial form among such people."

Delegate Corne moved the adoption of the amendment.
Delegate Kean objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Alario
Alexander
Asseff
Badeaux
Bergeron
Blair
Bollinger
Brown
Burns
Burcon
Champagne
Conroy
D’Gerolamo
Denney
Duval
Fuco
Gauthier

Glene
Goldman
Gravel
Grier
Harde
Jackson, J.
Jenkins
Juneau
Kelly
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.,
LeBlanc
LeBlanc
LeBlanc
Maybux
Miller
Mire
Nunez
Perkins
Rachal
Rayburn
Reeves
Riecke
Sandoz
Stephenson
Sutherland
Tapp
Tate
Thompson
Tobias
Toca
Ulo
Velasquez
Verich
Viel
Warren
Wills
Winchester
Zervigon

NAYS

Delegates—
Mr. Chairman
Abraham
Aertker
Arnette
Avant
Cannon
Casey
Champagne
Conroy

Cowan
De Blieux
Drew
Dunlap
Flory
Giarussso
Graham
Guarisco
Hayes

Haynes
Heine
Jack
Jackson, A.
Jackson, J.
Kean
Landrum
Landry, E. J.
Lanier

Total—46.

NOT VOTING

Delegates—
Mr. Chairman
Anzalone
Bel
Carmouche
Cowan
Dennis
Derbes
Deshotel
Edwards
Eldins
Fontenot

Fowler
Hernandez
Kilbourne
McDaniel
Martin
Mauherret
Morris
Munson
Newton
Ouazo
Perez

Pugh
Roy
Segura
Shannon
Stagg
Stovall
Thistlethwaite
Wattignay
Wamack

Total—31.
PAGE 16
87th Days Proceedings—November 16, 1973

Leigh
Lowe
Maybuce
Mire
O'Nell
Perkins
Planchar
Reeves
Total—51.

Delegates—
Anzalone
Bel
Carmouche
Derbes
Deshotel
Drew
Edwards
Elkins
Fontenot
Total—27.

NOT VOTING

Delegates—
Anzalone
Bel
Carmouche
Derbes
Deshotel
Drew
Edwards
Elkins
Fontenot
Total—27.

And the Convention refused to order the previous question on the entire proposal.

Delegate Arnette insisted upon his motion to take up other orders of business at this time.

Delegate Abraham objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario
Bergeron
Bollinger
Chatelain
Chehardy
Conroy
Corne
Duval
Gauthier
Total—26.

Delegates—
Mr. Chairman
Abraham
Aertker
Arnette
Asseff
Avant
Badeaux
Blair
Brien
Brown
Burns
Burson
Cannon
Casey
Champagne
Comar
Conino
Cowie
De Gerolamo
De Blieux
Denery
Dennis
Total—56.

NAYS

NAYS

And the Convention refused to take up other orders of business at this time.
Motion
Delegate Flory insisted at this time on motion to reconsider the vote by which Committee Proposal No. 7, Section 16, failed to pass.

Delegate LeBlanc objected.
Delegate O'Neill moved the previous question.
Delegate Drew objected.
By a vote of 74 yeas and 90 nays the previous question was ordered.

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

**ROLL CALL**

The roll was called with the following result:

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<thead>
<tr>
<th>Delegates</th>
<th>YEAS</th>
<th>NAYS</th>
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<tbody>
<tr>
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<td>Fowler</td>
<td>Velazquez</td>
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<td>Total-27.</td>
<td>Willis</td>
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Leaves of Absence
Delegate Roy—1 day.
Delegate Fowler—6 days.
Delegate Fontenot—2½ days.

Motion
Delegate Arnette moved that the Convention recess until 8:30 o'clock P.M.

As a substitute, Delegate Shannon moved that the Convention do now adjourn until Saturday, November 17, 1973, at 9:00 o'clock A.M.

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

**ROLL CALL**

The roll was called with the following result:

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<tr>
<th>Delegates</th>
<th>YEAS</th>
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<td>Arnette</td>
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<td>Giarrusso</td>
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<td>Fowler</td>
<td>Velazquez</td>
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<td>Total-27.</td>
<td>Willis</td>
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Adjournment
And the Convention adjourned until Saturday, November 17, 1973, at 9:00 o'clock A.M.

And Chairman Henry declared the Convention adjourned to Saturday, November 17, 1973 at 9:00 o'clock A.M.
ROLL CALL

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

**PRESENT**

- Mr. Chairman—Gauthier
- Abraham—Giarrusso
- Aerkir—Ginn
- Alario—Goldman
- Alexander—Graham
- Anzalone—Gravel
- Arnette—Gtir
- Aseff—Guarisco
- Avani—Harder
- Badeaux—Hayes
- Bel—Haynes
- Bergeron—Heine
- Blair—Hernandez
- Bollinger—Jack
- Brien—Jackson, A.
- Brown—Jackson, J.
- Burns—Jenkins
- Burson—Juneau
- Cannon—Kean
- Carmouche—Kelly
- Casey—Kilbourne
- Champagne—Landrum
- Chatelain—Lambert
- Chehardy—Landry, A.
- Comar—Landry, E. J.
- Conino—Lanier
- Conroy—LeBleu
- Cowen—Leigh
- D'Gerolamo—Leithman
- De Bliex—Lowe
- Denney—McDaniel
- Dennis—Martin
- Derbes—Mauberret
- Drew—Maybuc
- Dunlap—Miller
- Duval—Mire
- Edwards—Morris
- Elkins—Munson
- Fayard—Nunez
- Florio—O'Neill
- Fuco—Ourso

Total—121.

**ABSENT**

- Corne—Kidpatrick
- Deshotels—Newton
- Fontenot—Perez
- Fowler—

Total—10.

The Chairman announced that there were 121 members present and a quorum.

**Prayer**

Prayer was offered by Delegate Helne.

**Pledge of Allegiance**

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

**Reading of the Journal**

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

On motion of Delegate Sandor, the Journal of yesterday was adopted.

**Regular Order**

**Unfinished Business**

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

**Proposals Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 7—**

Introduced by Delegate Acker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Cowen, Fiery, Hernandez, Landry, Segura, Silverberg, Thistlethwaite, Toce, and Wisam: A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Read.

Section 16. Funding; Elementary and Secondary Education; Apportionment

Section 16. (A) State Funds. State funds for the education of the school children of this state at the elementary and secondary levels shall be derived from the sources and shall be apportioned to the parish and city school boards in the manner hereinafter set forth:

First: After deduction of annual amounts required by this constitution to be deducted from the first moneys available to the State Severeance Tax Fund, and after deduction of not to exceed five hundred thousand dollars per annum to pay for the costs of collecting this tax and administering the laws pertaining to the conservation of the natural resources of the state, out of the first moneys comprising the residue then existing in the fund, the legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of this state at the elementary and secondary levels. After July first of each year, the state treasurer shall set up a fund for the payment of the amounts set forth in Paragraph (A) of this Section. When sufficient funds have accumulated in the fund for the payment of the moneys required for the purposes above mentioned including school books and materials of instruction, then, before the tenth day of each month, the state treasurer shall transfer to a fund in the state treasury designated as the State Elementary and Secondary Education Fund such balances as have accrued.

Second: The proceeds of particular taxes now or hereafter levied by the legislature and dedicated, appropriated, or otherwise made available to the State Elementary and Secondary Education Fund or for the support of public schools.

Third: Such other funds as the legislature has provided or hereafter provides for the education of the school children of Louisiana.

(B) Allocation of Funds. The funds specified in Paragraph (A) hereof shall be apportioned as follows:

1. Minimum program. There shall be appropriated from the State Public School Fund and from the State General Fund sufficient funds to insure a minimum program of education in all public elementary and secondary schools. The minimum program of education to be maintained in all
parish and city school systems shall be established by the State Board of Elementary and Secondary Education. The board shall adopt formulas and procedures for the distribution of these funds to the several school boards.

(2) Other Funds. Any other funds provided by the legislature for the support of public schools shall be apportioned and distributed in accordance with a formula established by the State Board of Elementary and Secondary Education, or otherwise specifically provided for by the law appropriating the funds.

(3) Other Funds. Any funds for the education of the school children of Louisiana from any other source shall be distributed in the manner determined by the State Board of Elementary and Secondary Education, subject, however, to the terms of the laws governing such funds or the lawful stipulations of the source of the funds.

(C) Local Funds. The local funds for the support of elementary and secondary public schools shall be derived from the following sources:

First: Each parish school board, the parish of Orleans excepted, and no other parochial or municipal authority except as otherwise specifically provided for in this constitution, shall levy annually an ad valorem maintenance tax of five mills, or as much thereof as is necessary, on all property subject to such taxation within the parish.

Second: The provisions of Paragraph (C) First above shall not apply to property within a municipality which is exempt from taxation. In lieu of that the governing authority of each of these municipalities shall levy a tax annually and shall collect and pay, to the parish school board in which such municipality is situated, out of the proceeds of the general ad valorem tax for municipal purposes, such an amount as shall be equal to five mills levied hereunder by the parish school board.

The provisions of Paragraph (C) First shall not apply to municipalities which under constitutional or legislative authority operate and maintain a separate city system of public schools. In lieu of such tax, however, the school board in each such municipality shall levy an annual tax of five mills on the dollar on the assessed valuation of all property within the municipality. The proceeds thereof shall be used exclusively for the support of the public schools.

Third: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar on the assessed valuation of all property within the city of New Orleans assessed for city taxation and shall certify the fact to the governing authority of the city. The governing authority shall cause said tax to be entered on the tax rolls of the city and collected in the manner and under the conditions and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

Fourth: For giving additional support to the public elementary and secondary schools, any parish, school district, or school district, or any municipality which supports a separate city system of public schools may levy ad valorem taxes for specific purposes, when authorized by a majority of the electors voting in the parish, municipality, district, or subdivision, in an election called for the purpose. The amount, duration, and purposes of such taxes shall be in accordance with any limitations imposed by the legislature. No such tax shall be levied for a period longer than ten years, except that any tax levied to pay the costs of bonds or other debts incurred shall be levied and collected until the principal and interest on the bonds and other debts have been paid.

Fifth: The legislature may provide for additional sources of local support for elementary and secondary schools.

(D) Monroe, Bogalusa; Treatment as Parishes. For the effects and purposes of the provisions of this entire Section, the municipalities of Monroe, in Ouachita Parish, and Bogalusa in Washington Parish, and no other, shall be regarded as, and treated upon the same basis and shall have the same authority as though they were separate parishes instead of municipalities.

(E) Ouachita Parish. The school board of Ouachita Parish shall not be required to pay to the city of Monroe out of the public funds any per capita for children residing without the limits of said city and who may attend the schools maintained by the city of Monroe under its legislative charter.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 7, Section 16, when it adjourned on Friday, November 16, 1975, which was taken up and acted upon as follows:

Motion

Delegate Le Bleu moved to defer action on Committee Proposal No. 7, Section 16, at this time.

Delegate Aeriker objected.

By a vote of 28 years and 61 days the Convention refused to defer action on Committee Proposal No. 7, Section 16, at this time.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Rayburn to Committee Proposal No. 7 by Delegate Aeriker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, delete lines 23 through 32, both inclusive, in their entirety and delete pages 9, 10, and 11, both inclusive, in their entirety and on page 12, delete lines 1 through 17, both inclusive, in their entirety and delete all floor amendments adopted thereto and insert in lieu thereof the following:

"Section 16. Funding; Elementary and Secondary Education; Apportionment.

Section 16. (A) The legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the Children of this state at the elementary and secondary schools.

(B) The legislature shall appropriate sufficient funds to insure a minimum foundation program of education in all public elementary and secondary schools. Such funds as the legislature appropriates shall be equitably allocated to the parish and city school systems according to formulas adopted by the State Board of Elementary and Secondary Education and approved by the legislature prior to the time such appropriation is made.

The local funds for the support of elementary and secondary schools shall be derived from the following sources:

First: Each parish school board, the parish of Orleans excepted, and each municipality or municipal school board which shall be operating any existing, maintaining or supporting a separate city system of public schools, shall levy annually an ad valorem maintenance tax of five mills, or as much thereof as is necessary, on all property subject to such taxation within the parish or city, respectively.

Second: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar on the assessed valuation of all property within the city of New Orleans assessed for city taxation and shall certify the fact to the governing authority of the city. The governing authority shall cause said tax to be entered on the tax rolls of the city and collected in the manner and under the conditions and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

Third: For giving additional support to the public elementary and secondary schools, any parish, school district, or school district, or any municipality which supports a separate city system of public schools may levy ad valorem taxes for specific purposes, when authorized by a majority of the electors voting in the parish, municipality, district, or subdivision, in an election called for the purpose. The amount, duration, and purposes of such taxes shall be in accordance with any limitations imposed by the legislature. No such tax shall be levied for a period longer than ten years, except that any tax levied to pay the costs of bonds or other debts incurred shall be levied and collected until the principal and interest on the bonds and other debts have been paid.

Fourth: The legislature may provide for additional sources of local support for elementary and secondary schools.

(D) Monroe, Bogalusa; Treatment as Parishes. For the effects and purposes of the provisions of this entire Section, the municipalities of Monroe, in Ouachita Parish, and Bogalusa in Washington Parish, and no other, shall be regarded as, and treated upon the same basis and shall have the same authority as parishes."
Motion

Delegate Shannon moved to limit debate on the amendment to one hour.

Delegate Nunez objected.

By a vote of 55 yea and 41 nay, debate on the amendment was limited to one hour.

Delegate Rayburn moved the adoption of the amendment.

Delegate LeBleu objected.

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

ROLL CALL

The roll was called with the following result:

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<tr>
<th>Delegates</th>
<th>YEA</th>
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Passage

Committee Proposal No. 7, Section 16 was read, as amended.

Delegate Aertker moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

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And the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Point of Order

Delegate Smith suggested the absence of a quorum.

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

The roll was called with the following result:

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And the Chairman announced that there were 110 members present, and a quorum.

**Passage**

The Proposal was read, as amended.

Delegate Aertker moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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**NAYS**

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**NOT VOTING**

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<thead>
<tr>
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And the Chair declared that the above Proposal was finally passed.

**Proposals and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**Motion**

On motion of Delegate Aertker Committee Proposal No. 14, was taken out of its regular order at this time.

**COMMITTEE PROPOSAL NO. 14—**

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegate Armentor, Carmouche, Corne, Cowen, Flory, Gier, Haynes, Hernandez, Landry, Leitman, Lennox, Rachal, Riecke, Robison, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL

Making provisions for human resources through a system of economic security, social welfare, unemployment compensation, and public health.

Read.


Section 1. The legislature shall establish a system of economic security, social welfare, unemployment compensation, and public health.

Read.

**Vice-Chairman Casey in the Chair**

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Weiss to Committee Proposal No. 14 by Delegate Aertker, et al.
Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 8 through 18, both inclusive, in their entirety
Delegate Weiss moved the adoption of the amendment.
Delegate Rachal objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Jenkins</th>
<th>Schmitt</th>
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<tbody>
<tr>
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**NAYS**

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And the amendment was rejected.
Delegate Rachal moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Abraham sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Abraham to Committee Proposal No. 14 by Delegate Aertker, et al.
Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, line 16, immediately after the word “legislature” and before the word “establish” delete the word “shall” and insert in lieu thereof the word “may”

Quorum Call
Delegate Avant suggested an absence of a quorum.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

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**ABSENT**

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And the Vice-chairman announced that there were 91 members present and a quorum.
Delegate Abraham moved the adoption of the amendment.
Delegate Rachal objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:
Delegate Flory sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Flory to Committee Proposal No. 14 by Delegate Aertker, et al.

Amend printed proposal as follows:

**AMENDMENT NO. 1—**

On page 1, line 18, insert in lieu thereof the following:

"tion, public health, and comprehensive physical and mental health care."

Delegate Flory moved the adoption of the amendment.

Delegate Weiss objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario
Alexander
Avant
Blair
Boudreaux
Beller
Bollinger
Brown
Corne
Deutsch
Duval
Edwards
Fontenot
Fowler
Giarrusso
Gravel

**NAYS**

Aertker
Anzalone
Bel
Burns
Burson
Carrache
Chauvel
Chauvel
D'Geralamo
De Bileux
Dennery
Dennis
Drew

**NOT VOTING**

Mr. Chairman
Bel
Bergeron
Bollinger
Brown
Coner
Deutsch
Duval
Edwards
Fontenot
Fowler
Giarrusso
Gravel

And the amendment was adopted.

Delegate Abraham moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Jenkins to Committee Proposal No. 14 by Delegate Aertker, et al.

Amend printed proposal as follows:

**AMENDMENT NO. 2—**

On page 1, line 10, delete the words and punctuation "economic security."

**AMENDMENT NO. 3—**

On page 1, line 14, delete the words and punctuation "Economic Security."

On motion of Delegate Jenkins the amendments were withdrawn.

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Jenkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 14 by Delegate Aertker, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 18, in Floor Amendment No. 1 proposed by Delegate Flory and adopted by the convention on November 17, 1973, delete the word “comprehensive”

Delegate Jenkins moved the adoption of the amendment.

Delegate Flory objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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</thead>
<tbody>
<tr>
<td>Abraham</td>
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<td>Badeaux</td>
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<tr>
<td>Blair</td>
<td>Heine</td>
</tr>
<tr>
<td>Brien</td>
<td>Jack</td>
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<td>Cannon</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Champagne</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Conino</td>
<td>Lanler</td>
</tr>
<tr>
<td>Conroy</td>
<td>Leithman</td>
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<tr>
<td>Drew</td>
<td>Lowe</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Martin</td>
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<tr>
<td>Elkins</td>
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<tr>
<td>Fayard</td>
<td>Morris</td>
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<tr>
<td>Gauthier</td>
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</tr>
<tr>
<td>Goldman</td>
<td>O'Neill</td>
</tr>
<tr>
<td>Total—43.</td>
<td></td>
</tr>
</tbody>
</table>

**NAYS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Roy</td>
</tr>
<tr>
<td>Alexander</td>
<td>Sandoz</td>
</tr>
<tr>
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<td>Singletary</td>
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<td>Zervigon</td>
</tr>
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<td>Total—40.</td>
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</table>

**NOT VOTING**

<table>
<thead>
<tr>
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<th></th>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Gravel</td>
</tr>
<tr>
<td>Aertker</td>
<td>Guarisco</td>
</tr>
<tr>
<td>Ansalone</td>
<td>Haynes</td>
</tr>
<tr>
<td>Bel</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Keen</td>
</tr>
<tr>
<td>Brown</td>
<td>Kilbourne</td>
</tr>
<tr>
<td>Burns</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Burston</td>
<td>Lambert</td>
</tr>
<tr>
<td>Carmouche</td>
<td>LeBlau</td>
</tr>
<tr>
<td>Corne</td>
<td>Legh</td>
</tr>
<tr>
<td>Deshotels</td>
<td>McDonald</td>
</tr>
<tr>
<td>Duval</td>
<td>Maubernet</td>
</tr>
<tr>
<td>Edwards</td>
<td>Miller</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Munson</td>
</tr>
<tr>
<td>Fowler</td>
<td>Newton</td>
</tr>
<tr>
<td>Guarrusso</td>
<td>Oursu</td>
</tr>
<tr>
<td>Total—48.</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Zervigon moved the previous question on the Section.

Delegate Pugh objected.

By a vote of 18 ayes and 56 nays the Convention refused to order the previous question at this time.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 14 by Delegate Aertker, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 18, in Floor Amendment No. 1 proposed by Delegate Flory and adopted by the Convention on November 17, 1973, in line 1 of the text of the amendment immediately after “tion,” and before the word “publie” insert the word “and”, and after the word “health” delete the comma “,” and the word “and” and insert in lieu thereof the word “including”

On motion of Delegate Pugh the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 14 by Delegate Aertker, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 18, in Floor Amendment No. 1 proposed by Delegate Flory and adopted by the Convention on November 17, 1973, in line 1 of the text of the amendment immediately after “tion,” and before the word “publie” insert the word “and”, and after the word “health” delete the comma “,” and the word “and” and insert in lieu thereof the word “including”

Delegate Pugh moved the adoption of the amendment.

Delegate Conino objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Ginn</td>
</tr>
<tr>
<td>Alario</td>
<td>Goldman</td>
</tr>
<tr>
<td>Alexander</td>
<td>Graham</td>
</tr>
<tr>
<td>Assef</td>
<td>Pugh</td>
</tr>
<tr>
<td>Avant</td>
<td>Hardee</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Hayes</td>
</tr>
<tr>
<td>Blair</td>
<td>Hayes</td>
</tr>
<tr>
<td>Brien</td>
<td>Hardee</td>
</tr>
<tr>
<td>Cannon</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Champagne</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Conroy</td>
<td>Leithman</td>
</tr>
<tr>
<td>Cowen</td>
<td>Lowe</td>
</tr>
<tr>
<td>D’Geralamo</td>
<td>Martin</td>
</tr>
<tr>
<td>De Bileux</td>
<td>Mire</td>
</tr>
<tr>
<td>Denney</td>
<td>Morris</td>
</tr>
<tr>
<td>Dennis</td>
<td>Nunez</td>
</tr>
<tr>
<td>Total—75.</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Pugh moved the previous question on the Section.

Delegate Zervigon objected.

By a vote of 18 ayes and 56 nays the Convention refused to order the previous question at this time.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 14 by Delegate Aertker, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 18, in Floor Amendment No. 1 proposed by Delegate Flory and adopted by the Convention on November 17, 1973, in line 1 of the text of the amendment immediately after “tion,” and before the word “publie” insert the word “and”, and after the word “health” delete the comma “,” and the word “and” and insert in lieu thereof the word “including”

On motion of Delegate Pugh the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 14 by Delegate Aertker, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 18, in Floor Amendment No. 1 proposed by Delegate Flory and adopted by the Convention on November 17, 1973, in line 1 of the text of the amendment immediately after “tion,” and before the word “publie” insert the word “and”, and after the word “health” delete the comma “,” and the word “and” and insert in lieu thereof the word “including”

Delegate Pugh moved the adoption of the amendment.

Delegate Conino objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Ginn</td>
</tr>
<tr>
<td>Alexander</td>
<td>Goldman</td>
</tr>
<tr>
<td>Assef</td>
<td>Pugh</td>
</tr>
<tr>
<td>Avant</td>
<td>Hardee</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Hayes</td>
</tr>
<tr>
<td>Blair</td>
<td>Hayes</td>
</tr>
<tr>
<td>Brien</td>
<td>Hardee</td>
</tr>
<tr>
<td>Cannon</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Casey</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Champagne</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>Chaitelain</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Comar</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>Cowen</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>D’Geralamo</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>De Bileux</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Denney</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Dennis</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Total—75.</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was adopted.
Delegate Jenkins moved to table the entire subject matter.
Delegate Rachal objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Arnette
Cannon
Champagne
Conino
Conrey
Drew
Dunlap
Elkins
Fayard
Hardee
Heine

Total—36.

Delegates—

Alexander
Assett
Avant
Badeaux
Bergeron
Blier
Brown
Casey
Chatelain
Kelly
Cowen
D’Gerolamo
DeBlieux
Dennery
Dennis
Derbes

Total—48.

NAYS

Delegates—

Flory
Fulco
Ginn
Goldman
Graham
Grier
Hayes
Hernandez
Jackson, J.
Landrum
Landry, E. J.
Lowe
Martin
Mayboue
Mire

Total—8.

NOT VOTING

Delegates—
Mr. Chairman
Aerkter
Anzalone
Arnette
Bel
Bollinger
Brown
Burns
Burson
Carmouche
Chehardy
Corne
Dennis
Dehotels
Duval
Edwards


Heine
Hernandez
Reeves
Roemer
Roemer
Roper
Perkins
Rayburn
Schmitt
Segura
Shannon
Slav
Stephenson
Stovall
Tapper
Thistlethwaite
Thompson
Wall
Winchester

Munson
Roemer
Roy
Sandoz
Smith
Stagg
Stinson
Sutherland
Tobias
Toomy
Ulio
Watligny
Wels

And the amendment was adopted.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Rachal to Committee Proposal No. 14 by Delegate Aerkter, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, line 17, after the word “security” and before the word “social” delete the comma “,” and insert in lieu thereof the following: “as defined by the legislature,”

On motion of Delegate Rachal the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Rachal to Committee Proposal No. 14 by Delegate Aerkter, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, strike out the word “may” added by Convention Floor amendment No. 1 proposed by Delegate Abraham and adopted by the convention on November 17, 1973, and insert in lieu thereof the word “shall” and on page 1, line 17, after the word “social” delete the comma “,” and insert in lieu thereof the following: “as defined by the legislature,”

Motion

Delegate Avant moved that the Convention do now adjourn until Sunday, November 18, 1973, at 2:00 o’clock P.M.

Delegate Jenkins objected.

By a vote of 25 yeas and 46 nays the Convention refused to adjourn until Sunday, November 18, 1973 at 2:00 o’clock P.M.
Delegate Rachal moved to withdraw the amendment. Delegate Jenkins objected. A record vote was asked for and ordered by the Convention.

**ROLL CALL**
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrahm</td>
<td>Hardee</td>
</tr>
<tr>
<td>Arnete</td>
<td>Heine</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Jack</td>
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<tr>
<td>Brien</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Champagne</td>
<td>Juneau</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Kilbourne</td>
</tr>
<tr>
<td>Conino</td>
<td>Landry, A.</td>
</tr>
<tr>
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<td>Lanier</td>
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<td>Cowen</td>
<td>Leithman</td>
</tr>
<tr>
<td>Drew</td>
<td>Lowe</td>
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<tr>
<td>Dunlap</td>
<td>Martin</td>
</tr>
<tr>
<td>Elkins</td>
<td>Morris</td>
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<tr>
<td>Fayard</td>
<td>Nunez</td>
</tr>
<tr>
<td>Fulco</td>
<td>O'Neill</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Oursu</td>
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<tr>
<td>Total—44</td>
<td></td>
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<td>Arnete</td>
<td>Heine</td>
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<tr>
<td>Badeaux</td>
<td>Jack</td>
</tr>
<tr>
<td>Brien</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Champagne</td>
<td>Juneau</td>
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<tr>
<td>Chatelain</td>
<td>Kilbourne</td>
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<td>Leithman</td>
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<tr>
<td>Drew</td>
<td>Lowe</td>
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<tr>
<td>Dunlap</td>
<td>Martin</td>
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<tr>
<td>Elkins</td>
<td>Morris</td>
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<tr>
<td>Fayard</td>
<td>Nunez</td>
</tr>
<tr>
<td>Fulco</td>
<td>O'Neill</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Oursu</td>
</tr>
<tr>
<td>Total—44</td>
<td></td>
</tr>
</tbody>
</table>

Delegate O'Neill insisted upon his original motion. Delegate Rachal objected. 

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

**ROLL CALL**
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrahm</td>
<td>Hardee</td>
</tr>
<tr>
<td>Arnete</td>
<td>Heine</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Jack</td>
</tr>
<tr>
<td>Brien</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Champagne</td>
<td>Juneau</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Kilbourne</td>
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<tr>
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</tr>
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<td>Martin</td>
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<tr>
<td>Elkins</td>
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<tr>
<td>Fayard</td>
<td>Nunez</td>
</tr>
<tr>
<td>Fulco</td>
<td>O'Neill</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Oursu</td>
</tr>
<tr>
<td>Total—44</td>
<td></td>
</tr>
</tbody>
</table>

Delegate O'Neill insisted upon his original motion. Delegate Rachal objected. 

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

**ROLL CALL**
The roll was called with the following result:

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
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<tr>
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<td>Kilbourne</td>
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<td>Conino</td>
<td>Landry, A.</td>
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<tr>
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<td>Fulco</td>
<td>O'Neill</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Oursu</td>
</tr>
<tr>
<td>Total—44</td>
<td></td>
</tr>
</tbody>
</table>

And the previous question was ordered by the Convention.

**Committee Proposal No. 14, Section 1** was read, as amended. Delegate Aertker moved the final passage of the Section.

**ROLL CALL**
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrahm</td>
<td>Hardee</td>
</tr>
<tr>
<td>Aertker</td>
<td>Hardee</td>
</tr>
<tr>
<td>Alario</td>
<td>Guarisco</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Haynes</td>
</tr>
<tr>
<td>Bel</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Kean</td>
</tr>
<tr>
<td>Burns</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Burson</td>
<td>Lambert</td>
</tr>
<tr>
<td>Carmouche</td>
<td>LeBeau</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Leigh</td>
</tr>
<tr>
<td>Corne</td>
<td>McDaniel</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Mauberret</td>
</tr>
<tr>
<td>Duval</td>
<td>Miller</td>
</tr>
<tr>
<td>Edwards</td>
<td>Munson</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Newton</td>
</tr>
<tr>
<td>Fowler</td>
<td>Perez</td>
</tr>
<tr>
<td>Garruso</td>
<td>Perkins</td>
</tr>
<tr>
<td>Total—46</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was withdrawn.

Delegate O'Neill insisted upon his original motion. Delegate Rachal objected. 

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

**ROLL CALL**
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
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</thead>
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<tr>
<td>Abrahm</td>
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<td>Fontenot</td>
<td>Newton</td>
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<tr>
<td>Fowler</td>
<td>Perez</td>
</tr>
<tr>
<td>Garruso</td>
<td>Perkins</td>
</tr>
<tr>
<td>Total—46</td>
<td></td>
</tr>
</tbody>
</table>

And the previous question was ordered by the Convention.

**Committee Proposal No. 14, Section 1** was read, as amended. Delegate Aertker moved the final passage of the Section.

**ROLL CALL**
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrahm</td>
<td>Hardee</td>
</tr>
<tr>
<td>Aertker</td>
<td>Hardee</td>
</tr>
<tr>
<td>Alario</td>
<td>Guarisco</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Haynes</td>
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<tr>
<td>Bel</td>
<td>Jackson, A.</td>
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<tr>
<td>Bollinger</td>
<td>Kean</td>
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<tr>
<td>Burns</td>
<td>Kilpatrick</td>
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<tr>
<td>Burson</td>
<td>Lambert</td>
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<tr>
<td>Carmouche</td>
<td>LeBeau</td>
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<tr>
<td>Chehardy</td>
<td>Leigh</td>
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<tr>
<td>Corne</td>
<td>McDaniel</td>
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<tr>
<td>Deshotels</td>
<td>Mauberret</td>
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<tr>
<td>Duval</td>
<td>Miller</td>
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<tr>
<td>Edwards</td>
<td>Munson</td>
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<tr>
<td>Fontenot</td>
<td>Newton</td>
</tr>
<tr>
<td>Fowler</td>
<td>Perez</td>
</tr>
<tr>
<td>Garruso</td>
<td>Perkins</td>
</tr>
<tr>
<td>Total—46</td>
<td></td>
</tr>
</tbody>
</table>

And the previous question was ordered by the Convention.
PAGE 10
88th Days Proceedings—November 17, 1973

Landry, E. J. 
Maybuece 
Pugh 
Reeves 
Singletary 
Smith 
Total—44.

Delegates— 
Arnette 
Amess 
Badeaux 
Brown 
Cannon 
Champagne 
Chateilain 
Conino 
Drew 
Dunlap 
Elkins 
Gauthier 
Hardee 
Total—40.

NAYS 
Soniat 
Stagg 
Tate 
Tobias 
Toca 
Velazquez 
Vick 
Warren 
Wattigny 

Flory 
Ginn 
Goldman 
Graham 
Grier 
Hardee 
Hayes 
Hernandez 
Jackson, J. 
Juneau 
Total—51.

Delegates— 
Aertker 
Alario 
Anzalone 
Bollinger 
Burns 
Burns 
Carmouche 
Chehardy 
Corne 
Deshotels 
Duval 
Edwards 
Fontenot 
Fowler 
Fulco 
Total—47.

NOT VOTING 
Heine 
Jack 
Jenkins 
Kilbourne 
Landry, A. 
Leithman 
Lowe 
Martin 
Mire 
Morris 
Nunez 
O'Neil 

NOT VOTING 
Moeller 
Pugh 
Planchard 
Rachal 
Riek 
Roerner 
Sandoz 
Sutherland 
Toomy 
Ulo 
Weiss 

Delegates— 
Mr. Chairman 
Aertker 
Alario 
Anzalone 
Bel 
Bollinger 
Burns 
Burns 
Carmouche 
Chehardy 
Corne 
Deshotels 
Duval 
Edwards 
Fontenot 
Fowler 
Fulco 
Total—47.

Failed to pass. Motion to reconsider pending.

Delegate Flory moved to reconsider the vote by which the Section failed to pass.

Delegate O'Neill moved to table the motion to reconsider.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abraham 
Arnette 
Brien 
Brown 
Cannon 
Champagne 
Dunlap 
Fayard 
Gauthier 
Heine 
Jack 
Jenkins 
Total—33.

Delegates— 
Mr. Chairman 
Alexander 
Amess 
Badeaux 
Bergeron 
Blair 

YAYS

Kilbourne 
Landry, A. 
Lanier 
Leithman 
Martin 
Morris 
O'Neill 
Ousso 
Rice 
Roemer 
Royston 
Riek 
Roerner 
Rachal 
Riek 
Roerner 
Sandoz 
Sutherland 
Toomy 
Ulo 
Weiss 

Not Voting— 
Garrusso 
Gravel 
Guarisco 
Haynes 
Jackson, A. 
Kean 
Kilpatrick 
LeBleu 
Leigh 
McDaniel 
Mauberret 
Miller 
Mulson 
Newton 
Perez 

Delegates— 
Aertker 
Alario 
Anzalone 
Bel 
Bollinger 
Burns 
Burns 
Carmouche 
Chehardy 
Corne 
Deshotels 
Duval 
Edwards 
Fontenot 
Fowler 
Fulco 
Total—47.

Failed to pass. Motion to reconsider pending.

Delegate Flory moved to reconsider the vote by which the Section failed to pass.

Delegate O'Neill moved to table the motion to reconsider.

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

NOT VOTING— 
Garrusso 
Gravel 
Guarisco 
Haynes 
Jackson, A. 
Kean 
Kilpatrick 
LeBleu 
Leigh 
McDaniel 
Mauberret 
Miller 
Mulson 
Newton 
Perez 

And the Convention refused to table the motion to reconsider.

Motion

Delegate Flory moved to return the Proposal to the Calendar subject to call.

Delegate Dunlap objected.

By a vote of 67 yeas and 20 nays, the Proposal was returned to the Calendar subject to call.

Motion

On motion of Delegate Abraham, the Convention altered the Order of Business to take up other orders of business at this time.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

COMMITTEE PROPOSAL No. 7—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Cowen, Flory, Hernandez, Landry, Segura, Silverberg, Thistlethwaite, Toca, and Wattigny:

A PROPOSAL

Making provisions for education and necessary provisions with respect thereto

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE IX. EDUCATION

The goal of the public educational system shall be to provide, at all stages of human development, learning environments and experiences that are humane, just, and designed to promote excellence in order that every individual may be afforded an equal opportunity to develop to his full potential.

Section 2. Public Educational System

Section 2. The legislature shall provide for the education of the people of the state and shall establish and maintain a public educational system.

Section 3. State Superintendent of Public Elementary and Secondary Education

Section 3. (A) Term. Subject to the provisions for appoint-
ment, in lieu of election, as set forth in Article IV, Section 23, there shall be a state superintendent of public education for elementary and secondary education, who shall be elected for a term of four years. The powers, functions, duties, responsibilities, and qualifications of the superintendent shall be fixed by law. In addition, he shall be the administrative head of the Department of Education for the implementation of the policies of the State Board of Elementary and Secondary Education and the laws affecting the schools under its jurisdiction.

Section 4. State Board of Elementary and Secondary Education

Section 4. (A) Creation; Function. There is created a body corporate, known as the State Board of Elementary and Secondary Education. The board shall supervise, control, and have budgetary responsibility for all funds appropriated or allocated by the state for all public elementary and secondary schools and special schools under its jurisdiction, as provided by law. In the event the office of State Superintendent of Public Elementary and Secondary Education is made appointive, such appointment shall be made by the State Board of Elementary and Secondary Education. The board shall have such other specific powers, duties, and responsibilities as are provided by this constitution or by law, but shall have no control over the business affairs of parish and municipal school boards or the selection or removal of state public school superintendents.

(B) Membership; Terms. The board shall consist of three members who shall be appointed by the governor, with the consent of the Senate from the state at large, and eight members who shall be elected from single-member districts to be determined by the legislature. All members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law.

(C) Vacancies. Vacancies occurring for any cause prior to the expiration of the term shall be filled by appointment by the governor; however, if at the time the vacancy occurs, the unexpired portion of the term of any elected member is more than one year, the vacancy shall be filled by election as provided by law. Members shall serve without pay except for such per diem and expenses as shall be fixed by the legislature.

Section 6. Approval of Private Schools; Effect

Section 6. The board shall, upon application, approve private, parochial, and non-profit secondary, proprietary and vocational schools, whose sustained curriculum, specialized courses of study is of a quality equal to or better than that prescribed for similar public schools. The certificates issued by private schools so approved shall carry the same privileges as those issued by the state public schools.

Section 7. Board of Regents

Section 7. (A) Board of Regents; Establishment. There is created a body corporate known as the Board of Regents. The board shall plan, coordinate, and have budgetary responsibility for all public higher education and shall have such other powers, duties, and responsibilities as are provided in this Section and by law.

(B) Board Membership; Terms. The board shall consist of fifteen members appointed by the governor, with the consent of the Senate, for overlapping terms of six years, following initial terms which shall be fixed by law. There shall be at least one member, and no more than two members, appointed from each of the several congressional districts.

(C) Board Members; Per Diem and Expenses. The members of the Board of Regents, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, Board of Trustees for State Colleges and Universities, and any other board created pursuant to this Article shall serve without pay, but the legislature may fix the per diem and expenses to be paid to them.

(D) Vacancies. A vacancy occurring prior to the expiration of the term shall be filled for the remainder of the unexpired term by appointment by the governor, with the consent of the Senate.

(E) Powers of the Board. (1) The Board of Regents shall meet with the State Board of Elementary and Secondary Education at least twice a year, at such times as the Board of Regents may determine, to discuss matters of concern to public elementary, secondary, vocational-technical, career, and higher education. The board shall have the following powers, duties, and responsibilities with respect to all public institutions of higher education and post-secondary vocational-technical training and career education: (a) To revise or eliminate any existing degree program, department of instruction, division, or similar subdivision. (b) To approve, disapprove, or modify any proposed degree program, department of instruction, division, or similar subdivision.

(e) To study the need for and feasibility of any new institution of post-secondary education, including branches of institutions of higher education and new institutions offering courses. If the creation of a new institution is proposed, or an additional management board for an institution or group of institutions is proposed, the proposal is made to the existing institution from one board to another, the board shall report its findings and recommendations within one year to the legislature. Only after this written report has been filed, or if no report is filed within one year, the legislature may take affirmative action on such a proposal by vote of two-thirds of the membership of each house.

(d) To formulate and make timely revision of a master plan for higher education and post-secondary vocational-technical training and career education. As a minimum, the plan shall include a formula for the equitable distribution of funds to the institutions of higher education of the state.

(e) To require the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities, and any other higher education board hereafter created pursuant to this Article to submit to it, at times specified by it, their annual budget proposals for the operational and capital needs of each institution under the control of each board. The Board of Regents shall submit its recommendations on budgets for all institutions of higher education and post-secondary vocational-technical training and career education in the state. It shall recommend priorities for capital construction and improvements.

(F) Powers not vested. Powers of management over public institutions of higher education and post-secondary vocational-technical training and career education not specifically vested in the Board of Regents by this Section are vested in the Board of Trustees for Southern University and Agricultural and Mechanical College, Board of Supervisors of Southern University and Agricultural and Mechanical College, and the Board of Trustees for State Colleges and Universities as to the institutions under the control of each or to any board created pursuant to this Article.

Section 8. Board of Trustees for State Colleges and Universities

Section 8. (A) Creation; Powers. There is created a body corporate, known as the Board of Trustees for State Colleges and Universities which, subject to the powers vested in the Board of Regents by this Article, shall have:

(1) Supervision and management of all state colleges and universities except those included under the management of the Board of Trustees of Southern University and Agricultural and Mechanical College, Board of Supervisors of Southern University and Agricultural and Mechanical College, and any other board hereafter created pursuant to this Article.

(2) Unless and until the legislature shall provide otherwise, supervision and management of all public institutions of vocational-technical training and career education at post-secondary levels.

(B) Board Membership; Terms. The members of the board shall be appointed by the governor, with the consent of the Senate, for overlapping terms of six years following initial terms which shall be fixed by law. Two of the members shall be representatives of each of the congressional districts into which the state is divided, and one member shall be from the state at large.

(C) Vacancies. A vacancy occurring prior to the expiration of the term shall be filled for the remainder of the unexpired term by appointment by the governor, with the consent of the Senate.

Section 9. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; Board of Supervisors of Southern University and Agricultural and Mechanical College

Section 9. (A) Creation; Powers. There is created bodies corporate, known as the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and Board of Supervisors of Southern University and Agricultural and Mechanical College, which subject to the powers vested in the Board of Regents, shall supervise and
manage the institutions and statewide agricultural and other programs administered through the Louisiana State University and Agricultural and Mechanical College and the Southern University Agricultural and Mechanical College systems.

(B) Membership; terms. The members of each board shall be appointed by the governor, with the consent of the Senate, for overlapping terms of six years following initial terms which shall be fixed by law. Each board shall be comprised of members from each of the congressional districts into which the state is divided, and one member shall be from the state at large.

(C) Vacancies. A vacancy occurring prior to the expiration of the term of the person vacating the position shall be filled by the remainder of the unexpired term by the governor, with the consent of the Senate.

Section 11. Boards; Dual Membership Prohibited; Student Membership Authorized

Section 11. (A) No person shall be eligible to simultaneously serve on more than one board created by or pursuant to this Article.

(B) The legislature may provide for the membership of one or more school boards to be comprised of Leaders and Universities, one student on the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, and one student on the Board of Supervisors of Southern University and Agricultural and Mechanical College in any parish, which shall be elected by the students from the district in which they reside. Such students may vote, but shall not be eligible for re-election beyond the confines of the district in which they reside.

Section 12. Parish School Boards; Parish Superintendents

Section 12. (A) Parish School Boards. The legislature shall create parish school boards and shall provide for the election of the members of such boards.

(B) Parish Superintendents. Each parish board shall elect a superintendent of parish schools. The State Board of Elementary and Secondary Education shall fix the qualifications and prescribe the duties of the parish superintendent, who need not be a resident of the parish in which he serves.

Section 13. Recognition of Existing Boards and Systems; Consolidation

Section 13. (A) Recognition of Boards and Systems. Parish and city school board systems in existence on the effective date of this constitution, by virtue of special or local legislative acts or previous constitutional provisions, are hereby recognized, subject to control and supervision of the State Board of Elementary and Secondary Education and the power of the legislature to enact laws affecting them.

(B) Ouachita Parish and Monroe City School Systems; board membership. Only persons residing within the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Monroe City School Board. Any member of either board at any time not satisfying the requirements of this Paragraph immediately shall vacate his position. The provisions of this Paragraph shall not become operative until the election of members of the Ouachita Parish School Board to be held in 1877 or upon the first reapportionment affecting the Ouachita Parish School Board, whichever occurs earlier.

The provisions of this Paragraph shall be operative notwithstanding any thing in this constitution to the contrary. School boards of two or more school systems may be consolidated under procedures enacted by the legislature subject to approval of a majority of the qualified electors voting in each system affected in an election called for that purpose.

Section 14. Appropriations; Boards

Section 14. The legislature shall appropriate funds for the operating and administrative expenses of the boards created pursuant to this Article.

Section 15. Appropriations; Higher Education

Section 15. Appropriations for the institutions of higher education and post-secondary vocational-technical training and career education shall be made to their respective managing boards. The appropriations shall be administered by the managing boards and used solely as provided by law.
The Public Information Committee will meet on Tuesday, November 20, 1973 after adjournment in Committee Room No. 5 and will consider the following agenda:

AGENDA
To discuss general Committee Business.

Respectfully submitted,

PATRICK JUNEAU,
Chairman of the Public Information Committee

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Adjournment
Delegate Avant moved that the Convention do now adjourn until Monday, November 19, 1973, at 9:00 o'clock A.M.

As a substitute motion, Delegate Abraham moved the Convention adjourn until Sunday, November 18, 1973, at 2:00 o'clock p.m.

The vote recurred on the longest period of adjournment.

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

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Avant
Blair
Comar
Conroy

Total—11.

NAYS
Delegates—
Mr. Chairman
Abraham
Alario
Alexander
Arnette
Asseff
Badeaux
Berten
Brien
Brown
Cannon
Casey
Champagne
ChateIan
Conio
D'Gerolamo
Denney
Derbes
Drew
Dunlap
Fayard
Flory
Fulco
Gauthier
Ginn

Total—75.

NOT VOTING
Delegates—
Aeriker
Anzalone
Bel
Bollinger
Burns
Carmouche
Chehardy
Corne
Cowen
Deshotels
Duval
Edwards
Elkins
Fontenot
Fowler

Total—48.

And the Convention refused to adjourn until Monday, November 19, 1973, at 9:00 o'clock A.M.

Delegate Abraham withdrew his motion to adjourn until Sunday, November 18, 1973, at 2:00 o'clock P.M.

Leaves of Absence
Delegate Corne—5 days.
Delegate Kilpatrick—1 day.
Delegate Thompson—1 day.
Delegate McDaniel—2 days.

Adjournment
Delegate Hernandez moved that the Convention do now adjourn until Sunday, November 18, 1973, at 2:00 o'clock P.M.

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

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Mr. Chairman
Abraham
Alario
Alexander
Arnette
Asseff
Avant
Badeaux
Berten
Brien
Brown
Cannon
Casey
Champagne
ChateIan
Conio
D'Gerolamo
De Bleyeux
Denney
Derbes
Drew
Dunlap
Fayard
Flory
Fulco

Total—76.

NAYS
Delegates—
Blair
Dennis
Haynes

Total—7.

NOT VOTING
Delegates—
Aeriker
Anzalone
Bel
Bollinger
Burns
Carmouche
Chehardy
Corne
Cowen
Deshotels
Duval
Edwards
Elkins
Fontenot

Total—48.

And the Convention adjourned until Sunday, November 18, 1973, at 2:00 o'clock P.M.

Chairman Henry declared the Convention adjourned to Sunday, November 18, 1973, at 2:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The roll being called, the following delegates answered to their names:

PRESENT

Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bolinger
Brien
Brown
Burns
Cannon
Casey
Champagne
Chateiain
Chehady
Comar
Conino
Conroy
Cowie
D’Gerolamo
De Blieux
Dennery
Derbes
Drew
Dunlap
Fayard
Flory

Total—102.

ABSENT

Burson
Carmouche
Corne
Dennis
Deshotels
Duval
Edwards
Elkins
Fontenot
Fowler

Total—29.

The Chairman announced that there were 102 members present and a quorum.

Delegates—
Fulco
Gauthier
Gautier
Ginn
Goldman
Grabeau
Gravel
Grier
Guarisco
Hardee
Hayes
Heine
Hernandez
Jackson, J.
Jenkins
Kilpatrick
Landrum
Landy
LeBlanc
Leithman
Lowe
Martin
Maybrea
Mire
Morris
Monson
Newton
Nunez
O’Neill

Total—102.

Delegates—
Hayes
Jack
Jackson, A.
Kelly
Lambert
Leigh
McDaniel
Marberret
Miller
Rachal

Riecke
Segura
Say
Sovall
Sutherland
Tapper
Thistlewaite
Wall
Womack

Prayer

Prayer was offered by Delegate Willis.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Reeves, the Journal of yesterday was adopted.

Regular Order

Delegate and Committee Proposals

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

Motion

On motion of Delegate Aertker Committee Proposal Number 18, was taken up out of its regular order at this time.

COMMITTEE PROPOSAL No. 18—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlewaite, Toca and Womack. A substitute proposal for Committee Proposal No. 18 by Delegate Aertker, et al:

A PROPOSAL

Making provisions for human resources by prohibiting compulsory arbitration.

Read.

Article VII, Section 1. Arbitration

Section 1. The legislature shall pass no laws requiring compulsory arbitration.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Proposal No. 18 by Delegate Aertker, et al.

Amend engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 15, after the words and punctuation “Section 1,” delete the remainder of the line and delete line 16 in its entirety and insert in lieu thereof the following:

“The legislature may pass such laws as may be proper and necessary to decide differences, with the consent of the parties, by arbitration.”

Delegate Flory moved the adoption of the amendment.

Delegate Jenkins objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Baton Rouge, La.

Delegates—

Conino
Conroy
D’Gerolamo
De Blieux
Dunlap
Fayard
Flory

Fulco
Ginn
Graham
Gravel
Jacskon, J.
Kilpatrick
Landry, E. J.
89th Days Proceedings—November 18, 1973

By a vote of 19 yea and 79 nays the Convention refused to return the Proposal to the Calendar.

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

**FLOOR AMENDMENT**


Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 10 through 18, both inclusive, in their entirety including all Floor Amendments thereto.

Delegate Planchard moved the adoption of the amendment.

Delegate Ullo objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
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<tr>
<td>Alarío</td>
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<tr>
<td>Alexander</td>
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<td>Anzalone</td>
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<td>Arnette</td>
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<td>Bel</td>
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<td>Burns</td>
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<td>Cannon</td>
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<td>Champagne</td>
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<td>Chatelain</td>
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<td>Cowen</td>
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<td>Denneyer</td>
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<td>Derbes</td>
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<td>Drew</td>
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<tr>
<td>Gauthier</td>
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<tr>
<td></td>
<td>Total--35.</td>
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</tbody>
</table>

**NOT VOTING**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Number</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td></td>
</tr>
<tr>
<td>Bollinger</td>
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<tr>
<td>Brown</td>
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<td>Total--35.</td>
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</table>

And the amendment was rejected.

Delegate Jenkins moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Aertker to Committee Proposal No. 18 by Delegate Aertker, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 10 through 18, both inclusive, in their entirety including all Floor Amendments thereto.

Delegate Planchard moved the adoption of the amendment.

Delegate Ullo objected.

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

**ROLL CALL**

The roll was called with the following result:

**NAYS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jenkins</td>
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<tr>
<td>Abraham</td>
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<tr>
<td>Asseff</td>
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<tr>
<td>Brie</td>
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<td>Total--11.</td>
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</tbody>
</table>

**NOT VOTING**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Number</th>
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<tbody>
<tr>
<td>Brown</td>
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<tr>
<td>Burson</td>
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<tr>
<td>Carmouche</td>
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<td>Corne</td>
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<td>Dennis</td>
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<tr>
<td>Deshotels</td>
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<td>Duval</td>
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<tr>
<td>Edwards</td>
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<tr>
<td>Elkins</td>
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<td>Fontenot</td>
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<tr>
<td>Fowler</td>
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<td>Total--32.</td>
</tr>
</tbody>
</table>

And the amendment was adopted.
Delegate Planchard moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

The Proposal was read, as amended.

Delegate De Blieux moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

Total—95.

Delegates—

Mr. Chairman
Abraham
Aertker
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Cannon
Casey
Champagne
Chatelet
Chehardy
Comar
Conino
Conroy
Cowen
D’Gerolamo
De Blieux
Dennery
Derbes
Drew
Dunlap
Fayard
Flory
Perez

Total—95.

Delegates—

Alario
Brown
Burson
Carmouche
Corne
Dennis
Descheels
Duval
Edwards
Elkins
Fontenot
Powder

Total—36.

And the Chair declared that the above Proposal failed to pass.

Delegate De Blieux moved to reconsider the vote by which the above Proposal failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion Delegate Stagg Committee Proposal Number 31, was taken up out of its regular order at this time.

COMMITTEE PROPOSAL No. 31—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Asseff, Brien, Dennery, Duval, Gravel, Stovall, and Tapper (Substitute for Committee Proposal No. 19).

A PROPOSAL

Making provisions in the Schedule provisions of the constitution for mandatory reorganization of the executive branch of state government.

Read.

ARTICLE XIV. SCHEDULE

Section 1. Mandatory Reorganization of State Government

Section 1. (A) 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. Such allocation, which shall not be subject to veto by the governor, shall become operative not later than December 31, 1976.

(B) Should the legislature fail to make such allocation, the governor shall prepare and submit to the legislature at its next session, regular or extraordinary, an allocation in compliance with this section. The legislature, by a majority vote of the elected members of each house, may disapprove such plan but may not substantially amend it. In the event the legislature does not disapprove the plan prior to the sine die adjournment of the session of the legislature at which submitted, the plan shall become effective at twelve o’clock noon on the ninetieth day following sine die adjournment.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 31 by Delegate Stagg, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 22 through 32, both inclusive, in their entirety.

Delegate Perez moved the adoption of the amendment.

Delegate Dennery objected.

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

ROLL CALL

The roll was called with the following result:

Total—52.

Delegates—

Alario
Mr. Chairman
Gauthier
Mr. Chairman
Carmouche
Haynes
Jack
Jackson, A.
Kelly
Lambert
Leigh
McDaniel
Mauberret
Maybruce
Miller

Total—52.

NOT VOTING

Newton
Ricke
Roy
Segura
Stovall
Sutherland
Thistlethwaite
Velch
Wall
Womack

YEAS

Ginn
Glenn
Gruel
Gruel

Total—52.

Ours
Perez
Rachal
Royston

NAYS

Hernandez
Martin
Mire
Monson
Nunes
O’Neill

Total—52.

Guarisco
Ours

Perez

Rayburn
Reeves
Roemer
Smith
Thompson
Toca
Toomey
Ullo
Vick
Warren
Wills
Winchester

Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Asseff, Brien, Dennery, Duval, Gravel, Stovall, and Tapper (Substitute for Committee Proposal No. 19).

861
89th Days Proceedings—November 18, 1973

Derbes
Dunlap
Goldman
Graham
Gravel
Hardee
Hayes
Jackson, J.
Landrum

Lowe
Maybuce
Monson
Pugh
Roy
Sandoz
Schmitt
Singletary
Soniat
Stagg
Stephenson
Tate
Thompson
Tobias
Tosca
Toomy
Ulio
Velazquez
Vick

NOT VOTING

Roemer
Roy
Sandoz
Schmitt
Shannon
Singletary
Smith
Soniat
Stagg

Total—91.

Delegates—
Arnette
Total—3.

NOT VOTING

Delegates—
Aker
Brown
Burson
Carmouche
Corne
Dennis
Deshotels
Duval
Edwards
Elkins
Fontenot
Fowler
Haynes

Jack
Jackson, A.
Kelly
Leithman
Leigh
McDaniel
Martin
Maubert
Miller
Newton
Perkins
Rachal
Riecke
Segura
Slay
Suther
Stovall
Tapper
Thistlewaite
Vesich
Wall
Womack

And the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Rayburn to Committee Proposal No. 31 by Delegate Stagg, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 21, after the words and punctuation "December 31," delete the figures "1976" and insert in lieu thereof the figures "1977"

Delegate Rayburn moved the adoption of the amendment.

Delegate Arnette objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Alario
Alexander
Anzalone
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Cannon
Cason
Casey
Chatelain
Chehardy
Comar
Conino
Conroy
Cownen

D’Gerolamo
Denney
Derbes
Dunlap
Fayard
Flory
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Graham
Gravel
Grier
Guarisco
Hardee
Heine
Hernandez
Jackson, J.
Jenkins
Juneau
Kean
Kilbourne
Klippatrick
Landry, A.
Landry, E. J.
Lanier
LeBlu
Low
Maybuce
Mire
Morris
Monson
Nunez
O’Neill
Ours
Perez
Planard
Pugh
Rayburn
Reeves

The roll was called with the following result:

YEAS

Delegates—
D’Gerolamo
De Blieux
Denney
Derbes
Asseff
Bel
Bergeron
Brien
Brown
Casey
Chehardy
Comar

Roemer
Sandoz
Schmitt
Singletary
Smith
Soniat
Stagg
Stephenson
Tate
Thompson
Tobias
Tosca
Toomy
Ulio
Velazquez
Vick
Warren
Wattigny
Weiss
Willis
Winchester
Wisdom
Zervigon

NAYS

Delegates—
Champagne

NOT VOTING

Delegates—
Aker
Brown
Burson
Carmouche
Corne
Dennis
Deshotels
Duval
Edwards
Elkins
Fontenot
Fowler
Haynes

Jack
Jackson, A.
Kelly
Leithman
Leigh
McDaniel
Martin
Maubert
Miller
Newton
Perkins
Rachal
Riecke
Segura
Slay
Suther
Stovall
Tapper
Thistlewaite
Vesich
Wall
Womack

And the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Gravel, Denney and Stagg to Committee Proposal No. 31 by Delegate Denney, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 18, in the words and punctuation "before April 1," delete the figures "1976" and insert in lieu thereof the figures "1977"

Delegate Denney moved the adoption of the amendment.

Delegate Perez objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario
Avant
Badeaux
Bel
Bollinger
Brien
Burns
Cannon

Champagne
Fulco
Gauthier
Giarrusso

NAYS
89th Days Proceedings—November 18, 1973

<table>
<thead>
<tr>
<th>Delegates</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guarisco</td>
<td>Martin</td>
</tr>
<tr>
<td>Hardee</td>
<td>Smith</td>
</tr>
<tr>
<td>Hayes</td>
<td></td>
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<tr>
<td>Heine</td>
<td></td>
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<tr>
<td>Hernandez</td>
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<tr>
<td>Juneau</td>
<td></td>
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<tr>
<td>Kean</td>
<td></td>
</tr>
<tr>
<td>Kelly</td>
<td></td>
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<tr>
<td>Kilbourne</td>
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<tr>
<td>Kilpatrick</td>
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<tr>
<td>Landry, A.</td>
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<tr>
<td>Lanier</td>
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<tr>
<td>LeBleu</td>
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<tr>
<td>Lowe</td>
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<tr>
<td>Total—58.</td>
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</tbody>
</table>

Delegates—
Mr. Chairman
Aertker
Burson
Carmouche
Conroy
Corne
Dennis
Dehotels
Duval
Edwards
Elkins
Fayard
Fontenot
Total—39.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 31 by Delegate Stagg, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 21, after the word "than" delete the remainder of the line and all amendments thereto and insert in lieu thereof the following: "January 1, 1978."

Delegate Pugh moved the adoption of the amendment.

Delegate Anzalone objected.

By a vote of 39 yeas and 44 nays the amendment was rejected.

Delegate Anzalone moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Anzalone, Champagne, and Gravel to Committee Proposal No. 31 by Delegate Stagg, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, between lines 21 and 22, insert the following: "(B) Should the legislature fail to make such allocation, the governor shall prepare and submit to the legislature at its next regular session, an allocation in compliance with this section. The legislature may disapprove such plan but may not substantially amend it. In the event the legislature does not disapprove the plan prior to the sine die adjournment of the session of the legislature at which submitted, the plan shall become effective at twelve o'clock noon on the ninetieth day following sine die adjournment."

**Point of Order**

Delegate Perez raised a point of order and asked a ruling of the Chair as to whether the subject matter contained in the amendment was previously considered by the Convention and therefore out of order at this time.

The Chairman declined to rule the amendment out of order, and, under the rules, put the question to the Convention.

And the Chair announced that the vote was 44 yeas and 44 nays and, under the rules cast his vote, and voted nay.

And the amendment was declared out of order.

**Motion**

Delegate O'Neill moved the previous question on the Proposal.

Delegate Champagne objected.

By a vote of 10 yeas and 76 nays the Convention refused to order the previous question at this time.

**Passage**

Committee Proposal No. 31, Section 1 was read, as amended.

Delegate Stagg moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Mr. Chairman
Abraham
Aliaro
Alexander
Anzalone
Arnette
Asseff
Badeaux
Bel
Bergeron
Blair
Bollinger
Brown
Burns
Cannon
Casey
Chatelain
Comar
Conino
Cowen
D'Gerolamo
De Blieux
Dennery
Derbes
Drew
Fulco
Total—81.

Delegates—
Gauthier
Giarusso
Gian
Goldman
Graham
Gravel
Grier
Guarisco
Hayes
Heine
Hernandez
Jackson, J.
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Landry, A.
Landry, E. J.
Lanier
Low
Martin
Mire
Morris
 Munson
Nunez
Oujo
Total—10.

Delegates—
Jenkins
Avant
Champagne
Dunlap
Flory

NAYS

Delegates—
Duval
Edwards
Elkins
Fayard
Fontenot
Fowler
Geno
Hardee
Haynes

NOT VOTING

Delegates—
Aertker
Burson
Carmouche
Chehardy
Conroy
Corne
Dennis
Dehotels
Duval
Edwards
Elkins
Fayard
Fontenot
Fowler
Geno
Hardee
Haynes

Jack
Jackson, A.
Lambert
Landrum
Leigh
Leithman
McDaniel
Mauberret
And the Chair declared that the above Section was finally passed.

Delegate Stagg moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Passage**

The Proposal was read as amended.

Delegate Stagg moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

<table>
<thead>
<tr>
<th>Delegates—</th>
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</table>

**Committee Proposal No. 3—**

Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Carey, Fayard, Fulco, Ginn, Juneau, Kilpatrick, Landrum, LeBreton, and O'Neill:

**A PROPOSAL**

Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereeto.

Read.

The following amendments to Committee Proposal No. 3, reported by the Committee on Style and Drafting were taken up and acted upon as follows:

**COMMITTEE AMENDMENTS**

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 3 by Delegate Blair, et al.

Amend first enrolled proposal as follows:

**AMENDMENT No. 1—**

On page 1, at the end of line 16, delete the word "DEPARTMENT" and insert in lieu thereof "BRANCH".

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

**AMENDMENT No. 2—**

On page 1, delete lines 17 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. Legislative Power; Composition; Continuous Body.

Section 1. (A) Legislative Power of State. The legislative power of the state is vested in a legislature, consisting of a Senate and a House of Representatives. The Senate shall be composed of one senator elected from each senatorial district. The House of Representatives shall be composed of one representative elected from each representative district."

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

**AMENDMENT No. 3—**

On page 1, delete lines 24 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"Continuous Body. The legislature is a continuous body during the term for which its members are elected; however, a bill or resolution not finally passed in any session shall be withdrawn from the files of the legislature."

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

**AMENDMENT No. 4—**

On page 1, delete lines 29 through 33, both inclusive, in their entirety and on page 2, delete lines 1 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Sessions.

Section 2. (A) Annual Session. The legislature shall meet annually in regular session in the state capital for not more than sixty legislative days during a period of eighty-five calendar days. A legislative day is a calendar day on which either house is in session. No such session shall continue beyond the eighty-fifth calendar day after convening. The legislature shall convene at noon on the third Monday in April. No new matter intended to have the effect of law shall be introduced or received by either house after midnight of the fifteenth calendar day, except by a favorable record vote of two-thirds of the elected members of each house. No measure levying a new tax or increasing an
existing tax shall be introduced or enacted during a regular session held in an odd-numbered year."

**AMENDMENT No. 5—**

On page 2, delete lines 10 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Extraordinary Session. The legislature may be convened at other times by the governor and shall be convened by the presiding officers of both houses upon written petition of a majority of the elected members of each house. The form of the petition shall be provided by law. At least five days prior to convening the legislature in extraordinary session, the governor or the presiding officers, as the case may be, shall issue a proclamation stating the objects of the session, the date on which it shall convene, and the number of days for which it is convened. The power to legislate shall be limited, under penalty of nullity, to the objects specifically enumerated in the proclamation. The session shall be limited to the number of days stated therein, which shall not exceed thirty calendar days."

**AMENDMENT No. 6—**

On page 2, delete lines 27 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Emergency Session. The governor may convene the legislature in extraordinary session without prior notice or proclamation in the event of public emergency caused by epidemic, enemy attack, or public catastrophe."

Read.

On motion of Delegate Tate Amendments No. 4, 5 and 6 were adopted.

**AMENDMENT No. 7—**

On page 2, delete lines 32 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. The number of members of the legislature shall be provided by law, but the number of senators shall not exceed thirty-nine and the number of representatives, one hundred five."

Read.

On motion of Delegate Tate Amendment No. 7 was adopted.

**AMENDMENT No. 8—**

On page 3, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. Qualifications; Residence and Domicile Requirements; Term Vacancies."

Section 4. (A) Age; Residence; Domicile. An elector who at the time of qualification as a candidate has attained the age of eighteen years, resided in the state for the preceding two years, and been actually domiciled for the preceding year in the legislative district from which he seeks election is eligible for membership in the legislature."

On page 3, delete lines 7 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Domicile; Special Provisions. However, at the next regular election for members of the legislature following legislative reapportionment, an elector may qualify as a candidate from any district created in whole or in part from a district existing prior to reapportionment if he was domiciled in that prior district for at least one year immediately preceding his qualification and was a resident of the state for the two years preceding his qualification. The seat of any member who changes his domicile from the district he represents or, if elected after reapportionment, whose domicile is not within the district he represents at the time he is sworn into office, shall be vacated thereby, any declaration of retention of domicile to the contrary notwithstanding."

**AMENDMENT No. 9—**

On page 3, delete lines 27 and 28 in their entirety and insert in lieu thereof the following:

"(C) Term. A member of the legislature shall be elected for a four-year term."

**AMENDMENT No. 10—**

On page 3, delete lines 29 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Vacancy. A vacancy in the legislature shall be filled for the remainder of the term only by election, as provided by law."

Read.

On motion of Delegate Tate Amendments No. 8, 9, 10, and 11 were adopted.

**AMENDMENT No. 11—**

On page 3, delete lines 32 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Legislative Reapportionment; Reapportionment by Supreme Court; Procedure."

Section 5. (A) Reapportionment by Legislature. By the end of the year following the year in which the population of this state is reported to the president of the United States for each decennial federal census, the legislature shall reapportion the representation in each house as equally as practicable on the basis of population shown by the census."

**AMENDMENT No. 12—**

On page 4, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Reapportionment by Supreme Court. If the legislature fails to reapportion as required in Paragraph (A), the supreme court, upon petition of any elector, shall reapportion the representation in each house as provided in Paragraph (A)."

**AMENDMENT No. 14—**

On page 4, delete lines 10 and 11 in their entirety and insert in lieu thereof the following:

"(C) Procedure. The procedure for review and for petition shall be provided by law."

Read.

On motion of Delegate Tate Amendments No. 12, 13, and 14 were adopted.

**AMENDMENT No. 15—**

On page 4, delete lines 12 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 6. Judging Qualifications and Elections; Procedural Rules; Discipline; Expulsion; Subpoenas; Contempt; Officers."

Section 6. (A) Judging Qualifications and Elections; Procedural Rules; Discipline; Expulsion. Each house shall be the judge of the qualifications and elections of its members; shall determine its rules of procedure, not inconsistent with the provisions of this constitution; may punish its members for disorderly conduct or contempt; and may expel a member with concurrence of two-thirds of its elected members. Expulsion creates a vacancy in the office."

**AMENDMENT No. 16—**

On page 4, delete lines 21 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Subpoena Power; Contempt. Each house may compel the attendance and testimony of witnesses and the production of books and papers before it, before any committee thereof, or before joint committees of the houses and may punish those in willful disobedience of its orders for contempt."

**AMENDMENT No. 17—**

On page 4, delete lines 27 through 34, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Officers. Each house shall choose its officers, including a permanent presiding officer selected from its membership. The presiding officers shall be the president of the Senate and the speaker of the House of Representatives. The clerical officers shall be the clerk of the House of Representatives and the secretary of the Senate, each of whom may administer oaths."

Read.
On motion of Delegate Tate Amendments No. 15, 16, and 17 were adopted.

AMENDMENT No. 18—
On page 5, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 7. A member of the legislature shall be privileged from arrest, except for felony, during his attendance at sessions and committee meetings of his house and while going to and from them. No member shall be questioned elsewhere for any speech in either house."

Read.

On motion of Delegate Tate Amendment No. 18 was adopted.

AMENDMENT No. 19—
On page 5, delete lines 8 through 13, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 8. Legislative office is a public trust, and every effort to realize personal gain through official conduct is a violation of that trust. The legislature shall enact a code of ethics prohibiting conflict between public duty and private interests of members of the legislature."

Read.

On motion of Delegate Tate Amendment No. 19 was adopted.

AMENDMENT No. 20—
On page 5, delete lines 14 through 19, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 9. Quorum; Compulsory Attendance; Journal; Adjournment With Consent of Other House
Section 9. (A) Quorum. Not less than a majority of the elected members of each house shall form a quorum to transact business, but a smaller number may adjourn from day-to-day and may compel the attendance of absent members."

Read.

On motion of Delegate Tate Amendments No. 20, 21 and 22 were adopted.

AMENDMENT No. 23—
On page 5, delete lines 31 through 35, both inclusive, in their entirety and on page 6, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 10. There shall be a legislative auditor responsible solely to the legislature. He shall serve as a fiscal advisor to it and shall perform the duties and functions provided by law related to auditing fiscal records of the state, its agencies, and political subdivisions. He shall be elected by the concurrence of a majority of the elected members of each house and may be removed by the concurrence of two-thirds of the elected members of each house."

Read.

On motion of Delegate Tate Amendment No. 23 was adopted.

AMENDMENT No. 24—
On page 6, delete lines 5 through 8, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 11. Compensation of Elected Public Officials; Reduction
Section 11. The compensation of an elected public official shall not be reduced during the term for which he is elected."

Read.

On motion of Delegate Tate Amendment No. 24 was adopted.

AMENDMENT No. 25—
On page 6, delete lines 9 through 19, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 12. Local or Special Laws; Notice of Intent; Publication
Section 13. No local or special law shall be enacted unless notice of the intent to introduce a bill to enact such a law has been published on two separate days, without cost to the state, in the official journal of the locality where the matter to be affected is situated. The last day of publication shall be at least thirty days prior to introduction of the bill. The notice shall state the substance of the contemplated law, and every such bill shall recite that notice has been given."

Read.

On motion of Delegate Tate Amendment No. 25 was adopted.

AMENDMENT No. 26—
On page 6, delete lines 21 through 23, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 14. (A) No Immunity in Contract and Tort. Neither the state nor its agencies or political subdivisions shall be immune from suit and liability in contract or for injury to person or property."

Read.

On motion of Delegate Tate Amendment No. 26 was adopted.

AMENDMENT No. 27—
On page 6, delete lines 24 through 27, both inclusive, in their entirety and insert in lieu thereof the following:
"(B) Waiver in Other Suits. The legislature may authorize other suits against the state, its agencies, and political subdivisions. A measure authorizing suit shall waive immunity from suit and liability."

Read.

On motion of Delegate Tate Amendment No. 27 was adopted.

AMENDMENT No. 28—
On page 6, delete lines 28 through 35, both inclusive, in their entirety and on page 7, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:
"(C) Procedure; Judgments. The legislature shall provide a procedure for suits against the state, a state agency, or a political subdivision. It shall provide for the effect of a judgment, but no public property or public funds shall be subject to seizure. No judgment against the state, a state agency, or a political subdivision shall be exigible, payable, or paid except from funds appropriated therefor by the legislature or by the political subdivision against which judgment is rendered."

Read.

Motion

On motion of Delegate Perez the Convention deferred action on the Amendments No. 26, 27, and 28 at this time.

AMENDMENT No. 29—
On page 7, delete lines 4 through 12, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 15. The legislature shall provide for orderly and temporary continuity of state government, in periods of emergency, until normal processes of government can be reestablished in accordance with the constitution and laws of the state; and, except as otherwise provided by this constitution, for the prompt and temporary succession to the powers and duties of public offices when incumbents become unavailable to perform their functions."

Read.

Motion

On motion of Delegate Perez the Convention deferred action on the Amendments No. 26, 27, and 28 at this time.
AMENDMENT No. 29—
On page 7, delete lines 1 through 17, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 16. The style of a law enacted by the legislature shall be, "Be it enacted by the Legislature of Louisiana." It shall be unnecessary to repeat the enacting clause after the first section of an act."

Read.

On motion of Delegate Perez Amendment No. 29 was adopted.

Motion
Delegate Perez moved for a suspension of the rules for the purpose of reconsidering the vote by which Section 17 of Committee Proposal No. 3 was adopted. The consideration thereof was limited to the consideration of the proposed Perez amendment.

Which motion was agreed to.

Reconsidered

Section 17, Passage of Bills

Section 17. (A) The legislature shall enact no law except by a bill introduced during a session of the legislature, and shall propose no amendment to the constitution except by a joint resolution introduced during a session of the legislature, which shall be processed as a bill. Every bill, except the general appropriation bill and bills for the enactment, rearrangement, codification, or revision of a system of laws, shall be confined to one object and every bill shall contain a brief title indicative of its object. No action on any matter intended to have the effect of law shall be taken except in open, public meeting.

(B) All bills enacting, amending, or reviving laws shall set forth completely the provisions of the laws enacted, amended, or revived, and no system or code of laws shall be adopted by general reference to such system or code of laws.

(C) No bill shall be amended in its passage through either house so as to make a change not germane to the bill as originally introduced.

(D) Every bill shall be read at least by title on three separate days in each house. No bill shall be considered for final passage unless and until a public hearing has been held on such bill and it has been reported on by a committee.

(E) No bill which has been rejected by either house may again be proposed or considered in the same house during the same session without the consent of a majority of the members elected to the house which rejected it.

(F) No amendments to bills by one house shall be concurred in by the other, nor shall any conference committee report be concurred in by either house except by the same vote required for final passage of the bill. The vote thereon shall be by record vote.

(G) No bill shall become law without the concurrence of at least a majority of the members elected to each house. Final passage of a bill shall be by record vote. At the request of one-fifth of the members elected to either house, a record vote shall be taken on any other measure or for any other purpose.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 3 by Delegate Blair, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—
On page 7, delete lines 19 through 29, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 17. (A) Introduction; Title; Single Object; Public Meetings. The legislature shall enact no law except by a bill introduced during a session, and propose no constitutional amendment except by a joint resolution introduced during that session, which shall be processed as a bill. Every bill, except the general appropriation bill and bills for the enactment, rearrangement, codification, or revision of a system of laws, shall be confined to one object. Every bill shall contain a brief title indicative of its object. No action on any matter intended to have the effect of law shall be taken only in open, public meeting."

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage
Committee Proposal 3 Section 17 was read, as amended.
Delegate Perez moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Alario
Alexander
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Cannon
Casey
Cheta
c
Chedary
Comar
Conino
Cown
D'Gerolamo
DeBlieux
Dennery
Drew
Dunlap
Florey
Fuico
O'Nell

Total—86.

NAYS

Delegate Champagne
Total—1.

NOT VOTING

Delegates—
Aertker
Anzalone
Burson
Burn
Carmouche
Conroy
Corne
Dennis
Derbes
Deshotels
Duval
Edwards
Elkins
Fayard
Fontenot
Fowler

Total—44.

And the Chair declared that the above Section was finally passed.
Delegate Perez moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**AMENDMENT No. 31—**

On page 7, delete lines 19 through 28, both inclusive, in their entirety and insert in lieu thereof the following:  
"Section 17. (A) Introduction; Title; Single Object; Public Meetings. The legislature shall enact no law except by a bill introduced during that session, and propose no constitutional amendment except by a joint resolution which shall be processed as a bill. Every bill, except the general appropriation bill and bills for the enactment, reorganization, codification, or revision of a system of laws, shall be confined to one object. Every bill shall contain a brief title indicative of its object. Action on any matter intended to have the effect of law shall be taken only in open, public meetings."

Read.  
On motion of Delegate Tate the amendment was withdrawn.

**AMENDMENT No. 32—**

On page 7, delete lines 30 through 33, both inclusive, in their entirety and insert thereof the following:  
"(B) No General Reference. A bill enacting, amending, or reviving a law shall set forth completely the provisions of the law enacted, amended, or revived. No system or code of laws shall be adopted by general reference to it."

Read.  
On motion of Delegate Tate Amendment No. 32 was adopted.

**AMENDMENT No. 33—**

On page 7, delete lines 34 and 35 in their entirety and on page 8, delete line 1 and insert in lieu thereof the following:  
"(C) germane Amendments. No bill shall be amended in either house to make a change not germane to the bill as introduced."

Read.  
On motion of Delegate Tate Amendment No. 33 was adopted.

**AMENDMENT No. 34—**

On page 8, delete lines 2 through 5, both inclusive, in their entirety and insert in lieu thereof the following:  
"(D) Three Readings. Each bill shall be read at least by title on three separate days in each house. No bill shall be considered for final passage unless a committee has held a public hearing and reported on the bill."

Read.  
On motion of Delegate Tate Amendment No. 34 was adopted.

**AMENDMENT No. 35—**

On page 8, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:  
"(E) Rejected Bills; Reconsideration. No bill rejected by either house may again be introduced or considered during the same session by the house which rejected it without the consent of a majority of the members elected to that house."

Read.  
On motion of Delegate Tate Amendment No. 35 was adopted.

**AMENDMENT No. 36—**

On page 8, delete lines 10 through 14, both inclusive, in their entirety and insert in lieu thereof the following:  
"(F) Concurrence in Amendments. No amendment to a bill by one house shall be concurred in by the other, and no conference committee report shall be concurred in by either house except by the same vote required for final passage of the bill. The vote thereon shall be by record vote."

Read.  
On motion of Delegate Tate Amendment No. 36 was adopted.

**AMENDMENT No. 37—**

On page 8, delete lines 15 through 20, both inclusive, in their entirety and insert in lieu thereof the following:  
"(G) Majority Vote; Record Vote. No bill shall become law without the favorable vote of at least a majority of the members elected to each house. Final passage of a bill shall be by record vote. In either house, a record vote shall be taken on any matter upon the request of one-fifth of the elected members."

Read.  
On motion of Delegate Tate Amendment No. 37 was adopted.

**AMENDMENT No. 38—**

On page 8, delete lines 22 through 27, both inclusive, in their entirety and insert in lieu thereof the following:  
"Section 18. (A) Specific Appropriation for One Year. No money shall be withdrawn from the state treasury except through specific appropriation. Except as otherwise provided in this constitution, no appropriation shall be made under the heading of contingencies, nor shall any appropriation be made for longer than one year."

Read.  
On motion of Delegate Tate Amendment No. 38 was adopted.

**AMENDMENT No. 39—**

On page 8, line 28, after "(B)" at the beginning of line 28 and before the word "All" insert "Origin in House of Representatives."

Read.  
On motion of Delegate Tate Amendment No. 39 was adopted.

**AMENDMENT No. 40—**

On page 8, delete lines 32 through 35, both inclusive, in their entirety and insert in lieu thereof the following:  
"(C) General Appropriation Bill; Limitations. The general appropriation bill shall be itemized and shall contain only appropriations for the ordinary operating expenses of government, public charities, pensions, and the public debt or interest thereon."

Read.  
On motion of Delegate Tate Amendment No. 40 was adopted.

**AMENDMENT No. 41—**

On page 9, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:  
"(D) Specific Purpose and Amount. All other bills for appropriating money shall be for a specific purpose and amount."

Read.  
On motion of Delegate Tate Amendment No. 41 was adopted.

**AMENDMENT No. 42—**

On page 9, delete lines 3 through 8, both inclusive, in their entirety and insert in lieu thereof the following:  
"(E) Extraordinary Session. Except for expenses of the legislature, a bill appropriating money in an extraordinary session convened after final adjournment of the regular session in the last year of the term of office of a governor shall
require the favorable vote of three-fourths of the elected members of each house."

Read.

On motion of Delegate Tate Amendment No. 42 was adopted.

AMENDMENT No. 43—
On page 8, delete lines 10 through 14, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 19. (A) Signing; Delivery. A bill passed by both houses shall be signed by the presiding officers and delivered to the governor, within three days after passage."

Read.

On motion of Delegate Tate Amendment No. 43 was adopted.

AMENDMENT No. 44—
On page 9, delete lines 15 and 16 in their entirety and insert in lieu thereof the following:
"(B) Resolutions. No joint, concurrent, or other resolution shall require the signature or other action of the governor to become effective."

Read.

On motion of Delegate Tate Amendment No. 44 was adopted.

AMENDMENT No. 45—
On page 9, delete lines 18 through 22, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 20. (A) Gubernatorial Action. A bill, except a joint resolution, shall become law if the governor signs it or if he fails to sign or veto it within ten days after delivery to him if the legislature is in session; or within twenty days if the legislature is adjourned."

Read.

On motion of Delegate Tate Amendment No. 45 was adopted.

AMENDMENT No. 46—
On page 9, delete lines 23 through 31, both inclusive, in their entirety and insert in lieu thereof the following:
"(B) Veto. If the governor does not approve a bill, he may veto it. When he vetoes a bill, he shall return it to the legislature, with his veto message, within twelve days after delivery to him if the legislature is in session. If the legislature adjourns before he vetoes or returns one or more bills, he shall return them, with his veto message, as provided by law. A bill returned and subsequently approved by two-thirds of the elected members of each house shall become law."

Read.

On motion of Delegate Tate Amendment No. 46 was adopted.

AMENDMENT No. 47—
On page 9, delete lines 32 through 35, both inclusive, in their entirety and on page 10, delete lines 1 through 12, both inclusive, in their entirety and insert in lieu thereof the following:
"(C) Veto Session. The legislature shall meet in veto session in the state capital at noon on the fortieth day following final adjournment of the most recent session, to consider all bills vetoed by the governor. If the fortieth day falls on Sunday, the session shall convene at noon on the succeeding Monday. No veto session shall exceed five calendar days, and any veto session may be finally adjourned prior to the end of the fifth day upon the vote of two-thirds of the elected members of each house.

No veto session shall be held if a majority of the elected members of either house declare in writing that a veto session is unnecessary. The declaration must be received by the presiding officer of the respective houses at least five days prior to the day on which the veto session is to convene."

Read.

On motion of Delegate Tate Amendment No. 47 was adopted.

AMENDMENT No. 48—
On page 10, delete lines 20 through 29, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 22. Only the legislature may suspend a law, and then only by the same vote and, except for gubernatorial veto and time limitations for introduction, according to the same procedures and formalities required for enactment of that law. After the effective date of this constitution, every resolution suspending a law shall fix the period of suspension, which shall not extend beyond the sixtieth day after final adjournment of the next regular session."

Read.

On motion of Delegate Tate Amendment No. 48 was adopted.

AMENDMENT No. 49—
On page 10, delete lines 33 through 35, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 23. Neither the state nor any political subdivision shall grant a perpetual franchise or privilege; however, the legislature may authorize the organization of corporations for perpetual or indefinite duration. Every corporation shall be subject to dissolution or forfeiture of its charter or franchise, as provided by general law."

Read.

On motion of Delegate Tate Amendment No. 49 was adopted.

AMENDMENT No. 50—
On page 11, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 24. (A) Persons Liable. A state or district official, whether elected or appointed, shall be liable to impeachment for commission or conviction during term of office, of a felony, malfeasance, or for gross misconduct."

Read.

On motion of Delegate Tate Amendment No. 50 was adopted.

AMENDMENT No. 51—
On page 11, delete lines 10 through 18, both inclusive, in their entirety and insert in lieu thereof the following:
"(B) Procedure. Impeachment shall be by the House of Representatives and trial by the Senate, with senators under oath or affirmation for the trial. The concurrence of two-thirds of the elected senators shall be necessary to convict. The Senate may try an impeachment whether or not the House is in session and may adjourn when it deems proper. Conviction upon impeachment shall result in immediate removal from office. Nothing herein shall prevent other action, prosecution, or punishment authorized by law."

Read.

On motion of Delegate Perez action was deferred on the above amendment at this time.

AMENDMENT No. 52—
On page 11, delete lines 19 through 24, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 25. Removal by Suit; Officials Subject Section 25. For the causes enumerated in Paragraph (A) of Section 24 of this Article, the legislature shall provide by general law for the removal by suit of any state, district,
parochial, ward, or municipal official except the governor, lieutenant governor, and judges of the courts of record.”

Read.

On motion of Delegate Tate Amendment No. 52 was adopted.

AMENDMENT No. 53—
On page 11, delete lines 28 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 26. The legislature shall provide by general law for the recall by election of any state, district, parochial, ward, or municipal official except judges of the courts of record. The sole issue at a recall election shall be whether the official shall be recalled.”

Read.

On motion of Delegate Tate Amendment No. 53 was adopted.

AMENDMENT No. 54—
On page 11, delete lines 32 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 27. (A) Full Term. Members of the legislature shall take office thirty days prior to the convening date of the first regular session of each term for which they are elected.”

Read.

On motion of Delegate Tate Amendment No. 54 was adopted.

AMENDMENT No. 55—
On page 12, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Filling Vacancy. A person elected to fill a vacancy in an unexpired legislative term shall take office thirty days after the secretary of state promulgates the election returns.”

Read.

On motion of Delegate Tate Amendment No. 55 was adopted.

AMENDMENT No. 56—
On page 9, delete lines 23 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Veto. If the governor does not approve a bill, he may veto it. When he vetoes a bill, he shall return it to the legislature, with his veto message, within twelve days after delivery to him if the legislature is in session. If the governor returns or veto a bill after the legislature adjourns, he shall return it, with his veto message, as provided by law. A bill returned and subsequently approved by two-thirds of the elected members of each house shall become law.”

Read.

On motion of Delegate Tate Amendment No. 56 was adopted.

AMENDMENT No. 57—
On page 10, delete lines 14 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 21. All laws shall take effect on the sixtieth day after final adjournment of the session in which they were enacted, and shall be published in the official journal of the state as provided by law. However, any bill may specify an earlier or later effective date.”

Read.

On motion of Delegate Tate the Convention deferred action on the above amendment at this time.

AMENDMENT No. 58—
On page 11, delete lines 32 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 27. (A) Full Term. Members of the legislature shall take office on the same day as the governor and other officials elected statewide.”

AMENDMENT No. 59—
On page 12, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Filling Vacancy. A person elected to fill the remainder of an unexpired legislative term shall take office within thirty days after the secretary of state promulgates the election returns.”

Read.

On motion of Delegate Tate Amendments No. 58 and 59 were adopted.

AMENDMENT No. 60—
On page 3, delete lines 29 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

“(D) Vacancy. A vacancy in the legislature shall be filled for the remainder of the term only by election, by the electors of the respective district, as provided by law.”

Read.

On motion of Delegate Tate Amendment No. 60 was adopted.

Motion

On motion of Delegate Tobias the rules were suspended for the purpose of reconsidering the vote by which Section 4 of Committee Proposal No. 3 was adopted, the consideration thereof limited to the consideration of the proposed Tobias amendment.

Reconsidered

Section 4. Qualifications; Residence Requirements; Term; Vacancies; Salary

Section 4. (A) Every person, who is an elector and has reached the age of eighteen years at the time of qualifications for the office, shall be eligible for membership in the legislature.

(B) No person shall be eligible to membership in the legislature unless at the time of qualification for the office he shall have been a resident of the state for two years and actually domiciled within the legislative district from which he seeks election for one year immediately preceding qualification for office. However, at the next regular election for members of the legislature following the reapportionment of the legislature, a person may qualify for election to either house of the legislature from any district created in whole or in part from the district existing prior to reapportionment in which such person was domiciled, if he was domiciled in that prior district for at least one year immediately preceding his election and if he was a resident of the state for at least two years immediately preceding his election. The seat of any member who changes his domicile from the legislative district he represents or, if elected after reapportionment, whose domicile is not within the district he represents at the time he is sworn into office, shall be vacated thereby, any declaration of a retention of domicile to the contrary notwithstanding.

(C) The members of the legislature shall be elected for terms of four years each.

(D) When a vacancy occurs in either house of the legislature, the remainder of the term shall be filled only by election, as provided by law.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias to Committee Proposal No. 3 by Delegate Blair, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 29 through 31, both inclusive, in their entirety and Committee Amendment No. 60 adopted
Motion
On motion of Delegate Tobias the rules were suspended for the purpose of reconsidering the vote by which Section 14 of Committee Proposal No. 3 was adopted, the consideration thereof being limited to the consideration of the proposed Tobias amendment.

Reconsidered

Section 14. Suits Against the State

Section 14. (A) Neither the state nor any of its agencies or political subdivisions shall be immune from suit and liability in contract or for injury to person or property.

(B) In other cases the legislature may authorize suit to be filed against the state, its agencies and political subdivisions and any concurrent resolution enacted for the purpose shall waive immunity from suit and liability.

(C) The legislature shall provide for a method of procedure and the effects of the judgments which may be rendered in all cases against the state, its agencies and political subdivisions.

(D) Public property and funds shall not be subject to seizure, and no judgment against the state, its agencies or political subdivision shall be exigible, payable, or paid except out of funds appropriated for payment by the state, its agencies or political subdivision against whom judgment is rendered.

Read.

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

Minority

FLOOR AMENDMENTS

Amendments proposed by Delegate Tobias to Committee Proposal No. 3 by Delegate Blair, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1 —

On page 6, delete lines 21 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14. (A) No immunity in contract and tort. Neither the state, a state agency, nor a political subdivision shall be immune from suit and liability in contract or for injury to person or property."

AMENDMENT No. 2 —

On page 6, delete lines 24 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Waiver in Other Suits. The legislature may authorize other suits against the state, a state agency, or a political subdivision. A measure authorizing suit shall waive immunity from suit and liability."

On motion of Delegate Tobias the amendments were adopted.

Delegate Tobias moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 3, Section 14 was read as amended.

Delegate Tobias moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Abraham
Alario
Alexander
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Casey
Champagne
Chaiselain
Chehardy
Comar
Conino
Cowen
D'Gerolamo
De Blieux
Denneray
Drew
Dunlap

Total—78.

Total—6.

NOT VOTING

Delegates—

Aerker
Anzalone
Brown
Burson
Cannon
Carmouche
Conroy
Corne
Dennis
Derbes
Dehotels
Duval
Eldridge
Elkins
Fayard
Fountenot
Fowler
Gravel

Total—53.

And the Chair declared that the above Section was finally passed.

Delegate Tobias moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.
89th Days Proceedings—November 18, 1973

Ginn
Goldman
Graham
Grier
Guarisco
Heine
Hernandez
Jackson, J.
Jenkins
Kean
Kelly
Kilpatrick
Landry, A.
Landry, E. J.
Lanier
LeBlue
Lowe

Total—79.

Mauberret
Maybuse
Nunez
O'Neill
Perez
Perkins
Planchard
Pugh
Rayburn
Reeves
Roemer
Sandos
Schmitt
Shannon
Singletary
Smith
Soniat
Stagg
Stephenson
Tate
Thompson
Toblas
Toca
Toomy
Velasquez
Vick
Warren
Wattigny
Willis
Winchester
Wisham
Zervigon

NAYS

Total—9.

NOT VOTING

Hardee
Hayes
Haynes
Jack
Jackson, A.
Juneau
Kilbourne
Lambert
Landrum
Leigh
Leithman
McDaniel
Martin
Miller
Mire
Morris
Munson
Newton
Ousso
Rachal
Riecke
Roy
Segura
Slay
Stinson
Stovall
Sutherland
Tapper
Thistlethwaite
Uullo
Vesich
Wall
Weiss
Womack

And the Chair declared that the above Section was finally passed.

Delegate Tobias moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Tate Amendments No. 26 and 27 upon which action was previously deferred were taken up and acted upon as follows:

AMENDMENT No. 26—

On page 6, delete lines 21 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14. (A) No immunity in contract and tort. Neither the state nor its agencies or political subdivisions shall be immune from suit and liability in contract or for injury to person or property."

AMENDMENT No. 27—

On page 6, delete lines 24 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Waiver in Other Suits. The legislature may authorize other suits against the state, its agencies, and political subdivisions. A measure authorizing suit shall waive immunity from suit and liability."

Read.

On motion of Delegate Tate, the Amendments were withdrawn.

Motion

On motion of Delegate Tate Amendment Number 28, upon which action was previously deferred was taken up and acted upon as follows:

AMENDMENT No. 28—

On page 6, delete lines 28 through 35, both inclusive, in their entirety and on page 7, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"(C) Procedure; Judgments. The legislature shall provide a procedure for suits against the state, a state agency, or a political subdivision. It shall provide for the effect of a judgment, but no public property or public funds shall be subject to seizure. No judgment against the state, a state agency, or a political subdivision shall be exigible, payable, or paid except from funds appropriated therefor by the legislature or by the political subdivision against which judgment is rendered."

Read.

On motion of Delegate Tate Amendment No. 28 was adopted.

Motion

On motion of Delegate Tobias the rules were suspended for the purpose of reconsidering the vote by which Section 19 of Committee Proposal No. 3 was adopted, the consideration thereof being limited to the consideration of the proposed Tobias amendment.

Reconsidered

Section 19, Signing of Bills; Delivery to Governor

Section 19, (A) A bill that has been passed by both houses of the legislature shall be signed by the presiding officers of both houses and shall be submitted to the governor for his signature or other action. Delivery to the governor shall be within three days after passage.

(B) No joint, concurrent, or other resolution shall require the signature or other action of the governor.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias to Committee Proposal No. 3 by Delegate Blair, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—

On page 6, delete lines 10 through 14, both inclusive, in their entirety and Committee Amendment No. 43 adopted by the Convention November 19, 1973 and insert in lieu thereof the following:

"Section 19. (A) Signing; Delivery. A bill passed by both houses shall be signed by the presiding officers and delivered to the governor within three days after passage."

On motion of Delegate Tobias the amendment was adopted.

Delegate Tobias moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 3, Section 19 was read, as amended.

Delegate Tobias moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Alario
Alexander
Arnette
Assett
Avant
Badeaux
Bergeron
Blair

Bollinger
Brien
Burns
Cannon
Casey
Champagne
Chatelain
Cheramy
Comar
Conino

Cowie
D'Gerolamo
De Bileux
Dennery
Dew
Dunlap
Flory
Fulco
Gauthier
Giarrusso
PAGE 15
89th Days Proceedings—November 18, 1973

Ginn
Goldman
Graham
Grier
Guarisco
Hayes
Heime
Hernandez
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilpatrick
Landry, A.
Landry, E. J.
Lanier

NAYS
Not Voting

Delegates—
Aertker
Anzalone
Bel
Brown
Burson
Carmouche
Conroy
Corne
Dennis
Derbes
Deshotels
Duval
Edwards
Elkins
Fayard
Fontenot
Fowler

Total—50.

And the Chair declared that the above Section was finally passed.

Delegate Tobias moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Tate and under a suspension of the rules, the motion to reconsider the vote by which Committee Proposal No. 3, Section 21, was passed, was called from the table.

Reconsidered

Section 21. Effective Date of Laws

Section 21. All laws shall be published in the official journal of the state as provided by law and thereafter shall take effect on the sixtieth day after final adjournment of the session in which they were enacted. However, any bill may specify an earlier or later effective date.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Tate to Committee Proposal No. 3 by Delegate Blair, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—

On page 10, delete lines 14 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 21. All laws shall take effect on the sixtieth day after final adjournment of the session in which they were enacted, and shall be published prior thereto in the official journal of the state as provided by law. However, any bill may specify an earlier or later effective date."

Delegate Tate moved the adoption of the amendment.

Delegate Bollinger objected.

By a vote of 72 yeas and 8 nays the amendment was adopted.

Delegate Tate moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Explanation of Vote

Delegates Pugh and Kean sent up the following Explanation of Vote with respect to the adoption the Amendment proposed by Delegate Tate to Section 21 of Committee Proposal No. 3:

1. The language "prior thereto" can present the possibility that laws do not become effective due to an inability to publish the same within the prescribed time of sixty days.

2. To prove the law to be effective you must also prove publication.

Passage

Committee Proposal No. 3, Section 21 was read, as amended.

Delegate Tate moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Alario
Alexander
Arnazte
Asseff
Avant
Badeaux
Bergeon
Blair
Bollinger
Brien
Brown
Burns
Cannon
Casey
Champagne
Chatelier
Chehardy
Comar
Conino
Cowen
D’Gerolamo
De Bileux
Denner
Drew

Total—77.

Delegates—
Pugh

NOT VOTING

Delegates—
Aertker
Anzalone
Bel
Burson
Carmouche
Conroy
Corne
Dennis
Derbes
Deshotels
Duval
Edwards
Elkins
Fayard
Fontenot
Fowler

Total—2.

NAYS

Delegates—

Pugh

NOT VOTING

Delegates—
Fowler
Gravel
Guarisco
Hardee
Haynes
Jack
Jackson, A.
Kalbourne
Lambert
Landrum
Leigh
Leithman
McDaniel
Martin
Miller
Mire
Morris
Munson
Newton
O’Neill
Oruso
Ours
Ralchal
Rieke
Roy
Segura
Slay
Slaton
Sutherland
Stovall
Tapper
Thistlethwaite

873
89th Days Proceedings—November 18, 1973

Toomy
Ullo
Vescich
Total—52.

And the Chair declared that the above Section was finally passed.

Delegate Tate moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Tate Committee Amendment No. 57 upon which action was previously deferred, was taken up and acted upon as follows:

AMENDMENT No. 57—

On page 10, delete lines 14 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 21. All laws shall take effect on the sixtieth day after final adjournment of the session in which they were enacted, and shall be published in the official journal of the state as provided by law. However, any bill may specify an earlier or later effective date."

Read.

On motion of Delegate Tate the amendment was withdrawn.

Motion

On motion of Delegate Avant under a suspension of the rules the motion to reconsider the vote by which Committee Proposal No. 3, Section 24, was passed, was called from the table.

Reconsidered

Section 24. Impeachment

Section 24. (A) Any state or district official, whether elected or appointed, shall be liable to impeachment for commission or conviction of felonies, malfeasance, or for gross misconduct during his term of office.

(B) All impeachments shall be by the House of Representatives, and shall be tried by the Senate, whose members shall be upon oath or affirmation for that purpose, and a vote of two-thirds of the senators elected shall be necessary to convict. The Senate may sit for said purpose whether the House be in session or not, and may adjourn as it thinks proper. Conviction upon impeachment shall result in immediate removal from office. Nothing herein shall prevent any other action, prosecution, or punishment authorized by statute.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 3 by Delegate Blair, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—

On page 11, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 24. (A) Persons Liable. A state or district official, whether elected or appointed, shall be liable to impeachment for commission or conviction, during his term of office of a felony or for malfeasance or gross misconduct while in such office."

On motion of Delegate Avant the amendment was adopted.

Delegate Tate moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 3, Section 24 was read.

Delegate Tate moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Flory
Abraham
Fulco
Alaric
Gauthier
Alexander
Garcusso
Arnette
Ginn
Asseff
Goldman
Avant
Graham
Badeaux
Grier
Bergeron
Hayes
Blair
Heine
Bollinger
Hernandez
Brown
Jackson, J.
Burns
Jenkins
Brien
Juneau
Brown
Kean
Burns
Kelly
Bourgeois
Kilpatrick
Chatelain
Landry, A.
Chehardy
Landry, E. J.
Comar
Lanier
Corino
LeBlanc
Cowen
Lowe
D'Gerolamo
Maybucci
De Blieux
Nunez
Denner
O'Neil
Dunlap
Perez
Total—78.

NOT VOTING

NAYS

Delegates—
Aertker
Guarisco
Anzalone
Hardee
Bel
Haynes
Burson
Jack
Carmouche
Jackson, A.
Conroy
Kilbourne
Corne
Lambert
Dennis
Landrum
Derbes
Leigh
Deshotels
Leithman
Drew
McDaniel
Duval
Martin
Edwards
Maubernet
Elkins
Miller
Fayard
Mire
Fontenot
Morris
Fowler
Munson
Gravel
Newton
Total—53.

And the Chair declared that the above Section was finally passed.

Delegate Tate moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Tate the following amendment, upon which action was previously deferred, was taken up and acted upon as follows:

AMENDMENT No. 50—

On page 11, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 24. (A) Persons Liable. A state or district official, whether elected or appointed, shall be liable to impeachment for commission or conviction, during his term of office, of a felony, malfeasance, or for gross misconduct."
On motion of Delegate Tate the amendment was withdrawn.

Motion

On motion of Delegate Tate the following amendment upon which action was previously deferred, was taken up and acted upon as follows:

AMENDMENT No. 51—
On page 11, delete lines 10 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Procedure. Impeachment shall be by the House of Representatives and trial by the Senate, with senators under oath or affirmation for the trial. The concurrence of two-thirds of the elected senators shall be necessary to convict. The Senate may try an impeachment whether or not the House is in session and may adjourn when it deems proper. Conviction upon impeachment shall result in immediate removal from office. Nothing herein shall prevent other action, prosecution, or punishment authorized by law.”

Read.

On motion of Delegate Tate Amendment No. 51 was adopted.

Motion

On motion of Delegate Nunez, the Convention altered the Order of Business to take up other Orders of Business at this time.

Proposals

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

COMMITTEE PROPOSAL No. 31—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Asseff, Brien, Dennery, Duval, Gravel, Stovall, and Tapper (A Substitute for Committee Proposal No. 19):

A PROPOSAL

Making provisions in the Schedule provisions of the constitution for mandatory reorganization of the executive branch of state government.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XIV. SCHEDULE

Section 1. Mandatory Reorganization of State Government Section 1. (A) 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. Such allocation, which shall not be subject to veto by the governor, shall become operative not later than December 31, 1977.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

Under the Rules, referred to the Committee on Style and Drafting.

Leaves of Absence

Delegate Jack—½ day.
Delegate Dennis—½ day.
Delegate Leigh—2½ days.
Delegate Burson—2½ days.
Delegate Miller—½ day.
Delegate Carmouche—1½ days.
Delegate A. Jackson—3½ days.
Delegate Haynes—3½ days.
Delegate Sutherland—1½ days.
Delegate Rachal—½ day.

Adjournment

Delegate Smith moved that the Convention do now adjourn until Monday, November 19, 1973 at 9:00 o’clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Monday, November 19, 1973 at 9:00 o’clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—
Mr. Chairman
Abraham
Aerker
Alario
Alexander
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Cannon
Carnouche
Casey
Champagne
Chaislain
Chehardy
Comar
Conino
Conroy
Cowen
D'Gerolamo
DeBlieux
Denner
Dennis
Drew
Dunlap
Duval
Edwards
Fayard
Fiery

Fontenot
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Graham
Grier
Hardee
Hayes
Heine
Hernandez
Jack
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kibourne
Kilpatrick
Landry, A.
Landry, E. J.
Lanier
LeBleu
Leithman
Lowe
McDaniel
Martin
Mauberret
Maybrue
Miller
Mire
Morris
Munson
Nunez
O'Neil

Ours
Perez
Perkins
Planerchard
Pugh
Rayburn
Reeves
Ricke
Roemer
Roy
Sandoz
Schmitt
Segura
Singletary
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Tapper
Tate
Thompson
Tobias
Toca
Toomy
Vezquez
Vick
Warren
Wattigny
Wills
Winchester
Wisam
Womack
Zervigon

The Chairman announced that there were 107 members present and a quorum.

DELEGATE PROPOSAL No. 23—
Introduced by Delegate Abraham:
A PROPOSAL
Relative to appropriations by the legislature for the state budget.
Read.

Article III, Section 18. Appropriations
Section 18. (F) Total appropriations for the year shall not exceed anticipated annual revenues as projected by the governor in the operating budget.
Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Abraham to Delegate Proposal No. 23 by Delegate Abraham.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, delete line 8 in its entirety and insert in lieu thereof the following:

"ARTICLE III, LEGISLATIVE BRANCH
Section 18. Appropriations
On motion of Delegate Abraham the amendment was adopted.

Delegate Abraham moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Pugh, Stagg, and Abraham to Delegate Proposal No. 23 by Delegate Abraham.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, delete line 11 in its entirety and insert in lieu thereof "legislative auditor."

On motion of Delegate Pugh the amendment was withdrawn.

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

Prayer

Prayer was offered by Delegate Burns.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Pugh, the Journal of yesterday was adopted.

Regular Order

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

Motion

On motion of Delegate Abraham Delegate Proposal No. 23 was taken up out of its regular order and acted upon as follows:
FLOOR AMENDMENT

Amendment proposed by Delegates Rayburn and De Blieux to Delegate Proposal No. 23 by Delegate Abraham.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 8 through 11, both inclusive, in their entirety including all Floor Amendments thereto.

Delegate Rayburn moved the adoption of the amendment.

Delegate Abraham objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham Gauthier
Alario Giarrusso
Alexander Girard
Arnette Glenn
Badeaux Goldman
Bel Graham
Bergeron Grier
Blair Hayes
Brown Heine
Burns Jenkins
Cannon Kelly
Casey Kilbourne
Champagne Kilpatrick
Chetlain Landry, A.
Chehardy Landry, E. J.
Comar Lanier
Conino LeBleu
Coven Leithman
D'Geralomo Lowe
De Blieux Maubertet
Denney Maybuce
Drew Morris
Dunlap Munson
Flory Muniz
Fulco O'Neill
Gauthier O'Neill

Total—71.

NAYS

Delegates—

Abraham Bollinger
Alexander Briei
Asseff Pugh

Total—9.

DELEGATE PROPOSAL No. 12—

Introduced by Delegate Denney:

A PROPOSAL

To provide for uniform compensation to members of all state boards, commissions, and authorities.

Read.

Article IV, Section 1. Compensation

Section 1. The legislature may provide that unsalaried members of any state board, commission, or authority may be compensated for each day devoted to the work of the board, commission, or authority. The amount of compensation, if any, shall be determined by the legislature, and shall be the same for the members of all such boards, commissions, or authorities.

Read.

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

TOTAL—52.

Delegates—

Deblur De Blieux moved to reconsider the vote by which the above Proposal was rejected, and, on his own motion, the motion to reconsider was laid on the table.
FLOOR AMENDMENT

Amendment proposed by Delegate Denney to Delegate Proposal No. 12 by Delegate Denney.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No 1—
On page 1, delete line 6, in its entirety and at the beginning of line 7 delete “Section 1.” and insert in lieu thereof the following:

“ARTICLE IV. EXECUTIVE BRANCH

Section ___ Compensation
Section ____.”

On motion of Delegate Denney the amendment was adopted.

Delegate Denney moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Reeves to Delegate Proposal No. 12 by Delegate Denney.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No 1—
On page 1, delete lines 6 through 13, both inclusive, in their entirety

Delegate Reeves moved the adoption of the amendment.

Delegate Denney objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Ginn
Graham
Grier
Hayes
Heine
Kelly
Kilbourn
Kilpatrick
Landry, A.
Landry, E. J.
Lanier
LeBlanc
LeBleu
Mauberret
Morris
Munson
Nunez
O’Neill
Perez
Planchard

NOT VOTING

Delegates—

Guarisco
Hearne
Haynes
Hernandez
Hernandez
Jack
Jackson, A.
Jackson, J.
Juneau
Kean
Lambert
Landrum
Leigh
Lowe
McDaniel
Martin
Mire
Morris
O’Neill
Perez

NAYS

Delegates—

Ginn
Graham
Grier
Hayes
Heine
Kelly
Kilbourn
Kilpatrick
Landry, A.
Landry, E. J.
Lanier
LeBlanc
LeBleu
Mauberret
Morris
Munson
Nunez
O’Neill
Perez

NOT VOTING

Delegates—

Guarisco
Hearne
Haynes
Hernandez
Hernandez
Jack
Jackson, A.
Jackson, J.
Juneau
Kean
Lambert
Landrum
Leigh
Lowe
McDaniel
Martin
Mire
Morris
O’Neill
Perez

Total—77.

And the amendment was adopted.

Delegate Reeves moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

The Proposal was read.

Delegate De Blieux moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Ginn
Graham
Grier
Hayes
Heine
Kelly
Kilbourn
Kilpatrick
Landry, A.
Landry, E. J.
Lanier
LeBlanc
LeBleu
Mauberret
Morris
Munson
Nunez
O’Neill
Perez

NOT VOTING

Delegates—

Guarisco
Hearne
Haynes
Hernandez
Hernandez
Jack
Jackson, A.
Jackson, J.
Juneau
Kean
Lambert
Landrum
Leigh
Lowe
McDaniel
Martin
Mire
Morris
O’Neill
Perez

Total—52.
And the Chair declared that the above Proposal was rejected.

Delegate De Bieux moved to reconsider the vote by which the above Proposal was rejected, and, on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Smith moved that the Convention stand at ease until 12:30 o'clock P.M.

Delegate Nunez objected.

As a substitute Delegate Avant moved that the Convention stand at ease until 1:00 o'clock P.M.

Delegate Lanier objected.

The vote recurred on the substitute motion.

By a vote of 62 yeas and 17 nays the Convention stood at ease until 1:00 o'clock P.M.

Motion

On motion of Delegate Leithman Committee Proposal No. 12 was taken out of its regular order and acted upon as follows:

COMMITTEE PROPOSAL No. 12—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegate Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachle, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL

Making provisions for human resources by prohibiting the leasing of convicts and the employment of convicts in competition with private enterprise and by providing for reimbursement to parishes for expenses incurred resulting from crimes committed in penal institutions.

Read.

ARTICLE VII, SECTION 1. PENAL INSTITUTIONS AND CONVICT LABOR

Section 1. (A) State penal Institutions; Reimbursement of Parish Expense. In parishes in which are located penal institutions of the State of Louisiana, the expenses incurred by the parish arising from crimes committed in such institutions or by the inmates or employees thereof shall be reimbursed by the state.

(B) Convict Labor. No convict sentenced to the state penitentiary shall ever be leased, or hired to any person or persons, or corporation, private or public, or quasipublic. No convict sentenced to the state penitentiary shall ever be employed in any enterprise in competition with private enterprise.

Read.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Gauthier, Roy and Tobias to Committee Proposal No. 12 by Delegate Aertker, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 16 through 23, both inclusive, in their entirety.

AMENDMENT No. 2—

On page 1, delete lines 24 through 29, both inclusive, in their entirety.

AMENDMENT No. 3—

On page 1, delete lines 16 and 17, both inclusive, in their entirety.

On motion of Delegate Smith a division of the question was ordered.

Delegate Roy moved the adoption of Amendment No. 2.

Delegate Flory objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Alario
Arnette
Aseff
Badeaux
Bollinger
Brown
Carmonche
Casey
Champagne
Chataeline
Conino
Corray
Cowen
De Blieux
Denney
Dixon
Drew
Dunlap
Duval
Edwards
Golden

Total—63.

NAYS

Delegates—

Alexander
Avant
Bergeron
Burns
Cannon
Cochard
D'Gerolamo
Flory
Fulco
Goldman

Total—29.

NOT VOTING

Delegates—

Mr. Chairman
Aertker
Anzalone
Bel
Blair
Brown
Burson
Camar
Corne
Derbes
Deshotel
Elkins
Fowler

Total—39.

And the amendment was adopted.

Delegate Roy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roy moved the adoption of Amendments 1 and 3.

Delegate Flory objected.

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

ROLL CALL

The roll was called with the following result:
by the state to any person or persons, or corporation, private or public, or quasipublic. No such person shall ever be employed in any enterprise in competition with private enterprise, except for the production of goods used or consumed, or maintenance services performed, in state or parish institutions.”

On motion of Delegate Flory the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Flory to Committee Proposal No. 12 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, beginning on line 18, insert the following: “Section 1. Inmate Labor. No person while confined in a state correctional institution shall ever be leased, or hired by the state to any person, or corporation, private or public, or quasipublic. No such person shall ever be employed in any enterprise in competition with private enterprise, except for the production of goods used or consumed, or maintenance services performed, in state or parish institutions. Nothing herein shall be construed as prohibiting the employment of such persons as work release programs authorized by law nor in the manufacture and sale of vehicle license plates.”

Delegate Flory moved the adoption of the amendment.

Delegate Nunex objected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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<th>Delegates</th>
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<td>Morin</td>
<td>Winchester</td>
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<td>O'Neill</td>
<td>Pugh</td>
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NAYS

<table>
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<th>Delegates</th>
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<td>Duval</td>
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NOT VOTING

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<th>Delegates</th>
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<td>Fowler</td>
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<tr>
<td></td>
<td>Deshotels</td>
<td>Gravel</td>
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</tbody>
</table>
90th Days Proceedings—November 19, 1973

Delegate Nunez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Kilbourne to Committee Proposal No. 12 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 18, insert the following:

"Section 1 (A). State Penal Institutions; Reimbursement of Parish Expense. In parishes in which are located penal institutions of the State of Louisiana, the expenses incurred by the parish arising from crimes committed in such institutions or by the inmates thereof shall be reimbursed by the state."

Delegate Kilbourne moved the adoption of the amendment.

Delegate Vick objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—


Glarruso Ginn Goldman Graham Hardee Hayes Heine Hernandez Jackson, J. Jenkins Kean Kilbourne Landry, A. Landry, E. J. Lanier Leitman Lowe McDaniel Martin Mauberret Maybuce Mire

Morris Munson Nunez O'Neil Ourso Perez Pichard Riecke Roemer Sandoz Slagg Stephenson Teomy Vezquez Warren Wattigny Willis Winchester Wisham Zervigon

Delegates—

Arnette Assett Bollinger Brien Casey Champagne Conroy Cowen De Bileux Denney

Duval Fontenot Gauthier Girier Jack Juneau Kilpatrick LeBlue Miller Perkins

Reeves Roy Singletary Smith Soniat Stovall Tobias Vick

NOT VOTING

Delegates—

Mr. Chairman Anzalone Bel Blair Burson Corne Dennis Derbes Deshotels Eikens Fowler Gravel Guarisco

Haynes Jackson, A. Kelly Lambert Landrum Leigh Newton Rachel Revard Segars Shannon Slay

Thistlethwaite Tappe Thompson Toca Ulio Vasich Wall Weiss Womack

Drew Dunlap Edwards Fayard Fontenot LeBlue Lowe Martin Leitman Willis Winchester Wisham Zervigon

Kilpatrick Landry, A. Landry, E. J. Lanier LeBlue Martin Munson Maybuce Mire Morris O'Neil Ourso Perez Perkins Planchard

The amendment not having received a vote of a majority of the total membership of the Convention required to add a Section to a Proposal failed to pass.

Motion to reconsider pending.

Delegate Kilbourne moved to reconsider the vote by which the amendment failed to pass.

Delegate Tobias moved to table the motion to reconsider.

By a vote of 18 yeas and 71 nays the Convention refused to table the motion to reconsider.

Delegate Kilbourne insisted upon his motion to reconsider the vote by which the amendment failed to pass at this time.

Delegate Tobias objected.

By a vote of 78 yeas and 18 nays the vote by which the amendment failed to pass was reconsidered.

And the amendment was acted upon as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Kilbourne to Committee Proposal No. 12 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 18, insert the following:

"Section 1 (A). State Penal Institutions; Reimbursement of Parish Expense. In parishes in which are located penal institutions of the State of Louisiana, the expenses incurred by the parish arising from crimes committed in such institutions or by the inmates thereof shall be reimbursed by the state."

Delegate Kilbourne moved the adoption of the amendment.

Delegate Perkins objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—


Glarruso Ginn Goldman Graham Hardee Hayes Heine Hernandez Jackson, J. Jenkins Kean Kilbourne Landry, A. Landry, E. J. Lanier Leitman Lowe McDaniel Martin Mauberret Maybuce Mire

Morris Munson Nunez O'Neil Ourso Perez Pichard Riecke Roemer Sandoz Slagg Stephenson Teomy Vezquez Warren Wattigny Willis Winchester Wisham Zervigon

Delegates—

Arnette Assett Bollinger Brien Casey Champagne Conroy Cowen De Bileux Denney

Duval Fontenot Gauthier Girier Jack Juneau Kilpatrick LeBlue Miller Perkins

Reeves Roy Singletary Smith Soniat Stovall Tobias Vick

NOT VOTING

Delegates—

Mr. Chairman Anzalone Bel Blair Burson Corne Dennis Derbes Deshotels Eikens Fowler Gravel Guarisco

Haynes Jackson, A. Kelly Lambert Landrum Leigh Newton Rachel Revard Segars Shannon Slay

Thistlethwaite Tappe Thompson Toca Ulio Vasich Wall Weiss Womack

Drew Dunlap Edwards Fayard Fontenot LeBlue Lowe Martin Leitman Willis Winchester Wisham Zervigon

Kilpatrick Landry, A. Landry, E. J. Lanier LeBlue Martin Munson Maybuce Mire Morris O'Neil Ourso Perez Perkins Planchard
The amendment having received a vote of a majority of the total membership of the Convention, required to add a Section to a Proposal, was adopted.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Kilbourne to Committee Proposal No. 12 by Delegate Aertker, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 1, at the beginning of line 16, and immediately before the language added by Convention Floor Amendment No. 1 proposed by Delegate Kilbourne and adopted by the convention on November 19, 1973, insert the following:

“ARTICLE VII. HUMAN RESOURCES

Section 1. Penal Institutions”

On motion of Delegate Kilbourne the amendment was adopted.

Delegate Kilbourne moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 12, Section 1 was read, as amended.

Delegate Kean moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—


NAYS

Delegates—

Asseff Bollinger Champagne Conroy De Blieux Denonncry Duval Gauthier Total—12.

NAYS

Delegates—

Mr. Chairman Anzalone Bel Blair Burson Corne Dennis Deshotels Ekins Fowler Gravel Guarisco Hayes Total—40.

Possoge Committee Proposal No. 12, Section 1 was read, as amended.

Delegate Kean moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

### 90th Days Proceedings—November 19, 1973

<table>
<thead>
<tr>
<th>Reeves</th>
<th>Stagg</th>
<th>Warren</th>
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</thead>
<tbody>
<tr>
<td>Riecke</td>
<td>Stephenson</td>
<td>Wattigny</td>
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<tr>
<td>Roemer</td>
<td>Stevall</td>
<td>Willis</td>
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<td>Roy</td>
<td>Tate</td>
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<td>Sandoz</td>
<td>Thompson</td>
<td>Wisham</td>
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<td>Segura</td>
<td>Toomy</td>
<td>Zervigon</td>
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<tr>
<td>Singley</td>
<td>Velazquez</td>
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<tr>
<td>Total—66</td>
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</tbody>
</table>

#### Delegates—
- **Aseff**: De Bieux, Soniat
- **Bollinger**: Duval, Tobias
- **Champagne**: LeBlieu, Vick
- **Conrey**: NOT VOTING
- **Anzalone**: Haynes, Smith
- **Bel**: Jackson, A., Stimers
- **Blair**: Kelly, Sutherland
- **Burson**: Lambert, Tapper
- **Corse**: Landrum, Thistlethwaite
- **Dennis**: Leigh, Toca
- **Derbes**: Newton, Ullo
- **Deehotels**: Rachal, Vealch
- **Elkins**: Rayburn, Wall
- **Fowler**: Schmitt, Wees
- **Guarisco**: Shannon, Womack
- **Hayes**: Slay

- **Total—55**

And the Chair declared that the above Proposal was finally passed.

#### Motion
On motion of Delegate Flory Committee Proposal No. 14 was called from the Calendar and taken up as follows:

#### COMMITTEE PROPOSAL NO. 14—
- Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armento, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachel, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

- **A PROPOSAL**
- Making provisions for human resources through a system of economic security, social welfare, unemployment compensation, and public health.

- **Read.**

- Section 1. The legislature shall establish a system of economic security, social welfare, unemployment compensation, and public health.

- **Read.**

- On motion of Delegate Flory the vote by which Committee Proposal No. 14, Section 1, failed to pass on November 17, 1973, was reconsidered.

#### Motion
- Delegate Riecke moved to limit debate on each amendment to Committee Proposal No. 14, to 5 minutes.

- As a substitute Delegate Perez moved to limit debate on each amendment to Committee Proposal No. 14 to 15 minutes.

- Delegate De Bieux objected.

- The vote recurred on the substitute.

- By a vote of 68 yeas and 10 nays the Convention limited debate on each amendment to 15 minutes.

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

#### FLOOR AMENDMENT
Amendment proposed by Delegates Jenkins and Roemer to Committee Proposal No. 14 by Delegate Aertker, et al.

- Amend printed proposal as follows:

#### AMENDMENT No. 1—
On page 1, delete lines 14 through 18, both inclusive, in their entirety and all floor amendments thereto.

- On motion of Delegate Jenkins the amendment was withdrawn.

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

#### FLOOR AMENDMENT
Amendment proposed by Delegate Jenkins to Committee Proposal No. 14 by Delegate Aertker, et al.

- Amend printed proposal as follows:

#### AMENDMENT No. 1—
On page 1 delete lines 14 through 18, both inclusive in their entirety and all floor amendments thereto and insert the following:

"Section 2. Economic and Social Welfare, Unemployment Compensation, and Public Health

Section 2. The legislature shall establish a system of economic and social welfare, unemployment compensation and public health."

- Delegate Jenkins moved the adoption of the amendment.

- Delegate Zervigon objected.

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

#### ROLL CALL
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
<td></td>
</tr>
<tr>
<td>Abraham</td>
<td>Fontenot</td>
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<td>Alario</td>
<td>Fulce</td>
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<td>Arnette</td>
<td>Gauthier</td>
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<td>Aseff</td>
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<td>Badeaux</td>
<td>Graham</td>
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<td>Bergeron</td>
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<td>Blair</td>
<td>Heine</td>
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<td>Bollinger</td>
<td>Jenkins</td>
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<td>Brien</td>
<td>Juneau</td>
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<td>Carmouche</td>
<td>Kilbourne</td>
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<td>Champagne</td>
<td>Kilpatrick</td>
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<td>Chehary</td>
<td>Lanier</td>
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<td>Comar</td>
<td>Leithman</td>
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<td>Conino</td>
<td>Lowe</td>
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<td>Conroy</td>
<td>McDaniel</td>
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<td>D'Gorlamo</td>
<td>Maubertet</td>
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<td>Drew</td>
<td>Mather</td>
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<td>Dunlap</td>
<td>Morris</td>
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<td>Duval</td>
<td>Munson</td>
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<td>Fayard</td>
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<td>Total—58</td>
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</table>

#### NAYS
- Goldman
- Grier
- Hernandez
- Jack
- Jackson, J.
- Landry, A.
- Landry, E. J.
- LeBlieu
- Maysbeche
- Mire
- Pugh

#### NOT VOTING
- **Delegates—**
  - Mr. Chairman
  - Anzalone
  - Bel
  - Burson
  - Casey

- **Total—32.**

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<td>Vickers</td>
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<td>Warren</td>
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<td>Edwards</td>
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<tr>
<td>Gravel</td>
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<tr>
<td>Guarisco</td>
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</table>

883.
And the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Explanation of Vote**

Delegate Pugh sent up the following explanation of his vote on the amendment proposed by Delegate Jenkins to Committee Proposal Number 14, Section 1:

"I voted against the amendment because I believe that to say "may" is to say nothing."

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 14 by Delegate Aertker, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 16 through 18, both inclusive, in their entirety, including all floor amendments adopted thereunto, and insert in lieu thereof the following:

"Section 2. The legislature shall establish a system of social welfare, unemployment compensation, and public health including physical and mental health care. It is also authorized to define and provide for a system of economic security. Mandamus shall not lie for the enforcement of any of the provisions hereof."

Delegate Pugh moved the adoption of the amendment.

Delegate Roemer objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Aertker</th>
<th>Alexander</th>
<th>Avant</th>
<th>Casey</th>
<th>Chatelain</th>
<th>De Billeux</th>
<th>Denmery</th>
<th>Flory</th>
<th>Total—25.</th>
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<td></td>
<td>Fulco</td>
<td>Goldman</td>
<td>Jack</td>
<td>Jackson, J.</td>
<td>Landry, E. J.</td>
<td>Maybuce</td>
<td>Mire</td>
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<td>Schmitt</td>
<td>Segura</td>
<td>Soniat</td>
<td>Stovall</td>
<td>Vick</td>
<td>Warren</td>
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**NAYS**

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Hernandez to Committee Proposal No. 14 by Delegate Aertker, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete line 9, in its entirety and insert in lieu thereof the following:

"Relative to the"

**AMENDMENT No. 2—**

On page 1, delete lines 14 through 18, both inclusive, including all floor amendments thereto, in their entirety and insert in lieu thereof the following:

"ARTICLE VII. HUMAN RESOURCES"

Section 2. Economic and Social Welfare; Unemployment Compensation; Public Health

Section 2. Economic and social welfare, unemployment compensation, and public health, including physical and mental health care are matters of public concern and the legislature shall determine and enact appropriate programs therefor."

Delegate Hernandez moved the adoption of the amendment.

Delegate Roemer objected.

By a vote of 37 yeas and 49 nays the amendment was rejected.

Delegate O’Neill moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Aertker to Committee Proposal No. 14 by Delegate Aertker, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, insert the following immediately prior to Amendment No. 1 proposed by Mr. Jenkins and adopted by the Convention on November 19, 1973.

"ARTICLE VII. HUMAN RESOURCES"

Section 1. Economic Security; Social Welfare; Unemployment Security; Public Health
Delegate Aertker moved the final passage of the entire Proposal. 

ROLL CALL

The roll was called with the following result:

YEAS

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<thead>
<tr>
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<th>Yeas</th>
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<td>Abraham</td>
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<td>Avant</td>
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<td>Badeaux</td>
<td>Reeves</td>
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<td>Baisey</td>
<td>Rieke</td>
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<td>Bacie</td>
<td>Roemer</td>
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<td>Blair</td>
<td>Roy</td>
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<td>Brien</td>
<td>Sandoz</td>
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<td>Burns</td>
<td>Segura</td>
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<td>Cannan</td>
<td>Singletary</td>
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<td>Carmouche</td>
<td>Smith</td>
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<td>Casey</td>
<td>Stagg</td>
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<td>Chatelain</td>
<td>Stinson</td>
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<td>Conroy</td>
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<td>Cowen</td>
<td>Velazquez</td>
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<td>D'Gerolamo</td>
<td>Vicks</td>
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<td>Warren</td>
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<td>Duval</td>
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<td>Winchester</td>
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NAYS

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Aseff</td>
<td>Dunlap</td>
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<td>Bollinger</td>
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<td>Brown</td>
<td>Jackson, J.</td>
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<td>Champagne</td>
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<td>De Bieulex</td>
<td>Tobias</td>
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<td>Total—10</td>
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NOT VOTING

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<th>Delegate</th>
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<tr>
<td>Mr. Chairman</td>
<td>Hayes</td>
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<td>Anzalone</td>
<td>Shannon</td>
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<td>Guarisco</td>
<td>Womanck</td>
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<tr>
<td>Total—49</td>
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</table>

And the Chair declared that the above Proposal was finally passed.

Motion

On motion of Delegate Abraham, the Convention altered the Order of Business to take up other Orders of Business at this time.

Proposals

Delegate Denouy, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:
COMMITTEE PROPOSAL No. 12—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Committee Education and Welfare, and delegates Armentor, Carmouche, Corn, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leftham, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistletwaite, Toca, and Wisham:

A PROPOSEAL

Making provisions for human resources by prohibiting the leasing of convicts and the employment of convicts in competition with private enterprise and by providing for reimbursement to parishes for expenses incurred resulting from crimes committed in penal institutions.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VII. HUMAN RESOURCES

Section 1. Penal Institutions

Section 1 (A). State Penal Institutions; Reimbursement of Parish Expense. In parishes in which are located penal institutions of the State of Louisiana, the expenses incurred by the parish arising from crimes committed in such institutions or by the inmates thereof shall be reimbursed by the state.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

Under the Rules, referred to the Committee on Style and Drafting.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled in final form:

COMMITTEE PROPOSAL No. 2—

Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Fayard, Fulco, Ginn, Juneau, Kilpatrick, Landrum, LeBreton, and O'Neill:

A PROPOSEAL

Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE III. LEGISLATIVE BRANCH

Section 1. Legislative Power; Composition; Continuous Body

Section 1 (A). Legislative Power of State. The legislative power of the state is vested in a legislature, consisting of a Senate and a House of Representatives. The Senate shall be composed of one senator elected from each senatorial district. The House of Representatives shall be composed of one representative elected from each representative district.

(B). Continuous Body. The legislature is a continuous body during the term for which its members are elected; however, a bill or resolution not finally passed in any session shall be withdrawn from the files of the legislature.

Section 2. Sessions

Section 2 (A). Annual Session. The legislature shall meet annually in regular session in the State for not more than sixty legislative days during a period of eighty-five calendar days. A legislative day is a calendar day on which either house is in session. No such session shall continue beyond the eighty-fifth calendar day after convening. The legislature shall convene at noon on the third Monday in April. No new matter intended to have the effect of law shall be introduced or received by either house after midnight of the fifteenth calendar day, except by a favorable record vote of two-thirds of the elected members of each house. No measure levying a new tax or increasing an existing tax shall be introduced or enacted during a regular session held in an even numbered year.

(B). Extraordinary Session. The legislature may be convened at other times by the governor and shall be convened by the presiding officers of both houses upon written petition of a majority of the elected members of each house. The governor shall be the judge of the qualifications of its members, but shall determine its rules of procedure, not inconsistent with the provisions of this constitution; may punish its members for disorderly conduct, but a member convicted of contempt of court, and may expel a member with concurrence of two-thirds of its elected members. The legislature shall be convened by the governor in extraordinary session at least five days prior to convening the legislature in extraordinary session, the governor or the presiding officers, as the case may be, shall issue a proclamation stating the nature of the business to be considered, the regular time on which it shall convene, and the number of days for which it is convened. The power to legislate shall be limited, under penalty of nullity, to the objects specifically enumerated in the proclamation. The session shall be limited to the number of days stated therein, which shall be construed:

(C). Emergency Session. The governor may convene the legislature in extraordinary session without prior notice or proclamation in the event of public emergency caused by epidemic, enemy attack, or public catastrophe.

Section 3. Size

Section 3. The number of members of the legislature shall be provided by law, but the number of senators shall not exceed thirty-nine and the number of representatives, one hundred five.

Section 4. Qualifications; Residence and Domicile Requirements; Term; Vacancies

Section 4 (A). Age; Residence; Domicile. An elector who at the time of qualification as a candidate has attained the age of eighteen years, resided in the state for the preceding two years, and been actually domiciled for the preceding year in the legislative district from which he seeks election and shall be eligible for membership in the legislature.

(B). Domicile; Special Provisions. However, at the next regular election for members of the legislature following legislative reapportionment, an elector may qualify as a candidate from any district created in whole or in part from a district existing prior to reapportionment if he was domiciled in that prior district for at least one year immediately preceding his qualification and was a resident of the state for the two years preceding his qualification. The seat of any member who changes his domicile from the district he represents or, if elected after reapportionment, whose domicile is not within the district he represents at the time he is sworn into office, shall be vacated thereby, any declaration of retention of domicile to the contrary notwithstanding.

(C). Term. A member of the legislature shall be elected for a four-year term.

Section 5. Vacancy. A vacancy in the legislature shall be filled for the remainder of the term only by election by the electors of the respective district as provided by law.

Section 5. Legislative Reapportionment; Reapportionment by Supreme Court; Procedure

Section 5 (A). Reapportionment by Legislature. By the end of the year following the year in which the population of this state is reported to the president of the United States for each decennial federal census, the legislature shall reapportion the representation in each house as equally as practicable on the basis of population shown by the census.

(B). Reapportionment by Supreme Court. If the legislature fails to reapportion as required in Paragraph (A), the supreme court, upon petition of any elector, shall reapportion the representation in each house as provided in Paragraph (A).

(C). Procedure. The procedure for review and for petition shall be provided by law.

Section 6. Judging Qualifications and Elections; Procedural Rules; Discipline; Expulsion; Subpoenas; Contempt; Officers

Section 6 (A). Judging Qualifications and Elections; Proceedings; Disciplinary Powers. Each house shall be the judge of the qualifications and elections of its members; shall determine its rules of procedure, not inconsistent with the provisions of this constitution; may punish its members for disorderly conduct, and may expel a member with concurrence of two-thirds of its elected members. Expulsion creates a vacancy in the office.

(B). Subpoena Power; Contempt. Each house may compel the attendance and testimony of witnesses and the production of books and papers before it, before any committee thereof, or before joint committees of the houses and may
punish those in willful disobedience of its orders for contem-

Section 7. Privileges and Immunities

Section 8. Conflict of Interest

Section 9. Quorum; Compulsory Attendance; Journal, Adjournment With Consent of Other House

Section 10. Legislative Auditor

Section 11. Compensation of Elected Public Officials; Reduction

Section 12. The compensation of an elected public official shall not be reduced during the term for which he is elected.

Section 13. Local or Special Laws; Notice of Intent; Publication

Section 14. Suits Against the State

Section 15. Continuity of Government

Section 16. Style of Laws; Enacting Clause

Section 17. Passage of Bills

Section 18. Appropriations

Section 19. Signing of Bills; Delivery to Governor

Section 20. Limitations.
Section 20. Signature of Governor on Bills; Veto
Section 20. (A) Gubernatorial Action. A bill, except a joint resolution, shall become law if the governor signs it or if he fails to sign or veto it within ten days after delivery to him if the legislature is in session, or within twenty days if the legislature is adjourned.

(B) Veto. If the governor does not approve a bill, he may veto it. When he vetoes a bill, he shall return it to the legislature, with his veto message, within twelve days after delivery to him if the legislature is in session. If the governor returns or vetoes a bill after the legislature adjourns, he shall return it, with his veto message, as provided by law. A bill returned and subsequently approved by two-thirds of the elected members of each house shall become law.

(C) Veto Session. The legislature shall meet in veto session in the state capital at noon on the fortieth day following final adjournment of the most recent session, to consider all bills vetoed by the governor. If the fortieth day falls on Sunday, the session shall convene at noon on the succeeding Monday. No veto session shall exceed five calendar days, and any veto session may be finally adjourned prior to the end of the fifth day upon the vote of two-thirds of the joint members of each house.

No veto session shall be held if a majority of the elected members of either house declare in writing that a veto session is unnecessary. The declaration must be received by the presiding officer of the respective house at least five days prior to the day on which the veto session is to convene.

Section 21. Effective Date of Laws
Section 21. All laws shall take effect on the sixth day after final adjournment of the session in which they were enacted, and shall be published prior thereto in the official journal of the state as provided by law. However, any bill may specify an earlier or later effective date.

Section 22. Suspension of Laws
Section 22. Only the legislature may suspend a law, and then only by the same vote and, except for gubernatorial veto and time limitations for introduction, according to the same procedures and formalities required for enactment of that law. After the effective date of this constitution, every resolution suspending a law shall fix the period of suspension, which shall not extend beyond the sixty-first day after final adjournment of the next regular session.

Section 23. Corporations; Perpetual or Indefinite Duration; Dissolution; Perpetual Franchises or Privileges
Section 23. Neither the state nor any political subdivision shall grant a perpetual franchise or privilege; however, the legislature may authorize the organization or corporations for perpetual or indefinite duration. Every corporation shall be subject to dissolution or forfeiture of its charter or franchise, as provided by general law.

Section 24. Impeachment
Section 24. (A) Persons liable. A state or district official, whether elected or appointed, shall be liable to impeachment for commission or conviction, during his term of office of a felony or for malfeasance or gross misconduct while in such office.

(B) Procedure. Impeachment shall be by the House of Representatives and trial by the Senate, with senators under oath or affirmation for the trial. The concurrence of two-thirds of the elected senators shall be necessary to conviction. The Senate may try an impeachment whether or not the House is in session and may adjourn when it deems proper. Conviction upon impeachment shall result in immediate removal from office. Nothing herein shall prevent other action, prosecution, or punishment authorized by law.

Section 25. Removal by Suit; Officials Subject
Section 25. For the causes enumerated in Paragraph (A) of Section 24 of this Article, the legislature shall provide by general law for the removal by suit of any state, district, parish, ward or municipal official except the governor, lieutenant governor, and judges of the courts of record.

Section 26. Recall
Section 26. The legislature shall provide by general law for the recall by election of any state, district, parish, ward or municipal official except the governor, lieutenant governor, and judges of the courts of record. The sole issue at a recall election shall be whether the official shall be recalled.

Section 27. Taking Office
Section 27. (A) Full Term. Members of the legislature shall take office on the same day as the governor and other officials elected statewide.

(B) Filling Vacancy. A person elected to fill the remainder of an unexpired legislative term shall take office within thirty days after the secretary of state promulgates the election returns.

Respectfully submitted,
MOISE W. DENNERY
Secretary.

The Proposal contained in the report was signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Motion
On motion of Delegate Perez the Rules were suspended in order to call a meeting of the Committee on Local and Parochial Government, without giving the 24 hour notice required by the Rules of the Convention.

COMMITTEE NOTICE
Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Tuesday, November 20, 1973, at 10:00 o'clock a.m. in Independence Hall and will consider the following agenda:

AGENDA
To consider proposals before the committee.

Respectfully submitted,
CHALIN O. PEREZ,
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion
On motion of Delegate Rayburn the Rules were suspended in order to call a meeting of the Committee on Revenue, Finance and Taxation, without giving the 24 hour notice required by the Rules of the Convention.

COMMITTEE NOTICE
Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Tuesday, November 20, 1973, at 9:30 o'clock a.m. in Committee Room 5 and will consider the following agenda:

AGENDA
To consider proposals before the committee.

Respectfully submitted,
B. B. RAYBURN,
Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion
On motion of Delegate Lambert the Rules were suspended in order to call a meeting of the Committee on Natural Resources, without giving the 24 hour notice required by the Rules of the Convention.

COMMITTEE NOTICE
Delegate Lambert, chairman of the Committee on Natural Resources, sent up the following notice:

The Committee on Natural Resources will meet on Tues-
day, November 20, 1973, at 10:00 a.m. o'clock in the Treaty Room and will consider the following agenda:

AGENDA

Proposals before the Committee. 

Respectfully submitted,

LOUIS J. LAMBERT, 
Chairman of the Committee on Natural Resources 

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention. 

Motion

On motion of Delegate Blair the Rules were suspended in order to call a meeting of the Committee on Legislative Powers and Functions, without giving the 24 hour notice required by the Rules of the Convention. 

COMMITTEE NOTICE

Delegate Blair, chairman of the Committee on Legislative Powers and Functions, sent up the following notice:

The Committee on Legislative Powers and Functions will meet on Tuesday, November 20, 1973, at 9:00 o'clock a.m. in the Senate Chamber and will consider the following agenda:

AGENDA

To consider Proposals before the Committee. 

Respectfully submitted,

CECIL BLAIR, 
Chairman of the Committee on Legislative Powers and Functions 

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention. 

Motion

On motion of Delegate Stagg the Rules were suspended in order to call a meeting of the Committee on the Executive Department, without giving the 24 hour notice required by the Rules of the Convention. 

COMMITTEE NOTICE

Delegate Stagg, chairman of the Committee on the Executive Department, sent up the following notice:

The Committee on the Executive Committee will meet on Tuesday, November 20, 1973, at 10:00 o'clock a.m. in Independence Hall and will consider the following agenda:

AGENDA

To consider proposals before the committee. 

Respectfully submitted,

TOM STAGG, 
Chairman of the Committee on the Executive Department 

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention. 

Leaves of Absence

Delegate Anzalone—1 day.
Delegate Ullo—1 day.
Delegate Conroy—½ day.
Delegate Bel—½ day.
Delegate Shannon—1 day.
Delegate Duval—½ day.
Delegate Miller—½ day.
Delegate Toca—½ day.
Delegate Rachal—1 day.
Delegate Weiss—2 days. 

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Tuesday, November 20, 1973, at 1:00 o'clock P.M. 

Which motion was agreed to.

And Vice-Chairman Roy declared the Convention adjourned to Tuesday, November 26, 1973, at 1:00 o'clock P.M. 

MOISE W. DENNERY 
Secretary 

DAVID R. POYNTER 
Chief Clerk
The Convention was called to order at 1:00 o'clock p.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—

Mr. Chairman
Abraham
Acker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conho
Conroy
Covenant
DeGeralamo
De Blieux
Denenny
Dennis
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Fiery
Fiore

O'Neill
Ousso
Perez
Perkins
Planchard
Parrish
Rayburn
Reeves
Riecke
Roemer
Roy
Sandor
Scott
Schmitt
Shannon
Singletary
Smith
Soniat
Stagg
Stephenson
Stinnett
Stovall
Sutherland
Tappe
Tate
Tobias
Toca
Tooby
Ulo
Velazquez
Vick
Warren
Wattigny
Willes
Winchester
Wisam
Zervigon

Total—113.

ABSENT

Delegates—

Burson
Corne
Derbes
Deshotels
Fowler
Guarisco

Haynes
Jackson, A.
Kelly
Leigh
Pugh
Segura

Slay
Thistlethwaite
Vestich
Wall
Weiss
Womack

Total—18.

The Chairman announced that there were 113 members present and a quorum.

Prayer

Prayer was offered by Delegate Stovall.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate A. Landry, the Journal of yesterday was adopted.

Morning Hour

Reports of Committees

The following reports of committees were received and read:

Delegate Cecil R. Blair, chairman, on behalf of the Committee on Legislative Powers and Functions, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Legislative Powers and Functions to submit the following report:

DELEGATE PROPOSAL No. 18—

Introduced by Delegates Casey, Alario, Denney, and Gravel:

A PROPOSAL

Providing for meeting of the legislature for the next three years following the adoption of this constitution.

Reported with amendments.

DELEGATE PROPOSAL No. 22—

Introduced by Delegates Conroy and Newton:

A PROPOSAL

To provide for the prohibition of certain enumerated local and special laws.

Reported favorably.

Respectfully submitted,

CECIL R. BLAIR,
Chairman.

Delegate Tom Stagg, chairman, on behalf of the Committee on Executive Department, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Executive Department to submit the following report:

DELEGATE PROPOSAL No. 45—

Introduced by Delegates Denney and Stovall:

A PROPOSAL

Providing for the lieutenant governor as ombudsman.

Reported favorably.

DELEGATE PROPOSAL No. 49—

Introduced by Delegate Brien:

A PROPOSAL

Providing with respect to consumer education and information councils.

Reported with amendments.

Respectfully submitted,

TOM STAGG,
Chairman.
Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

Motion

On motion of Delegate Aertker Committee Proposal Number 30, was taken out of its regular order, and acted upon as follows:

COMMITTEE PROPOSAL No. 30—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Corne, Cowen, Flory, Graham, Grier, Haynes, Hernandez, E. Landry, Leithman, Morris, Rachal, Riecke, Segura, Sutherland, Thistlethwaite, Toca, Wattigny and Wisham:

A PROPOSAL

To provide for the transition of membership on the boards of education.

Read.

Article XIV, Section 1. Board of Regents

Section 1. On the effective date of this constitution, the members of the Louisiana Coordinating Council for Higher Education whose term will not have expired shall become members of the Board of Regents until their respective terms expire. The governor shall appoint such additional members as are required to complete the full membership of the board in accordance with and for the purpose of effectuating the provisions of Article IX, Section 7.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Aertker to Committee Proposal No. 30 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete line 15, in its entirety, and insert in lieu thereof the following:

"Education appointed by the governor whose terms have not expired shall become"

Delegate Aertker moved the adoption of the amendment.

Delegate De Blieux objected.

By a vote of 91 yeas and 9 nays the amendment was adopted.

Delegate Aertker moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Aertker to Committee Proposal No. 30 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete line 12 in its entirety and at the beginning of line 13, delete “Section 1.,” and insert in lieu thereof the following:

“ARTICLE XIV. SCHEDULE **

Section 2. Board of Regents

Section 2.”

On motion of Delegate Aertker the amendment was adopted.

Delegate Aertker moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 30, Section 1 was read, as amended.

Delegate Aertker moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—

Mr. Chairman

Abraham

Aertker

Aliaric

Alexander

Aritette

Aseff

Avant

Badeaux

Bel

Bergeron

Brien

Burns

Cannon

Carmouche

Casey

Champagne

Chatelain

Chehardy

Comar

Conho

Corroy

Cowen

D’Gerolamo

De Blieux

Dennery

Drew

Duval

Elkins

Fayard

Flory

Fowler

Fulco

Total—97.

NAYS

Delegates—

Anzalone

Bollinger

LeBlanc

Total—8.

NOT VOTING

Delegates—

Blair

Brown

Burson

Corne

Dennis

Derbes

Deshotels

Dunlap

Edwards

Total—28.

And the Chair declared that the above Section was finally passed.

Delegate Aertker moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 2. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College

Section 2. On the effective date of this constitution, the members of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College whose term will not have expired shall become members of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College until their respective terms expire. The governor shall appoint such additional members as are required in accordance with and for the purpose of effectuating the provisions of Article IX, Section 9.

Read.
Delegate Aertker sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Aertker to Committee Proposal No. 30 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 21 and again on line 23, change “Section 2.” to “Section 3.”

On motion of Delegate Aertker the amendment was adopted.

Delegate Aertker moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 30 Section 2 was read, as amended.

Delegate Aertker moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Delegates—</td>
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<tr>
<td>Mr. Chairman Aertker</td>
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<td>Aertker</td>
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<td>Alario</td>
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<td>Arnette</td>
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<td>Bel</td>
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<td>Blair</td>
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<tr>
<td>Brien</td>
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<tr>
<td>Burns</td>
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<tr>
<td>Cannon</td>
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<td>Carmouche</td>
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<td>Champagne</td>
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<td>Chehardy</td>
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<td>Conroy</td>
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<td>Cowen</td>
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<td>D'Gerolamo</td>
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<td>De Blieux</td>
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<td>Dennery</td>
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<td>Drew</td>
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<td>Dunlap</td>
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<td>Duval</td>
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<td>Elkins</td>
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<td>Fayard</td>
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<td>Flory</td>
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<td>Fowler</td>
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<td>Total—84.</td>
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<td>NAYS</td>
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<tr>
<td>Delegates—</td>
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<tr>
<td>Alexander</td>
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<td>Anzalone</td>
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<td>Asseff</td>
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<td>Bergeron</td>
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<tr>
<td>Bollinger</td>
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<tr>
<td>Casey</td>
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<tr>
<td>Chatelain</td>
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**Section 3. State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities**

Section 3. On the effective date of this constitution, each member of the State Board of Education whose term will not have expired shall have the right to elect to become a member of the State Board of Elementary and Secondary Education or the Board of Trustees for State Colleges and Universities and to serve until the expiration of the term to which he was elected. The legislature shall establish procedures by which the right herein granted shall be exercised, and by which the Secretary of state shall be notified as to those elections which must be held, and by which the governor shall be notified as to the appointments which must be made, to complete the full membership of the boards mentioned herein. Such elections and appointments shall be made in accordance with and for the purpose of effectuating the provisions of Article IX, Sections 4 and 8.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Aertker to Committee Proposal No. 30 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 32 and again on page 2, line 2 change “Section 3.” to “Section 4.”

On motion of Delegate Aertker the amendment was adopted.

Delegate Aertker moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 30, Section 3 was read, as amended.

Delegate Aertker moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Delegates—</td>
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<tr>
<td>Mr. Chairman Aertker</td>
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<tr>
<td>Aertker</td>
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<td>Carmouche</td>
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<td>Casey</td>
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<td>Chatelain</td>
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<td>Total—21.</td>
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<tr>
<td>NOT VOTING</td>
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<tr>
<td>Delegates—</td>
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<tr>
<td>Abraham</td>
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<tr>
<td>Brown</td>
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<td>Bursen</td>
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<td>Dennis</td>
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<td>Derbes</td>
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892
PAGE 4

91st Days Proceedings—November 20, 1973

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Stagg</th>
<th>Stovall</th>
<th>Sutherland</th>
<th>Tappert</th>
<th>Tater</th>
<th>Tawney</th>
<th>Velazquez</th>
<th>Vick</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robinson</td>
<td>Robinson</td>
<td>Robinson</td>
<td>Robinson</td>
<td>Robinson</td>
<td>Robinson</td>
<td>Robinson</td>
<td>Robinson</td>
<td>Robinson</td>
</tr>
</tbody>
</table>

DELEGATES—

<table>
<thead>
<tr>
<th>Total—9. NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>LeBlanc</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total—37. NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Giarrusso</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total—26. NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brown</td>
</tr>
</tbody>
</table>

| Brown | Burson | Cannon | Corne | Derbes | Deshotels | Edwards | Fontenot | Guisarco |

The amendment having received the vote of a majority of the total membership of the Convention required to add a Section to a Proposal was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Perkins to Committee Proposal No. 30 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 17, add the following section:

"Section 5. Boards; New Appointments.

Section 5. In making new appointments to a board created by Sections 7, 8 or 9 of Article IX, the governor shall consider appropriate representation on the board by graduates of the institution under the control of the board."

Delegate Conroy moved the adoption of the amendment.

Delegate Wisham objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Aertker</th>
<th>Alario</th>
<th>Alexander</th>
<th>Anzalone</th>
<th>Arnette</th>
<th>Badeaux</th>
<th>Bel</th>
<th>Bergeron</th>
<th>Blair</th>
<th>Burns</th>
<th>Cannon</th>
<th>Carmouche</th>
<th>Casey</th>
<th>Champagne</th>
<th>Chatelain</th>
<th>Chehardy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Comar</td>
<td>Conino</td>
<td>Conroy</td>
<td>D'Geraldo</td>
<td>Denney</td>
<td>Duval</td>
<td>Edwards</td>
<td>Eikins</td>
<td>Fowler</td>
<td>Fuoco</td>
<td>Gauthier</td>
<td>Ginn</td>
<td>Hardee</td>
<td>Hernandez</td>
<td>Jackson, J.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Juneau</td>
<td>Kean</td>
<td>Lambert</td>
<td>Landrum</td>
<td>Landry, E. J.</td>
<td>LeBlanc</td>
<td>Lowe</td>
<td>Mauberret</td>
<td>Mire</td>
<td>Munson</td>
<td>Nunez</td>
<td>Perez</td>
<td>Perkins</td>
<td>Planchard</td>
<td>Reeves</td>
<td></td>
</tr>
</tbody>
</table>

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Aertker</th>
<th>Alario</th>
<th>Alexander</th>
<th>Anzalone</th>
<th>Arnette</th>
<th>Badeaux</th>
<th>Burns</th>
<th>Cannon</th>
<th>Case</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Aertker</td>
<td>Alario</td>
<td>Alexander</td>
<td>Anzalone</td>
<td>Arnette</td>
<td>Badeaux</td>
<td>Burns</td>
<td>Cannon</td>
<td>Case</td>
</tr>
</tbody>
</table>

893
Delegate Conroy moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Passage

The Proposal was read, as amended.

Delegate Aertker moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham Cannon Dennis
Aertker Carmouche Drew
Alario Casey Edwards
Alexander Champagne Eikins
Arnette Chatelain Fayer
Avant Chehardy Fiery
Badenaux Comar Fluclo
Bel Conino Foy
Bergeron Conroy Gauthier
Blair Cowen Giarrusso
Brien D'Gerolamo Ginn
Brown De Blieux Goldman
Burns Dennery Graham

NAYS

Delegates—

Abraham Fontenot lamdray, A.
Assess Giarrusso Lanier
Avant Goldman Lanier
Bollinger Kilbourne Landry, E. J.
Brown Gravel Lebleu
De Blieux Grier Lebleu
Dunlap Jenkins Leitchman
Duval Keen Leitchman
Fayard Kilbourne Rees
Floy Lambert Rees

Not VOTING

Delegates—

Mr. Chairman Jackson, A.
Burson Kelly Tapper
Corne Leigh Thistlethwaite
Derbes Martin Vesich
Deshots Pugh Wall
Gravel Rayburn Weiss
Guarisco Segura Womack
Haynes Segura Haynes

Total—25.

And the Chair declared that the above Proposal was finally passed.

Delegate Conroy moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Passage

The Proposal was read, as amended.

Delegate Aertker moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham Cannon Dennis
Aertker Carmouche Drew
Alario Casey Edwards
Alexander Champagne Eikins
Arnette Chatelain Fayer
Avant Chehardy Fiery
Badenaux Comar Fluclo
Bel Conino Foy
Bergeron Conroy Gauthier
Blair Cowen Giarrusso
Brien D'Gerolamo Ginn
Brown De Blieux Goldman
Burns Dennery Graham

Hardee Miller Smith
Hayes Mire Stagg
Heine Morris Stag
Hernandez Munson Sutherland
Jackson, J. Nunez Tate
Juneau Oursou Toea
Keen Perkins Ulo
Kilpatrick Rachal Velazquez
Landrum Reeves Warren
Landry, A. Rieke Wattigny
Landry, E. J. Roemer Willis
Lanier Roy Winchester
Lowe Sandoz Wisham
McDaniel Schmitt Zervigon
Maubertet Shannon Singletary
Maybuie Total—88.

NAYS

Delegates—

Jenkins Planchard
Kilbourne Soniat
Lambert Stephenson
Lebleu Stovall
Leitchman Stovall
Leitchman Tobias
Newton Tommy
O'Neill Vick

Total—21.

NOT VOTING

Delegates—

Mr. Chairman Jackson, A.
Burson Kelly Tapper
Corne Leigh Thistlethwaite
Derbes Martin Vesich
Deshots Pugh Wall
Gravel Rayburn Weiss
Guarisco Segura Womack
Haynes Slay Haynes

Total—22.

And the Chair declared that the above Proposal was finally passed.

Motion

On motion of Delegate Drew Delegate Proposal No. 32 was taken up out of its regular order and acted upon as follows:

DELEGATE PROPOSAL No. 32—

By Delegate Drew: A PROPOSAL

To provide with respect to the court of appeal circuits and districts.

Read.

Article V, Section 9. Courts of Appeal; Circuits and Districts

Section 9. Each circuit shall be divided into at least three districts, with at least one judge elected from each. The present circuits and districts and the number of judges as elected in each circuit are retained, subject to change by two-thirds vote of the elected members in each house of the legislature.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Drew to Committee Proposal No. 32 by Delegate Drew

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 1, delete line 8 in its entirety and insert in lieu thereof the following: “ARTICLE V.

Section 9. Courts of Appeal; Circuits and Districts

On motion of Delegate Drew the amendment was adopted.

Delegate Drew moved to reconsider the vote by which
the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Delegate Proposal No. 32 Section 9 was read.

Delegate Drew moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Fontenot</th>
<th>Newton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
<td>O’Neill</td>
</tr>
<tr>
<td>Alario</td>
<td>Fuoco</td>
<td>Perez</td>
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<td>Alexander</td>
<td>Gnutier</td>
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<td>Anzalone</td>
<td>Giarrusso</td>
<td>Planchard</td>
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<tr>
<td>Arnette</td>
<td>Glenn</td>
<td>Rachal</td>
</tr>
<tr>
<td>Asseff</td>
<td>Graham</td>
<td>Reeves</td>
</tr>
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<td>Avant</td>
<td>Gravel</td>
<td>Riecke</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Grier</td>
<td>Roemer</td>
</tr>
<tr>
<td>Bel</td>
<td>Hardee</td>
<td>Roy</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Hayes</td>
<td>Sanzo</td>
</tr>
<tr>
<td>Blair</td>
<td>Heine</td>
<td>Shannon</td>
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<tr>
<td>Bollinger</td>
<td>Hernandez</td>
<td>Singletary</td>
</tr>
<tr>
<td>Brien</td>
<td>Jack</td>
<td>Smith</td>
</tr>
<tr>
<td>Brown</td>
<td>Jackson, J.</td>
<td>Soniat</td>
</tr>
<tr>
<td>Burns</td>
<td>Jenkins</td>
<td>Stagg</td>
</tr>
<tr>
<td>Cannon</td>
<td>Juneau</td>
<td>Stephenson</td>
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<td>Carnouche</td>
<td>Kear</td>
<td>Stitson</td>
</tr>
<tr>
<td>Casey</td>
<td>Kendal</td>
<td>Stovall</td>
</tr>
<tr>
<td>Champagne</td>
<td>Killbourne</td>
<td>Stovall</td>
</tr>
<tr>
<td>Chenaux</td>
<td>Kilpatrick</td>
<td>Sutherland</td>
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<td>Comar</td>
<td>Landrum</td>
<td>Tapper</td>
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<tr>
<td>Conino</td>
<td>Landry, A.</td>
<td>Tate</td>
</tr>
<tr>
<td>Conroy</td>
<td>Landry, E. J.</td>
<td>Thompson</td>
</tr>
<tr>
<td>Cowen</td>
<td>Lanier</td>
<td>Tobias</td>
</tr>
<tr>
<td>De Geraldo</td>
<td>LeBlanc</td>
<td>Toledo</td>
</tr>
<tr>
<td>De Blieux</td>
<td>Leitham</td>
<td>Toca</td>
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<tr>
<td>Denney</td>
<td>Lowe</td>
<td>Tomay</td>
</tr>
<tr>
<td>Dennis</td>
<td>McDaniel</td>
<td>Vanluzen</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Mayberry</td>
<td>Vey</td>
</tr>
<tr>
<td>Duval</td>
<td>Mayberry</td>
<td>Warren</td>
</tr>
<tr>
<td>Edwards</td>
<td>Miller</td>
<td>Wattigny</td>
</tr>
<tr>
<td>Elkins</td>
<td>Mire</td>
<td>Willis</td>
</tr>
<tr>
<td>Fayard</td>
<td>Morris</td>
<td>Winchester</td>
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<tr>
<td>Flory</td>
<td>Munson</td>
<td>Wisham</td>
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<tr>
<td>Total—105.</td>
<td>Fontenot</td>
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</table>

**NAVS**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Schmitt</th>
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<tbody>
<tr>
<td>Abraham</td>
<td>LeBlanc</td>
</tr>
<tr>
<td>Total—2.</td>
<td>Ulo</td>
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</table>

**NOT VOTING**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Jackson, A.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
<td>Kelly</td>
</tr>
<tr>
<td>Burson</td>
<td>Lambert</td>
</tr>
<tr>
<td>Corne</td>
<td>Leigh</td>
</tr>
<tr>
<td>Derbes</td>
<td>Martin</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Marro</td>
</tr>
<tr>
<td>Drew</td>
<td>Pugh</td>
</tr>
<tr>
<td>Guarisco</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Haynes</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Total—24.</td>
<td>Segura</td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was finally passed.

Delegate Drew moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Passage**

The Proposal was read, as amended.

Delegate Drew moved the final passage of the entire Proposal.
Delegate Chalin O. Perez, chairman, on behalf of the Committee on Local and Parochial Government, submitted the following report:

**State of Louisiana**
**Constitutional Convention of 1973**


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Local and Parochial Government to submit the following report:

**COMMITTEE PROPOSAL No. 27**—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL
Providing with respect to the donation, loan, or pledge of public funds, credit or property.

Reported with amendments.

**COMMITTEE PROPOSAL No. 28**—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL
Providing for the office of tax assessor and the Board of Assessors in Orleans Parish.

Reported without action.

**COMMITTEE PROPOSAL No. 29**—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL
Providing for a Revenue Sharing Fund.

Reported without action.

**DELEGATE PROPOSAL No. 30**—
Introduced by Delegate Lennox:

A PROPOSAL
Relative to levee districts

Reported unfavorably.

**DELEGATE PROPOSAL No. 56**—
Introduced by Delegate Toomy:

A PROPOSAL
Providing with respect to local officials and employees.

Reported without action.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

**COMMITTEE PROPOSAL No. 14**—
Introduced by Delegate Aetiker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flor, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca, and Wisham:

A PROPOSAL
Making provisions for human resources through a system of economic security, social welfare, unemployment compensation, and public health.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VII. HUMAN RESOURCES
Section 2. Economic and Social Welfare, Unemployment Compensation, and Public Health
Section 2. The legislature may establish a system of economic and social welfare, unemployment compensation and public health.

Respectfully submitted,

MOISE W. DENNERY,
Secretary.

Under the Rules, referred to the Committee on Style and Drafting.

Motion
On motion of Delegate Lowe the following Report was ordered inserted in the Official Journal:
Comparison of Budgeted and Actual Expenses

<table>
<thead>
<tr>
<th>Expenses</th>
<th>Budget</th>
<th>Actual</th>
<th>Over/Under</th>
<th>Budget</th>
<th>Actual</th>
<th>Over/Under</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research</td>
<td>64,300</td>
<td>43,409</td>
<td>20,890.44</td>
<td>426,716</td>
<td>360,944</td>
<td></td>
</tr>
<tr>
<td>Clerk’s Office</td>
<td>25,000</td>
<td>18,118</td>
<td>6,881.13</td>
<td>23,584</td>
<td>19,352</td>
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</tr>
<tr>
<td>Finance</td>
<td>1,600</td>
<td>1,154</td>
<td>446.36</td>
<td>9,610</td>
<td>9,266</td>
<td></td>
</tr>
<tr>
<td>Public Information</td>
<td>4,100</td>
<td>4,878</td>
<td>778.42</td>
<td>22,844</td>
<td>21,288</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>91,900</td>
<td>66,220</td>
<td>25,679.72</td>
<td>464,792</td>
<td>387,686</td>
<td>77,036.04</td>
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<tr>
<td>Employer’s Fringe Benefit Share</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Teacher’s Retirement</td>
<td>266</td>
<td>238</td>
<td>28.00</td>
<td>2,693</td>
<td>2,014</td>
<td>679.00</td>
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<tr>
<td>State Retirement</td>
<td>6,476</td>
<td>3,726</td>
<td>2,750.00</td>
<td>80,569</td>
<td>24,704</td>
<td>55,865.02</td>
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<tr>
<td>F.I.C.A.</td>
<td></td>
<td></td>
<td></td>
<td>8,380</td>
<td>6,507</td>
<td>1,873.00</td>
</tr>
<tr>
<td>Group Hospitalization</td>
<td>356</td>
<td>292</td>
<td>64.00</td>
<td>2,486</td>
<td>2,044</td>
<td>442.00</td>
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<tr>
<td>Group Life</td>
<td>125</td>
<td>91</td>
<td>34.00</td>
<td>794</td>
<td>597</td>
<td>196.00</td>
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<tr>
<td>Workmen’s Compensation</td>
<td>417</td>
<td>417</td>
<td>0.00</td>
<td>1,665</td>
<td>1,665</td>
<td>0.00</td>
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<tr>
<td>Total</td>
<td>6,867</td>
<td>4,611</td>
<td>2,256.00</td>
<td>39,187</td>
<td>30,859</td>
<td>8,327.00</td>
</tr>
<tr>
<td>Other Expenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wages—PerDiem</td>
<td>20,000</td>
<td>21,630</td>
<td>1,630.00</td>
<td>92,000</td>
<td>96,910</td>
<td>4,910.00</td>
</tr>
<tr>
<td>Delegate—Per Diem</td>
<td>133,200</td>
<td>197,648</td>
<td>64,448.00</td>
<td>712,269</td>
<td>678,562</td>
<td>33,707.00</td>
</tr>
<tr>
<td>Meeting Expense</td>
<td>26,300</td>
<td>6,680</td>
<td>19,620.00</td>
<td>126,868</td>
<td>43,632</td>
<td>83,236.00</td>
</tr>
<tr>
<td>Postage</td>
<td>900</td>
<td>208</td>
<td>692.00</td>
<td>621</td>
<td>540</td>
<td>81.00</td>
</tr>
<tr>
<td>Printing</td>
<td>1,600</td>
<td>292</td>
<td>1,308.00</td>
<td>6,135</td>
<td>5,222</td>
<td>913.00</td>
</tr>
<tr>
<td>Dally Journal</td>
<td>75,000</td>
<td>18,994</td>
<td>56,006.00</td>
<td>280,000</td>
<td>48,375</td>
<td>231,625</td>
</tr>
<tr>
<td>Equipment Rental</td>
<td>18,000</td>
<td>17,488</td>
<td>512.00</td>
<td>72,649</td>
<td>42,470</td>
<td>30,179.00</td>
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<td>Telephones</td>
<td>1,600</td>
<td>2,329</td>
<td>729.00</td>
<td>9,654</td>
<td>13,357</td>
<td>3,703.00</td>
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<tr>
<td>Staff Travel</td>
<td>2,000</td>
<td>76</td>
<td>1,924.00</td>
<td>9,147</td>
<td>2,769</td>
<td>6,378.00</td>
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<td>Office Supplies</td>
<td>5,000</td>
<td>4,160</td>
<td>840.00</td>
<td>42,743</td>
<td>25,042</td>
<td>17,701.00</td>
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<td>Equipment Purchase</td>
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<td>11,798</td>
<td>0.00</td>
<td>23,583</td>
<td>23,583</td>
<td>0.00</td>
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<tr>
<td>LSU Renovation</td>
<td>11,798</td>
<td>11,798</td>
<td>0.00</td>
<td>23,583</td>
<td>23,583</td>
<td>0.00</td>
</tr>
<tr>
<td>White House Inn Renovation</td>
<td></td>
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<td>Total</td>
<td>278,300</td>
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<td>101,991.00</td>
<td>1,377,490</td>
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<td>139,246.00</td>
<td>1,809,368</td>
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<td>421,954</td>
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</table>

Respectfully submitted by

HERMAN "MONDAY" LOWE
Treasurer
Constitutional Convention 1973

Motion

Delegate Tate moved for a suspension of the rules in order to call a meeting of the Committee on Style and Drafting without giving 24 hours notice as required by the rules.

Delegate Perez objected.

By a vote of 69 yeas and 28 nays and the rules were suspended.

COMMITTEE NOTICE

Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Wednesday, November 21, 1973, at 9:30 o’clock in the Treaty Room and will consider the following agenda:

AGENDA

To consider the proposals referred to the committee.

Respectfully submitted,

ALBERT TATE,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Adjournment

Delegate Kean moved that the Convention do now adjourn until Wednesday, December 5, 1973, at 9:00 o’clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, December 5, 1973, at 9:00 o’clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk

Respectfully submitted by

HERMAN "MONDAY" LOWE
Treasurer
Constitutional Convention 1973
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—

Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D’Gerolamo
De Bileux
Dennery
Dennis
Derbes
Deshetels
Drew
Dunlap
Duval
Elkins
Edwards
Fayard

Flory
Fontenot
Fowler
Fulco
Gauthier
Ginn
Goldman
Graham
Grier
Guirisco
Harden
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kelly
Kilpatrick
Kilburne
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
LeBlanc
LeBlanc
Lowe
Lowe
Maubert
Maybuss
Miller
Mire
Morris
Munson
Newton
Nunz
O’Neill
O’Neill

Ours
Perez
Pugh
Rachal
Rayburn
Reeves
Riecke
Roemer
Roy
Sandos
Schmitt
Segura
Shannon
Singleton
Slay
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tel
Thistlethwaite
Thompson
Tobin
Toca
Toomey
Ullo
Vick
Warren
Wattigny
Weiss
Willis
Winchester
Winston
Zervigon
Perkins
Planchard

ABSENT

Delegates—

Blair
Giarrusso
Gravel
Keen

Lambert
Leigh
McDaniel
Smith

Velasquez
Vesich
Wall
Womack

The Chairman announced that there were 119 members present and a quorum.

Prayer

Prayer was offered by Delegate Stovall.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Singletary, the Journal of yesterday was adopted.

Morning Hour

Reports of Committees Lying Over

Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 15—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, De Bileux, Edwards, Fontenot, Lowe, McDaniels, Maubert, Mire, Newton, Nunez, Planchard, Roemer, Schmitt, Slay, Smith, Triche, and Winchester:

A PROPOSAL

Relative to the tax structure of the state and to public finance.

Read.

Reported with the following amendments by the Committee on Revenue, Finance and Taxation.

COMMITTEE AMENDMENT

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 2, at the end of line 15 add the following:

"However sulphur in place shall be assessed for ad valorem taxation to the person, firm or corporation having the right to mine or produce the same in the Parish where located, at no more than twice the total assessed value of the physical property subject to taxation excluding the assessed value of sulphur above ground, in such parish as is used in sulphur operations."

COMMITTEE AMENDMENT

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 2, line 20, after the word "levy" delete the word "taxes" and delete lines 21 through 26, both inclusive, in their entirety, and insert in lieu thereof the following:

"severance taxes, income taxes or taxes on motor fuel."

COMMITTEE AMENDMENT

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 3, line 4, after the word "all" delete the word "other."
COMMITTEE AMENDMENT

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 3, line 17, after the letter "(A)" and before the word "state" delete the word "The" and insert in lieu thereof:
"Unless otherwise authorized by this constitution, the"

COMMITTEE AMENDMENT

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 5, between lines 24 and 25, insert the following:
"(C) Limited Time for Contesting State Bonds. Bonds, notes, certificates, or other evidence of indebtedness (hereafter referred to collectively as "bonds") shall not be invalid for any irregularity or defect in the proceedings or the issuance and sale thereof, and shall be incontestible in the hands of a bona fide purchaser or holder thereof. The issuing agency, after authorizing the issuance of bonds by resolution, shall publish once in the official journal of the state a notice of intention to issue the bonds and a description thereof and the security therefor and for a period of thirty days only after such publication any person in interest shall have the right to contest the legality of said resolution and any provision therein of the bonds to be issued pursuant thereto and the provisions securing the bonds and the validity of all other provisions and proceedings in connection with the authorization and issuance of the bonds. If such action or proceedings shall not have been instituted within the said 30 day period, no one shall have any right of action to contest the validity of the bonds or the provisions of the resolution pursuant to which the bonds were issued or the security of the bonds or the validity of any other provisions or proceedings in connection with the authorization and issuance of the bonds and all the bonds conclusively shall be presumed to be legal, and no court thereafter shall have authority to inquire into such matters."

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 5, line 30, after the word "as" insert the words "the result of"

AMENDMENT No. 2—
On page 5, line 31, after the word "thereof" insert the words "or of agreements pertaining thereto"

AMENDMENT No. 3—
On page 5, line 5, after the word "as" insert the words "the result of"

AMENDMENT No. 4—
On page 5, line 7, after the word "thereof" insert the words "or of agreements pertaining thereto"

COMMITTEE AMENDMENT

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 6, at the end line 2, after the word "legislature" change the period "." to a comma," and add the following: "and except money received by state agencies operating under authority of this constitution preponderantly from fees and charges for the shipment of goods in international maritime trade and commerce."

COMMITTEE AMENDMENT

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 6, line 20, after the word "law" delete the remainder of the line and delete line 21 in its entirety

AMENDMENT No. 2—
On page 6, line 25, after the letter "(C)" delete the remainder of the line and on line 26, delete the words "one year, and the" and insert in lieu thereof the word "The"

AMENDMENT No. 3—
On page 7, at the end of line 2, delete the words "under the head of" and delete line 3 in its entirety and insert in lieu thereof the partial word "ex-"

COMMITTEE AMENDMENT

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 7, line 29, after the semicolon ";" delete the remainder of the line and lines 30 and 31, both inclusive, in their entirety, and insert in lieu thereof the following: "Prohibition of Loan, Pledge, or Donation of Public Property; Exceptions for Public Purpose"

COMMITTEE AMENDMENT

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 8, line 22, delete the word "however" and insert in lieu thereof the words "and provided that"

On motion of Delegate Rayburn the amendments were adopted.

On motion of Delegate Rayburn the Proposal, as amended, was ordered engrossed and passed to its third reading.

COMMITTEE PROPOSAL No. 27—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government and Delegates Burson, Cannon, Chatelain, Conline, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shanon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL
Providing with respect to the donation, loan, or pledge of public funds, credit or property.

Read.

Reported with the following amendments by the Committee on Local and Parochial Government:

COMMITTEE AMENDMENT

Amendment proposed by Committee on Local and Parochial Government to Committee Proposal No. 27 by Delegate Perez, et al.

Amend printed proposal as follows:
AMENDMENT No. 1—
On page 1, delete lines 13 through 32, both inclusive, in their entirety and on page 2, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"Section — Management of State Funds; Donation, Loan, or Pledge of Public Credit

Section —. (A) Except as otherwise provided in this constitution, the funds, credit, property or things of value of the state, or of any political subdivision thereof, shall not be loaned, pledged, or donated to or for any person or persons, associations or corporations, public or private, nor shall the state nor any political subdivisions purchase or subscribe to the capital stock or stock of any corporation or association whatever or for any private enterprise.

(B) Nothing contained in this Section shall prevent: (1) intercooperation between the state and its political subdivisions or between political subdivisions, or between the state or its political subdivisions and the United States, or between the state or its political subdivisions and any public or private association or corporation or individual for a public purpose; (2) the use of public funds for programs of social welfare and support of the needy; (3) contributions of public funds to pension and insurance programs for the benefit of public employees; (4) the legislature by a favorable vote of two-thirds of the elected members of each house from authorizing the loan, pledge, or donation of public funds in the furtherance of facilities and other programs having a public purpose; or (5) the legislature from authorizing the loan or pledge of such funds, credit, property, or things of value for public purposes with respect to the issuance of bonds or other evidences of indebtedness.

(C) Funds, credit, property or things of value of the state or of any political subdivision thereof heretofore loaned, pledged, dedicated or granted by the prior laws of this state, or authorized to be loaned, pledged, dedicated or granted by the prior laws and constitution of this state, shall so remain for the full term as provided by the prior laws and constitution and for the full term as provided by any contract, unless such authorization is revoked by the legislature by a two-thirds vote of the elected membership of each house of the legislature prior to the vesting of any contractual rights pursuant to this Section."

On motion of Delegate Perez the amendment was adopted.

On motion of Delegate Perez the Proposal, as amended, was ordered engrossed and passed to its third reading.

COMMITTEE PROPOSAL No. 28—
Introduction by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Cheteisin, Conino, D’Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL
Providing for the office of tax assessor and the Board of Assessors in Orleans Parish.

Read.

Reported without action by the Committee on Local and Parochial Government.

On motion of Delegate Perez the Proposal was withdrawn from the files of the Convention.

COMMITTEE PROPOSAL No. 29—
Introduction by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Cheteisin, Conino, D’Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL
Providing for a Revenue Sharing Fund.

Read.

Reported without action by the Committee on Local and Parochial Government.

On motion of Delegate Perez the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 18—
Introduction by Delegates Casey, Alario, Denney, and Gravel:

A PROPOSAL
Providing for meeting of the legislature for the next three years following the adoption of this constitution.

Read.

Reported with the following amendments by the Committee on Legislative Powers and Functions:

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Legislative Powers and Functions to Delegate Proposal No. 18 by Delegate Blair, et al.

Amend Printed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 11, after the word "first" and before the word "regular" change the word "three" to "two".

AMENDMENT No. 2—
On page 1, line 12, after the word "the" and before the word "of" delete the word "adoption" and insert in lieu thereof the following: "effective date"

On motion of Delegate Stagg the amendments were adopted.

On motion of Delegate Stagg the Proposal, as amended, was ordered engrossed and passed to its third reading.

DELEGATE PROPOSAL No. 22—
Introduction by Delegates Conroy and Newton:

A PROPOSAL
To provide for the prohibition of certain enumerated local and special laws.

Read.

Reported favorably by the Committee on Legislative Powers and Functions.

On motion of Delegate Blair the Proposal was ordered engrossed and passed to its third reading.

DELEGATE PROPOSAL No. 30—
Introduction by Delegate Lennox:

A PROPOSAL
Relative to levee districts

Read.

Reported favorably by the Committee on Local and Parochial Government.

On motion of Delegate Perez the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 42—
Introduction by Delegates Dennery and Stovall:

A PROPOSAL
Providing for the lieutenant governor as ombudsman.

Read.

Reported favorably by the Committee on Executive Department.

On motion of Delegate Stagg the Proposal was ordered engrossed and passed to its third reading.

DELEGATE PROPOSAL No. 49—
Introduction by Delegate Brief:

A PROPOSAL
Providing with respect to consumer education and information councils.

Read.

Reported with the following amendments by the Committee on Executive Department.
COMMITTEE AMENDMENT

Amendment proposed by Committee on Executive Department to Delegate Proposal No. 49 by Delegate Brien.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, line 11, after the word "which" and before the word "provide" delete the word "shall" and insert in lieu thereof the word "may"

On motion of Delegate Stagg the amendments were adopted.

On motion of Delegate Stagg the Proposal, as amended, was ordered engrossed and passed to its third reading.

DELEGATE PROPOSAL No. 56—
Introduced by Delegate Toomy;

A PROPOSAL
Providing with respect to local officials and employees.

Read.

Reported without action by the Committee on Local and Parochial Government.

On motion of Delegate Perez the Proposal was withdrawn from the files of the Convention.

Motion

On motion of Delegate Aertker, the Convention altered the Order of Business to take up Committee Proposal No. 11 at this time.

Proposals Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 11—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Carmouche, Corne, Cowen, Flory, Graham, Grifer, Haynes, Hernandez, E. Landry, Leithman, Morris, Rachal, Riecke, Sengura, Sutherland, Thistlethwaite, Tose, Wattigny and Wisham:

A PROPOSAL
Making provisions for human resources by providing for retirement and survivors’ benefits.

Read.

Vice Chairman Casey in the Chair

Motion

Delegate Jenkins moved for a suspension of the rules for the purpose of considering Section 1 of Committee Proposal No. 11 lettered paragraph by lettered paragraph with the view that all rules and precedents of the Convention applicable to Section by Section consideration of Proposals shall be applicable to the consideration of each proposed lettered paragraph of said Section 1 of Committee Proposal No. 11.

Delegate Flory objected.

On motion of Delegate Dennery, the rules were suspended in order to allow debate on the motion for a suspension of the rules.

By a vote of 62 yea and 27 nays, the rules were suspended for the purpose of considering Section 1 of Committee Proposal No. 11 lettered paragraph by lettered paragraph as hereinafore set forth.

Section 1. Retirement and Survivors’ Benefits

Read.

Mr. Aertker sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Aertker to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, delete line 12 in its entirety and insert in lieu thereof the following:

"ARTICLE VII. HUMAN RESOURCES
Section 1. Retirement and Survivor’s Benefits"

On motion of Delegate Aertker the amendment was adopted.

Delegate Aertker moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 1. (A) Retirement System; Public School Employees. The legislature shall provide for the retirement of teachers and other employees of the public educational system through the establishment of a retirement system or systems for employees of the public educational system. Membership in such retirement system or systems shall be a contractual relationship between the employee and employer, the accrued benefits of which shall not be diminished or impaired, and the state guarantees all benefits payable to a member of the system or to his lawful beneficiary at his death or retirement.

Read.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate De Blieux to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, at the end of line 17, delete the word "Membership" and delete lines 18 through 22, in their entirety and insert in lieu thereof the following:

"It also shall provide for the retirement of officers and employees of the state of Louisiana, its agencies and political subdivisions, including persons employed jointly by state and federal agencies other than the military service, through the establishment of a retirement system or systems."

AMENDMENT No. 2—
On page 1, line 13, immediately after “Section 1.” and before “Retirement” delete “(A)"

AMENDMENT No. 3—
On page 1, at the beginning of line 14, immediately after the partial word “ployees” change the period “.” to a semicolon and add the following:

“State Officers and Employees."

Delegate De Blieux moved the adoption of the amendments.

Delegate Flory objected.

On motion of Delegate De Blieux and under a suspension of the rules, the amendments were withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 17, after the word and punctuation “system,” delete the remainder of the line and delete lines 18 through 22, both inclusive in their entirety
Delegate Conroy moved the adoption of the amendment.
Delegate Hernandez objected.
By a vote of 37 yeas and 56 nays the amendment was rejected.
Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Aertker the rules were suspended in order to call a meeting of the Committee on Education and Welfare without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:
The Committee on Education and Welfare will meet on Wednesday, December 5, 1973, at noon recess in the Convention Hall and will consider the following agenda:

AGENDA
To consider possible amendments to the Committee’s Proposals.
Respectfully submitted,
ROBERT AERTKER,
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Proceedure of the Convention.

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

FLOOR AMENDMENTS
Amendments proposed by Delegate De Blieux to Committee Proposal No. 11 by Delegate Aertker, et al.

Amet reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 13, after the word and punctuation “System,” delete the remainder of the line and on line 14, delete the partial word and punctuation “ployees,” and insert in lieu thereof the following: “State Officers and Public Employees.”

AMENDMENT No. 2—
On page 1, delete lines 14 through 17, both inclusive, in their entirety and insert in lieu thereof the following: “The legislature shall provide a retirement system or systems for all public employees of the state and its agencies. It may authorize retirement systems for its political subdivisions. Membership”

AMENDMENT No. 3—
On page 1, at the end of line 20, change the comma “,” to a period “.” and delete the remainder of the line and delete lines 21 and 22 in their entirety

Delegate De Blieux moved the adoption of the amendments.
Delegate Avant objected.
By a vote of 34 yeas and 47 nays the amendment was rejected.
Delegate Avant moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Lowe to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 18, immediately after “employer,” delete the words “the accrued” and delete line 20 in its entirety and insert in lieu thereof the word “and”

Delegate Lowe moved the adoption of the amendment.
Delegate Aertker objected.

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

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Abraham
Anzalone
Arnette
Aseff
Badeaux
Beauregard
Bergeron
Bollinger
Brien
Brown
Breuer
Casey
Champagne
Chatelain
Comar
Conroy
Dennery
Derbes
Deshotels
Total—38.

NAYS
Delegates—
Aertker
Alario
Alexander
Avant
Carmouche
Chehardy
Conino
Corne
D’Geralamo
De Blieux
Edwards
Flory
Fowler
Fuoco
Ginn
Total—44.

NOT VOTING
Delegates—
Mr. Chairman
Blair
Burns
Burson
Cannon
Cowen
Dennis
Garrusso
Gravel
Guarisco
Hardee
Haynes
Total—34.

And the amendment was adopted.
Delegate Lowe moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Vice-Chairman Casey in the Chair
Delegate Abraham sent up a floor amendment, which was read as follows:

902
FLOOR AMENDMENT
Amendment proposed by Delegate Abraham to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 19, immediately after the word "employer", change the comma "," to a period "." and delete the word "and" added by Floor Amendment No. 1 proposed by Delegate Lowe and adopted by the Convention on December 5, 1973, and delete lines 21 and 22 in their entirety

Delegate Abraham moved the adoption of the amendment.

Delegate Flory objected.

By a vote of 32 yeas and 73 nays the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Weiss to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, between lines 22 and 23, insert the following: "Investment of funds of retirement systems created under the provisions of this Paragraph shall be limited to federal, state, and municipal obligations."

Delegate Weiss moved the adoption of the amendment.

Delegate Mire objected.

By a vote of 8 yeas and 88 nays the amendment was rejected.

Delegate Mire moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage
Committee Proposal No. 11, Section 1, Paragraph A was read, as amended.

Delegate Aertker moved the final passage of the paragraph.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Aertker—Corne—Guarisco
Alario—D’Gerolamo—Hayes
Alexander—De Blieux—Haynes
Anzalone—Denner—Hernandez
Avant—Dennis—Jack
Badeaux—Derbes—Jackson, A.
Bel—Deshotels—Jackson, J.
Bergeron—Drew—Kelly
Bollinger—Dunlap—Kilpatrick
Brief—Ellings—Landrum
Brown—Elkins—Landry, A.
Burson—Fayard—Landry, E. J.
Cannon—Flory—Lanier
Carmouche—Fontenot—LeBlanc
Champagne—Fulco—LeBlanc
Chatelain—Gauthier—Lehman
Chehardy—Ginn—Lowe
Comar—Goldman—Martin
Conino—Grier—Maybue

NAYS
Delegates—
Morris—Sandoz
Munson—Singletary
Muniz—Slay
O’Neill—Soniat
Perkins—Stagg
Planchard—Stephenson
Pugh—Stinson
Rachal—Sutherland
Reeves—Tate
Roemer—Thistlewaite

Total—37.

NOT VOTING
Delegates—
Duval—Schmidt
Kilbourne—Tobias
Miller—Weiss
Newton—Zervigon
Perez

Total—14.

And the Chair declared that the above paragraph was finally passed.

Delegate Aertker moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

(B) Retirement System; State Officers and Employees.
The legislature shall provide for the retirement of officers and employees of the State of Louisiana, its agencies and political subdivisions, including persons employed jointly by state and federal agencies other than the military service, through the establishment of a retirement system or systems. Membership in any retirement system of the state or of a political subdivision thereof shall be a contractual relationship between the employee and employer, the accrued benefits of which shall not be diminished or impaired, and the state or political subdivision shall guarantee any benefits payable to a member of the system or to his lawful beneficiary at his death or retirement.

Read.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Aertker to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 24, after the word "shall" and before the word "provide" delete the word "and" and insert in lieu thereof the following: "enact laws providing"

On motion of Delegate Aertker the amendment was adopted.

Delegate Aertker moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Lowe to Committee Proposal No. 11 by Delegate Aertker, et al.
Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 30, between the word “be” and the word “a” insert the words “optional and”

On motion of Delegate Perez the amendment was withdrawn.

Passage

Committee Proposal No. 11, Section 1, Paragraph B was read, as amended.

Delegate Aertker moved the final passage of the paragraph.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario
Alexander
Arnette
Avant
Badeaux
Bel
Bergeron
Brien
Brown
Burson
Cannon
Chalmete
Chenard
Cohon
Coninno
Corne
D’Gerolamo
Dennery
Derbes
Deshotes
Drew
Dunlap
Duval
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco

Total—90.

NAYS

Delegates—

De Blieux
Anzalone
Asseff
Casse
Conroy
Total—11.

Not Voting

Delegates—

Mr. Chairmen
Abraham
Aertker
Blair
Bollinger
Burns
Carmouche
Cowan
Dennis
Edwards
Giarrusso
Total—31.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 30, between the word “be” and the word “a” insert the words “optional and”

On motion of Delegate Perez the amendment was withdrawn.

Passage

Committee Proposal No. 11, Section 1, Paragraph B was read, as amended.

Delegate Aertker moved the final passage of the paragraph.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Gauthier
Ginn
Goldman
Graham
Grier
Hardee
Hayes
Haynes
Hene
Hernandez
Jackson
Jackson
Jackson
Jenkins
Jemsek
Kelly
Kilbourne
Kilpatrick
Landry
Landry
Lanier
LeBlanc
Leithman
Martin
Maybush
Monier
Morris
Manson
Nunez
O’Neill

Total—90.

NAYS

Delegates—

De Blieux
Anzalone
Asseff
Casse
Conroy
Total—11.

Not Voting

Delegates—

Gravel
Gualaiso
Keen
Lambert
Landrum
Leigh
Lowe
McDaniel
Maubret
Mire

Total—31.

And the Chair declared that the above paragraph was finally passed.

Delegate Aertker moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

(C) Financial Security for Surviving Spouses and Children of Law Enforcement Officers in Certain Cases. (1) It is hereby declared to be the public policy of this state, under its police power, to provide for the financial security
of surviving spouses and dependent children of law enforcement officers where such officers suffer death as a result of injury sustained in the course of the performance of official duties or ensuing from any activity while on or off duty engaged in the protection of life or property.

(2) Law enforcement officers, within the meaning of this Section, shall include: all sheriffs and deputy sheriffs in the state employed on a full-time basis; all members of the state police thus employed; those municipal police officers to whom state compensation is or may be paid as provided by law; all enforcement personnel of the Louisiana Wildlife and Fisheries Commission; capitol security police; guards at state-owned hospitals; security officers on the campuses of state-owned colleges and universities; guards at state penal institutions; enforcement personnel of dock boards and levee boards; persons on the payroll of the state or of any political subdivision of the state in training to become a law enforcement officer as defined in this subsection, and other state employees whose primary responsibility is the full-time protection of state property; provided, however, that honorary law enforcement officers, all state probation and parole officers, including juvenile probation and parole officers shall not be construed or interpreted to be such law enforcement officers within the purview of this subsection.

(3) In any case in which a law enforcement officer, as defined by this Section, suffers death, under the conditions described in Paragraph (A), the legislature shall appropriate the sum of ten thousand dollars, which shall be paid to the surviving spouse of such law enforcement officer. And in addition thereto, should such law enforcement officer be survived by minor children, the legislature shall appropriate the sum of five thousand dollars for each of the said minor children, which sum shall be paid to the duly appointed and qualified tutor or other legal representative of said child.

(4) No such payment shall be made until a judgment of a court of competent jurisdiction has become final and such judgment has decreed that the law enforcement officer did suffer death as a result of the conditions described in Paragraph (A) above.

(5) Suit shall be instituted by the attorney general against the legislative auditor in the district court of the parish in which the state capitol is situated in any case where it appears that such a law enforcement officer has suffered death in the circumstances provided by this Section and jurisdiction over such suit is hereby conferred on said court. Any judgment rendered by such court shall be subject to appeal as in other civil matters.

(6) Such suit may be instituted under the laws applicable to declaratory judgments and any such suit shall be regarded as presenting a justifiable controversy between the attorney general and the legislative auditor.

(7) This Section shall be self-operative and no further or additional legislation shall be required to place the provisions hereof in effect.

Read.

Chairman Henry in the Chair

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Jenkins to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 2—

On page 3, delete lines 1 through 29, both inclusive, in their entirety

Delegate Jenkins moved the adoption of the amendment.

Delegate Hernandez objected.

By a vote of 93 yeas and 1 nay the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—

On page 2, in Floor Amendment No. 1, proposed by Delegate Jenkins, and adopted by the Convention on December 5, 1973, on line 3, after the word “system” and before the word “for” insert the following:

"including the expenditure of public funds;"

Delegate Perez moved the adoption of the amendment.

Delegate Conroy objected.

By a vote of 82 yeas and 10 nays the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Velazquez, Jack, Warren, Miller, Maybuce, Martin, J. Jackson and Oursou to Committee Proposal No. 11 by Delegate Aertker, et al.

AMENDMENT No. 1—

In Convention floor Amendment No. 1 proposed by Delegate Jenkins and adopted by the Convention on December 5, 1973, on line 6 of the text of the amendment immediately after the word "death" and before the words "as a" insert the following:

"or who suffered death before the effective date of this constitution, but not earlier than July 1, 1972."

Delegate Velazquez moved the adoption of the amendment.

Delegate De Blieux objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates: 

Alario 

Alexander 

Anzalone 

Arnette 

Asseff 

Avant 

Badeaux 

Bel 

Bergeron 

Brien 

Burson 

Cannon 

Casey 

Chatelain 

Comar 

Conlin 

Conroy 

Corne 

D’Gerolamo 

Dentery 

Dennis 

Derbes 

Deshotsels 

Drew 

Dunlap 

Elkins 

Fayard 

Flory 

Fontenot 

Fowler 

Gauthier 

Ginn 

Goldman 

Grier 

Hardee 

Hayes 

Haynes 

Heine 

Hernandez 

Jack 

Jackson, A. 

Jackson, J. 

Jenkins 

Juneau

while engaged in the protection of life or property while on or off duty.
92nd Days Proceedings—December 5, 1973

<table>
<thead>
<tr>
<th>Delegate</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kelly</td>
<td>Rachael</td>
</tr>
<tr>
<td>Kilbourne</td>
<td>Reeves</td>
</tr>
<tr>
<td>Kilpatrick</td>
<td>Riecke</td>
</tr>
<tr>
<td>Landrum</td>
<td>Roy</td>
</tr>
<tr>
<td>Landry, E. J.</td>
<td>Sandoz</td>
</tr>
<tr>
<td>LeBleau</td>
<td>Singleteri</td>
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<tr>
<td>Leithman</td>
<td>Slay</td>
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<tr>
<td>Maybuce</td>
<td>Soniat</td>
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<tr>
<td>Miller</td>
<td>Stagg</td>
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<tr>
<td>Morris</td>
<td>Stephenson</td>
</tr>
<tr>
<td>Newton</td>
<td>Stinson</td>
</tr>
<tr>
<td>Ourso</td>
<td>Sutherland</td>
</tr>
<tr>
<td>Perez</td>
<td>Tate</td>
</tr>
<tr>
<td>Perkins</td>
<td>Thistlethwaite</td>
</tr>
<tr>
<td>Pugh</td>
<td>Thompson</td>
</tr>
</tbody>
</table>

Total—88.

Delegate Abigail

Duval  Lanier

Delegate Bollinger

Champagne

Guarisco

De Blieux

Landry, A.

Total—10.

NOT VOTING

Delegate Mr. Chairman

Kean  Rayburn

Aertker  Roemer

Blair  Schmitt

Burns  Segura

Carmouche  Shannon

Chehardy  Smith

Cowan  Stovall

Coward  Tapper

Edwards  Tapp

Eddies  Velsich

Fulero  Wall

Giraudo  Womack

Total—33.

Delegate Velazquez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 4, in Floor Amendment No. 1 proposed by Delegate Jenkins and adopted by the Convention on December 5, 1973, on line 2 of the language added by that amendment after the word "Enforcement" delete the word and punctuation "Officers" and insert in lieu thereof the words and punctuation "Officers and Firemen," and on line 5 of the language added by that amendment after the word "enforcement" delete the word "officers" and insert in lieu thereof the words and punctuation "officers, firemen;"

Delegate Flory moved the adoption of the amendment.

Delegate Lanier objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Bel</td>
</tr>
<tr>
<td>Alario</td>
<td>Beres</td>
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<tr>
<td>Alexander</td>
<td>Brien</td>
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<td>Asseff</td>
<td>Brown</td>
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<td>Avant</td>
<td>Burson</td>
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<tr>
<td>Conroy</td>
<td>Cannon</td>
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<tr>
<td>Corne</td>
<td>Gaylon</td>
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<tr>
<td>Cowen</td>
<td>Greno</td>
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<tr>
<td>De Blieux</td>
<td>Deren</td>
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<tr>
<td>D’Grolamo</td>
<td>Denary</td>
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<tr>
<td>Dennery</td>
<td>Deres</td>
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<tr>
<td>Deres</td>
<td>Deschets</td>
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<tr>
<td>Drew</td>
<td>Dunlap</td>
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<tr>
<td>Dunlap</td>
<td>Flory</td>
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<tr>
<td>Elkins</td>
<td>Fontenot</td>
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<tr>
<td>Fowler</td>
<td>Fowler</td>
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<td>Fulgo</td>
<td>Gauthier</td>
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<tr>
<td>Ginn</td>
<td>Goldman</td>
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<tr>
<td>Goldman</td>
<td>Grien</td>
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<tr>
<td>Grien</td>
<td>Guarisco</td>
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<tr>
<td>Hardee</td>
<td>Hardee</td>
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<tr>
<td>Hayes</td>
<td>Hayes</td>
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<td>Haynes</td>
<td>Haynes</td>
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<tr>
<td>Heine</td>
<td>Heine</td>
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<tr>
<td>Hernandez</td>
<td>Hernandez</td>
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<tr>
<td>Total—29</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

PASSAGE

Committee Proposal 11 Section 1, Paragraph C was read, as amended.

Delegate Flory moved the final passage of the paragraph.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
<th>City</th>
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</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Bel</td>
</tr>
<tr>
<td>Alario</td>
<td>Beres</td>
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<tr>
<td>Alexander</td>
<td>Brien</td>
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<td>Asseff</td>
<td>Brown</td>
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<td>Avant</td>
<td>Burson</td>
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<td>Conroy</td>
<td>Cannon</td>
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<tr>
<td>Corne</td>
<td>Gaylon</td>
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<tr>
<td>Cowen</td>
<td>Greno</td>
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<tr>
<td>De Blieux</td>
<td>Deren</td>
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<tr>
<td>D’Grolamo</td>
<td>Denary</td>
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<tr>
<td>Dennery</td>
<td>Deres</td>
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<tr>
<td>Deres</td>
<td>Deschets</td>
</tr>
<tr>
<td>Drew</td>
<td>Dunlap</td>
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<tr>
<td>Dunlap</td>
<td>Flory</td>
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<tr>
<td>Elkins</td>
<td>Fontenot</td>
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<tr>
<td>Fowler</td>
<td>Fowler</td>
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<td>Fulgo</td>
<td>Gauthier</td>
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<td>Ginn</td>
<td>Goldman</td>
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<td>Goldman</td>
<td>Grien</td>
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<tr>
<td>Grien</td>
<td>Guarisco</td>
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<tr>
<td>Hardee</td>
<td>Hardee</td>
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<tr>
<td>Hayes</td>
<td>Hayes</td>
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<td>Haynes</td>
<td>Haynes</td>
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<tr>
<td>Heine</td>
<td>Heine</td>
</tr>
<tr>
<td>Hernandez</td>
<td>Hernandez</td>
</tr>
<tr>
<td>Total—29</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
And the Chair declared that the above paragraph was finally passed.

Delegate Flory moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

(D) Retirement Systems; Notice of Intention to Propose Amendments or Change; Publication. No proposal to amend or effect any change in existing laws or provisions of the constitution relating to any retirement system in this state shall be introduced into the legislature unless notice of intention to introduce such proposal shall have been published, without cost to the state, in the official state journal on two separate days, the last day of which is at least thirty days prior to the introduction of such bill into the legislature. The notice shall state the substance of the contemplated law or proposal to amend the constitution. Every such bill shall contain a recital that the notice has been given.

Read.

Passage

Committee Proposal No. 11, Section 1, Paragraph D was read.

Delegate Morris moved the final passage of the paragraph.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario
Alexander
Arnette
Alvis
Avant
Badex
Bel
Bergeron
Bollinger
Breton
Burson
Cannon
Casey
Champagne
Chauvin
Cheltenham
Comar
Conino
Cowan
D'Gerolamo
Dennery
Drew
Dunlap
Elkins
Fayard
Fontenot
Fowler
Gauthier
Glen
Goldman
Graham
Gulf
Hardy
Haynes
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kelly
Kilbourne
Kilpatrick
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leithman
Lowe
Lowery
Martin
Mayhew
Morris
Nunez
O'Neil
Perez
Perkins
Planchard
Pugh
Reaves
Reaves
Reynolds
Reynolds
Reynolds
Reynolds
Rayburn
Stephenson
Stinson
Sutherland
Tate
Thistlethwaite
Thompson
Tobias
Toca
Tonny
Ulio
Velasquez
Vick
Wattigny
Weiss
Wills
Wisham
Winchester
Zervigon

NAYS

Delegates—
Brown
Conroy

Total—3.

Delegates—
Mr. Chairman
Aerkker
Blair
Burns
Carmichael
Chehardy
Edwards
Garrusso
Gravel
Kean
Lambert
Leigh
McDaniel
Mire
Munson
Nunez
Rayburn
Shannon
Smith
Stovall
Tapper
Vesich
Wall
Womack

NOT VOTING

And the Chair declared that the above paragraph was finally passed.

Delegate Morris moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 11, Section 1 was read, as amended.

Delegate Morris moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario
Alexander
Arnette
Avant
Badex
Bel
Bergeron
Bollinger
Breton
Burson
Cannon
Casey
Champagne
Chauvin
Cheltenham
Comar
Conino
Cowan
D'Gerolamo
Dennery
Drew
Dunlap
Elkins
Fayard
Fontenot
Fowler
Gauthier
Glen
Goldman
Graham
Gulf
Hardy
Haynes
Hernandez
Jack
Jackson, A.
Jackson, J.
Junewell
Kelly
Kimbrough
Kilpatrick
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leithman
Lowe
Lowery
Martin
Mayhew
Morris
Nunez
O'Neil
Perez
Perkins
Planchard
Pugh
Reaves
Reynolds
Reynolds
Reynolds
Reynolds
Rayburn
Stephenson
Stinson
Sutherland
Tate
Thistlethwaite
Thompson
Tobias
Toca
Tonny
Ulio
Velasquez
Vick
Wattigny
Weiss
Wills
Winchester
Wisham
Zervigon

NAYS

Delegates—
Brown
Conroy

Total—3.

Delegates—
Mr. Chairman
Aerkker
Blair
Burns
Carmichael
Chehardy
Edwards
Garrusso
Gravel
Kean
Lambert
Leigh
McDaniel
Mire
Munson
Nunez
Rayburn
Shannon
Smith
Stovall
Tapper
Vesich
Wall
Womack

NOT VOTING

And the Chair declared that the above paragraph was finally passed.
92nd Days Proceedings—December 5, 1973

Toca
Tommy
Ulio
Velazquez

Total—91.

Delegates—
Abraham
Anzalone
Asseff
Bollinger
Casey

Total—14.

NAYS

Delegates—
Gravel
Kean
Bren
Burns
Carmouche
Chehardy
Dennis
Edwards
Giarrusso

Total—26.

And the Chair declared that the above Section was finally passed.

Delegate Morris moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Passage

The Proposal was read, as amended.

Delegate Morris moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Alario
Alexander
Arnette
Avant
Badeaux
Bel
Bergeron
Bren
Brown
Burson
Cannon
Champagne
Chatelain
Comar
Conley
Corne
Cowen
D'Gerolamo
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Elkins
Fayard
Feitenot
Fiory
Fowler
Fulco

Total—92.

Delegates—
Abraham
Anzalone

NOT VOTING

Delegates—
Aertker
Blair
Burns
Carmouche
Chehardy
Edwards
Giarrusso
Gravel

Total—24.

And the Chair declared that the above Proposal was finally passed.

Motion

On motion of Delegate Jenkins, the Convention altered the Order of Business to take up Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

Delegate Lambert, chairman, on behalf of the Committee on Natural Resources and Environment, submitted the following report:

State of Louisiana
Constitutional Convention of 1973


To the Chairman and Delegate of the Constitutional Convention:

I am directed by your Committee on Natural Resources and Environment to submit the following report:

COMMITTEE PROPOSAL No. 16—

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegates Bollinger, Derbes, Elkins, Guldry, Hardee, Jack, LeBlanc, Lambert, Miller, Munson, Perkins, Singletary, Thompson, Velazquez, Warren and Womack:

A PROPOSAL

Making provisions relating to natural resources and environment.

By substitute.

Respectfully submitted,

LOUIS J. LAMBERT, JR.
Chairman.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

December 5, 1973, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal have been properly enrolled:

COMMITTEE PROPOSAL No. 38—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Corne, Cowen, Fiory, Graham, Guldry, Hardee, Hernandez, Landry, Lehman, Morris, Perkins, Singletary, Thompson, Velazquez, Warren and Womack:

A PROPOSAL

To provide for the transition of membership on the boards of education.

Be it adopted by the Constitutional Convention of Louisiana of 1973:
ARTICLE XIV. SCHEDULE

Section 2. Board of Regents

Section 2. On the effective date of this constitution, the members of the Louisiana Coordinating Council for Higher Education appointed by the governor whose terms have not expired shall become members of the Board of Regents until their respective terms expire. The governor shall appoint such additional members as are required to complete the full membership of the board in accordance with and for the purpose of effectuating the provisions of Article IX, Section 7.

Section 3. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College

Section 3. On the effective date of this constitution, the members of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College whose term will not have expired shall become members of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College until their respective terms expire. The governor shall appoint such additional members as are required in accordance with and for the purpose of effectuating the provisions of Article IX, Section 8.

Section 4. State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities

Section 4. On the effective date of this constitution, each member of the State Board of Education whose term will not have expired shall have the right to elect to become a member of the State Board of Elementary and Secondary Education or the Board of Trustees for State Colleges and Universities and to serve until the expiration of the term to which he was elected. The legislature shall establish procedures by which the right herein granted shall be exercised, and by which the secretary of state shall be notified as to those elections which must be held, and by which the governor shall be notified as to the appointments which must be made, to complete the full membership of the boards mentioned herein. Such elections and appointments shall be made in accordance with and for the purpose of effectuating the provisions of Article IX, Sections 4 and 8.

Section 5. Boards; New Appointments

Section 5. In making new appointments to a board created by Sections 7, 8 or 9 of Article IX, the governor shall consider appropriate representation on the board by alumni of the institutions under the control of the board.

Respectfully submitted,
MOISE W. DENNERY
Secretary.

Under the Rules, referred to the Committee on Style and Drafting.

Delegate Dannery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
December 5, 1973, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Delegate Proposal have been properly enrolled:

DELEGATE PROPOSAL No. 32—

By Delegate Drew:

A PROPOSAL

To provide with respect to the court of appeal circuits and districts.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE V.

Section 9. Courts of Appeal; Circuits and Districts

Section 9. Each circuit shall be divided into at least three districts, with at least one judge elected from each. The present circuits and districts and the number of judges as elected in each circuit are retained, subject to change by two-thirds vote of the elected members in each house of the legislature.

Respectfully submitted,
MOISE W. DENNERY
Secretary

Under the Rules, referred to the Committee on Style and Drafting.

Motion

On motion of Delegate Juneau the Rules were suspended in order to call a meeting of the Committee on Public Information without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Juneau, chairman of the Committee on Public Information, sent up the following notice:

The Committee on Public Information will meet on Thursday, December 6, 1973, at 8:00 o'clock a.m. in Independence Hall and will consider the following agenda:

AGENDA

Dissemination of the Constitution as finally adopted by the Convention.

Respectfully submitted,
PATRICK JUNEAU,
Chairman of the Committee on Public Information

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Tate the rules were suspended in order to call a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Thursday, December 6, 1973, at 9:00 o'clock a.m. in the Treaty Room and will consider the following agenda:

AGENDA

To consider the committee's report on the Proposal on Local and Parochial Government.

Respectfully submitted,
ALBERT TATE, JR.,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Vesich—1 day.
Delegate Burns—1 day.
Delegate Gravel—4 days.
Delegate Blair—1 day.
Delegate Wait—1 day.
Delegate Smith—1 day.
Delegate Kean—3 days.
Delegate Giarrusso—4 days.
Delegate McDaniel—1/2 day.
Delegate Rayburn—1/2 day.
Delegate Mauberret—1/2 day.
Delegate Lambert—4 days.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Thursday, December 6, 1973 at 11:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, December 6, 1973 at 11:00 o'clock A.M.

Respectfully submitted,
MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Chairman announced that there were 121 members present and a quorum.

**Prayer**

Prayer was offered by Delegate Landrum.

**Pledge of Allegiance**

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

**Reading of the Journal**

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

On motion of Delegate Goldman, the Journal of yesterday was adopted.

**Morning Hour**

**Reports of Committees Lying Over**

Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

**COMMITTEE PROPOSAL No. 16—**

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegates Billinger, Derbes, Elkins, Guldry, Hardee, Jack, LeBlue, Leigh, Miller, Munson, Perkins, Singletary, Thompson, Velazquez, Warren and Womack:  

A PROPOSAL

Making provisions relating to natural resources and environment.

Read.

Reported by substitute by the Committee on Natural Resources.

The title to the substitute was read as follows:

**COMMITTEE PROPOSAL No. 34—**

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegates Billinger, Derbes, Elkins, Hardee, Jack, LeBlue, Leigh, Miller, Munson, Perkins, Singletary, Thompson, Velazquez, Warren and Womack (A Substitute for Committee Proposal No. 16):  

A PROPOSAL

Making provisions relating to natural resources and environment.

On motion of Delegate Lambert the substitute was adopted and became Committee Proposal No. 34, by the Committee on Natural Resources, a substitute for Committee Proposal No. 16 by the Committee on Natural Resources.

On motion of Delegate Lambert and under a suspension of the rules, the substitute was ordered engrossed and passed to its third reading.

**Proposals, Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**Motion**

On motion of Delegate Denney, the Convention altered the Order of Business to take up Committee Proposal No. 9 at this time.

**COMMITTEE PROPOSAL No. 9—**

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Carmouche, Corne, Cowen, Flour, Grier, Hernandez, Landry, Robinson, Toca, Wattigny, and Wisham:  

A PROPOSAL

Making provisions for human resources by providing for state and city civil service.

Read.
Section 1. State and City Civil Service

(1) State Civil Service. "State civil service" means all offices and positions of trust or employment in the employ of the state, or any board, commission, department, independent agency, or other agency thereof, except as otherwise specifically provided in this constitution, and all offices and positions of trust or employment in the employ of joint state and federal agencies administering state or federal funds or grants and municipal agencies financed by state or municipal funds, or both, except municipal boards of health; joint state and parochial agencies financed by state or parochial funds, or both; irrespective of whether the position is to be paid with state, municipal, or parochial funds or with funds contributed jointly by the state and municipalities or parishes involved.

(2) City Civil Service. "City civil service" means all offices and positions of trust or employment in the employ of the city and every board, commission, department, or agency thereof, except as otherwise specifically provided in this constitution.

(3) City Civil Service Commission. (a) Membership. A State Civil Service Commission is created to be composed of five members, who are citizens and qualified electors of the state. Three members of the commission shall constitute a quorum. The five members shall be appointed by the governor, one to serve as chairman, and the other four shall be members, in the order of their preference, and from the two persons so nominated by each, the governor shall appoint one to serve as a member of the commission.

(b) Vacancies. Vacancies for any cause shall be filled by appointment in accordance with the procedure governing the original appointment and from the same source. Within thirty days after a vacancy occurs, the university president concerned shall submit the required nominations. Within thirty days thereafter, the governor shall make his appointment. The election of the member representing classified city employees shall be held at least sixty days prior to the expiration of that term. In the case of a vacancy prior to the expiration of a term in the office of the member representing classified employees, an election to fill the vacancy for the unexpired term shall be held within thirty days of the expiration of that term. Within thirty days after the effective date of this constitution, the president of Dillard University shall submit three names to the governor for appointment to the commission as herein provided. Within thirty days after the effective date of this constitution, the governor shall call an election for the member to represent classified city employees.

(4) Removal. A member of the commission may be removed by the city governing body for cause after a copy of the charges against him has been served on him and an opportunity for a public hearing thereon is afforded by his appointing authority.

(5) Compensation. The members of the commission shall constitute a quorum. The five members shall serve overlapping terms of six years as hereinafter provided. The domicile of the commission shall be in the city which it serves.

(6) Nominations. In the city of New Orleans, the presidents of Tulane University of Louisiana, Loyola University of the South, and Dillard University each shall nominate three persons in the order of their preference. From the three persons so nominated by each, the governing authority of the city shall appoint one to serve as a member of the commission. One member shall be appointed by the governing authority of the city. One member shall be an employee who holds the classified service of the city, elected by classified city employees.

In the city of Baton Rouge, Louisiana, the president of the university, the mayor of the city, the president of the city council, the president of the board of education, and the president of the board of commissioners of the city shall select three persons in order of their preference. From the three persons so nominated by each, the governing authority of the city shall appoint one to serve as a member of the commission. One member shall be appointed by the governing authority of the city. One member shall be an employee who holds the classified service of the city, elected by classified city employees.

If for any reason nominations are not submitted to the governing authority of the city by any of the college presidents herein named within the time herein designated, the vacancies shall be filled as required by law from the list of any college presidents who have failed to nominate. Within thirty days after a vacancy occurs, the university president concerned shall submit the required nominations. Within thirty days thereafter, the governing authority of the city shall make the appointment. Should the governing authority fail to appoint within the thirty days, the nominee whose name is first on the list shall automatically become a member of the commission.

The election of the member representing classified city employees shall be held at least sixty days prior to the expiration of that term. In the case of a vacancy prior to the expiration of a term in the office of the member representing classified employees, an election to fill the vacancy for the unexpired term shall be held within thirty days of the expiration of that term.

(7) Transition. Each person who, on the effective date of this constitution, was nominated by Tulane University, Loyola University, or the governing authority of the city on the New Orleans City Civil Service Commission shall continue in such position for the remainder of the term to which he was appointed. Within thirty days after the effective date of this constitution, the president of Dillard University shall submit three names to the governing authority of the city for appointment to the commission as herein provided. Within sixty days after the effective date of this constitution, the governing authority of the city shall call and hold an election for the member to represent classified city employees.

In other cities, each member serving on the effective date of this constitution, shall continue in office until the expiration of his term. The governing authorities of such cities shall provide for the election of additional members and for the implementation of this Section in accordance with provisions hereof.

(8) Compensation. Each person who, on the effective date of this constitution, was nominated by Tulane University, Loyola University, or the governing authority of the city on the New Orleans City Civil Service Commission shall continue in such position for the remainder of the term to which he was appointed. Within sixty days after the effective date of this constitution, the governing authority of the city shall call and hold an election for the member to represent classified city employees.

In other cities, each member serving on the effective date of this constitution, shall continue in office until the expiration of his term. The governing authorities of such cities shall provide for the election of additional members and for the implementation of this Section in accordance with provisions hereof.

(9) Removal. A member of the commission may be removed by the city governing body for cause after a copy of the charges against him has been served on him and an opportunity for a public hearing thereon is afforded by his appointing authority.

(10) Compensation. Each person who, on the effective date of this constitution, was nominated by Tulane University, Loyola University, or the governing authority of the city on the New Orleans City Civil Service Commission shall continue in such position for the remainder of the term to which he was appointed. Within sixty days after the effective date of this constitution, the governing authority of the city shall call and hold an election for the member to represent classified city employees.

In other cities, each member serving on the effective date of this constitution, shall continue in office until the expiration of his term. The governing authorities of such cities shall provide for the election of additional members and for the implementation of this Section in accordance with provisions hereof.

(11) Removal. A member of the commission may be removed by the city governing body for cause after a copy of the charges against him has been served on him and an opportunity for a public hearing thereon is afforded by his appointing authority.

(12) Compensation. Each person who, on the effective date of this constitution, was nominated by Tulane University, Loyola University, or the governing authority of the city on the New Orleans City Civil Service Commission shall continue in such position for the remainder of the term to which he was appointed. Within sixty days after the effective date of this constitution, the governing authority of the city shall call and hold an election for the member to represent classified city employees.

In other cities, each member serving on the effective date of this constitution, shall continue in office until the expiration of his term. The governing authorities of such cities shall provide for the election of additional members and for the implementation of this Section in accordance with provisions hereof.
who shall be in the classified service. The director shall be appointed by the appropriate commission from a list of persons determined to be eligible for the position on the basis of merit, efficiency, and qualifications, which shall be approved by the commission, and such other factors as the commission deems advisable. The director shall appoint personnel, and exercise powers and duties to the extent prescribed by the commission.

(3) Classified and Classified Service. The state civil service and the city civil service are divided into the classified service and the unclassified service. The classified service shall include all officers and employees in the state civil service and the city civil service except:

(1) elected officers and persons appointed to fill vacancies in elective offices; (2) heads of principal departments appointed by the governor, the mayor, or governing authority of the city; (3) city attorneys; (4) members of state and city boards, commissions, and agencies; (5) one private secretary for the president of each college or university, one principal assistant or deputy, one attorney, and one person holding a confidential position to any officer, board, or commission mentioned in (1), (2) and (4), except the Department of State Civil Service and the departments of state civil service, provided no appointing authority shall be required to fill any of these positions with unclassified employees, but may assign the duties of any of them to a classified employee; (6) members of the military or naval forces, or the police and fire protection, personnel, and administrative officers of all schools, colleges and universities of the state, and bona fide students of such institutions employed by any state agency; (8) officers and employees of the legislature and of the offices of the governor, lieutenant governor, attorney general, mayors of the several cities, and city attorneys; and the Board of Liquidation of the City Debt of New Orleans; (9) commissioners of elections and watchers; custodians and deputy custodians of voting machines; (10) all judicial officers and dependent and deputy judges of the court, police juries, assessors, coroners, recorders of mortgages, registrars of conveyances, district attorneys, constables of city courts, school boards, and courts of record; (11) registrars of voters and one chief deputy for each; (12) persons employed to make or conduct a special inquiry, investigation, examination or installation if the governor or governing body of the city certifies that such employment is temporary and that the work should not be performed by the classified service, and if the commission approves such certifications; (13) special counsel and special prosecutors of any appointing authority, notaries public, referees, receivers, and jurors; (14) patient or inmate help in state hospitals, penal, or correctional institutions; (15) persons temporarily retained or employed by a director of personnel for the purpose of conducting or assisting in examinations; (16) laborers and other workers employed and paid on an hourly, daily, or piecework basis, provided the inclusion of such persons in the unclassified service is requested by the appointing authority and approved by the appropriate commission; (17) persons employed to make or conduct a special inquiry, investigation, examination, or installation on behalf of the legislature or a commission; (18) officers and employees of the unclassified service is requested by the appointing authority and approved by the appropriate commission; (19) independent contractors employed to render services on a contractual basis, including independent contractual professional service.

(G) Appointment and Promotion

(G)(1) Certification. Permanent appointments and promotions in the classified state service and classified city service shall be made only after the department of civil service under a general system based upon merit, efficiency, length of service, and fitness, which shall be ascertained by competitive examinations insofar as practical, and employees and officers in the classified service shall be employed from those eligible under such certification. The number to be certified shall not be less than five; however, if more than one vacancy is to be filled, the name of one additional eligible for each vacancy may be certified and special and different lists may be established in the case of reemployment and reinstatement. The commission shall adopt rules for the method of certification of persons eligible for appointment and promotion and shall provide for appointments defined as emergency and temporary appointments.

(2) Veterans. The Department of State Civil Service and a department of city civil service shall accord a five-point preference in original appointment to each person honorably discharged, or discharged under honorable conditions from the armed forces of the United States, after having served between the wartime dates of April 6, 1917 and November 11, 1918, both dates inclusive; or between September 16, 1940 and July 25, 1947, both dates inclusive; or between June 27, 1950 and January 31, 1955, both dates inclusive, who served in the Viet Nam service medal, both dates inclusive; or who served in the peacetime campaigns or expeditions for which campaign badges are authorized. The Department of State Civil Service and a department of city civil service shall accord a ten-point preference in original appointment to each honorably discharged veteran who served either in peace or in war and who has one or more disabilities recognized by the Veterans Administration as service-connected; or to the spouse of each deceased veteran who served in a war period as defined above or in a peacetime campaign or expedition; or to the unremarried parents of any person who died in active war or peacetime service or who became totally and permanently disabled in active war or peacetime service; or the divorced or separated parents of any person who died in wartime or peacetime service or who became totally and permanently disabled in wartime or peacetime service; or the divorced or separated parents of any person who died in wartime or peacetime service or who became totally and permanently disabled in wartime or peacetime service.

(3) Layoffs; Preference Employees; Reinstatement or Preferred Employment Lists. Wherever a position in the classified service is held, or a position is considered vacated because of stoppage of work from lack of funds, or other causes, the employee or employees in the class involved in the organization unit affected shall be laid off without pay, unless there is an outstanding cause for retaining the positions in the organization unit, or any other regulations as to selection and priority as may from time to time be adopted by the commission. Provided, that preference employees (ex-members of the armed forces and their dependents as described in (B) of this Section) whose length of service is equal and better than that of other competing employees and provided further, that when any or all of the functions of any state agency are performed by or under the direction of any other state agency, or state agencies, all preference employees in the classifications and performing the function or functions transferred or in the state agency which is replaced by some other state agency shall first be transferred to the renamed agency or agencies; before employment in positions for which they are qualified, for such state agency, or state agencies, shall appoint additional employees from eligible lists for such positions. The director shall give written notice to the director of any proposed layoff a reasonable time before the effective date thereof, and the director shall make such orders relating thereto as he considers necessary to secure compliance with the rules. The name of every regular employee so laid off shall be placed upon the layoff list, and said employee shall also be eligible for reinstatement and shall be reinstated in any position in the same class in the same organization unit in which a vacancy exists. If he
cannot be reinstated as hereinabove required, the director shall, upon employee's request to be made within one year from the time of his layoff or the time his position is abolished, time or both, at the employee's request, place him on a reemployment list for the class of the position which was abolished or from which the employee was laid off. The appointing authority of the organization unit, during the time service of the employee shall be extended to include him for the purpose of this section the employee has reinstatement rights without first offering appointment to, and appointing, if he accepts, the employee who has reinstatement rights in such organization unit.

(D) Disciplinary Action. No person who has gained permanent civil service status in the classified state civil service or the classified city civil service shall be subjected to disciplinary action except for just cause after a copy of the charges against him has been served on him and an opportunity for a public hearing is afforded by his appointing authority. Only one penalty may be assessed for the same offense. No classified employee shall be discriminated against by reason of his political or religious beliefs, sex, or race.

Any classified employee so discriminated against or subjected to such disciplinary action shall have a right of appeal to the appropriate civil service commission. The burden shall be on the employee to prove the allegations of the charges made against him, and to prove the right of the appointing authority to make the appointment or the promotion or to effect the reemployment which is being protested. The appeals to the civil service commission shall be devolutive unless otherwise determined by the commission. The rulings of the commission are subject to review by the court of appeal wherein each commission is located.

III. Procurement. All civil service commissions and a city civil service commission are vested with general rule-making powers and subpoena powers for the administration of the classified civil service, including but not limited to rules and regulations relating to employment, promotions, suspensions, reduction in pay, removal, certification, work-test periods, uniform pay plans, classification plans, employment conditions, compensation, and disbursements to employees, and generally to carry out and effectuate the objectives and purposes of the merit system of civil service as herein established. These rules and regulations shall have the effect of law. Any matter affecting wages and hours shall become effective and shall have the force of law only after approval of the governor or the governor of the city or city-parish.

(J) Political Activity. No member of any civil service commission shall be a candidate for nomination or election to any public office or hold any other public office or position of public employment whatsoever, the classified employment of any elected official to the office of a notary public or a military or naval officer, or dean or member of the faculty of any educational institution excepted; nor shall any member of the commission be or have been during a period of six months immediately preceding his appointment a member of any local, state, or national committee of a political party, or an officer or member of a committee in any factional or political club or organization, and each commissioner shall take the oath of office before entering upon the duties of office, and such oath shall include a statement of belief in and desire to support the principles of the merit system. No member of the State Civil Service Commission or a city civil service commission and no officer or employee in the classified service shall participate or engage in political activity or be a candidate for nomination or election to public office or be a member of any national, state, or local committee of a political party or faction or make or solicit contributions from or to any political party, faction, or candidate, nor take active part in the management of the affairs of a political party, faction, or candidate or any political campaign except to exercise his right as a citizen to privately express his opinion, to serve as a commissioner or as an officer or employee in the classified service, or to hold the office of city-parish, or city, or parish, governed by legislative act, city charter, or otherwise, of a particular political party in an election. There shall be no prohibition against support of issues involving bonded indebtedness, tax referenda, or constitutional amendments, or the participation or membership in an organization which is not a political organization, but which is devoted exclusively to a particular political issue.

(K) Violations; Appeals. The State Civil Service Commission and any city civil service commission may investigate violations of this Section and the rules and regulations adopted pursuant hereto, the penalties provided for any violation of this Section or the rules and regulations adopted pursuant hereto in the form of demotion, or suspension, or discharge from the classified service with attendant loss of salary or emoluments, and in the event such action is taken by the appointing authority, the employee shall have the right of appeal in the court of appeal herein each commission is located.

(L) Penalties. Any person who willfully violates any provision of this Section or of any law enacted pursuant hereto shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars or by imprisonment for not more than six months, or both.

(M) Acquisition of Permanent Status. Each officer and employee who has civil service status in the classified civil service of the state or city on the effective date of this constitution shall retain such status in the position, class, and rank held on such date and thereafter shall be subject to and be governed by the provisions of this Section and the rules and regulations adopted hereto.

(N) Existing Laws. All existing laws relating to employees in the classified civil service not inconsistent with this Section are continued in force. Neither the commission of nor the appointing authority shall exercise any power or authority which is inconsistent or in conflict with any general law. The State Civil Service Commission shall exercise no power or authority which is inconsistent or in conflict with any general law.

The sections of law for the veins 1917., the legislature of the state shall not be held to the classification. There each regular session thereafter, make an appropriation to the State Civil Service Commission and to the City Civil Service Commission for the fiscal year of a sum equal to not less than seven-tenths of one percent of the aggregate payroll of the state classified service for the twelve-month period ending on the first day of March preceding the next regular session as certified to by the State Civil Service Commission. Each city of the state subject to the provisions of this Section shall make adequate annual appropriations to enable the civil service commission and the civil service department of the city to carry out efficiently and effectively the provisions of this Section.

(P) Acceptance of Act; Other Cities, City and Parish Governed Jointly. Any city, and any parish governed jointly with one or more cities under a plan of government, having a population exceeding ten thousand but not exceeding one hundred thousand, or the city of the decennial census of the United States for which the final report of population returns have been printed, published, and distributed by the director of the census shall, in a general or special election for such city or city-parish as the case may be, by a majority vote of its qualified electors voting at a general or special election for such city or city-parish as the case may be, calling for such elections; or (b) the presentation to such governing body of a petition signed by qualified electors equal to five percent of the qualified registered voters of the city or city-parish as the case may be, calling for such election.

If a majority of the legal votes cast in such election are in favor of the adoption of the provisions of this Section, then the provisions thereof shall apply to and govern the city or city-parish, as the case may be, in the same manner and to the same extent as if said Section and all its provisions had originally applied to such city or city-parish. In such instance, all officers and employees who have been classified under the provisions of the state, as the case may be, except those coming within the provisions of Article VII, Section 1 of the Constitution of the State of Louisiana, who have acquired permanent civil status and have been classified by legislative act, city charter, or otherwise, shall retain such status and shall thereafter be subject to and governed...
PAGE 5
93rd Days Proceedings—December 6, 1973

By the provisions of this Section and the rules and regulations adopted under the authority of this Section, if a majority of the legislators present in such election are against the adoption of the provisions of this Section, the question of adopting the provisions of this Section shall not be resubmitted to the voters of the city or the city-parish, as the case may be, one year thereafter.

J City, Parish Civil Service System: Creation by Legislation. Nothing in this Section shall prevent the establishment by the legislature in one or more parishes of a civil service system applicable to any or all parish employees, including those herebefore excluded from the state classified service, or the establishment by the legislature of a civil service system in one or more cities having a population of less than four hundred thousand, in any manner now or hereafter provided by law.

Read.

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

FLOOR AMENDMENTS


Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, following the word “Service” and before the period “.” insert the word “Commission” and delete the remainder of line 14 and delete lines 15 through 28 of page 1 and in lieu thereof substitute the following:

“...there is hereby created and established a State Civil Service Commission to be composed of seven members who are citizens...”

AMENDMENT No. 2—
On page 1, line 30, following the word “Service” and before the period “.” insert the word “Commission” and delete the remainder of line 30 and on page 2, delete line 1 and in lieu thereof substitute the following:

“...there shall be a city civil service commission for each city having a population in excess of 400,000 according to the latest decennial census of the United States. Each such city civil service commission shall be composed of five citizens who are qualified voters of the city in which they serve, three of whom shall constitute a quorum. One member of each city civil service commission shall be appointed by the governing authority of the city by its own selection and one member of such commission shall be elected by the employees of the city in the classified service from their membership. In the city of New Orleans the presidents of Tulane University of Louisiana; Loyola University of the South and Dillard University shall each nominate three persons and one member of the commission shall be appointed by the governing authority of the city of New Orleans from the three persons nominated by each president. In other cities subject to the provisions of this section, three members of the commission shall be nominated from any of the three universities named in Section 1 in accordance with the procedure therein provided. The terms of the members of the city civil service commission shall be four years. Within thirty days of the effective date of this commission, it shall be the duty of the president of Dillard University to make such nominations to the governing body of the city of New Orleans. Within thirty days from the effective date of this constitution an election shall be held within the classified service of the city of New Orleans for the purpose of naming a member of said commission. Vacancies by expiration of the term of office or otherwise shall be filled by appointment of the governing body, or by election, or by nomination as herein provided in the manner in which the original appointments were made, and it shall be the duty of the governing body to make such appointments or conduct such election and of the said presidents to make such nominations within thirty days after the occurrence of any vacancy.

AMENDMENT No. 3—
On page 2, delete lines 2 through 32 and delete in their entirety pages 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17.

Point of Order

Delegate Florio suggested the absence of a quorum.

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

ROLL CALL

The roll was called with the following result:

PRESEN

Delegates—

Mr. Chairman
Abraham
Alexander
Anzalone
Arnette
Asseff
Avril
Badeaux
Bel
Bergeron
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Elkins
Flory
Powder
Pulco
Gauthier
Ginn
Goldman
Grier
Guarisco
Haynes
Hayes
Heine
Hernandez
Hernandez
Jackson
Jackson, A.
Jackson, J.
Jenkins

914
93rd Days Proceedings—December 6, 1973

Juneau 
Kelly 
Kilbourne 
Kilpatrick 
Landrum 
Landry, A. 
Landry, E. J. 
Lanier 
LeBlanc 
LeBlanc 
LeBlanc 
LeBlanc 
LeBlanc 
McDaniel 
McDaniel 
Miller 

Nunez 
Ours 
Perez 
Perez 
Perkins 
Perkins 
Planhard 
Rachal 
Reeves 
Riecke 
Roemer 
Roemer 
Roesler 
Sanford 
Smith 
Stagg 

Stovall 
Sutherland 
Tate 
Thistlethwaite 
Thompson 
Tobias 


And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and to lay the motion to reconsider on the table.

Delegate Jenkins objected to tabling the motion to reconsider.

By a vote of 51 yeas and 59 nays the Convention refused to table the motion to reconsider.

Delegate Flory moved the adoption of Amendment No. 2. Delegate Hernandez objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario 
Alexander 
Avant 
Bel 
Brien 
Burson 
Cannon 
Carmouche 
Chehardy 
Comar 
Conino 

Goldman 
Guarisco 
Hayes 
Haynes 
Jackson, A. 
Jackson, J. 
Kelley 
Kilpatrick 
Landrum 
Landry, E. J. 
LeBlanc 

Rachal 
Reeves 
Roy 
Shannon 
Singlesay 
Soniat 
Stephenson 
Stovall 
Thompson 


NAYS

Abraham 
Alexander 
Anzalone 
Arnette 
Asseff 
Badeaux 
Barego 
Burns 
Burns 
Burns 


Champagne 
Chateauneuf 
Conroy 
Dennis 

Drew 
Elkins 
Fontenot 
Fulco 
Grier 
Hardie 


NOT VOTING

Mr. Chairman 
Acker 
Bollinger 
Brown 
Fayard 
Giarrusso 

Gravel 
Kean 
Lambert 
Leigh 
Munson 
Pugh 
Rayburn 

Schockert 
Segura 
Tapper 
Wall 
Womack 

Sutherland 
Thistlethwaite 
Tobias 
Toomy 
Ulio 
Weiss 
Winchester 
Zervigon 

915
And the Convention refused to table the motion to reconsider.

Delegate Flory moved the adoption of Amendment No. 3. Delegate Hernandez objected.

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

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Alario Ginn
Avant Goldman
Bergeron Graham
Bien Hayes
Burson Haynes
Cannon Jackson, A.
Carmouche Jackson, J.
Chehardy Kelly
Comar Kilpatrick
Conino Landrum
Cown D'Gerolamo Landry, E. J.
Duplan Leithman
Edwards Martin
Flory Maybrecet
Fowler Mire
Gauthier Morris

Total—55.

NAYS

Delegates—
Abraham Elkins
Anzalone Fontenot
Arnette Grier
Asseff Hardee
Badeaux Heine
Bel Hernandez
Bollinger Jack
Burns Jenkins
Casey Juneau
Champagne Kilbourne
Chatelain Landry, A.
Conroy Lanier
Corne LeBleu
De Blieux Lowe
Denney McDaniel
Dennis Miller
Derbes Newton
Deshotels Nunez
Dew O'Neil

Total—64.

NOT VOTING

Delegates—
Mr. Chairman Mr. Chairman
Aertker Kean
Blair Lambert
Brown Leigh
Fayard Munson
Glarrusso Pugh

Total—18.

NOT VOTING

Delegates—
Gravel Rayburn
Keen Schmitt
Lambert Segura
Leigh Tapper
Munson Wall
Pugh Womack

Total—17.

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and to lay the motion to reconsider on the table.

Delegate Jenkins objected to tabling the motion to reconsider.

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

ROLL CALL
The roll was called with the following result:
Delegates—
Badeaux
Conroy
Duval
Fulco
Hardee
Heine
Hernandez
Total—19.

YEAS

Jack
Jackson, A.
Landrum
LeBlanc
Miller
Shannon
Tobias

NAYS

Elkins
Fayard
Flory
Fontenot
Fowler
Gauthier
Ginn
Goldman
Graham
Grier
Guarisco
Hayes
Jackson, J.
Jenkins
Juneau
Kelly
Kilbourne
Kilpatrick
Langley
Langley, E. J.
Lanier
Lowe
McDaniel
Martin
Mauberret
Maybuche
Mayhew
Munson
Newton
Nunez
O'Neil
Ourso
Perez
Perkins
Planchard
Racal
Reeves
Riecke
Roemer
Roy
Sandoz
Schmitt
Sington
Stephenson
Stovall
Tate
Toca
Toca
Tommy
Tonny
Vick
Vick
Vick
Vick
Vick

NOT VOTING

Mr. Chairman
Aerker
Blair
Brown
Giarrusso
Gravel
Kean
Total—16.

Mr. Chairman
Aerker
Blair
Brown
Giarrusso
Gravel
Kean
Total—20.

And the Convention refused to order the previous question at this time.

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

ROLL CALL

The roll was called with the following result:

Yeas

Abraham
Alario

Nays

Arnette

917
### 93rd Days Proceedings—December 6, 1973

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Name</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Badeaux</td>
<td>Hardee</td>
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Total—53.

### NOT VOTING

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<tbody>
<tr>
<td>Mr. Chairman</td>
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<td>Rayburn</td>
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<tr>
<td>Aertker</td>
<td>Lambert</td>
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<td>Womack</td>
</tr>
<tr>
<td>Gravel</td>
<td>Pugh</td>
<td></td>
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</tbody>
</table>

Total—16.

And the Convention refused to defer the reconsideration of the vote by which Amendment No. 1 to Committee Proposal No. 9, was adopted.

Delegate Jenkins insisted upon the original motion to reconsider the vote by which Amendment No. 1 to Committee Proposal No. 9, was adopted.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Name</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
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Total—57.

#### NAYS

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<tr>
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Total—61.

### ROLL CALL

The roll was called with the following result:
PAGE 10

93rd Days Proceedings—December 6, 1973

<table>
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NOT VOTING

<table>
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<tr>
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<td>Total—19.</td>
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</table>

And the vote by which Amendment No. 2 was adopted was reconsidered,

Motion

Delegate Flory moved to reconsider the vote by which Amendment No. 3 was adopted.

Delegate Abraham objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Party</th>
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<tbody>
<tr>
<td>Abraham</td>
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<td>Fontenot</td>
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<td>Total—54.</td>
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NAYS

<table>
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<tr>
<td>Flory</td>
<td></td>
</tr>
<tr>
<td>Total—61.</td>
<td></td>
</tr>
</tbody>
</table>

And the Convention refused to reconsider the vote by which Amendment No. 3 was adopted.

Reconsideration

And the Chair announced before it the consideration of Amendment No. 1 and No. 2 proposed by Delegate Flory which were taken up and acted upon as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Flory, Racial, Toca, Haynes, Wisham, A. Jackson, Wattigny, Segura, Graham, Carmouche, Aertker, and E. J. Landry to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1

On page 1, line 14, following the word "Service" and before the period ";", insert the word "Commission" and delete the remainder of line 14 and delete lines 15 through 28 of page 1 and in lieu thereof substitute the following:

"There is hereby created and established a State Civil Service Commission to be composed of seven members who are citizens and qualified voters of the State of Louisiana. Five members of the Commission shall constitute a quorum. The seven commissioners shall be appointed by the Governor for a term of four years as follows:

The presidents of Louisiana State University and Agricultural and Mechanical College at Baton Rouge, Louisiana; Centenary College at Shreveport, Louisiana; Louisiana College at Pineville, Louisiana; Southern University at Scottlandville, Louisiana; and Xavier University at New Orleans, Louisiana, shall each nominate three persons, and one member of the commission shall be appointed by the Governor from the three persons nominated by each president. Two members of the commission shall be appointed by the Governor by his own selection. Vacancies by expiration of the term of office or otherwise shall be filled by appointment of the governor from nominations made in like manner by the president (or his successor) of that institution who nominated the member whose place is being filled or by the governor on his own selection in case of a gubernatorial appointee. It shall be the duty of the presidents of Xavier University and Southern University to, within thirty days after the effective date of this constitution, make such nominations, and thereafter within thirty days after any vacancy occurs, it shall be the duty of the presidents of each of said institutions to make such nominations. Within thirty days of the expiration of the terms of the presidents of said commission previously nominated by the presidents of Loyola University and Tulane University and serving at the effective date of this constitution, it shall be the duty of the governor to fill such vacancy by his own selection. All appointments as hereinabove provided shall be made by the governor without confirmation by the Senate.

AMENDMENT No. 2

On page 1, line 29, following the word "Service" and before the punctuation ";", insert the word "Commission" and delete the remainder of line 29 and on page 1 delete lines 30 through 32 and on page 2, delete line 1 and in lieu thereof substitute the following:

"There is hereby created and established a city civil service commission for each city having a population in excess of 400,000 according to the latest decennial census of the United States. Each such city civil service commission shall be composed of five citizens who are qualified voters of the city in which they serve, three of whom shall constitute a quorum. One member of each city civil service commission shall be appointed by the governing authority of the city by its own selection and one member of such commission shall be elected by the employees of the city in the classified service from their membership. In the city of New Orleans the presidents of Tulane University of Louisiana; Loyola University of the South and Dillard University shall each nominate three persons and one member of the commission shall be appointed by the governing authority of the city of New Orleans from the three persons nominated by each president. In other cities subject to the provision
PAGE 11

93rd Days Proceedings—December 6, 1973

of this section, three members of the commission shall be nominated from any of the three universities named in Section 1 in accordance with the procedure therein provided. The terms of the members of the city civil service commission shall be four years. Within thirty days of the effective date of this constitution, it shall be the duty of the president of Dillard University to make such nominations to the governing body of the city of New Orleans. Within thirty days from the effective date of this constitution an election shall be held within the classified service of the city of New Orleans for the purpose of naming a member of said commission. Vacancies by expiration of the term of office or otherwise shall be filled by appointment of the governing body, or by election, or by nomination as herein provided in the same manner as the original appointments were made, and it shall be the duty of the governing body to make such appointments or conduct such election and of the said presidents to make such nominations within thirty days after the occurrence of any vacancy.

(3) Coverage, Exclusions, Amendments. Except as may be inconsistent with the provisions of this Article, all of the provisions of Article 14, Section 15, of the constitution of 1921 providing for a system of classified civil service for the state and for cities are hereby retained and continued in force and effect. The legislature upon the favorable vote of two-thirds of the elected membership of each house may amend, repeal or otherwise modify any of the provisions of Article XIV, Section 15, of the constitution of 1921, which are continued by this Article or amend, repeal or otherwise modify any provision of this Article except that the legislature may not abolish the system of classified civil service in the state and in the cities of over 400,000 population according to the latest decennial census of the United States nor may it include in the classified civil service system of such cities employees of the fire and police departments, who are hereby expressly excluded from said classified service.

Motion

Delegate Abraham moved to take up other Orders of Business at this time.

Delegate Jenkins objected.

By a vote of 67 ayes and 25 nays, the Convention reverted to other Orders of Business.

Mr. Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

COMMITTEE PROPOSAL No. 11—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Carmouche, Corne, Cowen, Flory, Graham, Grier, Haynes, Hernandez, E. Landry, Leithman, Morris, Rachal, Riecke, Segura, Sutherland, Thistlethwaite, Toca, Wattigny and Wil- ham:

A PROPOSAL

Making provisions for human resources by providing for retirement and survivors' benefits.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VII. HUMAN RESOURCES

Section 1. Retirement and Survivor's Benefits

Section 1. (A) Retirement System; Public School Employees. The legislature shall provide for the retirement of teachers and other employees of the public educational system through the establishment of a retirement system or systems for employees of the public educational system. Membership in such retirement system or systems shall be a contractual relationship between the employee and employer, and the state guarantees all benefits payable to a member of the system or to his lawful beneficiary at his death or retirement.

(B) Retirement System; State Officers and Employees. The legislature shall enact laws providing for the retirement of officers and employees of the State of Louisiana, its agencies and political subdivisions, including persons employed jointly by state and federal agencies other than the military service, through the establishment of a retirement system or systems. Membership in any retirement system of the state or of a political subdivision thereof shall be a contractual relationship between the employee and employer, and the state shall guarantee any benefits payable to a member of the system or to his lawful beneficiary at his death or retirement.

(C) Compensation for Surviving Spouses and Children of Law Enforcement Officers and Firemen. The legislature shall establish a system, including the expenditure of public funds, for compensating the surviving spouses and dependent children of law enforcement officers, firemen, and personnel, as may be defined by law, who suffer death or who suffered death before the effective date of this constitution, but not earlier than July 1, 1972, as a result of injury sustained in the performance of official duties or while engaged in the protection of life or property while on or off duty.

(D) Retirement Systems; Notice of Intention to Propose Amendments or Change; Publication. No proposal to amend or effect any change in existing laws or provisions of the constitution relating to any retirement system in this state shall be introduced into the legislature unless notice of intention to introduce such proposal shall have been published, without cost to the state, in the official state journal on two separate days, the last day of which is at least thirty days prior to the introduction of such a bill into the legislature. The notice shall state the substance of the contemplated law or proposal to amend the constitution. Every such bill shall contain a recital that the notice has been given.

Respectfully submitted,
MOISE W. DENNERY
Secretary.

Under the Rules, referred to the Committee on Style and Drafting.

Leaves of Absence

Delegate Mire—1 Day.
Delegate Winchester—½ Day.

Adjournment

Mr. Abraham moved that the Convention do now adjourn until Friday, December 7, 1973.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, December 7, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Friday, December 7, 1973, Baton Rouge, La.

The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—

Mr. Chairman— Fowler
Abraham Fulco
Aeriker Gauthier
Alario Ginn
Alexander Goldman
Anzalone Graham
Arnette Grier
Asseff Guarisco
Avant Hardee
Badeaux Hayes
Bel Haynes
Bergeron Heine
Bollinger Hernandez
Brown Jack
Burns Jackson, A.
Hunson Jenkins
Cannon Juneau
Carmouche Kelly
Casey Kilbourne
Champion Kilpatrick
Chatelein Landrum
Chehardy Landry, A.
Conard Landry, E. J.
Conno Lander
Conroy LeBlanc
Corne Leithman
Cowan Lowe
D'Golamo McDaniel
De Bileux Martin
Dennery Maubert
Dennis Maybuck
Deshotels Miller
Drew Mire
Dunlap Morris
Duval Munson
Elkins Newton
Eyward Nunez
Flory O'Neill
Fontenot Ours

Total—120.

ABSENT

Delegates—

Blair Gravel
Derbes Kean
Edwards Lambert
Giarrusso Leigh

Total—11.

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

Prayer

Prayer was offered by Delegate Smith.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Grier, the Journal of yesterday was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 9—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Carmouche, Corne, Cowen, Flory, Grier, Hernandez, Landry, Robinson, Toca, Wattigny and Wisam:

A PROPOSAL

Making provisions for human resources by providing for state and city civil service.

Read.

FLOOR AMENDMENTS


Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, following the word “Service” and before the period “.” insert the word “Commission” and delete the remainder of line 14 and delete lines 15 through 28 of page 1 and in lieu thereof substitute the following:

“there is hereby created and established a State Civil Service Commission to be composed of seven members who are citizens and qualified voters of the State of Louisiana. Five members of the Commission shall constitute a quorum. The seven commissioners shall be appointed by the Governor for a term of four years as follows:

The presidents of Louisiana State University and Agricultural and Mechanical College at Baton Rouge, Louisiana; Centenary College at Shreveport, Louisiana; Louisiana College at Pineville, Louisiana; Southern University at Scottsdale, and Xavier University in New Orleans, Louisiana, shall each nominate three persons, and one member of the commission shall be appointed by the Governor from the three persons nominated by each president. Two members of the commission shall be appointed by the governor by his own selection. Vacancies by expiration of the term of office or otherwise shall be filled by appointment of the Governor from nominations made in like manner by the president (or his successor) of that institution who nominated the member whose place is being filled or by the governor on his own selection in case of a gubernatorial appointment. It shall be the duty of the presidents of Xavier University and Southern University to, within thirty days after the effective date of this constitution, make such nominations, and thereafter within thirty days after any vacancy occurs, it shall be the duty of the presidents of each of said institutions to make such nominations. Within thirty days of the expiration of the terms of the members of said commission previously nominated by the presidents of Loyola University and Tulane University and serving at the effective date of this constitution, it shall be the duty of the governor to fill such vacancy by his own selection. All appointments as hereinabove provided shall be made by the governor without confirmation by the Senate.
AMENDMENT No. 2—

On page 1, line 29, following the word “Service” and before the punctuation “,” insert the word “Commission” and delete the remainder of line 29 and on page 1 delete lines 30 through 32 and on page 2, delete line 1 and in lieu thereof substitute the following:

“there is hereby created and established a city civil service commission for each city having a population in excess of 400,000 according to the latest decennial census of the United States. Such each city civil service commission shall be composed of five citizens who are qualified voters of the city in which they serve, three of whom shall constitute a quorum. One member of each city civil service commission shall be appointed by the governing authority of the city by its own membership and one member of such commission shall be elected by the employees of the city in the classified service from their membership. In the city of New Orleans the presidents of Tulane University of Louisiana; Loyola university of the South and Dillard University shall each nominate three persons and one member of the commission shall be appointed by the governing authority of the city of New Orleans from the three persons nominated by each president. In other cities subject to the provision of this Section, the number of members of the commission shall be nominated from any of the three universities named in Section 1 in accordance with the procedure therein provided. The terms of the members of the city civil service commission shall be four years. Within thirty days of the effective date of this constitution an election shall be held within the classified service of the city of New Orleans for the purpose of naming a member of said commission. Vacancies by expiration of the term of office or otherwise shall be filled by appointment of the governing body, or by election, or by nomination as herein provided in the manner as the original appointments were made, and it shall be the duty of the governing body to make such appointments or conduct such election and of the said presidents to make such nominations within thirty days after the occurrence of any vacancy.

(3) Coverage, Exclusions, Amendments. Except as may be inconsistent with the provisions of this Article, all of the provisions of Article 14, Section 15, of the constitution of 1921 providing for a system of classified civil service for the state and for cities are hereby retained and continued in force and effect. The legislation upon the favorable vote of two-thirds of the elected membership of each house may amend, repeal or otherwise modify any of the provisions of Article 15, Section 15, of the constitution of 1921, which are continued by this Article or amend, repeal or otherwise modified any provision of this Article except that the legislature may not abolish the system of classified civil service in the state or within the cities of over 400,000 population according to the latest decennial census of the United States nor may it include in the classified civil service system of such cities employees of the fire and police departments, who are hereby expressly excluded from said classified service.

Read.

The Chairman announced that the Convention had under consideration the amendments to Committee Proposal No. 9 when it adjourned on Thursday, December 6, 1973, which were taken up on reconsideration and acted upon as follows:

On request of Delegate Flory a division of the question was ordered.

Delegate Flory moved the adoption of Amendment No. 1.

Delegate Dennery objected.

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

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
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<tbody>
<tr>
<td>Alario</td>
<td>Haynes</td>
<td>Roy</td>
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<tr>
<td>Alexander</td>
<td>Jackson, A.</td>
<td>Schmitt</td>
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<td>Avant</td>
<td>Jackson, J.</td>
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<td>Brown</td>
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<td>Carmouche</td>
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<td>Chehardy</td>
<td>Landry, E. J.</td>
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<td>Comar</td>
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<td>Hayes</td>
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<td>Total—46</td>
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Delegates—

Abraham
Anzalone
Arnell
Aseff
Badeaux
Bel
Bergeron
Bollinger
Brien
Burns
Casey
Champagne
Chatelain
Conino
Conroy
Corne
Cowan
De Bieux
Dennery
Dennis
Denholm
Total—61.

Delegates—

Mr. Chairman
Acetker
Blair
Bryan
Cannon
Derbes
Edwards
Giarrusso
Ginn
Total—24.

Not Voting

And the amendment was rejected.

Delegate Dennery moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Flory moved the adoption of Amendment No. 2.

Delegate Dennery objected.

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

ROLL CALL

The roll was called with the following result:

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<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
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<tbody>
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<td>Alario</td>
<td>Flory</td>
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<td>Jack</td>
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<td>Jackson, A.</td>
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<tr>
<td>Reeves</td>
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<tr>
<td>Total—46</td>
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</tbody>
</table>

922
The unclassified service shall include 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 person holding a confidential position and one principal assistant or deputy to any officer, board, commission, or authority mentioned in (1), (2), (4), (5) above, except civil service department; (7) members of the military or naval forces; (8) teaching 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, and administrative officers of the legislature, of the officers of the governor, lieutenant governor, mayor, and city attorney of the principal cities, of police juries, of school boards, of assessors, of all offices provided for in Article V of this Constitution except the offices of clerk of the municipal and traffic courts in New Orleans, of coroners; (10) commissioners of elections, and watchmen; custodians and deputy custodians of voting machines.

Additional positions may be added and revoked by rules adopted by a commission.

(C) State Civil Service Commission; Appointment; Nomination. There shall be a State Civil Service Commission, domiciled in Baton Rouge, composed of seven members who are elected by the legislature, four of whom constitute a quorum.

(1) Appointment. The members shall be appointed by the governor, as hereinafter provided, for terms of six years.

(2) Nominations. The presidents of Centenary College, Dillard University, Loyola University, Louisiana State University, St. Mary's College, Tulane University of Louisiana at New Orleans, and Xavier University of Louisiana, after giving due consideration to representation of all groups, each shall nominate three persons. One member of the commission shall be appointed by the governor from the three persons so nominated by each president. A vacancy for any cause shall be filled by appointment in accordance with the procedure governing the original appointment, and from the same source. Within thirty days after a vacancy occurs, the president concerned shall submit the required nominations. Within thirty days thereafter, the governor shall make his appointment. Should the governor fail to appoint within thirty days the nominee whose name is first on the list of nominees shall automatically become a member of the commission.

(D) City Civil Service Commission; Appointment; Nomination. Vacancies. There shall be a city civil service commission in each city having a population exceeding two hundred fifty thousand. Each commission shall be composed of three members, who are elected by the qualified electors of the city of whom constitute a quorum. The members shall serve terms of six years as hereinafter provided. The domicile of each commission shall be in the city in which it serves.

(1) New Orleans; Appointment and Nomination. In the city of New Orleans, the presidents of Dillard University, Loyola University of the South, and Tulane University of Louisiana, after giving due consideration to representation of all groups, each shall nominate three persons, and from the three persons so nominated by each, the governing authority of the city shall appoint one to serve as a member of the commission.

(2) Other Cities; Nomination and Appointment. In other cities, nominations shall be made by the governing authority of the city. The nominations shall be submitted to the commission, and the three universities listed in Paragraph (C) (2), which three universities shall be selected by the governing authority of the respective city, each shall nominate three persons, after giving due consideration to representation of all groups, from the three persons so nominated by each, the governing authority of the city shall appoint one to serve as a member of the commission.

(3) Vacancies. Vacancies for any cause shall be filled by appointment in accordance with the procedure for the original appointment and from the same source. Within thirty days after a vacancy occurs, the university president concerned shall submit the required nominations. Within thirty days thereafter, the governing authority of the city shall appoint one to serve as a member of the commission. Should the governor fail to appoint within thirty days, the nominee whose name is first on the list of nominees shall automatically become a member of the commission.

(E) Removal. A member of the state or of a city civil service in the state and city civil service includes all offices and positions of trust or employment in the employ of the state, or any instrumentality thereof, or any joint state and federal, parochial, or municipal agency, except municipal boards of health and local governmental subdivisions, irrespective of what funds are used to pay for such employment.

2 City Civil Service. The city civil service includes all offices and positions of trust or employment in the employ of each city in the state with over two hundred fifty thousand population, and of any instrumentality thereof.

(E) Classified and Unclassified Service. The state and city civil service is divided into the unclassified and classified service. All persons not included in the unclassified service are in the classified service.
service commission may be removed by the governor or the governing authority for cause after being served with written specifications of the charges against him, and an opportunity for public hearing thereon is afforded by his appointed authority.

(E) Department of Civil Service; Directors.

(F) (1) State Department. There shall be a Department of State Civil Service in the executive branch of the state government.

(2) City Departments. There shall be a department of civil service in each city having a population exceeding two hundred fifty thousand.

(D) Directors. Each commission shall appoint a director, after competitive examination, who shall be the administrative head of his department, and who shall be in the classified service. Each director shall appoint personnel and exercise powers and duties to the extent prescribed by the commission appointing him.

(G) Appointments; Promotions. Permanent appointments and promotions in the classified state and city service shall be made only after certification by the appropriate department of civil service under procedures based upon merit, efficiency, and fitness, as ascertained by examination which, so far as practical, shall be competitive. The number to be certified shall not be less than three; however, if more than one position is to be filled, the names of additional eligible for each vacancy may be certified. Each commission shall adopt rules for the method of certification of persons eligible for appointment, promotion, reemployment, and reinstatement and shall provide for appointments as emergency and temporary appointments where certification is not required.

(H) Disciplinary Actions; Appeals. No person who has gained permanent status in the classified state or city service shall be subjected to disciplinary action except for cause expressed in writing; and no classified employee shall be discriminated against by reason of his political or religious beliefs, sex, or race. Any classified employee subject to such disciplinary action or so discriminated against shall have the right of appeal to the appropriate commission.

The burden of proof on appeal, as to the facts, shall be on the employee.

(I) Prohibitions Against Political Activities. (1) No member of any civil service commission and no officer or employee in the classified service shall participate in political campaigns or solicit contributions for political purposes or be a candidate for nomination or election to public office; or be a member of any national, state, or local committee of a political party or faction; or make or solicit contributions for any political party, faction, or candidate, except as a citizen to express his opinion privately, to serve as a commissioner or official watcher at the polls and to cast his vote as he desires.

(2) No person shall solicit contributions for political purposes from any classified employee or official or use or attempt to use his position in the state or city service to punish or coerce the political action of such classified employee.

(J) Rules; Investigations; Wages and Hours. (1) Rules. Each commission is vested with broad and general rule-making and subpoena powers for the administration and regulation of the classified service, including but not limited to the adoption of rules for the regulation of employment, promotion, demotion, suspension, reduction in pay, removal, certification, qualifications, political activities, and all other personnel matters and transactions, the adoption of a uniform pay and classification plan, employment conditions, employee training and safety, compensation and disbursements to employees, and generally to carry out and effectuate the objectives and purposes of the merit system of civil service as herein established.

Each commission shall adopt rules providing for preference in original appointment, layoffs and reinstatements for veterans of the armed forces of the United States who have been honorably discharged or separated from such services or persons who served in said armed forces, as defined by general law, and may adopt rules providing for other veterans' preferences.

Rules adopted pursuant hereto shall have the effect of law. Each commission may impose penalties for violation of its rules by demotion in, or suspension or discharge from position, with attendant loss of pay.

(2) Investigations. Each commission is authorized to investigate violations of the laws, rules, regulations, and the rules, statutes, or ordinances adopted pursuant hereto.

(3) Wages and Hours. Any rule or determination affecting wages or hours shall become effective and shall have the effect of law only after approval by the governor or the appropriate governing authority.

(K) Penalties. Any person willfully violates any provision of this Section shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not less than $500 nor more than $1,000 or by imprisonment for not more than six months, or both.

(L) Appeal. Each commission shall have the exclusive power and authority to hear and decide all removal and disciplinary cases, with subpoena power and power to administer oaths. It may appoint a referee to take testimony, with subpoena power and power to administer oaths to witnesses. The decision of a commission shall be final on the facts, but shall be subject to review on any question of law upon appeal to the court of appeal wherein such commission is located, upon application filed with such commission within thirty calendar days after its decision becomes final.

(M) Appropriations. (1) State. Beginning with the regular session of the legislature after the election of the new executive branch of state government, the legislature shall appropriate to the State Civil Service Commission and to the Department of State Civil Service for the succeeding fiscal year a sum equal to not less than seven-tenths of the aggregate cash compensation paid to members of the State Civil Service System during the five-month period ending on the first day of March preceding the next regular session as certified by the State Civil Service Commission.

(2) Cities. Each city subject to the provisions of this Section shall make adequate annual appropriations to enable its civil service commission and department to carry out efficiently and effectively the provisions of this Section.

(N) Acceptance of Act; Other Cities, Parishes. City and parish governments, including City-Parish and Parish boards, shall be and may act in furtherance of the provisions of this Act; and in and after such regular session therefor, the legislature may appropriate to the State Civil Service Commission and to the Department of State Civil Service for the succeeding fiscal year a sum equal to not less than seven-tenths of the aggregate cash compensation paid to members of the State Civil Service System during the five-month period ending on the first day of March preceding the next regular session as certified by the State Civil Service Commission.
body, of a civil service system in one or more cities having a population of less than two hundred fifty thousand, in any manner now or hereafter provided by law.

Delegate Kelly moved that the amendment be tabled. Delegate Chatelain objected.

As a substitute Delegate Guarisco moved that the Convention adjourn until Saturday, December 8, 1973 at 9:00 o'clock A.M.

The vote recurred on the substitute.

By a vote of 46 yeas and 47 nays the Convention refused to adjourn until Saturday, December 8, 1973, at 9:00 o'clock A.M.

Delegate Kelly insisted upon his motion to table the amendments.

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

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
<td>Delegates—</td>
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<tr>
<td>Alario</td>
<td>Hayes</td>
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<td>Brien</td>
<td>Jackson, A.</td>
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<td>Cannon</td>
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<td>Deshotels</td>
<td>Landry, E. J.</td>
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<td>Graham</td>
<td>Newton</td>
</tr>
<tr>
<td>Guarisco</td>
<td>Nunez</td>
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</tbody>
</table>

Delegate Segura moved that the Convention adjourn until Tuesday, December 11, 1973, at 9:30 o'clock A.M.

Delegate Newton objected.

By a viva voce vote the Convention refused to adjourn until Tuesday, December 11, 1973, at 9:30 o'clock A.M.

Leaves of Absence

Delegate Martin—2 Days.
Delegate Blair—2 Days.
Delegate Rayburn—2 Days.
Delegate Lanier—1 Day.

Adjournment

On motion of Delegate Smith and by standing vote the Convention adjourned until Saturday, December 8, 1973, at 9:00 o'clock A.M.

And Chairman Henry declared the Convention adjourned to Saturday, December 8, 1973, at 9:00 o'clock a.m.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Prayer

Prayer was offered by Delegate Alexander.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Tobias, the reading of the Journal of yesterday was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 9—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Carmouche, Corne, Cowen, Flory, Grier, Hernandez, Landry, Robinson, Toea, Wattigny and Wisham:

A PROPOSAL—

Making provisions for human resources by providing for state and city civil service.

Read.

FLOOR AMENDMENT

Amendment proposed by Delegate Dennery to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 14 through 32, both inclusive, in their entirety and delete lines 1 through 32 on pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, both inclusive, in their entirety and on page 17 delete lines 1 through 2, both inclusive, in their entirety and in lieu thereof insert the following:

“(1) State Civil Service. The state civil service includes all offices and positions of trust or employment in the employ of the state, or any instrumentality thereof, or any joint state and federal, parochial, or municipal agency, except municipal boards of health and local governmental subdivisions, irrespective of what funds are used to pay for such employment.

(2) City Civil Service. The city civil service includes all offices and positions of trust or employment in the employ of each city in the state with over two hundred fifty thousand population, and every instrumentality thereof.

(B) Classified and Unclassified Service. The state and city civil service is divided into the unclassified and classified service.

All persons not included in the unclassified service are in the classified service.

The unclassified service shall include 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 person 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) teaching 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, and administrative officers
of the legislature, of the offices of the governor, lieutenant governor, each mayor and city attorney of the several cities, of police juries, of school boards, of assessors, of all offices provided for in Articles 2 and 3 of the Constitution except the offices of circuit, municipal and traffic courts in New Orleans, of coroners; (10) commissioners of elections, and watchmen; custodians and deputy custodians of voting machines.

Additional positions may be added and revoked by rules adopted by a commission.

(C) State Civil Service Commission; Appointment; Nomination. There shall be a State Civil Service Commission, domiciled in Baton Rouge, composed of seven members, and each member is elected to a term of four years, from the inhabitants of the several parishes of which a quorum can be constituted.

(1) Appointment. The members shall be appointed by the governor, as hereinafter provided, for terms of six years. Each commission shall be composed of three members, who are qualified electors of the city, two of whom constitute a quorum. The members shall serve terms of six years as hereinafter provided. The member of each commission shall be in the city which it serves.

(1) New Orleans; Nomination and Appointment. In the city of New Orleans, the presidents of Dillard University, Loyola University of the South, and Tulane University shall be selected by the governing authority of the city to represent the inhabitants of the several parishes of which a quorum can be constituted. The three persons so nominated shall be ex-officio members of the commission.

(2) Other Cities; Nomination and Appointment. In other cities subject to the provisions of this Section, the presidents of three of the universities listed in Paragraph (C) (2), which three universities shall be selected by the governing authority of the city, shall each nominate three persons, after giving due consideration to representation of all groups, and from the three persons so nominated by each, the governing authority of the city shall appoint one to serve as a member of the commission.

(3) Vacancies. Vacancies for any cause shall be filled by appointment in accordance with the procedure for the original appointment and from the same source. Within thirty days after a vacancy occurs, the university president concerned shall select new candidates, if the former candidates are no longer eligible for appointment, or failing to fill the remainder of the term during which the vacancy occurred, the governing authority of the city shall make the appointment. Should the governing authority of the city fail to appoint within the thirty days, the nominee whose name is first on the list of nominees shall automatically become a member of the commission.

(E) Removal. A member of the state or of a city civil service commission may be removed by the governor or the governing authority for cause after being served with written specifications of the charges against him, and an opportunity for a public hearing thereon is afforded by his appointing authority.

(F) Department of Civil Service; Directors.

(1) State Department. There shall be a Department of State Civil Service in the executive branch of the state government.

(2) City Departments. There shall be a department of city civil service in each city having a population exceeding two hundred fifty thousand.

(3) Directors. Each commission shall appoint a director, after competitive examination, who shall be the administrative head of his department, and who shall be in the classis

(G) Appointments; Promotions. Permanent appointments and promotions in the classified state and city civil service shall be made by the State Civil Service Commissioners by the appropriate department of civil service under a general system based upon merit, efficiency, and fitness, as ascertained by examination which, so far as practical, shall be competitive. The number to be filled shall not be less than three and one more than one vacancy is to be filled, the name of one additional eligible for each vacancy may be certified. Each commission shall adopt rules for the method of certification of persons eligible for appointment, promotion, reemployment, and reinstatement, and shall have the right of appeal to the appropriate commission in cases of emergency and temporary appointments where certification is not required.

(H) Disciplinary Actions; Appeals. No person who has gained permanent status in the classified state or city service shall be subjected to disciplinary action except for cause expressed in writing; and no classified employee shall be discriminated against by reason of his political or religious beliefs, sex, or race. Any classified employee subjected to such discriminatory action or humiliating his duties or his performance may appeal to the appropriate commission.

The burden of proof on appeal, as to the facts, shall be on the employee.

79.3 Penalties Against Political Activities. (1) No member of any civil service commission and no officer or employee in the classified service shall participate or engage in political activity; or be a candidate for nomination or election to public office; or be a member of any national, state, or local committee of a political party or faction; or make or solicit contributions for any political party, faction, or candidate; or take active part in the management of the affairs of a political party, faction, or candidate or any political committee established for the purpose of soliciting contributions from persons to express his opinion privately, to serve as a commissioner or official watchman at the polls and to cast his vote as he desires.

(2) No person shall solicit contributions for political purposes from any classified employee or official or attempt to use his position in the state or city service to punish or coerce the political action of such classified employee.

(3) Rules; Investigations; Wages and Hours. (1) Rules. Excessive action is vested with broad and general rule-making and subpoena powers for the administration and regulation of the classified service, including but not limited to the adoption of rules for the regulation of employment, promotion, demotion, suspension, reduction in pay, furlough, and other special or particular provisions or qualifications, qualifications, and all other personnel matters and transactions, the adoption of a uniform pay and classification plan, employment conditions, employee training and safety, compensation and disbursement of employees, and generally to carry out and effectuate the objectives and purposes of the merit system of civil service as herein established.

Each commission shall adopt rules providing for preference in original appointment, layoffs and reinstatements for personnel of the armed forces of the United States who have been honorably discharged or separated from such services or persons who served in said armed forces, as defined by general law, and may adopt rules providing for other veterans' preferences.

Rules adopted pursuant hereto shall have the effect of law, hence commission may impose penalties for violation of its rules by demotion in, or suspension or discharge from position, with attendant loss of pay.

(2) Investigations. Each commission is authorized to investigate violations of the provisions of this Section and the rules adopted pursuant hereto.

(3) Wages and Hours. Any rule or determination affecting wages or hours shall become effective and shall have the effect of law only after approval by the governor or the appropriate governing authority.

(K) Penalties. Any person who willfully violates any provision of this Section shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not
more than five hundred dollars or by imprisonment for not more than six months, or both.

(L) Appeal. Each commission shall have the exclusive power and authority to hear and decide all removal and discipline cases, with subpoena power and power to administer oaths. It may appoint a referee to take testimony, with subpoena power and power to administer oaths to witnesses. The decision of a commission shall be final on the facts, but shall be subject to review on any question of law. Upon appeal to the court of appeal wherein such commission is located, upon application filed with such commission within thirty calendar days after its decision becomes final.

(M) Appropriations. (1) State. Beginning with the regular session than convenes in the year 1975, and at each regular session thereafter, the legislature shall appropriate to the State Civil Service Commission and to the Department of State Civil Service for the succeeding fiscal year a sum equal to not less than seven-tenths of one percent of the aggregate payroll of the state classified service for the twelve-month period ending on the first day of March preceding the next regular session as certified by the State Civil Service Commission.

(2) City. Every city, each city subject to the provisions of this Section shall make adequate annual appropriations to enable its civil service commission and department to carry out efficiently and effectively the provisions of this Section.

(N) Acceptance of Act; Other Cities, Parishes, City and Parish Government Jointly. Any city having a population exceeding ten thousand but not exceeding two hundred fifty thousand, and any parish, or any parish government jointly with one or more cities under a plan of government, having a population exceeding ten thousand, according to the preceding decennial federal census for which the final report of population returns have been reported to the president of the United States, may elect to accept the provisions of this Section by a majority vote of its qualified voters voting at general elections or special election for this purpose. The election shall be ordered and held by the city, the parish, or the city-parish, as the case may be, upon (1) the adoption of an ordinance by the governing body thereof calling for such elections; or (2) the presentation to such governing body of a petition signed by qualified electors equal in number to five percent of the qualified registered voters of the city, the parish, or the city-parish, as the case may be, calling for such elections.

If a majority of the votes cast in such election are in favor of the adoption of the provisions of this Section, all the provisions thereof shall thereafter permanently apply to and govern the city or city-parish, as the case may be, in the same manner and to the same extent as if said Section and all its provisions had originally applied to such city, parish, or city-parish. In such instance, all officers and employees of the city, the parish, or the city-parish, or any other subdivision of the state, as the case may be, who have acquired civil service status under a civil service system established by legislative act, city charter, or otherwise, shall retain such status and shall thereafter be subject to and governed by the provisions of this Section and the rules and regulations adopted under the authority of this Section. If a majority of the votes cast in such election are against the adoption of the provisions of this Section, the question of adopting the provisions of this Section shall not be resubmitted to the voters of the city, the parish, or the city-parish, as the case may be, within one year thereafter.

(O) City, Parish Civil Service System; Creation. Nothing in this Section shall prevent the establishment by the legislature, or by the respective local governing body, in one or more parishes, of a civil service system applicable to any city, parish, or city-parish, or any other subdivision of the state, as the case may be, who have acquired civil service status under a civil service system established by legislative act, city charter, or otherwise, subject to and governed by the provisions of this Section, or by the respective local governing body, of a civil service system in one or more cities having a population of less than two hundred fifty thousand, in any manner now or hereafter provided by law.

The Chairman announced that the Convention had under consideration the above amendments to Committee Proposal No. 9, when it adjourned on Friday, December 7, 1973, which were taken up and acted upon as follows:

**Motion**

Delegate Smith moved the previous question on the amendment.

Delegate Flory objected.

By a vote of 54 yeas and 33 nays the previous question was ordered.

Delegate Dennerly moved the adoption of the amendments.

Delegate Tapper objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

<table>
<thead>
<tr>
<th>Abraham</th>
<th>Duval</th>
<th>Perkins</th>
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<tbody>
<tr>
<td>Alexander</td>
<td>Elkins</td>
<td>Planchard</td>
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<td>Aliaro</td>
<td>Fulco</td>
<td>Rachael</td>
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<td>Anzalone</td>
<td>Gauthier</td>
<td>Rieke</td>
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<td>Asseff</td>
<td>Goldman</td>
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<td>Bel</td>
<td>Grier</td>
<td>Sandoz</td>
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<td>Bergeron</td>
<td>Hardee</td>
<td>Schmitt</td>
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<td>Bollinger</td>
<td>Hernandez</td>
<td>Singley</td>
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<td>Brien</td>
<td>Jack</td>
<td>Smith</td>
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<td>Bureau</td>
<td>Jackson, A.</td>
<td>Stubson</td>
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<td>Cannons</td>
<td>Jackson, J.</td>
<td>Stovall</td>
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<td>Casey</td>
<td>Jenkins</td>
<td>Sutherland</td>
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<td>Champagne</td>
<td>Juneau</td>
<td>Tate</td>
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<td>Chatelain</td>
<td>Landry, A.</td>
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<td>Comar</td>
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<td>Conlin</td>
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<td>Conroy</td>
<td>Maubert</td>
<td>Velazquez</td>
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<td>Corne</td>
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<td>Dennerly</td>
<td>Newton</td>
<td>Winchester</td>
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<td>Derbes</td>
<td>O'Neill</td>
<td>Womack</td>
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<tr>
<td>Deshotels</td>
<td>Perez</td>
<td>Zervigon</td>
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</tbody>
</table>

**NAYS**

Delegates—

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<thead>
<tr>
<th>Aertker</th>
<th>Fontenot</th>
<th>Slay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avant</td>
<td>Graham</td>
<td>Shannon</td>
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<td>Carmouche</td>
<td>Hayes</td>
<td>Soniat</td>
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<td>Chehardy</td>
<td>Kilpatrick</td>
<td>Tapper</td>
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<td>Cowen</td>
<td>Landry, E. J.</td>
<td>Tosa</td>
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<tr>
<td>D'Gerolamo</td>
<td>Maybude</td>
<td>Vick</td>
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<tr>
<td>De Blieux</td>
<td>Morris</td>
<td>Warren</td>
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<tr>
<td>Dunlap</td>
<td>Munson</td>
<td>Wattigney</td>
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<tr>
<td>Flory</td>
<td>Reeves</td>
<td>Wisham</td>
</tr>
</tbody>
</table>

**NOT VOTING**

Delegates—

| Mr. Chairman | Haynes | Ourso |
| Arnette | Heine | Pugh |
| Badenex | Kean | Rayburn |
| Blair | Kelly | Roy |
| Brown | Kilbourne | Segura |
| Burns | Lambert | Sigg |
| Dennis | Landrum | Stephenson |
| Edwards | Lanier | Thistlewaite |
| Fayard | LeBlu | Thompson |
| Fowler | Leigh | Veetch |
| Giarrusso | Leithman | Wall |
| Gian | Martin | Wells |
| Gravel | Mire | Womack |
| Guarisco | Nunez | |

Total—40.

And the amendments were adopted.

Delegate Dennerly moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

**Vice Chairman Miller in the Chair**

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

Amendment proposed by Delegate De Blieux to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, strike out in its entirety Convention Floor Amendment No. 1 proposed by Mr. Dennery and adopted by the Convention on December 8, 1973.

"Section 1. The provisions of Article XIV, Section 15, of the Constitution of 1921, providing for a system of classified civil service for the state and for cities are hereby retained and continued in force and effect. The legislature, upon a favorable vote of two-thirds of the elected membership of each house, may amend or otherwise modify any provision of Article XIV, Section 15, of the Constitution of 1921, except the legislature may not abolish the system of classified civil service."

Delegate De Blieux moved the adoption of the amendment. Delegate Dennery objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Avant Graham
Bollinger Kilpatrick
Brien Landry, A.
Chehardy McDaniel
D’Erlonlamo Maubert
De Blieux Morris
Duval Munson
Flory Newton
Pulco Fulco

Total—29.

NAYS

Delegates—

Abraham Elkins
Alario Fontenot
Alexander Goldman
Anzalone Grier
Assef Guarecico
Bel Hardebe
Bergeron Hayes
Burson Hernandez
Cannon Jackson
Carmouche Jackson, A.
Casey Jackson, J.
Champagne Jenkins
Chatelain Juneau
Comar Kelly
Conino Landrum
Conroy Landry, E. J.
Corne Lowe
Cowen Maybouce
Dennery Miller
Deres Mire
Deshotels Nunez
Drew O’Neill
Dunlap Perez

Total—69.

NOT VOTING

Delegates—

Mr. Chairman
Aertker
Arnette
Badeaux
Blair
Brown
Burns
Dennis
Edwards

Rayburn
Reeves
Roy
Stagg
Stephenson
Thistlethwaite
Thompson
Vesich

Wall
Warren

Total—37.

And the amendment was rejected.

Delegate Dennery moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1 of Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, delete line 1 through 7 of the text of said amendment and insert in lieu thereof the following:

“(1) State Civil Service. The state civil service includes all officers and positions of trust or employment in the employ of the state, or any instrumentality thereof, and any joint state and federal agency, joint state and parochial agency or joint state and municipal agency, irrespective of what funds are used to pay for such employment. It shall not include municipal boards of health or local governmental subdivisions.”

On motion of Delegate Perez the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1 of Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, delete line 1 through 7 of the text of said amendment and insert in lieu thereof the following:

“(1) State Civil Service. The state civil service includes all officers and positions of trust or employment in the employ of the state, or any instrumentality thereof, and any joint state and federal agency, joint state and parochial agency or joint state and municipal agency, irrespective of what funds are used to pay for such employment. It shall not include municipal boards of health or local governmental subdivisions.”

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 14 in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 1 of said floor amendment at the end of line 10 delete the word “two” and at the beginning of line 11 delete the words “hundred fifty” and insert in lieu thereof the following:

“four hundred”

Delegate Flory moved the adoption of the amendment. Delegate Chatelain objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

**YEAS**

Delegates—

Alario
Alexander
Anzalone
Asseff
Avant
Bel
Bergeron
Bollinger
Brien
Burson
Cannon
Carmouche
Champagne
Comar
Conino
Conroy
Cowen
D'Gerolamo
De Blieux
Desthotes
Drew
Dunlap
Duval
Flory

Total—71.

Delegates—

Abraham
Arnette
Chatelain
Corne
Dennery

Total—12.

Delegates—

Mr. Chairman
Aertker
Badeaux
Blair
Brown
Burns
Casey
Chehardy
Dennis
Edwards
Eikins
Fayard
Fowler
Gauthier
Glarrusso
Ginn

Total—48.

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**FLOOR AMENDMENT**

Amendments proposed by Delegates Flory, Jack and Fulco to Committee Proposal No. 9 by Delegate Aertker, et al.

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

**FLOOR AMENDMENTS**

Amendments reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 2, line 23, following the word "of" and before the word "members" delete the word "seven" and insert in lieu thereof the word "five"

**AMENDMENT No. 2—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 2, line 24, following the word and punctuation "state," and before the word "of" delete the word "four" and insert in lieu thereof the word "three"

**AMENDMENT No. 3—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 2, delete lines 25 and 26, both inclusive, in their entirety, and insert in lieu thereof the following: "Louisiana College, Xavier University of Louisiana, and the Louisiana State University and Agricultural and Mechanical College at Baton Rouge,"

**Motion**

Delegate Dennery moved that the Convention do now adjourn until Tuesday, December 11, 1973, at 9:00 o'clock A.M.

Delegate Kelly objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Alexander
Anzalone
Arnette
Asseff
Bel
Bergeron
Bollinger
Burson
Casey
Comar
Conino
Dennery
Derbes

Total—38.

**NAYS**

Delegates—

Abraham
Alario
Avant
Brien
Cannon
Carmouche
And the Convention refused to adjourn until Tuesday, December 11, 1973, at 9:00 o'clock A.M.

Delegate Kelly moved the adoption of the amendment.

Delegate Alexander objected.

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

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
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</thead>
<tbody>
<tr>
<td>Delegate—</td>
<td>Flory</td>
</tr>
<tr>
<td>Arnette</td>
<td>Fontenot</td>
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<td>Avant</td>
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<td>Carmouche</td>
<td>Guarsco</td>
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<td>Chehardy</td>
<td>Hayes</td>
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<td>D'Gerolamo</td>
<td>Kelly</td>
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<td>De Blieux</td>
<td>Landry, E. J.</td>
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<td>Deshotels</td>
<td>Maybucel</td>
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<td>Drew</td>
<td>Mire</td>
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<tr>
<td>Duval</td>
<td>Nunez</td>
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<tr>
<td>Edwards</td>
<td>Total—33.</td>
</tr>
</tbody>
</table>

| Delegates— | Conroy | Denney |
| Abraham | Burson | Derbes |
| Alario | Cannon | Dunlap |
| Alexander | Casey | Eustis |
| Anzalone | Champagne | Fiscal |
| Assent | Coninio | Graham |
| Bel | Conroy | Denney |
| Bergeron | Total—47. | |

And the amendments were rejected.

Delegate Alexander moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Leaves of Absence

Delegate Fayard—1 Day.
Delegate Lanier—1 Day.
Delegate Leithman—1 Day.
Delegate Weiss—1 Day.
Delegate Fowler—1 Day.
Delegate Badeaux—1 Day.
Delegate Kilbourne—1 Day.
Delegate Thompson—1 Day.
Delegate Dennis—1 Day.
Delegate Vesich—1 Day.
Delegate Stagg—1 Day.

Motion

Delegate Casey moved that the Convention do now adjourn until Tuesday, December 11, 1973, at 9:00 o'clock A.M.

Delegate Duval objected.

As a substitute Delegate Alexander moved that the Convention adjourn until Tuesday, December 11, 1973, at 10:00 o'clock A.M.

Delegate Duval objected.

Adjournment

By a vote of 50 yeas and 19 nays the Convention adjourned until Tuesday, December 11, 1973, at 10:00 o'clock A.M.

And Vice-Chairman Miller declared the Convention adjourned to Tuesday, December 11, 1973, at 10:00 o'clock.
The Convention was called to order at 10:00 a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gauthier</td>
<td>O'Neill</td>
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<td>Gin</td>
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<td>Reeves</td>
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<td>Heine</td>
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<td>Newton</td>
<td>Womack</td>
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<tr>
<td>Nunez</td>
<td>Zervigon</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barruso</td>
<td>Segura</td>
</tr>
<tr>
<td>Hardee</td>
<td>Stinson</td>
</tr>
<tr>
<td>Hernandez</td>
<td>Stovall</td>
</tr>
<tr>
<td>Leigh</td>
<td>Thompson</td>
</tr>
<tr>
<td>Lowe</td>
<td>Vesich</td>
</tr>
<tr>
<td>Roy</td>
<td>Woll</td>
</tr>
<tr>
<td>Sanchez</td>
<td>Wells</td>
</tr>
</tbody>
</table>

The Chairman announced that there were 109 members present and a quorum.

PRAYER

Prayer was offered by Delegate Alexander.

PLEDGE OF ALLEGIANCE

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

READING OF THE JOURNAL

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

On motion of Delegate Bel, the Journal of yesterday was adopted.

MORNING HOUR

PETITIONS, MEMORIALS AND COMMUNICATIONS

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

MESSAGE FROM SECRETARY OF STATE

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

December 10, 1973

Hon. Wade O. Martin, Jr.
Secretary of State
Baton Rouge, Louisiana

Dear Mr. Martin:

Please issue commission to the following:

Louis M. Jones, 236 Maryland Drive, New Orleans, as Delegate to the Constitutional Convention of 1973 (representing Industry, vice Edward N. Lennox, resigned.

Yours very truly,

EDWIN EDWARDS
Governor of Louisiana

OATH OF OFFICE

Mr. Louis M. Jones appeared before the bar of the Convention and took the following oaths of office administered by Honorable David R. Poynier, Clerk of the House of Representatives and Chief Clerk of the Constitutional Convention:

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

... ...

"I, Louis M. Jones, do solemnly swear that I will support the Constitution and laws of the State and the Constitution and laws of this State; and I will faithfully and impartially discharge and perform all the duties incumbent upon me as a delegate to the Constitutional Convention, according to the best of my ability and understanding. So help me God."... ...

unfinished business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

PROPOSALS, DELEGATE AND COMMITTEE

The following entitled Delegate and Committee proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 9—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates
Carmouche, Corne, Couwen, Flory, Grier, Hernandez, Landry, Robinson, Toca, Wattigny and Wisham:

A PROPOSAL

Making provisions for human resources by providing for state and city civil service.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 9, when it adjourned on Saturday, December 8, 1973, which was taken up and acted upon as follows:

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

FLOOR AMENDMENT

Amendment proposed by Delegates Champagne, Abraham and Chatelain to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, in Floor Amendment No. 1, proposed by Delegate Dennery and adopted by the convention on December 7, 1973, on page 2 of said amendment, at the end of line 24, immediately after the word and punctuation "quorum," add the following sentence:

"No more than one member shall be from each congressional district."

Delegate Champagne moved the adoption of the amendment.

Delegate Rachal objected.

By a vote of 63 yea's and 33 nay's the amendment was adopted.

Delegate Champagne moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendments proposed by Delegates Hayes and Chatelain to Committee Proposal No. 9 by Delegates Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1, proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 3, line 8, at the end of the line, add the following:

"Should one of the nominating authorities fail to submit nominees at the time required, or should one of the named institutions cease to exist, the governor shall make the appointment to the commission."

On motion of Delegate Hayes the amendment was adopted.

Delegate Hayes moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate A. Jackson sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates A. Jackson and Juneau to Committee Proposal No. 9 by Delegates Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 2, line 29, after the word and punctuation "South," delete the words "St. Mary's Dominican College" and insert in lieu thereof the following:

"Louisiana State University"

Delegate Juneau moved the adoption of the amendment.

Delegate Zervigon objected.

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

ROLL CALL

The roll was called with the following result.

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Anzalone</td>
<td>Ginn</td>
</tr>
<tr>
<td>Avant</td>
<td>Guerin</td>
</tr>
<tr>
<td>Cannon</td>
<td>Hayes</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Haynes</td>
</tr>
<tr>
<td>Comar</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Drew</td>
<td>Juneau</td>
</tr>
<tr>
<td>Duval</td>
<td>Kelly</td>
</tr>
<tr>
<td>Flory</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Fowler</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>Fulco</td>
<td></td>
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<tr>
<td>Total—28.</td>
<td></td>
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</table>

NAYS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
<td>Dennery</td>
</tr>
<tr>
<td>Abraham</td>
<td>Dupless</td>
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<tr>
<td>Alario</td>
<td>Fontenot</td>
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<tr>
<td>Alexander</td>
<td>Goldman</td>
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<tr>
<td>Arnette</td>
<td>Grier</td>
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<tr>
<td>Aseff</td>
<td>Heine</td>
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<tr>
<td>Badieaux</td>
<td>Jack</td>
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<tr>
<td>Bel</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Jones</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Kean</td>
</tr>
<tr>
<td>Brien</td>
<td>Kilbourne</td>
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<tr>
<td>Burns</td>
<td>Landrum</td>
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<tr>
<td>Burson</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Lanier</td>
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<tr>
<td>Casey</td>
<td>Leithman</td>
</tr>
<tr>
<td>Champagne</td>
<td>Maybuck</td>
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<tr>
<td>Conino</td>
<td>Miller</td>
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<tr>
<td>De Blijen</td>
<td>Morris</td>
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<tr>
<td>Total—54.</td>
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</table>

NOT VOTING

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Gravel</td>
</tr>
<tr>
<td>Blair</td>
<td>Hardee</td>
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<tr>
<td>Brown</td>
<td>Hernandez</td>
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<tr>
<td>Chehardy</td>
<td>Jackson, J.</td>
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<tr>
<td>Conroy</td>
<td>Lambert</td>
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<tr>
<td>Corne</td>
<td>LeBlanc</td>
</tr>
<tr>
<td>Cowen</td>
<td>Leigh</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Lowe</td>
</tr>
<tr>
<td>Dennis</td>
<td>Mcdaniel</td>
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<tr>
<td>Derbis</td>
<td>Martin</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Mauberret</td>
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<tr>
<td>Edwards</td>
<td>Munson</td>
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<tr>
<td>Eikins</td>
<td>Newton</td>
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<tr>
<td>Fayard</td>
<td>Ourso</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Perez</td>
</tr>
<tr>
<td>Giarrusso</td>
<td>Perkins</td>
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<tr>
<td>Graham</td>
<td>Rayburn</td>
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<td>Total—50.</td>
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</tbody>
</table>

And the amendments were rejected.

Delegate Zervigon moved to reconsider the vote by which the amendments were rejected, and on her own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Kelly, Roemer and A.
Jackson to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 2 of said amendment, delete lines 27 through 35, both inclusive, in their entirety and on page 3, delete lines 1 and 2 in their entirety, and insert in lieu thereof the following: "(2) Nominations. The presidents of Centenary College at Shreveport, Louisiana; Louisiana College at Pineville, Louisiana; Louisiana State University at Baton Rouge, Louisiana; Southern University at Scotlandville, Louisiana; Tulane University of Louisiana at New Orleans, Louisiana; and Xavier University at New Orleans, Louisiana, after giving due consideration to representation of all groups, shall nominate three persons. One member of the commission shall be appointed by the governor from the three persons nominated by each president. One member of the commission shall be elected by the classified employees of the state from their number as provided by law. A vacancy for any cause shall be filled by appointment or election in accordance with the procedure or law governing the original appointment or election, and from the same source. Within thirty days".

Delegate Kelly moved the adoption of the amendment.
Delegate Schmitt objected.
By a vote of thirty-six and forty-nine nays the amendment was rejected.
Delegate Schmitt moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Asseff sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Asseff to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 2, delete lines 27 through 32, both inclusive, in their entirety, and insert in lieu thereof the following: "(2) Nominations. After giving due consideration to representation of all groups, the presidents of Centenary College, Louisiana College, and University of Southwestern Louisiana, each shall nominate three persons; the presidents of Dillard University and Xavier University of Louisiana, acting jointly, shall nominate three persons; and, the presidents of Tulane University of Louisiana and Loyola University of the South, acting jointly, shall nominate three persons. One mem-

Delegate Asseff moved the adoption of the amendment.
Delegate Alexander objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegate—
Aertker Fowler Nunez
Asseff Fuleo Roemer
Chatelain Grier Schmit
Drew Kelly Shannon
Dunlap Mire Velazquez
Total—15.

NAYS
Delegate—
Abraham Alexander Arnette
Alario Anzalone Avant

934
employees of the state as provided by law. Vacancies by expiration of the term of office or otherwise shall be filled by appointment of the governor from nominations made in like manner by the president (or his successor) of that institution who nominated the member whose place is being filled, and by election, as provided by law, for members representing the classified employees. It shall be the duty of the presidents of Xavier University and Southern University to, within thirty days after the effective date of this constitution, make such nominations, and therefrom within thirty days after any vacancy occurs, it shall be the duty of the presidents of each of said institutions to make such nominations. Within thirty days of the expiration of the terms of the members of said commission previously nominated by the presidents of Loyola University and Tulane University and serving at the effective date of this constitution, an election shall be held, as provided by law, to elect two members to represent the classified employees. All appointments as hereinabove provided shall be made by the governor without confirmation by the Senate.

Delegate Flory moved the adoption of the amendment.

Delegate Bollinger objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman

Aertker

Alexander

Avant

Cannon

Comar

Flory

Fowler

Gauthier

Ginn

Goldman

Graham

Total—34.

Delegates—

Guarisco

Hayes

Jackson, A.

Kelly

Landry, A.

Maybuche

Mire

Morris

Newton

Planchar

Pugh

Riecke

Singleton

Smith

Stagg

Sutherland

Tate

Thistlethwaite

Tobas

Toomey

Ullom

Wattigny

Willis

Zervigon

NAYS

De Bileux

Dennery

Dunlap

Fontenot

Fulco

Gier

Heine

Jenkins

Jones

Juneau

Kean

Kilbourne

Landry, A.

LeBlanc

LeBlanc

Martin

Maybuche

Mire

Morris

Nunez

O'Neill

Planchar

Pugh

Racah

Reeves

Roemer

Schmitt

Shannon

Soniat

Tobias

Tobias

Toca

Warren

Wattigny

Womack

NOT VOTING

Edwards

Elkins

Fayard

Giarrusso

Gravel

Hernandez

Jackson, J.

Lambert

Leigh

Lowe

McDaniel

Mauberret

Miller

Monson

O'Neill

Ourso

Perez

Page 4

96th Days Proceedings—December 11, 1973

And the amendment was rejected.

Delegate Bollinger moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Kelly, Roemer, Berge- ron and A. Jackson to Committee Proposal No. 9 by De- gate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Denney and adopted by the Convention on December 6, 1973, on page 2 of said amendment, delete lines 27 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"(2) Nominations. The presidents of Centenary College at Shreveport, Louisiana; Dillard University at New Orleans, Louisiana; Louisiana College at Pineville, Louisiana; Loyola University of the South at New Orleans, Louisiana; Tulane University at New Orleans, Louisiana; and Xavier University at New Orleans, after giving due consideration to representation of all groups, each shall nominate three persons. One member of the commission shall be appointed by the governor from the three persons nominated by each president. One member of the commission shall be elected by the classified employees of the state from their number as provided by law. A vacancy for any cause shall be filled by appointment or election in accordance with the procedure or law governing the original appointment or election, and from the same source. Within thirty days"*

Delegate Kelly moved the adoption of the amendment.

Delegate Stagg objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman

Aertker

Albert

Anzalone

Arnette

Asseff

Badeaux

Bel

Bergeron

Bollinger

Brien

Burns

Burson

Carmouche

Casey

Champagne

Chataign

Conino

Corne

Total—52.

Delegates—

Blair

Brown

Chehardy

Conroy

Cov en

DeGeralamo

Dennis

Derbes

Deshotels

Perkins

Rayburn

Roy

Sandoz

Segura

Slay

Stephenson

Stinson

Stovall

Tagger

Thompson

Vesich

Wall

Weiss

Winchester

Wisham

Womack

Total—44.
Fulco
Grier
Heine
Jack
Jenkins
Jones
Juneau
Kean
Landry, A.
Lanier
LeBlanc
Miller
Newton
Riecke
Singletary
Smith
Stagg
Sutherland
Thistlethwaite
Toomy
Ulio
Willis
Zervigon

Delegates—
Blair
Chehardy
Conroy
Cowan
D’Gerolamo
Dennis
Derbes
Deshotels
Edwards
Etkins
Fayard
Giarrusso
Gravel
Hardee
Hernandez
Jackson, J.
Lambert
Leigh
Lowe
McDaniel
Monson
Ours
Perez
Perkins
Rayburn
Roy
Sandoz
Segura
Slay
Stephenson
Stinson
Stovall
Tapper
Thompson
Vesleh
Wall
Weiss
Winchester
Wisham

NOT VOTING

Fulco

And the amendment was adopted.

Delegate Kelly moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Avant to Committee Proposal No. 9 by Delegate Ackerter, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 2, at the end of line 26, immediately after the word and punctuation “years” add the following:
“Nothing shall ever be appointed to serve for more than one term of office on the commission.”

AMENDMENT No. 2—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 3, line 15, immediately after the word and punctuation “providing,” and before the word “The” insert the following sentence:
“Nothing shall ever be appointed to serve for more than one term of office on a city commission.”

Delegate Avant moved the adoption of the amendments.

Delegate Jenkins objected.

By a vote of 30 yeas and 59 nays the amendments were rejected.

Delegate Jenkins moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Abraham to Committee Proposal No. 9 by Delegate Ackerter, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
Delegate Dennery and adopted by the Convention on December 11, 1973, on page 1, line 14, in Floor Amendment No. 1 proposed by

Delegate Abraham the amendment was adopted.

Delegate Abraham moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias to Committee Proposal No. 9 by Delegate Ackerter, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Kelly, et al., and adopted by the convention on December 11, 1973, on line 13, of said amendment, after the word and punctuation “law” insert the following:
“The elected member shall be ineligible for re-election to the commission.”

Delegate Tobias moved the adoption of the amendment.

Delegate Flory objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abraham
Alarlo
Arnette
Badeaux
Berkson
Casey
Champagne
Chatelain
Corne
Derbes
Drew
Dunlap
Goldman
Jenkins
Kent
Kelly
Kimbrough
Leithman
MILLER
Newton
Roemer
Shannon
Smith
Soniat
Stagg
Tate
Thistlethwaite
Toca
Velasquez
Vick
Warren
Wattigny
Winchester
Zervigon

NAYS

Heine
Jack
Jackson, A.
Jackson, J.
Jones
Juneau
Kilpatrick
Landry, A.
Landry, E. J.
Lanier
McDaniel
Martin
Mauberret
Maybuche
Mire
Morris
Manson
Nunez
O’Neill
Orso
Planchard
Pugh
Rachal
Reeves
Roemer
Shannon
Smith
Soniat
Stagg
Tate
Thistlethwaite
Toca
Velasquez
Vick
Warren
Wattigny
Winchester
Zervigon

NOT VOTING

Mr. Chairman
Ackerter
Anzalone
Blair
Burson
Cannons
Chehardy
Comer
Conroy
D’Gerolamo
De Bleux
Dennery
Dennis
Deshotels
Edwards
Elkins
Fayard
Fowler
Giarrusso
Gravel
Hardee
Haynes
Hernandez
Lambert
Landrum
LeBlanc
Leigh
Lowe
Perez
Perkins
Rayburn
Roy

936
And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Casey and Dennery to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 1, line 15, of the text of the amendment, in Floor Amendment No. 1, proposed by Delegates Kelly, et al., and adopted by the convention on December 11, 1973, on line 13 thereof, immediately after the word and punctuation "Louisiana," and before the word "and" insert the words and punctuation "Louisiana State University and Agricultural and Mechanical College at Baton Rouge, Louisiana;" and on line 11 thereof, immediately after the word and punctuation "president," delete the remainder of the line and delete line 12 in its entirety and on line 13, at the beginning of the line, delete the words and punctuation "their number as provided by law," and on line 14, immediately after the word "appointment" and before the word "in," delete the words "or election" and on line 15, immediately after the word "procedure" and before the word "governing" delete the words "or law" and on line 16, immediately after the word "appointment" and before the punctuation and word "and" delete the words "or election".

Delegate Casey moved the adoption of the amendment.

Delegate Roemer objected.

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

ROLL CALL

The roll was called with the following result:

YEAES

Delegates—

Abraham

Aertker

Anzalone

Arnette

Aseff

Badeaux

Bollinger

Bren

Casey

Corne

Dennery

Deres

Total—35.

Delegates—

Mr. Chairman

Alario

Alexander

Avant

Bergeron

Brown

Burns

Cannon

Carmouche

Champagne

Juneau

Kelly

Kilbourne

Kilpatrick

Landrum

Landry, A.

Landry, E. J.

Leithman

Martin

Mauberret

Maybuce

Mire

Morris

Munson

O'Neill

Ours

Panchard

Pugh

Rachal

Reeves

Roemer

Shannon

Singletary

Slay

Total—47.

And the amendment was rejected.

Delegate Roemer moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Casey to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 2, line 27, of the text of the amendment, in Floor Amendment No. 1, proposed by Delegates Kelly, et al., and adopted by the convention on December 11, 1973, on line 11 thereof, immediately after the word and punctuation "Louisiana," and before the word "and" insert the words and punctuation "Louisiana State University and Agricultural and Mechanical College at Baton Rouge, Louisiana;" and on line 13 thereof, immediately after the word and punctuation "president," delete the remainder of the line and delete line 12 in its entirety and on line 13, at the beginning of the line, delete the words and punctuation "their number as provided by law," and on line 14, immediately after the word "appointment" and before the word "in," delete the words "or election" and on line 15, immediately after the word "procedure" and before the word "governing" delete the words "or law" and on line 16, immediately after the word "appointment" and before the punctuation and word "and" delete the words "or election".

Delegate Roemer moved the adoption of the amendment.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Roemer to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 2, line 27, of the text of the amendment, immediately after the word "machines" change the period ";" to a semicolon ";" and add the following:

railroad employers whose working conditions and retirement benefits are regulated by federal agencies in accordance with federal statutory law.

On motion of Delegate Casey the amendment was adopted.

Delegate Roemer moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Abraham to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 2, line 27, of the text of the amendment, in Floor Amendment No. 1, proposed by Delegates Kelly, et al., and adopted by the convention on December 11, 1973, on line 11 thereof, immediately after the word and punctuation "president," delete the remainder of the line and delete lines 12 through 17 in their entirety and insert in lieu thereof the following:

One member of the Commission shall be appointed by the governor from a list of three nominations made by the president of Louisiana State University and Agricultural and Mechanical College at Baton Rouge, Louisiana, such nominees to be selected from the classified employees of the state. A vacancy for any cause shall be filled by appointment in ac-
cordance with the procedure governing the original appointment, and from the same source. Within thirty days"

Delegate Abraham moved the adoption of the amendment.

Delegate Flory objected.

By a vote of 27 yeas and 66 nays the amendment was rejected.

Delegate Kelly moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Abraham to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 2, at the end of line 24 thereof, delete Floor Amendment No. 1, proposed by Delegates Champagne, et al., and adopted by the convention on December 11, 1973, and insert in lieu thereof the following:

"No more than one member shall be appointed from each congressional district"

Delegate Abraham moved the adoption of the amendment.

Delegate Rachal objected.

By a vote of 37 yeas and 51 nays the amendment was rejected.

Delegate Rachal moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Flory and Jack to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 7, 1973, on page 1 of said floor amendment, at the end of line 12, after the word and punctuation "thereof." change the period "." to a comma "," and add the following: "except paid firemen and municipal policemen, who are hereby expressly excluded."

Delegate Jack moved the adoption of the amendment.

Delegate Dennery objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Burns</th>
<th>Fontenot</th>
<th>Fowler</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
<td>Cannon</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alario</td>
<td>Carmouche</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asсетт</td>
<td>Comar</td>
<td></td>
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<tr>
<td>Avant</td>
<td>Corino</td>
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<tr>
<td>Bel</td>
<td>De Bileux</td>
<td></td>
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<tr>
<td>Bergeron</td>
<td>Dunlap</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brien</td>
<td>Fayard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brown</td>
<td>Flory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Haynes</td>
<td>Newton</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jack</td>
<td>Nunez</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jackson, A.</td>
<td>Planchard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kelly</td>
<td>Pugh</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kilpatrick</td>
<td>Rachal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landry, A.</td>
<td>Reeves</td>
<td></td>
<td></td>
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<td>Landry, E. J.</td>
<td>Roemer</td>
<td></td>
<td></td>
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<tr>
<td>Lanier</td>
<td>Schmitt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leithman</td>
<td>Shannon</td>
<td></td>
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<tr>
<td>Martin</td>
<td>Singletry</td>
<td></td>
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<tr>
<td>Mayberrrett</td>
<td>Slay</td>
<td></td>
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<tr>
<td>Maybuce</td>
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NAYS

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Duval</th>
<th>Grier</th>
<th>Heine</th>
<th>Jackson, J.</th>
<th>Jenkins</th>
<th>Jones</th>
<th>Juneau</th>
<th>Kean</th>
<th>Kilbourne</th>
<th>Landrum</th>
<th>LeBieu</th>
<th>McDaniel</th>
<th>Miller</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Perez</td>
<td>Riecke</td>
<td>Smith</td>
<td>Stagg</td>
<td>Sutherland</td>
<td>Tate</td>
<td>Thistlethwaite</td>
<td>Tobias</td>
<td>Ulo</td>
<td>Velazquez</td>
<td>Willis</td>
<td>Zervigon</td>
<td></td>
</tr>
</tbody>
</table>

NOT VOTING

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Blair</th>
<th>Burson</th>
<th>Chehardy</th>
<th>Conroy</th>
<th>Cowen</th>
<th>D’Gerosimo</th>
<th>Dennis</th>
<th>Deshotels</th>
<th>Edwards</th>
<th>Elkins</th>
<th>Glarrusso</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Gravel</td>
<td>Hardee</td>
<td>Hernandez</td>
<td>Lambert</td>
<td>Leigh</td>
<td>Lowe</td>
<td>Morris</td>
<td>Munson</td>
<td>O’Neill</td>
<td>Ourso</td>
<td>Perkins</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 3, both inclusive, in their entirety, and on page 4 of said amendment, delete lines 1 through 9 both inclusive, in their entirety and insert in lieu thereof the following:

(D) City Civil Service Commission; Nomination; Appointment; Vacancies; Transition. There is hereby created and established a city civil service commission for each city having a population in excess of four hundred thousand according to the latest decennial census of the United States. Each such city civil service commission shall be composed of five citizens who are qualified voters of the city in which they serve, three of whom shall constitute a quorum. One member of each city civil service commission shall be appointed by the governing authority of the city by its own selection and one member of such commission shall be elected by the employees of the city in the classified service from their membership. The terms of the members of the city civil service commission shall be six years.

New Orleans; Nomination and Appointment. In the city of New Orleans the presidents of Tulane University of Louisiana; Loyola University of the South and Dillard University shall each nominate three persons and one member of the commission shall be appointed by the governing
authority of the city of New Orleans from the three persons nominated by each president.

(2) Other Cities; Nomination and Appointment. In other cities subject to the provision of this section, three members of the commission shall be nominated from any of the three universities named in Section 1 in accordance with the procedure therein provided.

(3) Vacancies. Vacancies by expiration of the term of office or otherwise shall be filled by appointment of the governing body, or by election, or by nomination as herein provided in the same manner as the original appointments were made, and it shall be the duty of the governing body to make such appointments or conduct such election and of the said presidents to make such nominations within thirty days after the occurrence of any vacancy.

(4) Transition. Within thirty days of the effective date of this constitution, it shall be the duty of the president of Dillard University to make such nominations to the governing body of the city of New Orleans. Within thirty days from the effective date of this constitution an election shall be held within the classified service of the city of New Orleans for the purpose of naming a member of said commission."

Delegate Flory moved the adoption of the amendment.

Delegate Dennery objected.

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

ROLL CALL

The roll was called with the following result.

YEAS

Delegate—

Aeriker—Jack, Jackson, A.

Avant—Jackson, J.

Bergeron—Kelly

Comar—Kilpatrick

De Bileux—Landrum

Dunlap—Landry, E. J.

Flory—Mauberret

Fowler—Maybury

Fulco—Mire

Ginn—Morris

Guarisco—Rachal

Haynes—Reeves

Total—39.

NAYS

Delegate—

Abraham—Duval

Alarco—Fayard

Anzalone—Fontenot

Arnette—Gauthier

Assi—Goldman

Badeaux—Graham

Bel—Grier

Bollinger—Hayes

Brien—Jenkins

Burns—Jones

Carmouche—Kean

Casey—Kilbourne

Champagne—Landry, A.

Chatelain—Lanier

Conico—LeBleu

Corne—Leithman

Denny—Miller

Derbes—Newton

Drew—

Total—53.

NOT VOTING

Delegate—

Mr. Chairman—Chehardy

Blair—Conroy

Brown—Cowen

Burson—D’Grolamo

Cannon—Dennis

Hardee—Deshots

Heine—Edwards

Hernandez—Edkins

Junes—Elkins

Lambert—Wall

Leigh—Weiss

Lowe—Zervigon

McDaniel—Segura

Martin—Stinson

Munson—Stovall

O’Neill—Thompson

Oruso—Vesich

Rayburn—Weiss

Sandoz—Zervignon

Total—38.

And the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate J. Jackson to Committee Proposal No. 9 by Delegate Aerkier, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 3, line 19 of the text of the amendment immediately after the word “of” and before the word “members” delete the word “three” and insert in lieu thereof the word “five” and on line 14 at the beginning of the line delete the word “two” and insert in lieu thereof the word “three” and on line 19 immediately after the word and punctuation “South,” and before the words “and Tulane” insert the following:

“St. Mary’s Dominican College, Xavier University of Louisiana,"

Delegate J. Jackson moved the adoption of the amendment.

Delegate Lanier objected.

By a vote of 80 yeas and 11 nays the amendment was adopted.

Delegate J. Jackson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Hayes to Committee Proposal No. 9 by Delegate Aerkier, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 4, line 9, at the end of the line, add the following:

“Should one of the nominating authorities fail to submit nominees in the time required, or should one of the named institutions cease to exist, the governing authority of the city shall make the appointment to the commission.”

On motion of Delegate Hayes the amendment was adopted.

Delegate Hayes moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Abraham to Committee Proposal No. 9 by Delegate Aerkier, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on Decem-
The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alario</td>
<td></td>
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<td>Arnette</td>
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<td>Assi</td>
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<tr>
<td>Badeaux</td>
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<tr>
<td>Bel</td>
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<tr>
<td>Bergeron</td>
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<tr>
<td>Bollinger</td>
<td></td>
<td></td>
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<tr>
<td>Brien</td>
<td></td>
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</tr>
<tr>
<td>Burns</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Casey</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Champagne</td>
<td></td>
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<tr>
<td>Chaislain</td>
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<tr>
<td>Comar</td>
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<td>Conino</td>
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<td>Corne</td>
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<tr>
<td>De Bileux</td>
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</tr>
<tr>
<td>Denenery</td>
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</tr>
<tr>
<td>Derbes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smith</td>
<td></td>
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</tr>
<tr>
<td>Total-59</td>
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<td></td>
</tr>
<tr>
<td>Delegates</td>
<td>Not Voting</td>
<td></td>
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<tr>
<td>Aertker</td>
<td>Brown</td>
<td>Chehardy</td>
</tr>
<tr>
<td>Blair</td>
<td>Burson</td>
<td>Conroy</td>
</tr>
<tr>
<td>Total-59</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 5, line 2, after the word “three” and before the semicolon “;” delete the word “three” and insert in lieu thereof the word “five”

Delegate Anzalone objected.

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

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blair</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total-59</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delegates</td>
<td>Not Voting</td>
<td></td>
</tr>
<tr>
<td>Aertker</td>
<td>Brown</td>
<td>Chehardy</td>
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<td>Blair</td>
<td>Burson</td>
<td>Conroy</td>
</tr>
<tr>
<td>Total-59</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate De Blieux moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Flory to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 4, line 34, immediately after the word and punctuation “efficiency,” delete the remainder of the line and insert in lieu thereof the following: “fitness, and length of service, as”

Delegate Flory moved the adoption of the amendment.

By a vote of 44 yeas and 44 nays the amendment was rejected.

Delegate Jenkins objected.

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

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blair</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total-59</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delegates</td>
<td>Not Voting</td>
<td></td>
</tr>
<tr>
<td>Aertker</td>
<td>Brown</td>
<td>Chehardy</td>
</tr>
<tr>
<td>Blair</td>
<td>Burson</td>
<td>Conroy</td>
</tr>
<tr>
<td>Total-59</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Reconsideration

Delegate Flory moved to reconsider the vote by which the amendment failed to pass.

Delegate Jenkins objected.

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

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
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<tr>
<td>Blair</td>
<td></td>
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</tr>
<tr>
<td>Total-59</td>
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<td></td>
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<td>Delegates</td>
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<td></td>
</tr>
<tr>
<td>Aertker</td>
<td>Brown</td>
<td>Chehardy</td>
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<tr>
<td>Blair</td>
<td>Burson</td>
<td>Conroy</td>
</tr>
<tr>
<td>Total-59</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Delegates—

Mr. Chairman—Jackson, A. Shannon

Alario—Jackson, J. Slay

Arnette—Landroon Sonat

Asseff—Landry, E. J. Stephenson

Badeaux—McDaniel Tapper

Bel—Maybouce Tate

Bergeron—Mire Velazquez

Bollinger—Newton Vick

Brien—Ousle Warren

Comar—Pugh Wisham

Conino—Rachel Womack

Corne—Reeves

De Bileux—Schmitt

Denenery—

Derbes—

Arnette—Brown Chehardy

Bollinger—Burson Conroy

Bergeron—

Burns—

Chaislain—

Comar—

Conino—

Corne—

De Bileux—

Denenery—

Derbes—

Aertker—

Blair—

Total—59.

And the vote by which the amendment was rejected, was reconsidered.

**FLOOR AMENDMENT**

Amendment proposed by Delegate Flory to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 4, line 34, immediately after the word and punctuating "efficiency," delete the remainder of the line and insert in lieu thereof the following:

"fitness, and length of service, as"

Delegate Flory moved the adoption of the amendment.

Delegate Jenkins objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Jack</td>
<td>Reeves</td>
<td></td>
</tr>
<tr>
<td>Alario</td>
<td>Jackson, A.</td>
<td>Shannon</td>
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<td>Assen</td>
<td>Jones</td>
<td>Singletary</td>
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<tr>
<td>Avant</td>
<td>Landry, E. J.</td>
<td>Slay</td>
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<td>Bel</td>
<td>Leithman</td>
<td>Soniat</td>
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<td>Brien</td>
<td>Mcdaniel</td>
<td>Tapper</td>
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<td>Martin</td>
<td>Tate</td>
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<td>Toca</td>
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<td>Dunlap</td>
<td>Maybuck</td>
<td>Velazquez</td>
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<td>Flory</td>
<td>Mire</td>
<td>Vick</td>
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<td>Nunez</td>
<td>Wattigny</td>
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<td>Glenn</td>
<td>O'Neil</td>
<td>Winchester</td>
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<td>Graham</td>
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**NAYS**

<table>
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<tr>
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And the amendment was adopted.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Landrum, Tapper and Schmitt to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 9, line 16, immediately after the word and punctuating "efficiency," delete the remainder of the line and insert in lieu thereof the following:

"(H) Appeals. (1) Disciplinary Actions. No person who has gained permanent status in the classified state or city service shall be subjected to disciplinary action except for cause expressed in writing. Any classified employee subjected to such disciplinary action shall have the right of appeal to the appropriate commission. The burden of proof on appeal, as to the facts, shall be on the appointing authority.

(2) Discrimination. No classified employee shall be discriminated against by reason of his political or religious beliefs, sex, or race. Any classified employee so discriminated against shall have the right of appeal to the appropriate commission. The burden of proof on appeal, as to the facts, shall be on the employee."

Delegate Landrum moved the adoption of the amendment.

Delegate Dennery objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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941
Delegate Duval moved to take up other Orders of Business at this time.
Delegate Arneite objected.

By a vote of 37 yeas and 36 nays the Convention agreed to take up other Orders of Business at this time.

COMMITTEE NOTICE
Delegate A. Jackson, chairman of the Committee on Bill of Rights and Elections, sent up the following notice:
The Committee on Bill of Rights and Elections will meet on Thursday, December 13, 1973, at 9:00 o’clock A.M. in Committee Room 1 and will consider the following agenda:

AGENDA
Consider the Committee Proposal containing General Government provisions.

Respectfully submitted,
ALPHONSE JACKSON, JR.
Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Stagg, chairman of the Committee on the Executive Department, sent up the following notice:
The Committee on the Executive Department will meet on Wednesday, December 12, 1973, immediately after adjournment in the Treaty Room of the White House Inn and will consider the following agenda:

AGENDA
To consider the report of the Subcommittee on Style and Drafting affecting Committee Proposal No. 4.

Respectfully submitted,
TOM STAGG
Chairman of the Committee on The Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence
Delegate Stinson—1 day.
Delegate Sandoz—1 day.
Delegate Conroy—1 day.
Delegate Lowe—1 day.
Delegate Weiss—1 day.
Delegate Roy—½ day.
Delegate Burson—½ day.
Delegate Gravel—½ day.
Delegate Vesich—5 days.
Delegate Stovall—½ day.
Delegate Fulco—2 hours.
Delegate Thompson—1 day.
Delegate Leigh—5 days.
Delegate Guarisco—1 day.
Delegate Dennis—1 day.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Wednesday, December 12, 1973, at 9:00 o’clock A.M.

Which motion was agreed to.
And Chairman Henry declared the Convention adjourned to Wednesday, December 12, 1973, at 9:00 o’clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

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<td>Floray</td>
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The Chairman announced that there were 119 members present and a quorum.

ABSENT

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<th>Delegates</th>
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The following entitled Delegates and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 9—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Carmouche, Corne, Cowen, Floray, Grier, Hernandez, Landry, Robinson, Toca, Wattigny and Wisham:

A PROPOSAL

Making provisions for human resources by providing for state and city civil service.

Read.

The Chair announced that the Convention had before it a motion to reconsider the vote by which the amendments, proposed by Delegate Landrum to Committee Proposal No. 9, were adopted on yesterday, which was taken up and acted upon as follows:

Reconsideration

Delegate Duval moved to reconsider the vote by which the amendment, proposed by Delegate Landrum to Committee Proposal No. 9, was adopted on yesterday.

Delegate Floray objected.

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

ROLL CALL

The roll was called with the following result:

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<th>Delegates</th>
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<th>Delegates</th>
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And the Convention refused to reconsider the vote.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 5, line 10, in Floor Amendment No. 1, proposed by Delegate Landrum, and adopted by the convention on December 11, 1973, on line 10, of said floor amendment by Delegate Landrum, after the word "of" and before the word "his" insert the following:

"his affiliation or nonaffiliation with any private organization,"

Delegate Jenkins moved the adoption of the amendment.

Delegate Avant objected.

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

**ROLL CALL**

The roll was called with the following result:

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AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Denneny and adopted by the Convention on December 8, 1973, on page 6 of said floor amendment, between lines 1 and 2 insert the following:

“(3) Political activity is defined as an effort made to support or oppose the election of a candidate for public office or the support of a particular political party in an election. There shall be no prohibition against support of issues involving bonded indebtedness, tax referenda, or constitutional amendments.

Delegate Flory moved the adoption of the amendment.

Delegate Jenkins objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brenn
Brown
Burns
Cannon
Carmouche
Casey
Champagne
Comar
Conino
Corne
Coxen
DeGeralamo
DeBileux
Dennery
Derbes
Deshots
Drew

Total—88.

NAYS

Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brenn
Brown
Burns
Cannon
Carmouche
Casey
Champagne
Comar
Conino
Corne
Coxen
DeGeralamo
DeBileux
Dennery
Derbes
Deshots
Drew

Total—8.

NOT VOTING

Mr. Chairman
Brown
Chatelain
Chehardy
Conroy
Conroy
Corne
Coxen
DeGeralamo
DeBileux
Dennery
Derbes
Deshots
Drew

Total—36.

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Denneny and adopted by the Convention on December 8, 1973, on page 6 of said floor amendment, between lines 1 and 2 insert the following:

“(3) Political activity is defined as an effort made to insure the election of a candidate for public office or the support of a particular political party in an election. There shall be no prohibition against support of issues involving bonded indebtedness, tax referenda, or constitutional amendments, or the participation or membership in an organization which is not a political organization by which may be from time to time express its opinion on a political issue.”

On motion of Delegate Flory the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

945
Amendment proposed by Delegate Singletary and Willis to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT NO. 1—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 6 of said floor amendment, line 22, immediately after the word "shall" and before the word "have" insert the following:

"be published and available to the public and"

On motion of Delegate Singletary the amendment was adopted.

Delegate Singletary moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Duval to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT NO. 1—**

On page 1, line 14, in Floor Amendment No. 1, proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 6, line 31, of the text of the amendment, immediately after the word "governor" and before the words "or the" insert the following:

"and the legislature"

Delegate Duval moved the adoption of the amendment.

Delegate Roemer objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

<table>
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<tr>
<th>Alexander</th>
<th>Burson</th>
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<tr>
<td>Arnette</td>
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<td>Bollinger</td>
<td>Landry, A.</td>
<td>Winchester</td>
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Total—21.

**NAYS**

Delegates—

| Abraham         | Ginn           | Mire   |  |
| Alario          | Goldman        | Morris |  |
| Anzalone        | Graham         | Munson |  |
| Avant           | Grier          | Newton |  |
| Bel             | Guiasco        | Nunez  |  |
| Brian           | Hayes          | O'Neill |  |
| Brown           | Heine          | Planchard |  |
| Burns           | Hernandez      | Rachal |  |
| Carmouche       | Jack           | Reeves |  |
| Comar           | Jenkins        | Riecke |  |
| Conin           | Jones          | Root   |  |
| Corne           | Kean           | Roy    |  |
| D'Gerolamo      | Kelly          | Sandoz |  |
| De Blieux       | Kilpatrick     | Slay   |  |
| Dennery         | Landrum        | Smith  |  |
| Dunlap          | Landry, E. J.  | Soniat |  |
| Edwards         | Lowe           | Stagg  |  |
| Flory           | Martin         | Stephenson |  |
| Fontenot        | Maubertret     | Sutherland |  |
| Fowler          | Maybuce        | Stilhkeitva |  |
| Fulco           | Miller         | Tobias |  |

**NOT VOTING**

Delegates—

| Toca            | Vick           | Wisham |  |
| Toomy           | Warren         | Womack |  |
| Velazquez       | Willis         | Zervignon |  |

And the amendment was rejected.

Delegate Roemer moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Flory and Hernandez to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT NO. 1—**

On page 1, line 14 in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 7, 1973, on page 6, line 14 of the text of the amendment immediately after the word and punctuation "established," add the following:

"Nothing contained herein shall be construed to prevent the legislature from supplementing these uniform pay plans for sworn, commissioned law enforcement officers of the Division of State Police, Department of Public Safety."

Delegate Hernandez moved the adoption of the amendment.

Delegate Dennery objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

| Abraham         | Deshotels      | Landrum |  |
| Alario          | Drew           | Landry, A. |  |
| Alexander       | Dunlap         | Landry, E. J. |  |
| Arnette         | Duval          | Lanier  |  |
| Avant           | Edwards        | LeBluue |  |
| Badeaux         | Flory          | LeBluue |  |
| Bel             | Fontenot       | Lowe    |  |
| Bergeron        | Fowler         | Martin  |  |
| Blair           | Fuco           | Maubertret |  |
| Bollinger       | Gauthier       | Maybuce |  |
| Brown           | Giarrusso      | Miller  |  |
| Burns           | Glenn          | Mire    |  |
| Burson          | Goldman        | Munson  |  |
| Cannon          | Graham         | Newton  |  |
| Carmouche       | Guiasco        | O'Neill |  |
| Comar           | Hayes          | Planchard |  |
| Conin           | Heine          | Perez   |  |
| Corne           | Hernandez      | Pugh    |  |
| D'Gerolamo      | Jack           | Reeves  |  |
| De Blieux       | Jackson, A.    | Roemer  |  |
| Dennery         | Jackson, J.    | Roy     |  |
| Dunlap          | Keen           | Segura  |  |
| Edwards         | Keen           | Shannnon |  |
| Flory           | Keen           | Sandoz  |  |
| Fontenot        | Kelly          | Segura  |  |
| Fowler          | Kibburne       | Shannnon |  |
| Fulco           | Kilpatrick     | Shannon |  |

946
Delegates—
Assel
De Blieux
Dennery
Total—3.

NOT VOTING

Delegates—
Mr. Chairman
Aertker
Arnalozine
Conroy
Derbes
Elkins
Fayard
Gravel
Hardee
Rayburn
Total—28.

And the amendment was adopted.

Delegate Hernandez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Explanation of Vote

Delegate Emmett Assel sent up the following explanation of vote with respect to Convention Floor Amendment No. 1 proposed by Delegate Flory et al.:

Though I feel that it is most unfair to supplement the pay of local police and not supplement the pay of the state police, I voted "no" because the amendment actually opens the door for the legislature to set the pay of the state police. This is contrary to the principle of the civil service system. On the other hand, my amendment directed the State Civil Service Commission to supplement the pay of the state police to the same extent and under the same conditions as the pay of local police is supplemented. This restricts the increase to the supplement set for local police and does not open the door completely to the setting of salaries by the legislature.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Hernandez, Riecke, Wattigny, Smith, Sutherland and Conino to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, in the Floor Amendment proposed by Delegate Dennery and adopted by the Convention on December 7, 1973, on page 6 of said floor amendment, delete lines 15 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

"Veterans. The Department of State Civil Service and a department of city civil service shall accord a five-point preference in original appointment to each person honorably discharged, or discharged under honorable conditions from the armed forces of the United States, between September 16, 1940 and July 25, 1947, both dates inclusive; or between June 27, 1950 and January 31, 1955, both dates inclusive; or who served in the Viet Nam theater between July 1, 1958 and the date the government of the United States declares to be the date of termination of service for members of the armed forces to receive credit for the award of the Viet Nam Service Medal, both dates inclusive; or who served in the peace-time campaigns or expeditions for which campaign badges are authorized. The Department of State Civil Service and a department of city civil service shall accord a ten-point preference in original appointment to each honorably discharged veteran who served either in peace or in war and who has one or more disabilities recognized by the Veterans Administration as service-connected; or to the spouse of such veteran who is in such poor physical condition as to preclude his or her appointment to a civil service job in his or her usual line of work or to the unremarried widow of each deceased veteran who served in a war period as defined above or in a peace-time campaign or expedition; or to the parents or survivor of any persons who died in active wartime or peace-time service or who suffered total and permanent disabilities in active wartime or peace-time service; or the divorced or separated parents of any person who died in wartime or peace-time service or who became totally and permanently disabled in wartime or peace-time service. However, only one ten-point preference shall be allowed in the original appointment to any of the persons enumerated above, and if the ten-point preference is not being utilized by the veteran, either because of the veteran's physical or mental incapacity which precludes his appointment to a civil service job in his usual line of work or because of his death, the preference shall be available to his spouse, unremarried widow, or eligible parents as defined above. No order of the boards, as specified, but all such preferences may be given only to persons who have attained marks on the tests which meet at least the minimum requirements imposed for each test and who have received at least the minimum rating required for eligibility."

On motion of Delegate Hernandez the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Hernandez, Riecke, Wattigny, Smith, Sutherland and Conino to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, in the Floor Amendment proposed by Delegate Dennery and adopted by the Convention on December 7, 1973, on page 6 of said floor amendment, delete lines 15 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

"Veterans. The Department of State Civil Service and a department of city civil service shall accord a five-point preference in original appointment to each person honorably discharged, or discharged under honorable conditions from the armed forces of the United States, after having served between the wartime dates of April 6, 1917 and November 11, 1918, both dates inclusive; or between September 16, 1940 and July 25, 1947, both dates inclusive; or between June 27, 1950 and January 31, 1955, both dates inclusive; or who served in the Viet Nam theater between July 1, 1955 and the date the government of the United States declares to be the date of termination of service for members of the armed forces to receive credit for the award of the Viet Nam Service Medal,
both dates inclusive; or who served in the peacetime campaigns or expeditions for which campaign badges are authorized. The Department of State Civil Service and a department of city civil service shall accord a ten-point preference in original appointment to each honorably discharged veteran who served either in peace or in war and who has one or more disabilities recognized by the Veterans Administration as service-connected; or to the spouse of each veteran who is in such poor physical condition as to preclude his or her appointment to a civil service job in his or her usual line of work or to the unremarried widow of each deceased veteran who served in a war period as defined above or in a peacetime campaign or expedition; or to the unremarried parents of any person who died in active wartime or peacetime service or who suffered total and permanent disabilities in active wartime or peacetime service; or the divorced or separated parents of any person who died in wartime or peacetime service or who became totally and permanently disabled in wartime or peacetime service. However, only one ten-point preference shall be allowed in the original appointment to any of the persons enumerated above, and if the ten-point preference is not being utilized by the veteran, either because of the veteran’s physical or mental incapacity which precludes his appointment to a civil service job in his usual line of work or because of his death, the preference shall be available to his spouse, unremarried widow, or eligible parents as defined above, in the order specified, but all such preference shall be given only to persons who have obtained marks on the tests which meet at least the minimum requirements imposed for each test and who have received at least the minimum rating required for eligibility.

Layoffs: Preference Employees. Whenever a position in the classified service is abolished or needs to be vacated because of stoppage of work from lack of funds, or other causes, preference employees (ex-members of the armed forces and their dependents as described in this Section) whose length of service and efficiency ratings are as good as or better than other competing employees shall be retained in preference to all other competing employees, provided that when any or all of the functions of any state agency are transferred to or when any state agency is replaced by some other state agency, or state agencies, all preference employees in the classifications and performing the function or functions transferred or in the state agency which is replaced by some other state agency shall first be transferred to the replacing state agency, or state agencies, for employment in positions for which they are qualified, before such state agency, or state agencies, shall appoint additional employees from eligible lists for such positions. The appointing authority shall give written notice to the director of any proposed layoff a reasonable time before the effective date thereof, and the director shall make such orders relating thereto as he considers necessary to secure compliance with the rules.”

Delegate Hernandez moved the adoption of the amendment.

Delegate Reeves objected.

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

ROLL CALL
The roll was called with the following result:

YEAS

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And the amendment was adopted.

Delegate Hernandez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Explanation of Vote
Delegate Champagne sent up the following explanation of vote with respect to Convention Floor Amendment No. 1 proposed by Delegate Hernandez, et al.

“As a veteran and strong supporter of veterans interests I regret to have to vote against listing all veterans benefits in the Constitution. I am also committed to a shorter Constitution and feel their interests are adequately covered in the proposal.”

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

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 6 of said amendment, at the end of line 21, immediately after the language added by Floor Amendment No. 1 proposed by Mr. Hernandez, et al. and adopted on December 12, 1973, add the following:

“No rule, regulation, or practice of the commission, any agency, or department of the state or any political subdivision shall favor or discriminate against any applicant or employee on the basis of his membership or non-membership in any private organization.”

Delegate Jenkins moved the adoption of the amendment.

Delegate Flory objected.

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

The roll was called with the following result:

**YEAS**

Delegates—

- Abraham
- Aertker
- Anzelone
- Arnette
- Badeaux
- Bollinger
- Brien
- Burns
- Burson
- Casey
- Chatelain
- Cinco
- Corne
- Cowen
- Denery
- Drew
- Dunlap
- Duval
- Fontenot

**NAYS**

Delegates—

- Guarisco
- Haynes
- Jack
- Jackson, A.
- Kilpatrick
- Lambert
- Landry, E. J.
- Leithman
- Martin
- Maybuse
- Mire
- Munson
- Newton
- Nunez
- Ourso
- Pugh

**NOT VOTING**

- Gravel
- Jackson, J.
- Juneau
- Kelly
- Leigh
- Maubert
- Morris
- Rayburn

Total—57.

Total—50.

And the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Bergeron moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**


Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. I—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Denery and adopted by the Convention on December 8, 1973, on page 1, delete lines 8, 9, and 10 in their entirety, and insert in lieu thereof the following:

"... nesses. The decision of a commission shall be subject to review on any question of law or fact upon appeal to the court of appeal wherein such commission..."

Delegate Bergeron moved the adoption of the amendment.

Delegate Denery objected.

By a vote of 80 yeas and 27 nays the amendment was adopted.

Delegate Bergeron moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Shannon to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. I—**

On page 1, in Floor Amendment No. 1 proposed by Delegate Denery and adopted by the Convention on December 8, 1973, on page 7 of said floor amendment, delete lines 14 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"(M) Appropriations. (1) State, The legislature shall make adequate annual appropriations to the State Civil Service Commission and to the Department of State Civil Service to enable the commission and the department to carry out efficiently and effectively the provisions of this Section, and the amount so appropriated by the legislature shall not be subject to veto by the governor."

Delegate Shannon moved the adoption of the amendment.

Delegate Stagg objected.

By a vote of 67 yeas and 31 nays the amendment was adopted.

Delegate Shannon moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Hayes, the Convention altered the Order of Business to take up other Orders of Business, at this time.

**COMMITTEE NOTICE**

Delegate Juneau, Chairman of the Committee on Public Information, sent up the following notice:

The Committee on Public Information will meet on Friday, December 14, 1973, after adjournment in the Treaty Room and will consider the following agenda:

**AGENDA**

Publication and distribution of final document.

Respectfully submitted,

PATRICK A. JUNEAU,
Chairman of the Committee on Public Information

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Judge Dennis, chairman of the Committee on the Judiciary, sent up the following notice:

The Committee on the Judiciary will meet on Friday,
December 14, 1973, at 12:00 o'clock Noon in the Treaty Room and will consider the following agenda:

**AGENDA**

Delegate Proposal 35
Delegate Proposal 62
Delegate Proposal 93
Style and drafting changes in Committee Proposal 21

Respectfully submitted,

JAMES L. DENNIS,
Chairman of the Committee on the Judiciary

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Motion**

On motion of Delegate A. Jackson the rules were suspended in order to call a meeting of the Committee on Bill of Rights and Elections without giving the required 24 hours notice.

Delegate A. Jackson, chairman of the Committee on Bill of Rights and Elections, sent up the following notice:

The Committee on Bill of Rights and Elections will meet on December 14, 1973, at 12:00 o'clock noon in Committee Room 1 and will consider the following agenda:

**AGENDA**

General Governmental Proposals

Respectfully submitted,

A. JACKSON,
Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Motion**

On motion of Delegate Roemer, Secretary to the Committee on Revenue, Finance and Taxation, the rules were suspended in order to call a meeting of the Committee on Revenue, Finance and Taxation without giving the required 24 hours notice.

Delegate Roemer, Secretary of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Thursday, December 13, 1973, at 12:00 o'clock noon and will consider the following agenda:

**AGENDA**

1. Consideration of Delegate Proposals referred to the Committee as follows: 16, 17, 21, 33, 34, 55, 60, 77, 91, 95.
2. Consideration of matters pertaining to presentation on the convention floor of provisions of Committee Proposal No. 15.
3. Approval of report on C.P. 26 for presentation to Committee on Legislative Liaison and Transitional Measures.

Respectfully submitted,

CHARLES E. ROEMER, III,
Secretary of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Leaves of Absence**

Delegate Conroy—1 day.
Delegate Juneau—2 days.
Delegate Chehardy—1½ day.
Delegate Gravel—4 days.
Delegate Mauberret—1½ day.
Delegate Weiss—1 day.
Delegate Champagne—3 hours.

**Adjournment**

Delegate Abraham moved that the Convention do now adjourn until Thursday, December 13, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, December 13, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

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

Delegates—

Mr. Chairman—Fowler
Abraham—O'Neill
Aertker—Ours
Alario—Perez
Alexander—Pugh
Anzalone—Rachal
Arnette—Reeves
Assett—Richeke
Avant—Roemer
Badeaux—Segura
Bel—Sandoz
Bergeron—Schmitt
Blair—Segura
Bollinger—Shannon
Brien—Singletary
Brown—Smith
Burns—Soniat
Cannon—Stagg
Carmouche—Stephenson
Casey—Stinson
Champagne—Stovall
Chaislain—Sutherland
Chehardy—Tapper
Comar—Tate
Conino—Thompson
Conroy—Tobias
Corne—Toca
Coxen—Tommy
D'Gerolamo—Ulo
DeBlaux—Velasquez
Denner—Vick
Dennis—Warren
Dew—Watigny
Derbes—Weiss
Deshotels—Williams
Drew—Winchester
Dunlap—Wisham
Duval—Womack
Fayard—Zervigon
Flory—Nunez
Fontenot—

Total—119.

Delegates—

Burson—Slay
Edwards—Thistlethwaite
Elkins—Vesich
Gravel—Wall
Leigh—

Total—13.

The Chairman announced that there were 119 members present and a quorum.

Prayer
Prayer was offered by Delegate Abraham.

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

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

On motion of Delegate Goldman, the Journal of yesterday was adopted.

Regular Order
Unfinished Business
The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals, Delegate and Committee
The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 9—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Carmouche, Corne, Cowen, Flory, Grier, Hernandez, Landry, Robinson, Toca, Wattigny and Wisham:

A PROPOSAL
Making provisions for human resources by providing for state and city civil service.

Read.

The Chair announced that the Convention had under consideration Committee Proposal No. 9, when it adjourned on Wednesday, December 13, 1973, which was taken up and acted upon as follows:

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

FLOOR AMENDMENT
Amendment proposed by Delegate A. Jackson to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1, proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 8 of said floor amendment, line 32, after the partial word and punctuation “isiture,” and before the words “in one or” delete the words and punctuation “or by the respective local governing body,”

Delegate A. Jackson moved the adoption of the amendment.
Delegate Lanier objected.

By a vote of 42 yeas and 34 nays the amendment was adopted.

Delegate A. Jackson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate A. Landry sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegates A. Landry, Mire, Ourso, Slid, Martin, Perez, Edwards, Maubert and Winchester to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on Decem-

AMENDMENT NO. 2—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 8, line 4, at the end of the line, add the following:
"However, nothing in this Paragraph shall permit inclusion in the local civil service of officials and employees listed in Paragraph (B) of this Section."

AMENDMENT NO. 3—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 8, at the end of line 4, add the following sentence:
"No law enacted by the legislature establishing a civil service system applicable to one or more parishes or one or more municipalities having a population of less than four hundred thousand shall be effective in any parish or in any such municipality until approved by ordinance adopted by the governing authority of the affected parish or municipality."

On request of Delegate A. Landry a division of the question was ordered.

Delegate A. Landry moved the adoption of Amendment Nos. 1 and 2.
Delegate Stovall objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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<td>Denery</td>
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NAWS

<table>
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<th>Delegates—</th>
<th>Duval</th>
<th>Escambia</th>
<th>Hillsborough</th>
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<td>De Bleyx</td>
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<tr>
<td>Fulco</td>
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<tr>
<td>Total—16.</td>
<td></td>
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</table>

DELEGATES—

Mr. Chairman
Brown
Burson
Cannon
Comar
Derbey
Edwards
Elkens
Fayard
Fontenot

NOT VOTING

Gravel
Haynes
Jackson, J.
Jones
Juneau
Kan
Kelly
Klopatter
Lambert
Leigh
Mauberret
Mire
Monson
Newton
Orsou
Perez
Perkins
Rayburn
Slay
Tapper
Thistlethwaite
Tobias
Vesich
Wall
Wattigny
Weiss

And the amendments were adopted.

Delegate A. Landry moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate A. Landry moved the adoption of Amendment No. 3.
Delegate Stovall objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
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<tr>
<th>Delegates—</th>
<th>Duval</th>
<th>Escambia</th>
<th>Hillsborough</th>
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<tr>
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<td>Dennis</td>
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<td>Dunlap</td>
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<tr>
<td>Fowler</td>
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NAWS

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Duval</th>
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<td>Case</td>
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<td>Total—16.</td>
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</tbody>
</table>

DELEGATES—

Mr. Chairman
Brown
Burson
Cannon
Comar
Derbey
Edwards
Elkens
Fayard
Fontenot

NOT VOTING

Gauthier
Gravel
Haynes
Jackson, J.
Jones
Juneau
Kan
Kelly
Klopatter
Lambert
Leigh
Mauberret
Mire
Monson
Newton
Orsou
Perez
Perkins
Rayburn
Slay

952
98th Days Proceedings—December 13, 1973

Tapper Vesich Wattigny
Thistlethwaite Wall Weiss
Tobias Total—37.

And the amendment was adopted.

Delegate A. Landry moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Flory, Fulco, Jack and Nunez to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 8 of said floor amendment, line 30, after the word and punctuation “creation,” change the period “;” to a semicolon “;” and add the word “Prohibition.”

**AMENDMENT No. 2**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 9 of said floor amendment delete lines 3 and 4, both inclusive, in their entirety except the language added by Floor Amendments No. 2 and 3 proposed by Delegate A. Landry and adopted by the Convention on December 13, 1973, and insert in lieu thereof the following:

“a population of less than four hundred thousand, in any manner now or hereafter provided by law, except that paid firemen and paid municipal policemen, in a municipality which operates a regularly paid fire and police department and which has a population in excess of thirteen thousand, in all parishes, and in all fire protection districts with paid firemen, are hereby expressly excluded from such civil service system.”

Delegate Flory moved the adoption of the amendment.

Delegate Abraham objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—Aertker
    Alaric
    Alexander
    Aseff
    Badeaux
    Bel
    Bergeron
    Blair
    Brien
    Brown
    Burns
    Carmouche
    Chehardy
    Conino
    Cowen
    D’Gerolamo
    De Blieux
    Dennis
    Deshotels
    Dunlap
    Flory
    Fowler
    Total—65.

Planchard
    Pugh
    Rachel
    Reeves
    Roy
    Segura
    Shannon
    Singletary
    Soniat
    Thompson
    Toca
    Toomy
    Ulio
    Velazquez
    Vick
    Warren
    Winchester
    Womack

NAYS
    Drew
    Duval
    Hardee
    Heine
    Hernandez
    Kean
    McDaniel
    Miller
    Riecke
    Total—25.

Roemer
    Schmitt
    Smith
    Stagg
    Sutherland
    Tobias
    Willis
    Zervigon

NOT VOTING
    Gravel
    Haynes
    Jackson, J.
    Jones
    Juneau
    Kilpatrick
    Lambert
    Leigh
    Martin
    Mauberret
    Mire
    Newton
    O’Neill
    Orso

Vice-Chairman Casey in the Chair

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Lanier to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 8 of said amendment, line 32, insert in lieu thereof the following:

“ilusture, or by the respective parish governing authority, in one of”

**AMENDMENT No. 2**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 9 of said amendment, in line 1, immediately after the word “respective” delete the words “local governing” and at the beginning of line 2, delete “body,” and insert in lieu thereof the following:

“city governing body.”

Delegate Lanier moved the adoption of the amendment.

Delegate Avant objected.

By a vote of 64 yes and 32 nays the amendment was adopted.

Delegate Lanier moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Avant to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 1, line 14, in Floor Amendment No. 1 proposed by
Delegate Dennery and adopted by the Convention on December 8, 1973, in Floor Amendment No. 3, proposed by Delegates A. Landry, et al., and adopted by the convention on December 13, 1973, line 1, immediately after the word "legislature" and before the word "establishing" insert the following:

"after the effective date of this constitution"

On motion of Delegate Avant the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Bieux to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 9, at the end of line 4, add the following: "(F) Legislative Authority. The legislature, by the favorable vote of three-fourths of the elected members of each house, may amend or otherwise modify any provision of this Article, except that it may not abolish the system of classified civil service."

On motion of Delegate De Bieux the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennery to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 1, line 12, of said floor amendment delete the language added by Floor Amendment No. 1 proposed by Delegates Flory, et al., and adopted by the Convention on December 11, 1973, and insert in lieu thereof the following: "including firemen and policemen"

Delegate Dennery moved the adoption of the amendment.

Delegate Flory objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

- Abraham
- Alexander
- Annalise
- Arnette
- Assen
- Badeaux
- Bolinger
- Casey
- Champagne
- Conroy
- Corne
- Total—33.

**NAYS**

- Delegates
- Aertker

Bel
Blair
Brien
Brown
Burns
Carmouche
Chatelain
Chehardy
Comar
Conno
Conway
D'Gerolamo
De Bieux
Deshotels
Dunlap
Fayard
Flory
Fowler
Fulco
Ginn
Goldman
Graham

Total—71.

**NOT VOTING**

Delegates—
- Mr. Chairman
- Burson
- Canon
- Edwards
- Eikins
- Fontenot
- Gauthier
- Giarrusso
- Hernandez
- Jackson, J.

Total—28.

And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Champagne moved that the Convention consider in globo the amendment to Committee Proposal No. 9 at this time.

As a substitute Delegate A. Jackson moved that the Convention proceed on Committee Proposal No. 9 by considering the amendments to lettered paragraphs.

Delegate Champagne objected.

The vote recurred on the substitute motion.

By a vote of 77 yeas and 12 nays the Convention agreed to proceed lettered paragraph by lettered paragraph on the proposal.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Casey and J. Jackson to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 1, at the end of line 12 of the text of the amendment, delete Floor Amendment No. 1 proposed by Delegates Flory, et al., and adopted by the Convention on December 11, 1973, and insert in lieu thereof the following: "However, paid firemen and municipal policemen may be excluded if a majority of the electors in the city affected voting at an election held for the purpose consent thereto."

On motion of Delegate Casey the amendment was withdrawn.

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

Bel
Blair
Brien
Brown
Burns
Carmouche
Chatelain
Chehardy
Comar
Conno
Conway
D'Gerolamo
De Bieux
Deshotels
Dunlap
Fayard
Flory
Fowler
Fulco
Ginn
Goldman
Graham

Total—71.

**NOT VOTING**

Delegates—
- Jones
- Juneau
- Lambert
- Leigh
- McBerber
- Ousso
- Perez
- Perkins
- Rayburn
- Riecke
- Roy
- Slay
- Tapp
- Tate
- Thistlewaite
- Vesch
- Wall
- Wattigny

**Roll Call**

The roll was called with the following result:

**YEAS**

- Abraham
- Alexander
- Annalise
- Arnette
- Assen
- Badeaux
- Bolinger
- Casey
- Champagne
- Conroy
- Corne
- Total—33.

**NAYS**

- Delegates
- Aertker

Gravel
Guarisco
Hardee
Hayes
Haynes
Jack
Jackson, A.
Kelly
Kilpatrick
Landry
Landry, A.
Landry, E. J.
Lanier
Leithman
Martin
Maybue
Mire
Morris
Munson
Newton
Nunez
O'Neill
Planchar
Pugh

Total—71.

**NOT VOTING**

Delegates—
- Jones
- Juneau
- Lambert
- Leigh
- McBerber
- Ousso
- Perez
- Perkins
- Rayburn
- Riecke
- Roy
- Slay
- Tapp
- Tate
- Thistlewaite
- Vesch
- Wall
- Wattigny

Bel
Blair
Brien
Brown
Burns
Carmouche
Chatelain
Chehardy
Comar
Conno
Conway
D'Gerolamo
De Bieux
Deshotels
Dunlap
Fayard
Flory
Fowler
Fulco
Ginn
Goldman
Graham

Total—71.

**NOT VOTING**

Delegates—
- Jones
- Juneau
- Lambert
- Leigh
- McBerber
- Ousso
- Perez
- Perkins
- Rayburn
- Riecke
- Roy
- Slay
- Tapp
- Tate
- Thistlewaite
- Vesch
- Wall
- Wattigny

Bel
Blair
Brien
Brown
Burns
Carmouche
Chatelain
Chehardy
Comar
Conno
Conway
D'Gerolamo
De Bieux
Deshotels
Dunlap
Fayard
Flory
Fowler
Fulco
Ginn
Goldman
Graham

Total—71.

**NOT VOTING**

Delegates—
- Jones
- Juneau
- Lambert
- Leigh
- McBerber
- Ousso
- Perez
- Perkins
- Rayburn
- Riecke
- Roy
- Slay
- Tapp
- Tate
- Thistlewaite
- Vesch
- Wall
- Wattigny

Bel
Blair
Brien
Brown
Burns
Carmouche
Chatelain
Chehardy
Comar
Conno
Conway
D'Gerolamo
De Bieux
Deshotels
Dunlap
Fayard
Flory
Fowler
Fulco
Ginn
Goldman
Graham

Total—71.

**NOT VOTING**

Delegates—
- Jones
- Juneau
- Lambert
- Leigh
- McBerber
- Ousso
- Perez
- Perkins
- Rayburn
- Riecke
- Roy
- Slay
- Tapp
- Tate
- Thistlewaite
- Vesch
- Wall
- Wattigny

Bel
Blair
Brien
Brown
Burns
Carmouche
Chatelain
Chehardy
Comar
Conno
Conway
D'Gerolamo
De Bieux
Deshotels
Dunlap
Fayard
Flory
Fowler
Fulco
Ginn
Goldman
Graham

Total—71.
FLOOR AMENDMENT

Amendment proposed by Delegates Casey and J. Jackson to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Denery and adopted by the convention on December 3, 1973, on page 1, at the end of line 12 of the text of the amendment, delete Floor Amendment No. 1 proposed by Delegates Flory, et al. and adopted by the convention on December 11, 1973, and insert in lieu thereof the following:

"However, paid firemen and municipal policemen may be excluded if a majority of the electors in the city affected voting at an election held for the purpose consent thereto, provided such election shall be called by the governing authority of the city affected within one year after the effective date of this constitution."

Delegate Casey moved the adoption of the amendment.
Delegate Flory objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>DELEGATES</th>
<th>PEOPLES</th>
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<td>Dennis—</td>
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<td>Total—51.</td>
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NAYS

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Delegates</th>
<th>Peopels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaric—</td>
<td>Goldman</td>
<td>Rachal</td>
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<tr>
<td>Avant—</td>
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<td>Blair—</td>
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<td>Cannon—</td>
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<td>Deshotels—</td>
<td>Leithman</td>
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<td>Vick</td>
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<td>Mire</td>
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<td>Glenn—</td>
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<td>Total—47.</td>
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NOT VOTING

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<tr>
<th>Delegates—</th>
<th>Delegates</th>
<th>Peopels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman—</td>
<td>D'Gerolamo</td>
<td>Heine</td>
</tr>
<tr>
<td>Aertker—</td>
<td>Edwards</td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>Bel—</td>
<td>Elkins</td>
<td>Jones</td>
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<td>Brown—</td>
<td>Giarrusso</td>
<td>Juneau</td>
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<tr>
<td>Burson—</td>
<td>Graham</td>
<td>Kelly</td>
</tr>
<tr>
<td>Chehardy—</td>
<td>Gravel</td>
<td>Leigh</td>
</tr>
</tbody>
</table>

Lowe— Perez— Tate—
McDaniel— Perkins— Thistlethwaite—
Martin— Rayburn— Vesich—
Mauberret— Segura— Wall—
Morris— Slay—
Ours— Tapper—
Total—29.

And the amendment was adopted.

Delegate Casey moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Vick to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Denery and adopted by the convention on December 3, 1973, on page 2, line 12, after the words and punctuation "lieutenant governor," and before the words "each mayor," insert the words "attorney general"

On motion of Delegate Vick the amendment was adopted.

Delegate Vick moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Champage to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, in Floor Amendment No. 1, proposed by Delegate Denery and adopted by the convention on December 3, 1973, on page 2, line 12, after the words and punctuation "quorum," strike out Convention Floor Amendment No. 1 proposed by Delegate Champage and adopted by the Convention on December 11, 1973, and insert in lieu thereof the following:

"No more than one appointed member shall be from each congressional district."

Delegate Champage moved the adoption of the amendment.
Delegate Landrum objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Delegates</th>
<th>Peopels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham—</td>
<td>Conino</td>
<td>Graham</td>
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<td>Alario—</td>
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<td>Hardee</td>
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<tr>
<td>Asssef—</td>
<td>De Bileux</td>
<td>Hayes</td>
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<td>Avant—</td>
<td>Denery</td>
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<tr>
<td>Badeaux—</td>
<td>Dennis</td>
<td>Hernandez</td>
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<tr>
<td>Bel—</td>
<td>Desoke</td>
<td>Jack</td>
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<tr>
<td>Bergeron—</td>
<td>Drew</td>
<td>Jenkins</td>
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<tr>
<td>Blair—</td>
<td>Dunlap</td>
<td>Keen</td>
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<tr>
<td>Brien—</td>
<td>Fayard</td>
<td>Kilbourne</td>
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<tr>
<td>Burns—</td>
<td>Flory</td>
<td>Kilpatrick</td>
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<tr>
<td>Carmouche—</td>
<td>Fontenot</td>
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<td>Casey—</td>
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<td>Chaitelan—</td>
<td>Glenn</td>
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<tr>
<td>Chehardy—</td>
<td>Goldman</td>
<td>Leithman</td>
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<tr>
<td>Comar—</td>
<td>Total—47.</td>
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NOT VOTING

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman—</td>
<td>D'Gerolamo</td>
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<tr>
<td>Aertker—</td>
<td>Edwards</td>
<td>Jackson, J.</td>
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<td>Bel—</td>
<td>Elkins</td>
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<td>Brown—</td>
<td>Giarrusso</td>
<td>Juneau</td>
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<td>Burson—</td>
<td>Graham</td>
<td>Kelly</td>
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<tr>
<td>Chehardy—</td>
<td>Gravel</td>
<td>Leigh</td>
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</tbody>
</table>

955
Delegate Dennery sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate J. Jackson to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 3 of said floor amendment, delete lines 27 and 28, both inclusive, in their entirety, and insert in lieu thereof the following:

“deans of any five institutions of higher education in the state, which five institutions shall be selected by the governor.”

On motion of Delegate Dennery the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 4, line 34, of the text of the amendment, delete Floor Amendment No. 1, proposed by Delegate Flory and adopted by the convention on December 11, 1973, and insert in lieu thereof the following: “fitness, and experience, as”

Delegate Jenkins moved the adoption of the amendment.
Delegate Flory objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Abraham</td>
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<tr>
<td>Anzalone</td>
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<td>Arnette</td>
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<td>Badeaux</td>
<td>Goldman</td>
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<td>Bollinger</td>
<td>Grier</td>
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<td>Casey</td>
<td>Guarisco</td>
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<tr>
<td>Champagne</td>
<td>Hardee</td>
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<td>Chatelain</td>
<td>Hernandez</td>
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<tr>
<td>Conroy</td>
<td>Jenkins</td>
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<tr>
<td>Cline</td>
<td>Keen</td>
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<tr>
<td>De Bieux</td>
<td>Kilbourne</td>
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<tr>
<td>Demery</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Drew</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Duval</td>
<td>Lanier</td>
</tr>
<tr>
<td>Fayard</td>
<td>LeBleu</td>
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<tr>
<td>Total—44</td>
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**NAYS**

<table>
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<tr>
<td>Alario</td>
<td>Fowler</td>
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<td>Alexander</td>
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<tr>
<td>Aseff</td>
<td>Graham</td>
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<tr>
<td>Avant</td>
<td>Hayes</td>
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<tr>
<td>Bel</td>
<td>Haynes</td>
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<td>Bergeron</td>
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<td>Blair</td>
<td>Jackson, A.</td>
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<td>Brien</td>
<td>Landry, E. J.</td>
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<tr>
<td>Burns</td>
<td>Leithman</td>
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<td>Cannon</td>
<td>Maybuce</td>
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<td>Carmouche</td>
<td>McIver</td>
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<td>Perez</td>
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<td>Comar</td>
<td>Planard</td>
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<td>Conino</td>
<td>Pugh</td>
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<tr>
<td>Dunlap</td>
<td>Reeves</td>
</tr>
<tr>
<td>Flory</td>
<td>Total—48</td>
</tr>
</tbody>
</table>

And the amendment was adopted.
Delegate Champagne moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Chairman Henry in the Chair**

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Flory and Dennery to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 3, at the end of line 11 in said floor amendment, delete the word “two” and at the beginning of line 12 in said floor amendment delete the words “hundred fifty” and insert in lieu thereof the words “four hundred”

AMENDMENT No. 2—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 4, line 22 of said floor amendment after the partial word “ceeding” delete the remainder of the line and insert in lieu thereof the following: “four hundred thousand.”

AMENDMENT No. 3—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 7, at the end of line 30 in said floor amendment, delete the words “two hundred fifty” and insert in lieu thereof “four hundred”

On motion of Delegate Flory the amendments were adopted.

Delegate Dennery moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 4, line 34, of the text of the amendment, delete Floor Amendment No. 1, proposed by Delegate Flory and adopted by the convention on December 11, 1973, and insert in lieu thereof the following: “fitness, and experience, as”

Delegate Jenkins moved the adoption of the amendment.
Delegate Flory objected.

A record vote was asked for and ordered by the Convention.
98th Days Proceedings—December 13, 1973

FLOOR AMENDMENT

Amendment proposed by Delegates Newton and Flory to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on December 8, 1973, on page 6, line 21 of said Dennery amendment, at the end of the last line of the floor amendment proposed by Delegate Jenkins and adopted by the convention on December 12, 1973, immediately after the words "private organization" change the period "." to a semicolon ";" and add the following:

"provided that this shall not prohibit any state agency, department or political subdivision from contracting with an employee organization with respect to wages, hours, grievances, working conditions or other conditions of employment in a manner not inconsistent with this constitution or any civil service law or valid rule or regulation of a commission."

Delegate Flory moved the adoption of the amendment.
Delegate Drew objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

- Alario
- Alexander
- Asseff
- Avant
- Bergeron
- Blair
- Brien
- Burns
- Chehardy
- Comar
- Conin
- De Blieux
- Dennis
- Dunlap
- Flory
- Fontenot
- Fowler

Total—51.

NAYS

Delegates—

- Abraham
- Anzalone
- Arnette
- Badeaux
- Bel
- Bollinger
- Camouche
- Casey
- Champagne
- Chatelain
- Conroy
- Corne
- Cowen
- Derbes
- Drew
- Duval

Total—48.

NOT VOTING

Delegates—

- Mr. Chairman
- Aertker
- Brown
- Burson
- Cannon
- D'Gerolamo
- Dennery
- Deshotels
- Edwards
- Elkins
- Fayard

Total—33.

And the amendment was adopted.
Delegate Flory moved to reconsider the vote by which the amendment was adopted, and to lay the motion to reconsider on the table.

Delegate Jenkins objected to tabling the motion to reconsider.

By a vote of 51 yeas and 49 nays the motion to reconsider was tabled.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennery to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, in Floor Amendment No. 1, proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 2 of said amendment, line 11, immediately after the words and punctuation “deputies,” and “and” and before the words “officers” strike out the word “administrative.”

On motion of Delegate Dennery the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate J. Jackson to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the convention on December 8, 1973, on page 3 of said floor amendment, delete lines 27 and 28, both inclusive, in their entirety, and insert in lieu thereof the following:

"denies of any five institutions of higher education in the state, which five institutions shall be selected by the governor—"

Delegate J. Jackson moved the adoption of the amendment.

Delegate De Blieux objected.

By a vote of 69 yeas and 18 nays the amendment was adopted.

Delegate J. Jackson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Pugh and De Blieux to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 13 through 32, both inclusive, in their entirety, and on pages 2 through 16, both inclusive, delete lines 1 through 32, both inclusive, in their entirety, and on page 17 delete lines 1 and 2 in their entirety, and delete all convention floor amendments thereto by the convention, and insert in lieu thereof the following:

"(A) State Civil Service: Creation; Commission. There shall be a system of civil service for employees of the state, which shall be governed by a commission composed of seven members who are electors of the state. Four members shall constitute a quorum. No more than one member shall be appointed from each congressional district. The members shall serve overlapping terms of six years and shall be selected as hereinafter provided.

The presidents of Centenary College at Shreveport; Dillard University at New Orleans; Louisiana College at Pineville; Loyola University of Louisiana at New Orleans; Tulane University of Louisiana; and Louisiana University at New Orleans each shall nominate three persons after giving consideration to representation of all groups. One member of the commission shall be appointed by the governor from the three persons nominated by each president. One member of the commission shall be elected by the classified employees of the state from their number, as provided by law.

A vacancy for any cause shall be filled by appointment or election in accordance with the procedure of the original appointment or election and from the same source. Within thirty days after a vacancy occurs, the president concerned shall submit the required nominations. Within thirty days thereafter, the governor shall make his appointment. If the governor fails to appoint within thirty days, the nominee whose name is first on the list of nominees automatically shall become a member of the commission. If any nominating authority fails to submit nominees in the time required or if the governor fails to act in a timely manner to fill the directorship, the governor shall make the appointment to the commission. An appointment to fill a vacancy occurring before the expiration of the term shall be for the remainder of the unexpired term.

(B) City Civil Service. There shall be a system of city civil service in each city having a population exceeding four hundred thousand, which shall be governed by a commission of five members who are qualified electors of the city. Three members shall constitute a quorum. The commission shall serve overlapping terms of six years, as hereinafter provided.

(1) New Orleans; Nomination and Appointment. In New Orleans, the presidents of Dillard University, Loyola University at New Orleans, St. Mary’s Dominican College, Xavier University of Louisiana, and Tulane University of Louisiana, each shall nominate three persons, after giving consideration to representation of all groups. From the three persons nominated by each, the governing authority of the city shall appoint one to serve as a member of the commission.

(2) Other Cities; Nomination and Appointment. In each other city subject to the provisions of this Section, the governing authority thereof shall follow the procedure described in Paragraph (A), and the president of each university shall nominate three persons after giving consideration to representation of all groups. From the three persons nominated by each, the governing authority of the city shall appoint one to serve as a member of the commission.

(3) Vacancies. Vacancies for any cause shall be filled by appointment in accordance with the procedure for the original appointment and from the same source. Within thirty days after a vacancy occurs, the university president concerned shall submit the required nominations. Within thirty days thereafter, the governing authority of the city shall make the appointment. If the governing authority of the city fails to appoint within the thirty days, the nominee whose name is first on the list of nominees automatically shall become a member of the commission. If any nominating authority fails to submit nominees in the time required, or if the nominating authority chooses to exist, the governing authority of the city shall make the appointment. An appointment to fill a vacancy occurring before the expiration of the term shall be for the remainder of the unexpired term.

(C) Removal. A member of the state or of city civil service commission may be removed by the governor or by the governing authority of the city, as the case may be, but only for cause and after the appointing authority has served the member with written specifications of the charges against him and given him an opportunity for a public hearing thereon.

(D) Appropriations. (1) State. Beginning with the regular session that convenes in 1975 and at each regular session thereafter, the legislature shall appropriate to the State Civil Service Commission and the Department of State Civil Service, for the succeeding fiscal year, a sum equal to not less than seven-tenths of one percent of the aggregate payroll
of the state classified service for the twelve-month period ending on the first day of March preceding the next regular session, as certified by the State Civil Service Commission. (2) Cities. Each city subject to the provisions of this Section shall make adequate annual appropriations to enable its service commission and department to carry out efficiently and effectively the provisions of this Section.

(E) Civil Service Code. The provisions presently in effect relating to civil service for state and city employees, except those provisions relating to the membership of the commissions, are hereby continued in effect as a statutory civil service code. The legislature shall have no authority to change any provision thereof except by the favorable vote of three-fourths of the elected members of each house. The legislature shall not abolish the systems of civil service in the state, reduce the amount required to be appropriated in accordance with Paragraph (D) (1), or repeal the provisions of Paragraph (D) (2)."

On motion of Delegate Pugh debate was limited to 30 minutes on the amendment.

Delegate Pugh moved the adoption of the amendment.

Delegate Dennery objected.

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

ROLL CALL

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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</thead>
<tbody>
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<td>Hayes</td>
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<td>Reeves</td>
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<td>Roemer</td>
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</tbody>
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Total—47.

**NAYS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Flory</td>
<td>Newton</td>
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<td>Fontenot</td>
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<tr>
<td>Fowler</td>
<td>Perez</td>
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<td>Fuico</td>
<td>Planchard</td>
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<td>Gauthier</td>
<td>Riecke</td>
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<td>Glenn</td>
<td>Roy</td>
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<td>Grler</td>
<td>Shannon</td>
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<td>Hardee</td>
<td>Smith</td>
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<td>Hernandez</td>
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<td>Jack</td>
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<td>Jenkins</td>
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<td>Landry, E. J.</td>
<td>Tobias</td>
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<td>Martin</td>
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<tr>
<td>Miller</td>
<td>Winchester</td>
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<td>Morris</td>
<td>Zervigon</td>
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Total—55.

**NOT VOTING**

<table>
<thead>
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<tbody>
<tr>
<td>D’Gerolamo</td>
<td>Elkins</td>
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<tr>
<td>Desberries</td>
<td>Garriuso</td>
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<tr>
<td>Deshotels</td>
<td>Gravel</td>
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<tr>
<td>Edwards</td>
<td>Haynes</td>
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</tbody>
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**JONES**

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<tbody>
<tr>
<td>Kelly</td>
<td>Mauberret</td>
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<tr>
<td>Lambert</td>
<td>Munson</td>
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<tr>
<td>Landrum</td>
<td>Nunez</td>
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<td>LeBlieu</td>
<td>Ourso</td>
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<tr>
<td>Leigh</td>
<td>Perkins</td>
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<tr>
<td>Rayburn</td>
<td>Vesich</td>
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</table>

Total—39.

And the amendment was rejected.

Delegate Jenkins moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Lanier, Alexander, Charlton and Willis to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Aertker and adopted by the Convention on December 8, 1973, on page 9, in Floor Amendment No. 2 proposed by Delegate Flory and adopted by the Convention on December 13, 1973, on line 2 of said amendment, after the word "law" change the comma "", to a period "." and delete lines 3 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"However, in any municipality having a population in excess of thirteen thousand which has a regularly paid fire and paid municipal fire department, and in all parishes and fire protection districts having paid firemen, the said firemen and policemen are expressly excluded from civil service system so established unless a majority of the voters therein, in an election held for the purpose, consent to their inclusion. The election shall be held in accordance with the procedure established pursuant to Article VI, Section 26, of this constitution."

Delegate Lanier moved the adoption of the amendment.

Delegate Flory objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Abraham</td>
<td>Graham</td>
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<tr>
<td>Alexander</td>
<td>Griar</td>
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<tr>
<td>Anzalone</td>
<td>Guarisco</td>
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<td>Arnette</td>
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<td>Asssett</td>
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<td>Badeaux</td>
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<td>Bollinger</td>
<td>Jackson, J.</td>
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<td>Burns</td>
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<td>Carmouche</td>
<td>Juneau</td>
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<tr>
<td>Casey</td>
<td>Kean</td>
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<tr>
<td>Champagne</td>
<td>Kilbourne</td>
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<td>Chatelan</td>
<td>Landrum</td>
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<tr>
<td>Corne</td>
<td>Landry, A.</td>
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<tr>
<td>De Blieux</td>
<td>Lanier</td>
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<td>Duval</td>
<td>Leigh</td>
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<td>Fayard</td>
<td>Lilely</td>
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<td>Goldman</td>
<td>Luck</td>
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<td>Graham</td>
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Total—57.

**NAYS**

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<tr>
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<td>Alexander</td>
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<td>Burns</td>
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Total—57.

**NOT VOTING**

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<tr>
<td>Mr. Chairman</td>
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<td>Brown</td>
<td>Desberries</td>
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<td>Burson</td>
<td>Deshotels</td>
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<td>Sandoz</td>
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<td>Jackson, A.</td>
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<td>Kilpatrick</td>
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<tr>
<td>Landry, E. J.</td>
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</tbody>
</table>
PAGE 10
98th Days Proceedings—December 13, 1973

Leithman
Lowe
Maybue
Newton
O'Neill
Planchard
Rachal

Reeves
Roy
Shannon
Soniat
Stephenson
Stinson
Thompson

Toca
Vie
Warren
Weiss
Wisham
Womack

NOT VOTING

Delegates—
Mr. Chairman
Brown
Burson
Cowan
D'Gerolamo
Dennis
Derbes
Deshotels
Edwards
Elkins
Fayard

Giarrusso
Gravel
Jones
Kelly
Lambert
Leigh
Mauberret
Miller
Munson
Nunez

Ousso
Perkins
Rayburn
Slay
Stovall
Tapper
Thistlethwaite
Vesich
Wall

Total—31.

And the amendment was adopted.

Delegate Lanier moved to reconsider the vote by which
the amendment was adopted, and on his own motion, the motion
to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Lanier to Committee
Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed
by Delegate Dennery and adopted by the Convention on De-

dember 8, 1973, on page 9, in Floor Amendment No. 1 pro-

duced by Delegate Lanier, et al. and adopted by the Con-

tvention on December 13, 1973, on line 3 of said amendment,
after he word “municipal” and before the word “depart-

dment” delete the word “fire” and insert in lieu thereof the
word “police”

On motion of Delegate Lanier the amendment was adopted.

Delegate Lanier moved to reconsider the vote by which
the amendment was adopted, and on his own motion, the motion
to reconsider was laid on the table.

Motion

On motion of Delegate Smith the previous question was
ordered on the Section.

Delegate Singletary moved that the Convention recess for
a period of 10 minutes.

Delegate Jenkins objected.

By a vote of 30 yeas and 60 nays the Convention refused to
recess for a period of ten minutes.

Passage

Committee Proposal No. 9, Section 1 was read, as amended.

Delegate Rachal moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Brown
Burson
Cowan
D'Gerolamo
Derbes
Deshotels
Edwards
Elkins
Giarrusso
Ginn

Alexander
Anzalone
Aertker

Badeaux
Blair
Bollinger

Rachal
Riecke
Roemer
Sandoz
Schmitt
Singularly
Smith
Stagg
Stephenson
Sutherland
Thompson
Tohig
Ullo
Velasquez
Weiss
Wills
Winchester
Zervigon

NOT VOTING

Delegates—

Brown
Burson
Cowan
D'Gerolamo
Derbes
Deshotels
Edwards
Elkins
Giarrusso
Ginn

Gravel
Jones
Kelly
Lambert
Leigh
Mauberret
Miller
Munson
Nunez

Perkins
Rayburn
Slay
Stovall
Tapper
Thistlethwaite
Vesich
Wall

Total—32.

Failed to pass.

Motion to reconsider pending.

Explanation of Vote

Delegate De Blieux sent up the following explanation of vote with respect to the adoption of Section 1 of Committee
Proposal No. 9 by Delegate Aertker, et al.

“T am a strong advocate of civil service, but because of
the numerous amendments and purely legislative material
that have been placed into this proposal, without right of the
legislature to make any corrections, by any manner of
vote, of the errors that may have been made here, I am just
opposed to putting the proposal as drafted into the Con-
titution.”

Explanation of Vote

Delegates Pugh and Bel sent up the following explanation of vote with respect to the adoption of Section 1 of Commit-
tee Proposal No. 9 by Delegate Aertker, et al.

“As Delegates we took an oath which reads, in part, as
follows: I will faithfully and impartially discharge all the
duties incumbent uppon me as a delegate to the Constitutional
Convention according to the best of my ability and under-
standing, so help me God.

We cannot fulfill this obligation and vote for this mon-
stry with all its jack straw votes.”

Motion

On motion of Delegate Jenkins the Convention agreed
to consider the reconsideration of the vote by which the
Section failed to pass at this time.
Point of Order

Delegate Smith suggested the absence of a quorum.

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

ROLL CALL

The roll was called with the following result:

PRESENT

Delegates—

Mr. Chairman... O'Nell
Abraham... Perez
Aertker... Planchar
Alario... Pugh
Alexander... Rachal
Anzialone... Reeves
Arnette... Riceke
Asseff... Roemer
Avant... Roy
Badeaux... Sandzo
Bel... Schmitt
Bergeron... Segura
Blair... Shannon
Bollinger... Singletary
Brien... Smith
Burns... Sonlat
Cannon... Stagg
Carmouche... Stinson
Casey... Stovall
Champagne... Sutherland
Chatelain... Thompson
Cherardy... Toblas
Comar... Toca
Conino... Toomy
Conroy... Ullo
Corne... Velazquez
De Blieux... Weiss
Denbery... Willis
Dennis... Winchester
Drew... Womack
Dunlap... Zervigon
Fayard... Flory

Total—101.

ABSENT

Delegates—

Brown... Jones
Burson... Kelly
Coven... Lambert
D'Gerolamo... Leigh
Derbes... Maubert
Dehotels... Miller
Edwards... Munson
Elkins... Nunez
Giarrusso... Orso
Ginn... Perkins
Gravel... Rayburn

Total—31.

The Chair announced that there were 101 Delegates present and a quorum.

Reconsideration

Delegate Jenkins moved to reconsider the vote by which the Section failed to pass.

Delegate Flory objected.

By a vote of 65 yeas and 36 nays the vote by which the Section failed to pass was reconsidered.

Motion

Delegate Tobias moved the previous question on the Section.

Delegate Flory objected.

By a vote of 36 yeas and 55 nays and Convention refused to order the previous question at this time.

Motion

Delegate Anzialone moved to limit debate on passage of Section 1 to 15 minutes.

As a substitute Delegate Alexander moved to limit debate to the Delegates presently on the Chairman's list of speakers.

Delegate Vick objected.

The vote recurred on the substitute.

By a vote of 57 yeas and 37 nays the Convention limited debate to the Delegates presently on the Chairman's list of speakers.

Motion

Delegate Dennis moved that the proposal be returned to the Calendar.

Delegate Champagne objected.

By a vote of 33 yeas and 63 nays the Convention refused to return the proposal to the Calendar.

Motion

Delegate Chatelain moved to adjourn until 9:00 A.M., Friday, December 14, 1973.

Delegate Abraham objected.

By a vote of 19 yeas and 70 nays the Convention refused to adjourn at this time.

Motion

Delegate Juneau moved the previous question on the Section.

Delegate Jenkins objected.

By a vote of 35 yeas and 55 nays and the Convention refused to order the previous question at this time.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, in Floor Amendment No. 1 proposed by Delegate Denbery and adopted by the Convention on December 8, 1973, on page 9, delete Floor Amendment No. 1 proposed by Delegates Lanler, et al. and all floor amendments thereto and restore the language of Convention Floor Amendment No. 1 proposed to said page by Delegate Flory and adopted by the Convention on December 13, 1973.

Point of Order

Delegate Schmitt raised the point of order that the amendment was out of order as having been previously considered by the Convention and asked a ruling from the Chair.

The Chair refused to rule on the point of order and put the question to the Convention under the rules.

The question was put to rule the amendment in order at this time.

By a vote of 54 yeas and 39 nays, the Convention declared the amendment in order at this time.

Delegate Flory moved the adoption of the amendment.

Delegate Schmitt objected.

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

ROLL CALL

The roll was called with the following result:
Delegates—

YEAS

Fulico
Gauthier
Ginn
Goldman
Graham
Guarisco
Hardee
Hayes
Haynes
Jackson, A.
Jackson, J.
Jenkins
Juarez
Kilpatrick
Landrum
Landry, A.
Landry, E. J.
LeBlanc
LeBlanc
LeBlanc
Lewis
McDaniel
Maynus
Mitchell
Monson
Movahedi

Planchar
Pugh
Rahel
Rieke
Rieke
Sandoz
Segura
Shannon
Singletary
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Thompson
Tobias
Toca
Toomey
Toomey
Ullo
Velasquez
Vick
Warren
Wattigny
Wells
Yermakov
Zervigon

NAYS

Grier
Heine
Hernandez
Kean
Kilbourne
Miller
Roemer
Schmitt
Tobias
Wells
Zervigon

NOT VOTING

Gravel
Jones
Kelly
Lambert
Leigh
Martin
Mauberret
Mire
Monson
Nunez
Ours
Perkins
Rayburn
Reeves
Schmitt
Slay
Tapper
Tate
Thistlethwaite
Vesich
Wall

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Tobias moved the previous question on the Section.

As a substitute Delegate Anzalone moved that the Convention do now adjourn sine die.

Delegate Stagg objected.

The vote recurred on the substitute.

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

ROLL CALL

The roll was called with the following result:
Delegate Dennery moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Passage

The Proposal was read, as amended.

The roll was called with the following result:

**ROLL CALL**

<table>
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<tr>
<th>delegates</th>
<th>YEAS</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Avant</td>
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<td>Abraham</td>
<td>Badeaux</td>
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<td>Aertker</td>
<td>Bertrand</td>
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<td>Alario</td>
<td>Blair</td>
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<td>Alexander</td>
<td>Blaine</td>
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**Delegates**

| Mt. Chairman | Gauthier |
| Mr. Chairman | Gauthier |
| Abraham | Ginn |
| Aertker | Goldman |
| Alario | Guzaito |
| Alexander | Hardee |
| Anzalone | Haynes |
| Avant | Hernandez |
| Badeaux | Jack |
| Bel | Jackson, A. |
| Bergeron | Jackson, J. |
| Blair | Jenkins |
| Brien | Juneau |
| Burns | Kilpatrick |
| Cannon | Landry, A. |
| Casey | Landry, E. J. |
| Champagne | Lanier |
| Chatalin | Leithman |
| Chehardy | Lowe |
| Conroy | Lowrey |
| Conroe | McDaniel |
| Conro | Maybue |
| Cowen | Morris |
| Dannery | Newton |
| Dennis | O’Neill |
| Dunlap | Osborn |
| Flory | Planhard |
| Fontenot | Planchard |
| Fowler | Rachal |

**NAYS**

| Arnette | Hayes |
| Asseff | Heine |
| Bollinger | Kean |
| Corne | Kilbourne |
| De Blieux | LeBlanc |
| Duval | LeBlanc |
| Grier | LeBlanc |

**NOT VOTING**

| Brown | Gauthier |
| Burson | Gravel |
| Carmouche | G audio |
| D’Gerolamo | Kelly |
| Derbes | Lamberton |
| Deshotels | Martin |
| Edwards | Mauve |
| Elkins | Mire |
| Fayard | Munson |

And the Chair declared that the above Section was finally passed.

On motion of Delegate Dennery the vote by which the above Proposal was finally passed, was reconsidered.

**Explanation of Vote**

Delegate De Blieux sent up the following explanation of vote with respect to the adoption of Section 1 of Committee Proposal No. 9 by Delegate Aertker, et al.

"I am a strong advocate of civil service, but because of the numerous amendments and purely legislative material that have been placed into this proposal, without right of the legislature to make any corrections, by any manner of vote, of the errors that may have been made, I am just opposed to putting the proposal as drafted into the Constitution."

**Explanation of Vote**

Delegate Pugh sent up the following explanation of vote with respect to the adoption of Section 1 of Committee Proposal No. 9 by Delegate Aertker, et al.

"As a Delegate I took an oath which reads in part, as follows: I will faithfully and impartially discharge all the duties incumbent upon me as a delegate to the Constitutional Convention according to the best of my ability and understanding, so help me God."

I cannot fulfill this obligation and vote for this monstrosity, with all its jack straw votes.”

**Motion**

On motion of Delegate Riecke, the Convention altered the Order of Business to take up other Orders of Business at this time.

Delegate Charles E. Roemer, III, Acting chairman, on behalf
of the Committee on Revenue, Finance and Taxation, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Revenue, Finance and Taxation to submit the following report:

DELEGATE PROPOSAL No. 16—
Introduced by Delegates Alario, Chehardy, Edwards, Mire, Rayburn, Nunez, Winchester, Mauberret, Slay and Planchard:
A PROPOSAL
Making provisions for homestead exemptions.
Reported with amendments.

DELEGATE PROPOSAL No. 17—
Introduced by Delegate Planchard:
A PROPOSAL
Making provisions prohibiting lotteries.
Reported favorably.

Respectfully submitted,
CHARLES E. ROEMER, III,
Acting Chairman.

Notice of Motion

Delegate Jack sent up notice as required by Rule No. 88, that on the next Convention day, he will move to require the Committee on Revenue, Finance and Taxation to return, with or without recommendation, Delegate Proposal No. 21 to the Convention.

Motion

On motion of Delegate A. Jackson the Rules were suspended in order to call a meeting of the Committee on Bill of Rights and Elections without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate A. Jackson, chairman of the Committee on Bill of Rights and Elections, sent up the following notice:

The Committee on Bill of Rights and Elections will meet on Friday, December 14, 1973, at the noon recess in Committee Room 1 and will consider the following agenda:

AGENDA

To continue consideration of the General Governmental Provisions

Respectfully submitted,
ALPHONSE JACKSON, JR.,
Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Stagg the rules were suspended in order to call a meeting of the Sub-Committee on Alternatives of the Committee on Rules, Credentials and Ethics without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Stagg, chairman of the Sub-Committee on Alternatives of the Rules Committee, sent up the following notice:

The Sub-Committee on Alternatives of the Committee on Rules, Credentials and Ethics will meet on Friday, December 14, 1973, at 8:00 o’clock a.m. in the Ante Room and will consider the following agenda:

AGENDA

To consider methods of consideration of Alternatives

Respectfully submitted,
TOM STAGG,
Chairman of the Sub-Committee on Alternatives

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Roemer the Rules were suspended in order to call a meeting of the Committee on Revenue, Finance and Taxation without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Roemer, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Friday, December 14, 1973, at the noon recess in the Assembly Room and will consider the following agenda:

AGENDA

Proposal pending before the Committee.

Respectfully submitted,
CHARLES E. ROEMER, III,
Acting Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Burson—1 day.
Delegate Jones—1 day.
Delegate Thistlethwaite—1 day.
Delegate Nunez—3 hours.

Adjournment

Delegate Riecke moved that the Convention do now adjourn until Friday, December 14, 1973, at 9:00 o’clock A.M. Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, December 14, 1973 at 9:00 o’clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

**ROLL CALL**

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

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<th>Delegates</th>
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<td>Mr. Chairman</td>
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**Abtvent**

Delegates—

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The Chairman announced that there were 122 members present and a quorum.

**Prayer**

Prayer was offered by Delegate Burns.

**Pledge of Allegiance**

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

**Reading of the Journal**

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

On motion of Delegate Bel, the Journal of yesterday was adopted.

**Morning Hour**

**Reports of Committees Lying Over**

**Delegate and Committee**

**Proposals on Second Reading**

**Reported by Committees**

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

**DELEGATE PROPOSAL No. 15—**

Introduced by Delegates Alario, Chehardy, Edwards, Mire, Rayburn, Nunez, Winchester, Maubertet, Slay and Planchard:

A PROPOSAL

Making provisions for homestead exemptions.

Read.

Reported with the following amendments by the Committee on Revenue, Finance and Taxation:

**COMMITTEE AMENDMENT**

Amendment proposed by Committee on Revenue, Finance and Taxation to Delegate Proposal No. 15 by Delegate Alario, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 17, after the word "than" and before the word "thousand" delete the word "fifty and insert in lieu thereof the word "fifteen" and on line 19, after the word "exceeds" and before the partial word "thou" delete the word "fifty" and insert in lieu thereof the word "fifteen"

On motion of Delegate Alario the amendment was adopted.

On motion of Delegate Alario the Proposal, as amended, was ordered engrossed and passed to its third reading.

**DELEGATE PROPOSAL No. 16—**

Introduced by Delegate Planchard:

A PROPOSAL

Making provisions prohibiting lotteries.

Read.

Reported favorably by the Committee on Revenue, Finance and Taxation.

On motion of Delegate Planchard the Proposal was ordered engrossed and passed to its third reading.

**Proposals, Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**Motion**

On motion of Delegate Rachal Committee Proposal No. 10 was taken up out of its regular order and acted upon as follows.

**COMMITTEE PROPOSAL No. 10—**

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Corne, Cowen, Flory, Grier, Landry, Leithman, Robinson, Wattigny and Wisbam:

A PROPOSAL

Making provisions for human resources by providing for municipal fire and police civil service.

Read.
ARTICLE VII. HUMAN RESOURCES

Section 1. Municipal Fire and Police Civil Service

Section 1. (A) Municipal Fire and Police Civil Service. There shall be a classified civil service for fire and police department and which have a population of not less than thirteen thousand according to the latest regular federal census for which the official figures have been made public.

The service shall embrace the positions of employment, the officers, and employees of the municipal fire and police services.

Definitions. The following words and phrases when used in this Section shall have the following meaning unless the context clearly requires otherwise:

(1) "Allocation" means the official determination of the class to which a position in the classified service belongs.

(2) "Appointing authority" means any official, officer, board, commission, council, or person having the power to make appointments to positions in the municipal fire and police service.

(3) "Appointment" means the designation of a person, by due authority, to become an employee in a position, and his induction into employment in the position.

(4) "Board" means the municipal fire and police civil service board.

(5) "Class" or "class of position" means a definitely recognized kind of employment in the classified service, designated to embrace positions that are so nearly alike in the essential character of their duties, responsibilities, and consequent qualification requirements, that they can fairly and equitably be treated alike under like conditions for all personnel purposes.

(6) "Classification plan" means all classes of positions established for the classified service.

(7) "Class service" means every appointive office and position of trust or employment in the municipal government which has as its primary duty one of the functions specifically set forth to be included in the classified service by the provisions of this Section, and excludes all elective and appointive offices and positions of trust or employment which have a primary duty specifically set forth to be included in the unclassified service by the provisions of this Section.

(8) "Demotion" means a change of an employee in the classified service from a position of one class to a position of a lower class which generally affords less responsibility and pay.

(9) "Department service" means employment in the public service offered and performed separately by the fire and police departments of the municipality.

(10) "Eligible" means a person whose name is on a list.

(11) "Employee" means a person legally occupying a position.

(12) "Employment list" or "lists" means a reinstatement employment list, a promotional employment list, a competitive employment list, and a reemployment list.

(13) "Position" means any office and employment in the municipal fire and police services, the duties of which call for services to be rendered by one person.

(14) "Promotion" means a change of an employee in the classified service from a position of one class to a position of a higher class which generally affords increased responsibilities and pay.

(15) "Promotion employment list" or "promotion list" means an employment list containing the names of eligible persons established from the results of promotion tests given for a particular class of positions which is not specifically required by this Section to be established from the results of a competitive test.

(16) "Promotion test" means a test for positions in a particular class, which is not specifically required by the laws of this State to be filled by competitive tests, admission to which is limited to regular employees of the next lower class, or the next lower classes when authorized by the rules, in the classified service.

(17) "Reemployment list" means an employment list for the entrance or lowest-ranking class in the classified service, or in any group of classes as may have been grouped in the classification plan, containing names of regular employees who have been laid off under the "layoff" provisions of this Section. This list shall not be applicable to persons who have resigned or have been discharged.

(18) "Regular employee" or "permanent employee" means an employee who has been appointed to a position in the classified service in accordance with this Section after completing his working test period.

(19) "Reinstatement employment list" or "reinstatement list" means an employment list containing names of persons eligible for reinstatement in positions of a class from which they have been demoted for reasons other than disciplinary action.

(20) "Seniority" means the total employment computed for an employee beginning with the date on which he was regularly and permanently appointed and has worked continuously to and including the date of computation. Time during which an employee has served in the armed forces of the United States subsequent to May 1, 1940, shall be considered to mean continuous employment and shall be included in the computation of his seniority. Total seniority in the departmental service, including positions of any and all classes, or seniority in any one or more given classes, may be computed for an employee; but in either case employment shall be continuous and unbroken by a resignation or discharge of the respective employee. An employee who is finally discharged or resigns from his position shall forfeit all accumulated seniority. An employee who is suspended and returned to duty prior to the expiration of his suspension shall not forfeit his seniority accumulated to the date of his suspension, but he shall not be given credit for the lost time at any future compensation.

(21) "Temporary appointment" means the appointment of an employee for a limited period of service without acquisition by the appointee of any continuing right to be retained beyond the period.

(22) Municipal Fire and Police Civil Service Boards

(C) (1) Composition. A municipal fire and police civil service board is created in the municipal government. The board shall be composed of five members who shall serve without compensation. They shall have a chairman, a first vice-chairman, and a secretary. The domicile of the board shall be in the municipality it serves.

(2) Eligibility. To be eligible for appointment or to serve as a member of a board a person shall be a citizen of the United States of America, a resident of the municipality in which he is to serve for at least five years next preceding his appointment, and shall, at the time of his appointment, be a qualified voter of the municipality. Any employee of or regular employee or office or position of public employment, except that of notary public, a military or naval official office, or that of a municipal fire or police department which is expressly required by the provisions of this Section.

(3) Membership. The members of the board shall be appointed by the governing body as follows:

(a) One shall be appointed by the governing body upon its own nomination.

Two members shall be appointed from a list of four nominees, which shall be furnished within thirty days after receiving such request by the executive head of a legally chartered and established institution of higher education located within the municipality; or, if there is no such institution in the municipality, by the executive head of any such institution of the governing body's choice within the state.

(c) Two members shall be appointed who shall be first nominated and elected by the regular employees of the fire and police departments as follows:

One member shall be elected and appointed from the fire department, and one member shall be elected and appointed from the police department. The employee-nominees from the fire department shall be elected by the regular employees of his respective department at an election to be called and held for that purpose by the chief of
the department. The chief of each department shall call such an election within forty-five days after this Section takes effect in the municipality by posting, for a fifteen-day continuous period immediately preceding the election, a notice thereof on the bulletin board of each station house of his department; and shall officially notify the governing body of the municipality within the ten-day period immediately following the election, the name of the employee-elect, his residence, and the regular employees of his department. The chief of the department shall vote in the election only in the case of a tie vote.

(4) Term. The term of office for all members of the board shall be for a period of three years when a municipality adheres to the provisions of this Section. The first member appointed by the governing body of the municipality upon its own nomination shall serve for a period of two years; the first employee members nominated and appointed as provided above shall serve a term of one year. Each member shall serve until his successor has been appointed and qualified.

(5) Vacancies. Upon the term of office expiring for a member of a board, or because of death or incapacity of any member thereof, the governing body of a municipality shall appoint a successor in the same manner as the outgoing member was appointed; and such successive appointment shall be made within ninety days immediately following the vacancy.

(6) Oath. Each member shall take the oath of office before entering upon the duties of his office. His oath shall include a statement to uphold the constitution and laws of Louisiana and of the United States; to administer faithfully and to the best of his ability the provisions of this Section and the rules adopted under the authority of this Section.

(7) Removal. Any member of a board shall be liable to removal from office by judgment of the district court of his domicile for high crimes, and misdemeanors in office, incompetence, corruption, favoritism, extortion, oppression in office, gross misconduct, or habitual drunkenness. The district attorney of the district wherein the board member resides may institute such suit, and shall do so upon the written request, specifying the charges, of twenty-five citizens and taxpayers of the municipality of which the board member is a resident. The district attorney shall associate in the diligent prosecution of such suit any attorney selected and employed by the city and its taxpayers. Any member of the governing body of the municipality shall advise, within and not later than the expiration of the ninety-day period provided for the appointment of the board members, each appointee of his appointment and term of office as a member of the municipal fire and police civil service board; and such information shall be placed in the official minutes of the governing body.

New members of the board shall meet within thirty days after their appointment in their first official meeting; take the oath of office; elect a chairman and vice chairman; and transact any other business pertinent at that time. The oath of office shall be administered by the city clerk or by any other person having the legal authority to administer oaths.

A chairman and vice chairman shall be elected by the members of the board. The term for which either the chairman or vice chairman shall serve as such, shall run concurrently; and the term for which he was appointed a member of the board; except the term of either office shall terminate upon death of the incumbent, or his resignation from the office or from the board, or his removal from the board. At the discretion of the board, the office of secretary shall be filled:

(a) By electing one of its members thereto;
(b) By appointing the city clerk or secretary-treasurer of the municipality to fill such office ex officio;
(c) By employing and paying on a part-time basis any other person a salary not to exceed twenty dollars per month; or
(d) By requiring the state examiner to act in such capacity. The board may terminate the term of office of any person serving as its secretary at any time. No person serving as secretary of a board, except a member thereof, shall have the right to vote in its proceedings. The secretary shall attend the meetings of the board; keep a record of its proceedings; attend to correspondence directed to him, and other correspondence ordered by the chairman; perform other functions assigned to him by the board; and cooperate with the state examiner in a manner that will enable the examiner to carry out effectively the duties imposed upon him by this Section or those functions which may be requested of him by the board.

The board shall meet at any time after its original meeting, as the call to such meeting shall be made by the chairman; who shall give all members of the board due notice thereof. The chairman of the board shall call, and the members of the board shall attend, one regular meeting of the board within each quarterly period of each calendar year. If a chairman fails or refuses to call such quarterly meeting of his board, the members of the board shall meet upon the written call of any two members mailed ten days in advance of the meeting. Four members of the board shall constitute a quorum, and the quorum of the board shall be sufficient for the decision of all matters to be decided or transacted by it. Meetings of the board shall be open to the public.

(8) Board; Duties

(1) Represent the public interest in matters of personnel administration in the fire and police services of the said municipal government.

(2) Advise and assist the governing body, mayor, commission members, and the chiefs of the fire and police departments of the municipality, with reference to the maintenance and improvement of personnel standards and administration in the fire and police services, and the classified system.

(3) Advise and assist the employees in the classified service with reference to the maintenance, improvement, and administration of personnel matters related to any individual or group of employees.

(4) Make reports to the governing body, mayor, commission members, and the chiefs of the departments affected by this Section, and the state examiner of municipal fire and police services; and bring to the attention of the governing body, mayor, and commission members any situation which it determines to be desirable or necessary in the public interest, or to carry out effectively the provisions and purposes of this Section.

(5) Conduct investigations and pass upon complaints by or against any officer or employee in the classified service for the purpose of demotion, reduction in position or abatement of salary, or suspension, or discharge of any employee, in accordance with the provisions of this Section.

(6) Hear and pass upon matters which the mayor, commissioner of public safety, the chiefs of the departments affected by this Section, and the state examiner of municipal fire and police services, shall bring to the attention of the governing body, mayor, and commission members.

(7) Make, alter, amend, and promulgate rules necessary to carry out effectively the provisions of this Section.

(8) Adopt and maintain a classification plan. The classification plan shall be adopted and maintained by rules of the board.

(9) Make reports to the governing body, either upon its own motion or upon the official request of the governing body, regarding general or special matters of personnel administration, in and for the departments of the municipality, or with reference to any appropriation made by the governing body for the expenses incidental to the operation of the board.

(10) Rules. Each board may adopt and execute rules, regulations, and orders necessary or desirable effectively to carry out the provisions of this Section and shall do so when expressly required by this Section. No rule, regulation, or order shall be contrary to, or in violation of, any provisions, present or future, in any way affecting the fire and police classified services, unless by express provisions therein, it is made applicable to only one of the services.

A board may adopt any rule, either in its proposed or revised form, after holding a public hearing at which any municipal officer, employee, private citizen, and the state examiner shall be given an opportunity to show cause why
the proposed rule, amendment, or any part thereof should not be adopted. Before the board holds this public hearing, it shall furnish at least thirty days notice in advance of the date, time, and place thereof to the mayor, commission-er of public safety, and other municipal officials whose duties in any way affect, the chief and each station of the departmental service to be affected by the adoption of any such rule, and to the state examiner. A copy of all proposed rules to be discussed at any hearing shall be furnished to each of the persons. Each notice and copy of a proposed rule furnished the various stations of a respective department shall be posted upon the bulletin board of each station for a period of at least thirty days in advance of the hearing.

Within thirty days after the board has adopted any rule, whether it is a new rule or amendment of an existing rule, or an abolition in whole or part thereof, it shall furnish an official copy thereof to all persons and places set forth above.

Rules adopted under the authority of this Section shall have the force and effect of law.

(7) Personnel
(1) State Examiner. The office of state examiner is created. He shall be a resident and qualified voter of the state. He shall be a person who has had experience in the field of personnel administration. He and the deputy state examiner of the municipal fire and police civil service shall cooperate and be bound by the said state examiner to serve the classified service of the state as established and existing, except no pay plan thereunder shall be applicable to the said state examiner or deputy state examiner. The state examiner and deputy state examiner shall be subject to removal and other disciplinary action by the State Civil Service Commission only for a good and sufficient cause set forth in written charges filed with the commission by any one of the municipal fire and police civil service boards created by this act, or by any qualified elector of the state, and only after a public hearing by the state commission to be held in accordance with rules to be adopted by the State Civil Service Commission.

(G) State Examiner; Location; Salary; Duties
(G) (1) Location. The state examiner shall maintain a suitable office in the city of Baton Rouge. The officer shall be paid the law with this act, and the city of Baton Rouge shall assign suitable office space to the examiner. The examiner shall appoint employees necessary for him to carry out his duties effectively. All of the employees appointed by the examiner, except persons employed on a temporary basis to conduct or assist in giving examinations, shall be selected by him after certification to him by the State Department of Civil Service of names from eligible lists established by the State Department of Civil Service; and legal rules, in all other respects, be covered by the provisions of existing civil service laws and rules and regulations legally adopted by the Department of State Civil Service.

(2) Salary. The state examiner shall serve on a full-time basis and shall be paid a salary of not less than forty-two hundred dollars per year. He shall be paid for his traveling and living expenses while away from the city of Baton Rouge.

The state examiner shall take the oath of office and furnish bond for the faithful performance of his duties according to law in the sum of one thousand dollars. The premium of the bond shall be paid from the funds appropriated to the state examiner. The state examiner shall be ex officio a notary public for the state at large.

The state examiner shall fix a contractual or fee basis the services which his office is unable to supply and which are necessary for his compliance with the provisions of this Section.

(3) Duties. The state examiner shall: Assist the various boards in an advisory capacity in the discharge of their duties. Prepare and submit a classification plan to each board for its approval, after consultation with the appoint-ing and departmental authorities of the departmental services for which a plan is prepared and submitted, as provided in paragraph (K).
Prepare and administer tests of fitness for original entrance and promotion to applicants for positions in the respective classified service of the municipalities; score the tests and furnish the results to the board for which the tests are given. Cooperate with the secretary of each board in maintaining a roster of all fire and police civil service employ-ees in which shall be set forth the name of each employee, the position held, the salary or other compensation, any change in class title, and any other necessary data. Act as secretary of any said board requesting such service.
Assist and cooperate in an advisory manner with the various appointing authorities, department officers, and the classified employees, of the municipalities regarding the duties and obligations imposed upon them by the provisions of this Section.
Encourage employee training in the classified service and, when possible, attend the training courses or parts thereof.

(h) Make annual or biennial reports regarding the work of his office to the governor.
(i) The state examiner may delegate to the deputy state examiner such of the above duties as he may deem expedient.

(H) Appropriations; Facilities for Board. The legislature shall make adequate and necessary appropriations to enable the state examiner and deputy state examiner to effectively perform the duties imposed upon them by this Section. The governing body of the municipality shall make adequate annual appropriations to enable the board of the municipal-ity to pay out of the funds appropriated therefor from the fund on the board and shall furnish the board with office space, furnishings, equipment, and supplies and materials necessary for its operation.

(i) State Civil Service Law and Unclassified Service
(I) (1) Classified Service. The classified service shall comprise every position, except those included in the unclassified service, to which the right of employee selection, appointment, supervision, and discharge is vested in the municipal government or with an officer or employee there-
of, and which has as its primary duty and responsibility one of the following:

Fire
(a) The chief and assistant chief; the intradepartmental division, bureau, squad, platoon, and company officers of the fire department.
(b) Fire fighting.
(c) Fire preventions; inspection.
(d) Inspection, testing, and operation of fire apparatus.
(e) Operation and maintenance of radio, fire alarm, or signal system.
(f) Fire department instructors in employee training.
(g) Fire salvage and overhauling services; and first aid in the first service, if such service is operated exclusively by and for either or both the fire or police department.

(1) Secretary to the chief. Departmental records clerk.
(2) Unclassified Service.
(a) All officers, employees, and positions of employment in the municipal government, not having as a principal duty one of the duties hereinabove provided in the classified service.
(b) Officers elected by popular vote and persons appointed to fill vacancies in elective offices.
(c) Secretaries, stenographers, and all clerical positions not specifically included in the classified service.
(d) Cleaners, janitors, janitorial porters, elevator operators, chefs, kitchen helpers and workers, mechanics helpers, car washers, unskilled labor, special guards at schools, or any part-time, or temporary employee.
(e) Any position of employment, the duties of which are included in the classified service, to which the right of employee selection, appointment, supervision, and discharge vested in and with those other than the municipal government or an officer or employee thereof.
(f) Any regular and permanent employee who left a position of the departments service, which now comes within the classified service, subsequent to May 1, 1940, and entered the armed forces of the United States shall be restored to his position and, thereafter, be subject to the rights and jurisdiction of the classified service created by this Section if he makes application therefor to the appointing authority within sixty days from the date of his honorable discharge or discharge under honorable conditions, is physically and mentally capable of performing the work of his position to the satisfaction of the appointing authority.

(K) Classification Plan; Allocation; Use

(K) (1) Classification Plan. Each board, as soon as practicable (not to exceed a period of eighteen months) after the effective date in the municipality, shall adopt a classification plan for the fire and police services of the municipality. Each classification plan shall consist of classes to be designated either by standard titles, ranks, or a combination thereof, for all positions included in the classified service for each of the fire and police services. The classification plan may be divided into groups of classes. The various classes of positions shall be arranged in each classification plan so as to show the principal and natural lines of promotion and demotion. The classification plan shall be adopted as rules of the board, in the manner provided by this Section for the adoption of rules. Rules creating the classification plan, future classifications, abolition of any classification, any amendment thereto, or revision thereof shall be adopted by a board only after consultation with the appointing authority, and the state examiner. The original classification plan to be established when this Section takes effect in a municipality shall be prepared after consultation with the appointing authority, and submitted to the board for its approval and adoption, by the state examiner. The board may amend or revise the classification plans before adopting them. The state examiner shall advise a request to the board in all future classifications when requested to do so.

(2) Allocation of Positions. The board, or chairman thereof subject to the subsequent approval of the board, as soon as practicable (not exceeding forty-five days) after the adoption of a classification plan, after consultation with the appointing authorities concerned, shall allocate each position in the classified service to its appropriate class; and the person shall likewise allocate each new position created in the service, and, when for the benefit of the service, reallocate positions from class to class.

Whenever the duties of a position are so changed by the appointing authority that it is brought about by the appointing authority to effect a reduction in the classification of any employee because of political, religious or discriminatory reasons, or without just cause, it shall refuse to approve the said change and shall order the appointing authority to continue the employee in the position and class with all rights and privileges.

(3) Use of Class Titles. The title of each class shall be the official title of every position allocated to the class, for all purposes having to do with the position, and shall be used to the exclusion of all other titles on all payrolls, budget estimates, and official records and reports pertaining to the position, except that any abbreviation or code symbol by the board may be used to designate a position of a class. Any other title satisfactory to the appointing authority may be used in official correspondence and in any other connection not having to do with the personnel processes covered by this Section. No employee shall be appointed, employed, or paid under any title other than that of the class to which the position occupied by him is allocated.

(4) Status of Incumbent. Every person employed in the municipal government fire or police service for a continuous period of at least six calendar months immediately preceding the date that this Section takes effect in the municipality, who was regularly and permanently appointed to a position coming under the classified service, shall be inducted into and served under the classified service, the provisions of this Section, and the rules adopted hereunder.

When any position is first allocated hereunder, or is reallocated to a different class to correct an error in its previous allocation, or because of a change in the duties of a position which has the effect of abolishing the position and creating a new position of another class, the employee and the position may continue to serve therein, with the status and all the rights and privileges he would have had under this Section if he had been originally appointed by examination and certification hereunder to a position of the class to which the position has been allocated or reallocated. Such employee, however, may be transferred without further tests of fitness or merit to any position of the class to which the position was previously allocated while held by the employee.

Any employee who feels himself aggrieved because of any allocation or change in classification affecting his position shall appeal to the board; and the board shall hear and decide the complaint in any manner deemed proper.

(L) Vacancies; Methods of Filling. Vacancies in positions in the reinstatement list for the class from which they are demoted in the order in which the demotions are made.
(N) Transfer. Any employee may be transferred from any position in the classified service to any other position of the same class within the classified service, at the pleasure of the appointing authority without notice to and confirmation by the board. Any regular employee so transferred shall have the right of appeal to the board upon the grounds (1) that his transfer was made to a position not included within the class to which his position was previously allocated, or (2) that the position to which he has been transferred is not included within the classified service, or (3) the transfer was made deliberately to discriminate against him.

(O) Reinstatement; Reemployment

(O) An employee who, during or at the expiration of his working test period of probation following his promotion after being certified from an appropriate employment list, is rejected and refused permanent status in the position and class to which he was promoted, shall be automatically reinstated to the position from which he was promoted without his name being placed upon any list.

(2) All employees whose names appear upon the reinstatement list for a prospective class shall be reinstated in a position thereof, in the reverse order from which their names were placed upon the list, before any other appointment is made therein.

(3) All employees whose names appear upon the reemployment list for a class from which they were laid off according to the method of paragraphs 8, 9, and 10 of the Schedule, or offered such appointment, in the reverse order from which their names were placed upon the list, before any other employment or appointment is made.

(4) Any regular employee who resigns from a position in the classified service may, with the prior approval of the board, be reemployed in a position of the class or in a position of any lower class for which he is qualified, provided the employee is tested, reemployed, and placed in a position thereof, or offered such appointment, in the reverse order from which their names were placed upon the list, before any other employment or appointment is made.

(P) Employment Lists; Establishment and Maintenance

The board shall establish and maintain employment lists containing names of persons eligible for appointment to the lowest classes of positions in the classified service, as follows:

(1) Names of regular employees who are demoted from any class for a reason other than disciplinary action shall be placed upon the reinstatement list for the class from which they were demoted in the order in which the demotions were made.

(2) Only the names of regular employees who have been laid off in accordance with provision of paragraph (U) shall be eligible for entry upon the reemployment list. The names of such persons shall be entered upon the reemployment list for the class from which they were laid off in the order in which the layoffs were made.

(3) A name placed upon either the reinstatement or the reemployment list shall remain thereon for a period of four years. The board, however, may remove the name of any person who refuses an offer of employment following a certification from either list.

(4) Names of persons attaining a passing score on a work group test shall be placed upon the promotion employment list for the class for which they were tested, from highest to lowest, according to their total seniority in the departmental service. The names of persons attaining a passing score on a competitive list shall be placed upon the competitive employment list for the class for which they were tested, from highest to lowest, according to their final test scores.

(5) Any person whose name is placed upon the competitive employment list for the entrance or lowest-ranking class in the classified service who has served in the armed forces of the United States of America during the times of war, and has been honorably discharged or discharged under honorable conditions, shall have added to his final test score a total of five points at the time of placing his name upon the list. Proof of such service and discharge shall be required by the board in any manner it deems advisable.

(6) The minimum and maximum period for which a name may remain upon a promotional and competitive employment list shall be twelve and eighteen months, respectively, for each list.

(7) The employment list for which eligibles are obtained from the results of tests given for that purpose shall be reestablished in the manner further provided in this Section.

(8) When new names are to be placed upon a promotional list for a given competitive list, the remaining names thereon shall be rearranged with the new names so that all names appearing upon the list for the class shall rank, from highest to lowest, according to total seniority in the departmental service. When new names are to be placed upon a competitive list for a given class, the remaining names thereon shall be rearranged with the new names so that all names appearing upon the list for the class shall rank, from highest to lowest, according to their final test scores.

(Q) Testing Procedure

(Q) (1) Tests; Eligibility Determination. The board shall provide through the state examiner for tests to determine the eligibility of applicants for entry upon the promotional and competitive employment lists, as follows:

(a) Official notice of examination shall be posted on the bulletin board in each station of the respective department. The notice shall state (1) class of positions for which the tests are to be held, (2) whether the tests shall be given on a promotional or competitive basis, and the final date on which applications for admission to the tests will be received. The notice shall be posted for a consecutive period of thirty days preceding the date for administering the tests. In addition to the posted notice, public notice for all tests to be given on a competitive basis shall be published at least four times during the thirty-day period in the official journal of the municipality or agency concerned.

(b) The notice need not reveal the exact date on which tests shall be administered, but all applicants shall be advised of the date, place, and time to report for an announced test at least five days in advance thereof in any manner the board may prescribe. Each person comprising a group of candidates being tested at a given time for the same class of employment shall be given the same test, and it shall be administered in the same manner to each candidate.

(c) The examination shall be so arranged as to elicit information concerning the political, factional, or religious opinions or affiliations of any applicant.

(d) All tests shall be restricted to those matters which fairly test the relative capacities of the candidates to discharge the duties characteristic of positions of the class to which they seek to be appointed. Tests may include written or oral questions, trials on the performance of work characteristic of the class, inquiries into facts relating to education, experience, or accomplishments in specialized lines of endeavor, or any combination of these and other elements duly related to the purpose of the tests.

(e) Competitive tests shall be held only as the needs of the service require and shall be given for classes comprising only the following duties or positions:

(i) Chief of the departmental service.

(ii) The entrance or lowest-ranking class in the classified service.

(iii) The entrance or lowest-ranking class in any group of classes where the various classes have been divided into groups by the classification plan.

(iv) Operation, maintenance, and supervision of radio, fire alarm, police alarm, and other signal systems.

(v) Automotive or fire apparatus mechanics and repairmen.
(vi) Secretary to the chief.
(vii) Departmental records clerk.
(viii) For a position in any class in the classified service after reasonable efforts by preceding methods provided by this Section have failed to produce names of persons eligible for regular appointment thereto.

(f) All tests required by this Section shall be prepared, administered, and scored by the state examiner in accordance with the provisions of this Section. The results of the tests shall be furnished to the board, and for which the tests have been administered. All test questions, answers, and papers shall at all times be kept in the custody of the state examiner, and shall be produced by him and exhibited by him at the domicile of any board upon its written request.

(g) The board for which any test is administered may, at any time, up to six months after receiving the results from the state examiner, receive and review any or all parts of the test and the methods used in its grading, in order to determine whether the test was a fair and reasonable one and was fairly graded. If, after the board reviews any test and consults with the state examiner, it concludes that any item or part of the test were unfair or unreasonable or finds errors in the grading, it may, at its discretion, cause a regrading of the test, and, thereupon, correct or establish the appropriate employment list in accordance with the revised ratings. If the board finds that a fair rating cannot be determined only from an entire new test, it may cause a new test to be given to all persons taking the previous test and, establish a new employment list for the class from the results of such new test.

(h) Each applicant who makes a passing score on a test administered under the provisions of this Section shall be advised, in any manner the board prescribes, of his final grade and relative standing on the list appropriate for the class for which he was tested.

(2) Admission to Tests. Admission to tests shall be as follows:

(a) Admission to a promotional test shall be limited to regular employees of the class next lower from that for which they are to be examined. However, the rules may provide for admission to be extended to applicants from any one or more of the next lower classes.

(b) Admission to competitive tests shall be open to all persons who meet the requirements provided by this Section and the test.

(c) Any applicant admitted to a test shall be a citizen of the United States of America and, if of legal age, shall be a qualified elector of the State of Louisiana.

(d) Special requirements or qualifications for admission to tests play, good health, good moral character, and of temperate and industrious habits.

(e) The board may reject the application of any person for admission to tests of fitness, or refuse any applicant to be tested, or may cancel the eligibility of any eligible on any employment list, who

(i) Is found to lack any of the qualifications prescribed, or which may be legally prescribed, as requirements for admission to the tests for the class for which he has applied;

(ii) Is physically unfit to perform effectively the duties of a position of the class;

(iii) Is addicted to the habitual use of drugs or intoxicating liquors to excess;

(iv) Has been adjudged guilty of a crime involving moral turpitude or infamous or notoriously disgraceful conduct;

(v) Has been dismissed from the respective service for delinquency or misconduct;

(vi) Has made a false statement of any material fact; or

(vii) Refuses to appear for and submit to any test, or attempt to defeat or fraud in securing eligibility for appointment or attempting to do so.

Any such facts shall also be considered cause for removal of any employee. The board shall reject any application filed after the time fixed for closing receipt of applications as announced in the public notice of the tests.

(3) Working Tests. Every person appointed to a position in the classified service, except those appointed on a temporary basis, shall be tested by a working test while occupying the position before he may be confirmed as a regular and permanent employee in the position.

The period of the working test shall commence immediately upon appointment and shall continue for a period of not less than six months or more than one year. Any employee who has served at least three but less than six months of his working test for any given position may be removed therefrom only with the prior approval of the board, and only upon the grounds that (1) he is unable or unqualified to perform the duties required of him, in which case his working test may be discontinued, or (2) his habits and dependability do not merit his continuance therein. Any such employee may appear before the board and present his case before he is removed.

Upon any employee completing his working test, the appointing authority may remove, and shall remove upon order of the board, any employee during his working test period who the board finds, after giving him notice and an opportunity to be heard, was appointed as a result of an error, misrepresentation, or fraud.

The event where an appeal is permitted under this Section to appeal to the board, the decision of the board shall be subject to the judicial review provided by this Section and the appointing authority and employee shall be governed accordingly.

(R) Certification; Appointment

(R) (1) Certification and Appointment. (a) Whenever the appointing authority proposes to fill a vacancy in the classified service, except by demotion, transfer, emergency appointment, or by substitute employment not to exceed thirty days, he shall request the board to certify names of persons eligible for appointment to the vacant position.

(b) The board shall certify in writing the names of eligible persons from the appropriate employment list as provided by law or the reemployment list for each class from which certified, not more than thirty days following the date thereof. The appointing authority shall, if he fills the vacancy, make the appointment as provided below.

(c) The board shall first certify the names of the person appearing upon the reinstatement list who is eligible for the first reinstatement in the class of the vacant position. The name of this person and all others appearing upon the reinstatement list for the class shall be certified and offered for appointment in the order provided by paragraph (P) before the vacancy is filled by any subsequent method provided by this Subsection. The appointing authority shall appoint to the vacant position the first person so certified to him who is willing to accept the appointment.

(d) The names of eligible persons appearing upon the reinstatement list for the class shall be certified and offered for appointment in the order provided by paragraph (P) before any other appointment is made thereto.

(e) In the event a vacancy cannot be filled by reinstatement, or by reemployment as above provided, the board shall next certify the names of persons upon the promotional list for the class in which the vacancy is to be filled. The appointing authority shall select and appoint to the vacancy the person certified to him who has the greatest seniority in the departmental service. The appointments to be filled in the same class shall be filled by appointing to each such successive vacancy the one of the remaining persons certified therefor who has the next highest seniority in the departmental service. If any one or
more persons so certified should refuse the appointment, the appointing authority shall then select and appoint one of the persons certified by the board with the next highest seniority in the departmental service. This procedure shall be continued until the position is filled. Any employee who has been appointed to the position of the one person who has the greatest seniority in the departmental service, and who is willing to accept the appointment, or until each person whose name appears upon the list, has in this order been certified and offered the appointment for the vacancy.

(d) Certification and appointment from the competitive list shall be limited to those conditions and classifications for which the competitive test may be given as provided by paragraph (g). An appointment shall be made for the certification of eligible persons from which he may fill a vacancy, and if the competitive list is the appropriate list from which the eligible personnel shall be certified, the board shall certify the names of the persons upon that list, in the order in which they appear thereon for the class in which the vacancy is to be filled. The appointing authority shall select and appoint to the first vacancy to be filled, any one of the persons so certified to him for the vacancy. If any one or more persons so certified should refuse the appointment, the appointing authority shall then select and appoint any one of the remaining persons certified by the board. This procedure shall be followed until the position has been filled by appointment of one or more certified persons from the list and who accept the appointment, or until each person whose name appears upon the list has in this manner been certified for the vacancy.

Appointment to any position in the classified service from which the regular employee is away on an authorized leave of absence shall be made in accordance with the provisions of this Subsection.

(f) The appointing authority shall notify the board of the filling of the vacancy provided in paragraph (g).

(2) Temporary Appointments. Temporary appointments may be made to positions in the classified service without the appointees acquiring any permanent status therein, as follows:

(a) (i) When a vacancy is to be filled in a position of a class for which the board is unable to certify names of persons eligible for regular and permanent, or substitute appointments, the appointing authority may make a provisional appointment of any person whom he deems qualified. When possible, the appointment should be made by the authority's deliberation of a position at a lower level. A provisional appointment shall not continue for more than three months. No position in the classified service shall be filled by a provisional appointment to a position of a period in excess of three consecutive months and successive like periods shall not be permissible. The board may, however, authorize the renewal of such appointment, or authorize such successive appointments for a period not to exceed three additional months whenever it has been impracticable or impossible to establish a list of persons eligible for certification and appointment to a vacancy. Any provisional appointment, if not terminated sooner, shall terminate upon the regular filling of the vacancy in any manner authorized under this Section, and, in any event, within fifteen days after a certification from which a regular, or substitute appointment, as the case may be, can be made under the provisions of this Section. A provisional appointment shall be reported to the board within fifteen days following the appointment.

(ii) During the times of war, and after the board continues to offer tests provided by this Section in an effort to make it eligible for regular and permanent appointments to a position of any class which has been permanently vacated by the regular employee thereof, and it finds it impossible to establish a list of persons qualified for certification and permanent appointment to the position in the classified service, it may authorize the appointing authority to fill the position with a provisional appointee until the appropriate employment list can be established.

Provisional appointments may be made in any position until a classification plan is prepared and adopted and for such time thereafter as may be required for the preparation and administration of tests and the establishment of employment lists from the results of the tests. But such special authority shall be void if the employee is away on an authorized leave of absence, or (2) from which the regular employee is substituting for some other employee who is authorized to be away from his respective position. No position shall be filled by a substitute appointment to a position that for which the regular and permanent incumbent is away on an authorized leave. Whenever such appointment shall continue for more than thirty days, the appointing authority may appoint another employee, and if any substitute appointments made for a period exceeding thirty days shall be made in the same manner as provided in paragraph (R) for the filling of a vacancy by a regular and permanent appointment. Any person employed on a substitute basis shall, for the duration of the temporary employment, enjoy the class title and be entitled to receive the rate of pay for the class and position in which he is employed. The appointing authority shall notify the board within fifteen days following any substitute appointment made to a period of a period exceeding thirty days, the name of the appointee, the class of position filled, the period for which the appointment was made and attach to the notification a signed copy of the tear of the appointment granted the employee for whom the appointee is substituting.

(c) Emergency appointments of any person may be made at any time the need for the service requires because of any local emergency of a temporary and special nature. No such appointment shall be effective or continued for more than ten days.

(5) Leaves of Absence. The board shall adopt rules to provide for leaves of absence in the various classes of the classified service. Such leaves shall provide for annual vacation and sick leaves with pay, and special leaves with or without pay. They may provide for special extended leaves with or without pay or with reduced pay for employees disabled through injury or illness arising out of their employment who have the right to take such leave. Any employee may take an annual leave, or any other leave which is not beyond the control of the employee, shall be vested at all times with the appointing authority.

(T) Abolition of Positions. Whenever the appointing authority abolishes a position in the classified service and there is no position vacant in the respective class to which the regular employee of the abolished position may be transferred, the employee shall be transferred to any position of the same class which may be held by a provisional employee in the position, and the position shall be transferred to another position in the respective class and the holder of that position shall thereupon be demoted in the order provided by paragraph (M) if, for any reason, the lowest class in the classified service, or the lowest class in a respective group of classes, as grouped by the classification plan, should become overburdened with the number of persons holding positions therein, and a reduction of personnel becomes necessary, the reduction shall be made only by laying off persons without pay. The order of removal shall begin with the person youngest in point of his accumulated total service in the departmental service and shall continue upward until the number to be removed is made up. Such list shall be made from positions only within the classes above set forth. The names of persons laid off, the date, the class of position held, and the order in which each person was laid off shall be reported to the board by the appointing authority. The board shall, thereupon, enter such information upon the reemployment list applicable for the class from which each person was removed.

(V) Corrective and Disciplinary Action

Persons who have been regularly and permanently indented into positions of the classified service shall be during good behavior. However, the appointing authority may remove any employee from the service, or take such disciplinary action as the circumstances may warrant, in the manner provided below for any one of the following reasons:

(a) Unwillingness or failure to perform the duties of his position in a satisfactory manner.

(b) The deliberate omission of any act that it was his duty to perform.
(c) The commission or omission of any act to the prejudice of the departmental service or contrary to the public interest or policy.
(d) Insubordination.
(e) Conduct of a discourteous or wantonly offensive nature toward the public, or toward any municipal officer or employee; and, any dishonest, disgraceful, or immoral conduct.
(f) Drinking vinous or spirituous liquors while on duty or reporting for duty while under the influence of liquor.
(g) Use of intoxicating liquors, or habit-forming drug, liquid, or preparation to an extent which precludes the employee from performing the duties of his position in a safe or satisfactory manner.
(h) The conviction of a felony.
(i) Falsely making a statement of any material fact in his application for admission to any test for securing eligibility or appointment to any position in the classified service, or, practicing or attempting to practice fraud or deception in any test.
(j) Using or promising to use his influence or official authority to secure any appointment to a position within the classified service as a reward or return for partisan or political services.
(k) Soliciting or receiving any money or valuable thing from any person for any political party or political purpose.
(l) Inducing or attempting to induce by threats of coercion, any person holding a position in the classified service to resign his position, take a leave of absence from his position, or waive any rights under the provisions of this Section, or of the rules.
(m) The development of any defect of physical condition which precludes the employee from properly performing the duties of his position, or the development of any physical condition that may endanger the health or lives of fellow employees.
(n) The willful violation of any provision of this Section or of any rule, regulation, or order hereunder.
(o) Any other act or failure to act which the board deems sufficient to show the offender to be an unsuitable or unfit person to be employed in the respective service.
(p) Unless the cause or condition justifies an employee being permanently removed from the service, disciplinary action may extend to suspension without pay for a period not exceeding the aggregate of ninety days in any period of twelve consecutive months, reduction in pay to the rate prevailing for the next lower class, or demotion to a board lower class, and to the rate of pay prevailing therefor, or such other less drastic action that may be appropriate under the circumstances. Nothing contained herein shall prevent any employee who is physically unable to perform the duties of his position from exercising his right to receive temporary or permanent disability compensation or any applicable law.
(q) Although it is incumbent upon the appointing authority to initiate corrective or disciplinary action, the board, may, and shall upon the written request of any qualified elected of the state which sets out the reasons therefor, make an investigation of the conduct and performance of any employee in the classified service and, thereupon may render such judgment and order action to be taken by the appointing authority. Such action shall be forthwith taken by the appointing authority.
(r) In every case of corrective or disciplinary action taken against a regular employee of the classified service, the appointing authority shall furnish the employee and the board a statement in writing of the action and the complete reasons therefor.
(W) Appeals by Employees. Any regular employee in the classified service who feels that he has been discharged or subject to any corrective or disciplinary action without just cause, may, within fifteen days after the action, demand in writing, a hearing and investigation by the board to determine the reasonableness of the action. The board shall grant the employee a hearing and investigation within thirty days after receipt of the written request.
All such hearings and investigation conducted by the board pursuant to the provisions of this Section shall be opened to the public. No hearing and investigation shall be held unless both the employee and the appointing authority have been advised at least ten days in advance of the date, time, and place therefor. If either the appointing authority holds the employee fails to appear at the place, and on the date and time fixed for the hearing, the board may decide the issue involved on the basis of the evidence adduced and confined to the question of whether the action taken against the employee was made in good faith for cause set forth in the provisions of this Section. The board shall not be required to have the testimony taken and transcribed, but either the employee or the appointing authority may, at their own expense, make the necessary arrangements therefor. In such cases the board may name any competent shorthand reporter as the official reporter. If the testimony is not taken or transcribed, then the board shall make a written finding of the fact. After such investigation the board may, if the evidence is conclusive, affirm the action of the appointing authority. If they find that the action was not taken in good faith for cause under the provisions of this Section, the board shall order the immediate reinstatement or reemployment of such person in the office, place, position, or employment from which he was removed or discharged, which reinstatement shall, if the board so provides, be retroactive and entitle him to his regular pay from the time of removal, suspension, demotion, discharge, or other disciplinary action. The board may also, in the discretion of the board, suspend, fine, or discharge, or other disciplinary action by directing a suspension without pay, for a given period. The district court, together with its written finding of fact, if required, shall be certified, in writing, to the appointing authority, and shall be forthwith enforced by the appointing authority.
Any employee under classified service and any appointing authority may appeal from any decision of the board, or from any action taken by the board under the provisions of this Section which is prejudicial to the employee or appointing authority. This appeal shall be taken by serving the board, within thirty days after entry of its decision, a written notice of appeal, stating the grounds thereof and demanding that a certified transcript of the record, or written findings of fact, and all papers on file in the office of the board affecting or relating to such decision, be filed with the designated court. The board shall, within ten days after the filing of the notice of appeal, make, certify, and file a transcript of the decision or finding, and the transcript shall be forthwith served upon the person appealing to the court, and the court shall proceed to hear and determine the appeal in a summary manner. This hearing shall be confined to the determination of whether the decision made by the board was made without prejudice to the employee or appointing authority.
(XX) Board Powers; Refusal to Testify. The board, and each of its members, shall have the same power and authority to administer oaths, subpoena witnesses, and compel the production of books and papers pertinent to any investigation or hearing authorized by this Section as is possessed by the district courts of Louisiana. Any person who (1) fails to appear in response to a notice of hearing, or (2) fails to answer any question, except those which may be relevant to him, (3) fails to produce any books or papers pertinent to any investigation or hearing, or (4) knowingly gives false testimony therein shall be subject to the penal sections of this Section. In case of contumacy or refusal to obey a subpoena issued to any person, the district court within the jurisdiction of which the investigation is being carried on, or within the jurisdiction of which the person guilty of contumacy is employed, may issue a warrant, or restraining process, upon application of the board, shall have the requisite jurisdiction to issue to the person an order requiring him to appear before the board, its member or agent, and to produce the required evidence or give testimony, and to sustain the court against contempt. Any person failing to obey such order may be punished by the court for contempt.
Any officer or employee in the classified service who willfully refuses or fails to appear before any court, officer, board, body or person properly authorized to conduct any
hearing or inquiry, or any employee or officer, who, having appeared, refuses to testify or answer any relevant question relating to the affairs of government of the municipality or the conduct of any municipal officer or employee, except upon the ground that his testimony or answers would tend to incriminate, in addition to any other penalty to which he may be subject, forfeit his position, and shall not be eligible for appointment to any position in the classified service for a period of six years.

(X) Municipal Officers and Employees; Duties. The appointing authority shall report to the board within fifteen days following any appointment or employment in a position in the classified service, unless otherwise provided, the name of the appointed, the title and character of his office or employment and the date the employee commenced work in the position. The appointing authority shall also report the date of and official action in, or knowledge of, any separation, promotion, demotion, suspension, layoff, reemployment, or reemployment in the classified section.

(Z) Acts and Activities Prohibited

(1) Political Activities Prohibited. (a) Political activities by and extending to employees of the classified service are hereby prohibited as follows:

(i) No person shall seek or attempt to use any political influence in connection with any appointment to a position in the classified service.

(ii) No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person, or for any consideration.

(iii) No employee in the classified service shall directly or indirectly, pay, or promise to pay, any assessment, subscription, or contribution for any political organization or political party, or solicit or take part in soliciting any such assessment, subscription, or contribution. No person shall solicit any such assessment, subscription, or contribution of any employee in classified service. The prohibitions of this Subsection shall not be construed as applying to membership paid, or contributions made, to nonpolitical employee organizations, pension funds, civic enterprises, the Louisiana Civil Service League, or any similar nonpolitical and nonprofit organization.

(iv) No employee in the classified service shall (a) be a member of a national, state, or local committee of a political party, (b) be an officer or member of a committee of any factional, political club or organization, (c) be a candidate for nomination or election to public office, (d) make any speech or political public statement in behalf of any candidate seeking to be elected to public office, or (e) take any part in the management or affairs of any political party or in the political campaign of any candidate for public office, except to privately express his opinion and to cast his vote.

(v) No person elected to public office shall, while serving in the elected office, be appointed to or held any position in the classified service.

No appointing authority, or agent or deputy thereof, shall directly or indirectly demote, suspend, discharge, or otherwise discipline, or threaten to demote, suspend, discharge or otherwise discipline, or discriminate against any person in the classified service for the purpose of influencing his vote, or any action in any election or primary election. No appointing authority, or agent, or deputy thereof, shall use his official authority or influence, by threats, promises or other means, directly or indirectly, to give or withhold the political action of any employee in the classified service.

(b) The appointing authority shall discharge from the service any employee whom he deems guilty of violating any provision of the preceding Subsection. The board may, upon its own initiative, investigate any officer or employee in the classified service whom it reasonably believes guilty of violating any one or more of the provisions of this Section. The board shall, within thirty days after receiving the written charges, hold a public hearing and investigation and determine whether such charges are true and correct. If the board should find upon its investigation of any employee that he has violated any of the foregoing provisions, the board shall order the appointing authority to forthwith discharge the guilty employee from the service and the appointing authority shall forthwith discharge the employee.

(2) Other Prohibited Acts. No person shall

(a) Make any false statement, certificate, mark, rating, or report, or cause, with respect to official documents, or matters concerning official business, that he knows to be false or that he has reason to believe are not true, or that he has reason to believe will be false or that he has reason to believe will in any way tend to mislead or be misleading in any manner, or in any official business, or in any such documents or matters.

(b) Directly or indirectly, give, render, pay, offer, solicit, or accept any money, service, or other valuable consideration for or on account of any appointment, proposed appointment, or for the purpose of influencing the vote or political action of any person, or for any consideration.

(c) In the examination, appointment, eligibility, certification, or appointment under this Section, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment in the classified service.

(2-A) Legal Service. If this Section, or its enforcement by the board is called into question in any judicial proceeding, or if any person fails or refuses to comply with the lawful orders or directions of the board, the board may call upon the attorney general, or the chief judge, or any judge of the municipal court, or any independent counsel to represent it in sustaining this Section and enforcing it. Nothing contained herein shall prevent any municipal officer, employee, or private citizen from taking legal action in the courts to enforce the provisions of this Section or of any rule, order, or other lawful action of the board.

(A-2) Penalties. Whoever willfully violates any provision of this Section or of the rules shall be fined not more than five hundred dollars and shall, for a period of six years, be ineligible for appointment to or employment in any position of the classified service. If he is an officer or employee of the classified service he shall forfeit his office or position.

(A-3) Effect of Other Laws. This Section shall not be rendered ineffectual by any general or local law affecting municipal employees or municipal departments in matters of classified civil service except that the applicability of this Section shall be subject to and governed by the provisions of the Revised Constitution of Louisiana. Provided, however, that any city and any parish government jointly with one or more cities under a plan of government, having once elected to accept the provisions of state and city civil service of the constitution may subsequently elect and determine to accept the provisions of this Section by a majority vote of its qualified electors voting at a general or special election, ordered and held for this purpose by the city or parish authorities, as the case may be, in the manner set forth in the provisions on state and city civil service of the constitution, provided further, that no local election or elections pursuant to the provisions of state and city civil service, insofar as they apply to the classifications and positions of the local election or elections pursuant to this Section shall be held more often than once every four years, in any one city.

(A-4) Provisions Self-Operative. The provisions hereof are self-executing and self-operative and the officials designated are authorized to carry the same into effect.

(A-5) Effective Date of Provisions. Any system of municipal fire and police civil service under Act 192 of 1944, as amended, or under the provisions of Sections 2471 through 2479 of the Revised Statutes, or under any provision of the Constitution of 1921, which is in force on the effective date of this constitution, is continued in effect under the provisions of this Section. The rights granted by any Act of 1912, 1944, as amended, and under the above sections of the Revised Statutes which exist on the effective day of this constitution are continued in effect. Every rule, classification, plan, or allocation established under the above provisions which is in force on the effective day of this amendment.
is continued in effect until it is amended or repealed by the proper authority under this Section.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Bergeron to Committee Proposal No. 10 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 12, following the word and punctuation “Section 1 (A)” delete the remainder of line 12 and delete lines 13 through 21 both inclusive, in their entirety and insert in lieu thereof the following:

"There is hereby created and established a system of fire and police civil service which, notwithstanding any other provision of this article, shall be applicable to all municipalities with a population in excess of thirteen thousand which operate a regularly paid fire and municipal police department and all parishes and all fire protection districts which operate a regularly paid fire department. Except as may be inconsistent with the provisions of this Section, the provisions of Article XIV, Section 151 of the Constitution of 1921, are hereby retained and continued in force and effect as statutes. The legislature upon the favorable vote of two-thirds of the elected membership of each house may amend or otherwise modify any of said provisions of Article XIV, Section 151 of the 1921 Constitution except that the legislature may not abolish the system of classified civil service for such firemen and municipal policemen or make it inapplicable to any municipality which has a population in excess of thirteen thousand according to the latest decennial census of the United States or to any parish or fire protection district having a regularly paid fire department.

**Point of Order**

Delegate Lanier suggested the absence of a quorum.

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

**ROLL CALL**

The roll was called with the following result:

**PRESENT**

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<th>Flory</th>
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<th>Plancharde</th>
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**ABSENT**

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<tr>
<th>Delegates</th>
<th>Heine</th>
<th>Jackson, J.</th>
<th>Kean</th>
<th>Kelly</th>
<th>Kilpatrick</th>
<th>Lambert</th>
<th>Leigh</th>
<th>Leitman</th>
<th>McDaniell</th>
<th>Maubertet</th>
<th>Munson</th>
<th>Newton</th>
<th>Nunez</th>
<th>O'Neill</th>
<th>Ousso</th>
<th>Perez</th>
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</table>

And the Chairman announced that there were 85 delegates present, and a quorum.

Delegate Bergeron moved the adoption of the amendment.

Delegate Juneau objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Fowler</th>
<th>Glenn</th>
<th>Goldberg</th>
<th>Hayes</th>
<th>Jack</th>
<th>Jackson, A.</th>
<th>Kelly</th>
<th>Kilpatrick</th>
<th>Lambert</th>
<th>Landry, E. J.</th>
<th>Martin</th>
<th>Mauheret</th>
<th>Maybure</th>
<th>Mire</th>
<th>Munson</th>
<th>Nunez</th>
<th>O'Neill</th>
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**NAYS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Gauthier</th>
<th>Graham</th>
<th>Grier</th>
<th>Guarisco</th>
<th>Hardee</th>
<th>Heine</th>
<th>Hernandez</th>
<th>Jackson, J.</th>
<th>Jenkins</th>
<th>Jones</th>
<th>Juneau</th>
<th>Keen</th>
<th>Kilbourne</th>
<th>Landrum</th>
<th>Landry, A.</th>
<th>Lanier</th>
<th>LeBlu</th>
<th>Lowe</th>
<th>NOT VOTING</th>
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**NOT VOTING**

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<th>Delegates</th>
<th>Edwards</th>
<th>Fayard</th>
<th>Glarrusso</th>
<th>Gravel</th>
<th>Haynes</th>
<th>Leigh</th>
<th>Perez</th>
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99th Days Proceedings—December 14, 1973

Rachal
Rayburn
Segura
Total—26.

And the amendment was rejected.

Delegate Junesu moved to reconsider the vote by which the amendment was rejected, and to lay the motion to reconsider on the table.

Delegate Bergeron objected to laying the motion to reconsider on the table.

By a vote of 60 yeas and 46 nays the motion to reconsider was tabled.

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

**FLOOR AMENDMENTS**

Amendment proposed by Delegate Denerry to Committee Proposal No. 10 by Delegate Aetker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 1, line 16, after the word “thousand” and before the word “accordance” insert the words “nor more than four hundred thousand”

**AMENDMENT No. 2—**
On page 1, at the end of line 21, after the word and punctuation “services” add the following:

“However, in cities over four hundred thousand, if a majority of the voters voting at an election held for the purpose consent thereto, the paid firemen and municipal policemen may be included in the municipal fire and police civil service.”

**AMENDMENT No. 3—**
On page 1, delete lines 22 through 32, both inclusive, in their entirety

**AMENDMENT No. 4—**
On pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 and 46, delete lines 1 through 32, both inclusive, in their entirety

**AMENDMENT No. 5—**
On page 47, delete line 1 in its entirety and on line 2, delete the paragraph enumeration “(A-6)” and insert in lieu thereof “(B)”

On motion of Delegate Denerry the amendment was withdrawn.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Denerry and Flory to Committee Proposal No. 10 by Delegate Aetker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 1, line 12, following the word and punctuation “Section 1. (A)” delete the remainder of line 12 and delete lines 13 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

“There is hereby created and established a system of fire and police civil service which shall be applicable to all municipalities with a population in excess of thirteen thousand which operate a regularly paid fire and municipal police department and all parishes and all fire protection districts which operate a regularly paid fire department. Except as may be inconsistent with the provisions of this Section, the provisions of Article XIV, Section 15.1 of the Constitution of 1921, are hereby retained and continued in force and effect as statutes. The legislature upon the favorable vote of two-thirds of the elected membership of each house may amend or otherwise modify any of said provisions of Article XIV, Section 15.1 of the Constitution except that the legislature may not abolish the system of classified civil service for such firemen and municipal policemen or make it inapplicable to any municipality which has a population in excess of thirty thousand according to the latest decennial census of the United States or to any parish or fire protection district having a regularly paid fire department. However, in municipalities with a population in excess of four hundred thousand paid firemen and municipal policemen shall be included if a majority of the voters in the city affected voting at an election held for the purpose consent thereto, provided said election shall be called by the governing authority of the city affected within one year after the effective date of this constitution.”

**AMENDMENT No. 2—**
Delete lines 1 through 32, both inclusive, in their entirety, on pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, and 46 and on page 47, delete lines 1 through 16, both inclusive, in their entirety.

On motion of Delegate Flory the amendments were withdrawn.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Denerry, Flory, Chate-

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 1, line 12, following the word and punctuation “Section 1. (A)” delete the remainder of line 12 and delete lines 13 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

“There is hereby created and established a system of classified fire and police civil service which shall be applicable to all municipalities with a population in excess of thirteen thousand which operate a regularly paid fire and municipal police department and all parishes and all fire protection districts which operate a regularly paid fire department. Except as may be inconsistent with the provisions of this Section, the provisions of Article XIV, Section 15.1 of the Constitution of 1921, are hereby retained and continued in force and effect as statutes. The legislature upon the favorable vote of two-thirds of the elected membership of each house may amend or otherwise modify any of said provisions of Article XIV, Section 15.1 of the Constitution except that the legislature may not abolish the system of classified civil service for such firemen and municipal policemen or make it inapplicable to any municipality which has a population in excess of thirteen thousand according to the latest decennial census of the United States or to any parish or fire protection district having a regularly paid fire department. However, in municipalities with a population in excess of four hundred thousand paid firemen and municipal policemen shall be included if a majority of the voters in the city affected voting at an election held for the purpose consent thereto, said election shall be called by the governing authority of the city affected within one year after the effective date of this constitution.”

**ROLL CALL**

The roll was called with the following result:
PAGE 13

99th Days Proceedings—December 14, 1973

Delegates—

Mr. Chairman  Flory
Alario  Fonente
Alexander  Fowler
Aretie  Fulco
Asseff  Gauthier
Avant  Giarrusso
Badeaux  Glenn
Bel  Goldman
Bergeron  Graham
Blair  Guarisco
Bollinger  Hardee
Brien  Hayes
Brown  Hene
Burns  Jack
Burson  Jackson, A.
Cannon  Jones
Carmouche  Juneau
Casey  Kelly
Champagne  Kilbourne
Chatelet  Kilpatrick
Comar  Lambert
Conino  Landry, A.
Conroy  Landry, E. J.
Corne  Lanier
Cowan  Lowe
D’Gerolamo  McDaniel
De Blieux  Martin
Denney  Mauberret
Dennis  Maybuche
Drew  Miller
Dunlap  Mire
Duval  Munson
Elkins  Newton
Total—97.

NAYS

Delegates—

Abraham  Landrum
Deshotels  LeBleu
Grier  O’Neill
Jackson, J.  Riecke
Jenkins  Smith
Total—13.

Delegates—

Aetker  Hernandez
Anzalone  Kean
Chehardy  Leigh
Derbes  Morris
Fayard  Pugh
Gravel  Rayburn
Haynes  Segura
Total—22.

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Schmitt to Committee Proposal No. 10 by Delegate Aetker, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 12, in Floor Amendment No. 1 proposed by Delegate Dennery, et al., and adopted by the Convention on December 14, 1973 on page 1 of said floor amendment at the end of line 7, add the following:

“Permanent appointments and promotions in municipal fire and police civil service shall be made only after certification by the applicable Municipal Police and Fire Civil Ser-
Delegate Dennery, et al., and adopted by the convention on December 14, 1973, at the end of the text of said amendment, add a new paragraph:

"Nothing in Article VII, Section 1 of this constitution authorizing cities or other political subdivisions to be placed under the provisions of said article whether by election, act of the legislature, or ordinance of the local governing authority shall be construed as authorizing the inclusion therein of firemen and policemen in any municipality having a population in excess of thirteen thousand and less than four hundred thousand and which operates a regularly paid fire and municipal police department or in any parish of fire protection district which operates a regularly paid fire department, which said firemen and policemen are hereby expressly excluded from any such system."

Delegate Avant moved the adoption of the amendment.

Delegate Grier objected.

By a vote of 88 yeas and 9 nays the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 10 by Delegate Aertker, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 12, In Floor Amendment No. 1 proposed by Delegate Dennery, et al., and adopted by the convention on December 14, 1973, at the end of the text of said amendment, add a new paragraph:

"(B) Prohibitions Against Political Activities. Article XIV, Section 15.1 (34) of the 1921 Constitution is retained and continued in force and effect."

Delegate Jenkins moved the adoption of the amendment.

Delegate De Blieux objected.

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

**ROLL CALL.**

The roll was called with the following result:

**YEAS**

Delegate—

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander</td>
<td>Fontenot</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Gauthier</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Goldman</td>
</tr>
<tr>
<td>Bel</td>
<td>Graham</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Grier</td>
</tr>
<tr>
<td>Blair</td>
<td>Guarisco</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Hayes</td>
</tr>
<tr>
<td>Brown</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Champagnes</td>
<td>Lanier</td>
</tr>
<tr>
<td>De Blieux</td>
<td>Maybuce</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Mire</td>
</tr>
<tr>
<td>Duval</td>
<td>Newton</td>
</tr>
<tr>
<td>Fayard</td>
<td>Ourso</td>
</tr>
<tr>
<td>Total—41.</td>
<td>Reeves</td>
</tr>
</tbody>
</table>

**NOT VOTING**

Delegate—

<table>
<thead>
<tr>
<th>Delegates—</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td></td>
</tr>
<tr>
<td>Aertker</td>
<td></td>
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<tr>
<td>Burson</td>
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<tr>
<td>Cannon</td>
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<tr>
<td>Chehardy</td>
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<tr>
<td>Dennis</td>
<td></td>
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<tr>
<td>Derbes</td>
<td></td>
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<tr>
<td>Edwards</td>
<td></td>
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<tr>
<td>Fowler</td>
<td></td>
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<tr>
<td>Hardee</td>
<td></td>
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<tr>
<td>Total—30.</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 10, Section 1 was read, as amended.

Delegate Rachal moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate—

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Duval</td>
</tr>
<tr>
<td>Aertker</td>
<td>Elkins</td>
</tr>
<tr>
<td>Alexander</td>
<td>Fayard</td>
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<tr>
<td>Anzalone</td>
<td>Goldman</td>
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<tr>
<td>Arnette</td>
<td>Graham</td>
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<tr>
<td>Asseff</td>
<td>Grier</td>
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<tr>
<td>Avant</td>
<td>Hayes</td>
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<tr>
<td>Brown</td>
<td>Hernandez</td>
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<tr>
<td>Carmouche</td>
<td>Jackson, A.</td>
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<tr>
<td>Casey</td>
<td>Jones</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Kern</td>
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<tr>
<td>Comar</td>
<td>Kings</td>
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<td>Conino</td>
<td>Leland</td>
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<td>Corney</td>
<td>Leder</td>
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<tr>
<td>Cowen</td>
<td>LeBlanc</td>
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<tr>
<td>D’Gerolamo</td>
<td>LeBlanc</td>
</tr>
<tr>
<td>Demmery</td>
<td>Lewis</td>
</tr>
<tr>
<td>Deshotels</td>
<td>McDaniel</td>
</tr>
<tr>
<td>Drew</td>
<td>Moran</td>
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<tr>
<td>Elkins</td>
<td>Munson</td>
</tr>
<tr>
<td>Flory</td>
<td>Nunez</td>
</tr>
<tr>
<td>Fulco</td>
<td>O’Neill</td>
</tr>
<tr>
<td>Total—61.</td>
<td>Perez</td>
</tr>
</tbody>
</table>

**NAYS**

Delegate—

<table>
<thead>
<tr>
<th>Delegates—</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dunlap</td>
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<tr>
<td>Flory</td>
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<tr>
<td>Fontenot</td>
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<td>Fulco</td>
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<td>Gauthier</td>
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<td>Giarrusso</td>
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<td>Ginn</td>
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<td>Girard</td>
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<td>Guirisco</td>
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<td>Hayes</td>
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<td>Jackson, A.</td>
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<td>Lanier</td>
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<td>Maybuce</td>
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<td>Morris</td>
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<td>Newton</td>
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<td>O’Neill</td>
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<tr>
<td>Ourso</td>
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<tr>
<td>Perez</td>
<td></td>
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<tr>
<td>Planchard</td>
<td></td>
</tr>
</tbody>
</table>

978
PAGE 15
99th Days Proceedings—December 14, 1973

Delegate Flory moved that the vote by which the Section failed to pass be reconsidered on the next Convention Day. Delegate Schmitt objected.

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

ROLL CALL
The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Soniat</th>
<th>Tate</th>
<th>Vick</th>
<th>Uillo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rachal</td>
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<tr>
<td>Reeves</td>
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<tr>
<td>Roy</td>
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<td>Shannon</td>
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<tr>
<td>Singleter</td>
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<tr>
<td>Total—54.</td>
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</tbody>
</table>

NOT VOTING

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Segura</th>
<th>Slay</th>
<th>Stephenson</th>
</tr>
</thead>
<tbody>
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<td>Heine</td>
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<td>Kelly</td>
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<td>Miller</td>
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<td>Munson</td>
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<tr>
<td>Rayburn</td>
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<tr>
<td>Total—23.</td>
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</tbody>
</table>

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

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 15 by Delegate Burnham, et al.

AMENDMENT No. 1—
On page 1, line 15, immediately after the word and numeral "Section 1," delete the word "The" and insert in lieu thereof the following: "Except as otherwise provided in this constitution, the"

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

PASSAGE

Committee Proposal No. 15, Section 1 was read, as amended.

Delegate Lowe moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Soniat</th>
<th>Tate</th>
<th>Vick</th>
<th>Uillo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rachal</td>
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<td>Reeves</td>
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<td>Roy</td>
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<td>Shannon</td>
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<tr>
<td>Singleter</td>
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<td>Total—43.</td>
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</tbody>
</table>

NOT VOTING

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Segura</th>
<th>Slay</th>
<th>Stephenson</th>
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<tbody>
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<td>Heine</td>
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<td>Kelly</td>
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<tr>
<td>Rayburn</td>
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<td>Total—26.</td>
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</table>

And the Convention agreed to reconsider the vote by which the Section failed to pass, on the next Convention Day.

On motion of Delegate Rachal the Proposal was returned to the Calendar.

MOTION

On motion of Delegate Roemer Committee Proposal No. 15 was taken up out of its regular order and acted upon as follows:

COMMITTEE PROPOSAL No. 15—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, De Blieux, Edwards, Fontenot, Lowe, McDaniel, Maubert, Mire, Newton, Nunez, Planchard, Roemer, Schmitt, Slay, Smith, Triche and Winchester:

A PROPOSAL
Relative to the tax structure of the state and to public finance.

Read.

ARTICLE XI. REVENUE AND FINANCE

Section 1. Power to Tax, Public Purpose

Section 1. The power of taxation shall be vested in the legislature, shall never be surrendered, suspended, or contracted away, and shall be imposed for public purposes only.

Read.

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

PASSAGE

Committee Proposal No. 15, Section 1 was read, as amended.

Delegate Lowe moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Soniat</th>
<th>Tate</th>
<th>Vick</th>
<th>Uillo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rachal</td>
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<td>Reeves</td>
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<td>Roy</td>
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<td>Shannon</td>
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</tr>
<tr>
<td>Singleter</td>
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<tr>
<td>Total—43.</td>
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</tbody>
</table>

NOT VOTING

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Segura</th>
<th>Slay</th>
<th>Stephenson</th>
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</thead>
<tbody>
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<td>Heine</td>
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<td>Kilbourne</td>
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<tr>
<td>Leigh</td>
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<td>Miller</td>
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<tr>
<td>Munson</td>
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<td></td>
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<tr>
<td>Rayburn</td>
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<tr>
<td>Total—26.</td>
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</tbody>
</table>
Amendment proposed by Delegate Conroy to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 22, after the period “,” added by Floor Amendment No. 1 proposed by Delegate Smith and adopted by the Convention on December 14, 1973, insert the following:

“Notwithstanding any other provision of this constitution, any law imposing taxes may define or specify the subject, amount, or provisions of such tax by reference to the laws of the United States as then existing or thereafter amended, and may prescribe exceptions or modifications thereto.”

Delegate Conroy moved the adoption of the amendment.
Delegate Jack objected.

By a vote of 32 yeas and 70 nays the amendment was rejected.

Delegate Burson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Smith to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 19, immediately after the word “tax” strike out the word “and” and insert in lieu thereof “or”

AMENDMENT No. 2—
On page 1, line 20, immediately after the word “tax,” strike out the word “and” and insert in lieu thereof “or”

On motion of Delegate Smith the amendments were adopted.

Delegate Smith moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage Committee Proposal No. 15, Section 2 was read, as amended.
Delegate Smith moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—
Mr. Chairman
Abraham
Aeriker
Alarco
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Comar
Conino
Conroy

Corne
D'Gerolamo
De Bileux
Deeney
Dennis
Deshotel
Drew
DuBose
DuBose
Elkins
Elnard
Ellyard
Flory
Fusco
Gauthier
Girard
Girard
Goldman
Graham
Greal
Grier
Guarisco
Hayes
Heine
Heine
Jackson
Jackson
Jackson

Jackson, J.
Jenkins
Jones
Kean
Kent
Kilpatrick
Kilpatrick
Mayberry
Mayberry

McDaniel
Mauvert
Mauvert
Nunez
Nunez
O'Neill
Perez
Perkins
Planchard
Rachal
Reeves
99th Days Proceedings—December 14, 1973

Riecke  Stagg  Velazquez
Roemer  Stinson  Vick
Roy  Stovall  Warren
Sandoz  Sutherland  Wattigny
Schmitt  Thistlethwaite  Weiss
Segura  Thompson  Willis
Shannon  Tobias  Winchester
Singletary  Toca  Zervigon
Smith  Toomy  
Soniat  Ulo  

Total—106.

NAYS

Delegates—
Chehardy  Kelly  Slay
Coven  Kilbourne  Stephenson
Derbes  Leigh  Tapper
Edwards  Leithman  Tate
Fontenot  Martin  Vesich
Fowler  Munson  Wall
Hardee  Ourso  Wisham
Haynes  Pugh  Womack
Juneau  Rayburn  

Total—28.

And the Chair declared that the above Section was finally passed.

Delegate Smith moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 3. Collection and Refund of Taxes

Section 3. The collection of taxes shall not be restrained, and procedures shall be provided for the recovery of illegal taxes paid.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 23, immediately after the word "provided" insert the words "by law"

On motion of Delegate McDaniel the amendment was adopted.

Delegate McDaniel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Singletary to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 26 through 29, both inclusive, in their entirety including all floor amendments thereto and insert in lieu thereof the following:

“Section 3. Collection of Taxes; Process to Restrain; Refunds

Section 3. The legislature shall provide against the issuance of process to restrain the collection of any tax and for a complete and adequate remedy for the prompt recovery by every taxpayer of any illegal tax paid by him.”

On motion of Delegate Singletary the amendment was adopted.

Delegate Singletary moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 15, Section 3, was read as amended.

Delegate McDaniel moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman  Fayard  Newton
Abraham  Flory  Nunez
Alario  Fulco  O'Neill
Alexander  Gauthier  Perez
Anzalone  Glenn  Perkins
Arnette  Goldman  Planchard
Asseff  Graham  Rachal
Avant  Gravel  Reeves
Badeaux  Guarioco  Riecke
Bel  Hayes  Roemer
Bergeron  Heine  Roegge
Blair  Hernandez  Roy
Bollinger  Jack  Sandoz
Bren  Jackson, A.  Schmitt
Burns  Jackson, J.  Segura
Burson  Jenkins  Smith
Cannon  Jones  Soniat
Carmouche  Juneau  Stagg
Casey  Kean  Stinson
Champlin  Kilpatrick  Stovall
Chatelain  Lambert  Sutherland
Conino  Landrum  Thistlethwaite
Conroy  Landry, A.  Thompson
Corne  Landry, E. J.  Tobias
Cowen  Lanier  Toca
DeGarolamo  LasBleu  Ulo
DeBlieux  Leithman  Velazquez
Denney  Lowe  Vick
Dennis  McDaniel  Warren
Deshotel  Martin  Wattigny
Drew  Mauburet  Willis
Dunlap  Maybruce  Winchester
Duval  Mire  Zervigon
Elkins  Morris  

Total—104.

NAYS

Delegates—
Giarrusso  Miller  Shannon

Total—3.

NOT VOTING

Delegates—
Aerkter  Kelly  Stephenson
Chehardy  Kilbourne  Tapper
Comar  Leigh  Tate
Derbes  Munson  Vesich
Edwards  Ourso  Wall
Fontenot  Pugh  Weiss
Fowler  Rayburn  Wisham
Hardie  Slay  Womack
Haynes  

Total—23.

And the Chair declared that the above Section was finally passed.

Delegate McDaniel moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 4. Limitations on Taxing Power; Graduated Rates, Severance Tax, and Subdivisions of the State

Section 4. (A) Equal and uniform taxes may be levied upon net incomes, and such taxes may be graduated according to the amount of net income; however, the state individual income tax rate on the first ten thousand dollars of tax-
able income for single return or twenty thousand dollars of taxable income for joint return shall not exceed two percent.  

(B) Taxes may be levied on natural resources severed from the soil or water, to be paid proportionately by the owners thereof at the time of severance.  Natural resources may be classified for the purpose of taxation, and such taxes may be predicated upon either the quantity or value of the products at the time and place of severance.  No further or additional tax or license shall be levied or imposed upon oil, gas, or sulphur leases or rights, nor shall any additional value be added to the assessment of land by reason of the presence of oil, gas, or sulphur therein or their production therefrom.  However sulphur in place shall be assessed for ad valorem taxation to the person, firm or corporation having the right to mine or produce the same in the Parish where located, at no more than twice the total assessed value of the physical property subject to taxation excluding the assessed value of sulphur above ground, in such parish as is used in sulphur operations.  Likewise, severance taxes shall be the only tax on timber; however, standing timber shall be and remain liable equally with the land on which it stands for ad valorem taxes levied on said land.  

(C) Political subdivisions of the state shall not levy severance taxes, income taxes or taxes on motor fuel.  

(D) Three-fourths of the timber severance tax, one-third of the sulphur severance tax, one-fifth of the severance tax on all other natural resources severed from the soil or water, and one-tenth of the royalties from mineral leases on state-owned property shall be remitted to the governing authority of the parish in which severance occurs or in which production is had, but the amount of severance tax on sulphur so remitted shall not exceed one hundred thousand dollars to any parish for any year, and the amount of severance tax on all natural resources severed from the soil or water so remitted shall not exceed two hundred thousand dollars to any parish for any year.

Read.

On motion of Delegate Roemer the Convention deferred action on Section 4.

Section 5. Annual Motor Vehicle License Tax

Section 5. The legislature shall impose an annual license tax of three dollars on automobiles for private use, and on other motor vehicles, an annual license tax based upon horsepower, carrying capacity, or weight, any or all.  No parish or municipality may impose any license fee on motor vehicles.

Read.

On motion of Delegate Casey the Convention limited debate on the above Section to a period of one hour.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Newton to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, delete lines 8 through 13, both inclusive, in their entirety.

**Motion**

Delegate Riecke moved the previous question on the amendment.

Delegate Landrum objected.

By a vote of 22 yea and 66 nays the Convention refused to order the previous question, at this time.

Delegate Newton moved the adoption of the amendment.

Delegate Champagne objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Duval</td>
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<tr>
<td>Aeciker</td>
<td>Fayard</td>
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<td>Arnette</td>
<td>Goldman</td>
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<td>Bollinger</td>
<td>Jones</td>
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<td>Burke</td>
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<td>Casey</td>
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<td>Chatelain</td>
<td>Landry, E. J.</td>
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<td>Lowe</td>
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<td>Cowen</td>
<td>Martin</td>
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<tr>
<td>De Blieux</td>
<td>Miller</td>
</tr>
<tr>
<td>Dennis</td>
<td>Total—34.</td>
</tr>
</tbody>
</table>

**NAYS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<td>Alario</td>
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<td>Alexander</td>
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<td>Anzalone</td>
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<td>Asseff</td>
<td>Grier</td>
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<td>Avant</td>
<td>Guarisco</td>
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<td>Bedeaux</td>
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<td>Bel</td>
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<td>Bergeron</td>
<td>Hernandez</td>
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<td>Blair</td>
<td>Jackson, A.</td>
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<td>Brien</td>
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<td>Brown</td>
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<td>Burns</td>
<td>Kilpatrick</td>
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<td>Conino</td>
<td>McDaniels</td>
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<td>D'Gerolamo</td>
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<td>Deshotel</td>
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<td>Dunlap</td>
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<td>Fulco</td>
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<td>Giarrusso</td>
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</table>

**NOT VOTING**

<table>
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<tr>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Haynes</td>
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<tr>
<td>Chehardy</td>
<td>Jackson, J.</td>
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<td>Dennery</td>
<td>Kelly</td>
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<td>Derbes</td>
<td>Kilbourne</td>
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<td>Drew</td>
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<td>Edwards</td>
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<td>Fontenot</td>
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<td>Fowler</td>
<td>Pugh</td>
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<td>Gauthier</td>
<td>Rayburn</td>
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<tr>
<td>Hardie</td>
<td>Total—28.</td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Champagne moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Hayes to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 10, after the words “tax of” and before the word “dollars” delete the word “three” and insert in lieu thereof the word “six”.

**AMENDMENT No. 2—**

On page 3, between lines 13 and 14, add the following:

"There shall be three dollars of the annual six dollars license tax dedicated to the Louisiana State Penitentiary and
shall be used only for the administration and improvements of said penitentiary."

Delegate Hayes moved the adoption of the amendments.
Delegate Champagne objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Alexander</td>
<td>Kean</td>
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<td>Avant</td>
<td>Landry, E. J.</td>
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<tr>
<td>Dennis</td>
<td>Maybuck</td>
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<td>Hayes</td>
<td>Newton</td>
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<td>Heine</td>
<td>O'Neil</td>
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<tr>
<td>Jenkins</td>
<td>Rachal</td>
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<tr>
<td><strong>Total—20.</strong></td>
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</table>

**NAYS**

<table>
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<td>Anzalone</td>
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<td>Badeaux</td>
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<td>Bel</td>
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<td>Bollinger</td>
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<td>Carmouche</td>
<td>Kilpatrick</td>
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<td>Champagne</td>
<td>Landrum</td>
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<td>Chateilain</td>
<td>Landry, A.</td>
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<td>Conroy</td>
<td>Lowe</td>
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<td>Corne</td>
<td>McDaniel</td>
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<td>Deshotels</td>
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<td><strong>Total—80.</strong></td>
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**NOT VOTING**

<table>
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<td>Mr. Chairman</td>
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<td>Pugh</td>
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<tr>
<td><strong>Total—32.</strong></td>
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</tbody>
</table>

And the amendments were rejected.

Delegate Champagne moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 15, Section 5 was read.
Delegate Roemer moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Flory</td>
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<tr>
<td>Aertker</td>
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<td>Alario</td>
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<td>Juneau</td>
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<td>Carmouche</td>
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<td>Chateilain</td>
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<td>Comar</td>
<td>Landry, A.</td>
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<td>LeBlu</td>
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<td>Lowe</td>
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<td>Denery</td>
<td>McDaniel</td>
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<td>Deshotels</td>
<td>Martin</td>
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<td>De Bileux</td>
<td>Mabberet</td>
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<td><strong>Total—88.</strong></td>
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**NAYS**

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<tr>
<td>Abraham</td>
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<td><strong>Total—17.</strong></td>
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**NOT VOTING**

<table>
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<tr>
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<tbody>
<tr>
<td>Chehardy</td>
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<td>Gauthier</td>
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<tr>
<td>Hardee</td>
<td>Hardee</td>
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<tr>
<td><strong>Total—32.</strong></td>
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</table>

And the Chair declared that the above Section was finally passed.
Delegate Roemer moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 6. Forestry
Section 6. Forestry shall be practiced in this state, and the legislature shall enact laws therefor.

Read.
Delegate Roemer moved to defer action on Section 6 at this time.
Delegate Lanier objected.
By a vote of 65 yeas and 18 nays the Convention deferred action on Section 6 at this time.

Section 7. State Debt; Full Faith and Credit Obligations
Section 7. (A) Unless otherwise authorized by this constitution, the state shall have no power to contract, directly or through any state board, agency, or commission, the incurring of debt or the issuance of bonds except upon the affirmative vote of two-thirds of the members elected to each house of the legislature, and then only if the funds are to be used to repel invasion; suppress insurrection; provide
relief from natural catastrophes; refund outstanding indebtedness, but only to obtain a lower effective rate of interest; or make capital improvements, but only in accordance with a comprehensive capital budget, which the legislature shall adopt.

(B) If the purpose is to make capital improvements, the nature, location, and if more than one project, the amount allocated to each and the order of priority shall be stated in the comprehensive capital budget which the legislature adopts.

(C) The full faith and credit of the state shall be pledged to the repayment of all bonds or other evidences of indebtedness issued by the state directly or through any state board, agency, or commission.

(D) The legislature, by a two-thirds affirmative vote of the members elected to each house thereof, may propose a statewide public referendum for the incurrence of debt for any purpose for which the legislature is not herein authorized to incur debt.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Brown to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 3, line 20, immediately after the word and punctuation "agency," and before the word "the" delete the words and punctuation "or commission," and insert in lieu thereof the following:

"commission, any quasi-public entity, and private person, or any body created by the legislature,"

On motion of Delegate Brown the amendment was adopted.

Delegate Brown moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Brown to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 3, line 29, immediately after the word and punctuation "adopt," add the following:

"Legislative approval may be obtained only during open session except as otherwise provided in this constitution."

On motion of Delegate Brown the amendment was adopted.

Delegate Brown moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 3, line 19, immediately after the word "power" delete the remainder of the line and delete line 20 in its entirety and on line 21, immediately before the word "bonds" delete the word "current of debt or the issuance of" and insert in lieu thereof the following:

"directly or through any state board, agency, or commission, to incur debt or issue"
99th Days Proceedings—December 14, 1973

Alexander
Anzalone
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burson
Cannon
Casey
Chatelein
Comar
Corroy
Corne
D'Gerolamo
De Blieux
Deshotels
Dunlap
Duval
Eikins

Flory
Fulco
Glarruso
Ginn
Goldman
Gravel
Grier
Guarisco
Hernandez
Jack
Jenkins
Juneau
Kelly
Kilpatrick
Landrum
Landry, A.
Landry, E. J.
LeBleu
Lowe
McDaniel
Maybue
Newton
Nunez

Pererez
Planchard
Rachal
Reeves
Roemer
Roy
Sandoz
Schmitt
Segura
Singletary
Smith
Soniat
Stagg
Sutherland
Thompson
Tobias
Toca
Ullo
Vick
Warren
Wattingy
Weiss
Zervigon

Delegates—
Aecker
Asseff
Burns
Conino
Dennery
Graham
Hayes

Heine
Jones
Kean
Lanier
Miller
Morris

Perkins
Sinson
Thistlethwaite
Toomy
Velazquez
Willis

Delegates—
Arnette
Carmouche
Champagne
Chehardy
Cowen
Dennis
Derbes
Drew
Edwards
Fayard
Fontenot
Fowler
Gauthier
Hardee

Haynes
Jackson, A.
Jackson, J.
Kilbourne
Lambert
Leigh
Leithman
Martin
Mauberret
Mire
 Munson
 O'Neill
 Ouoso
 Pugh

Rayburn
Riecke
Shannon
Slay
Stephenson
Stovall
Tapper
Tate
Vesich
Wall
Winchester
Wisham
Womack

NOT VOTING

NAYS

And the Chair declared that the above Section was finally passed.

Delegate Brown moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Roemer, the Convention altered the Order of Business to take up Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

Delegate A. Jackson, chairman, on behalf of the Committee on Bill of Rights and Elections, submitted the following report:

State of Louisiana
Constitutional Convention of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Bill of Rights and Elections to submit the following report:

DELEGATE PROPOSAL No. 20—
Introduced by Delegate Jack:
A PROPOSAL

Limiting the number of proposed constitutional amendments that may be submitted to the voters at any one election.

Reported unfavorably.

Respectfully submitted,
ALPHONSE JACKSON, JR.,
Chairman.

Delegate Roemer, Acting chairman, on behalf of the Committee on Revenue, Finance and Taxation, submitted the following report:

State of Louisiana
Constitutional Convention of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Revenue, Finance and Taxation to submit the following report:

DELEGATE PROPOSAL No. 55—
Introduced by Delegate Fontenot:
A PROPOSAL

Making provisions for exemptions from taxation.

Reported without action.

DELEGATE PROPOSAL No. 21—
Introduced by Delegate Jack:
A PROPOSAL

Making provisions for a deduction in state income taxes for federal income tax payments made during the same period.

Reported favorably.

DELEGATE PROPOSAL No. 77—
Introduced by Delegate Robinson:
A PROPOSAL

To provide for the financing of the office of sheriff.

Reported without action.

DELEGATE PROPOSAL No. 33—
Introduced by Delegate Dennis:
A PROPOSAL

Providing for the financing of the judicial system.

Reported without action.

Respectfully submitted,
CHARLES E. ROEMER, III,
Acting Chairman.

Notice of Motion

Delegate Vick sent up notice as required by Rule No. 86, that on the next Convention day, he will move to require the Committee on the Judiciary to return, with or without recommendation, Delegate Proposal No. 44 to the Convention.

Notice of Motion

Delegate Miller sent up notice as required by Rule No. 86, that on the next Convention day, she will move to require the Committee on the Judiciary to return, with or without recommendation, Delegate Proposal No. 35 to the Convention.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

985
COMMITTEE PROPOSAL No. 9—

Introduced by Delegate Acker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Carmouche, Corne, Cowen, Florio, Grier, Hernandez, Landry, Robinson, Toca, Wattigny, and Wisham.

Making provisions for human resources by providing for state and city civil service.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VII. HUMAN RESOURCES

Section 1. State and City Civil Service

Section 1. (A) Civil Service System; State; Cities.

(1) State Civil Service. The state civil service includes all offices and positions of trust or employment in the employ of the state, or any instrumentality thereof, and any joint state and federal agency, joint state and parochial agency or joint state and municipal agency, irrespective of what funds are used to pay for such employment. It shall not include municipal boards of health or local governmental subdivisions.

(2) City Civil Service. The city civil service includes all offices and positions of trust or employment in the employ of each city in the state with over four hundred thousand population, and every instrumentality thereof. However, paid and unpaid local police, and paid and unpaid local firemen and employees of the city affected at an election held for the purpose of consent therefo, shall be subject to the election.

(3) Vacancies. Vacancies in the civil service are filled in accordance with the procedure for the original appointment and from the same source.

(4) Removal. A member of the state or city civil service commission may be removed by the governor or the governing authority for cause, being served with written specifications of the charges against him, and an opportunity for a public hearing thereon is afforded by his appointing authority.

Section 2. Classification of Civil Service; Directors.

(F) (1) State Department. There shall be a Department of State Civil Service in the executive branch of the state government.

(2) City Departments. There shall be a department of city civil service in each city having a population exceeding four hundred thousand.

University of the South at New Orleans, Louisiana; Tuft University at New Orleans, Louisiana; and Xavier University at New Orleans, Louisiana; each being duly authorized to represent the employees in the classified service of all groups, each shall nominate three persons.

One member of the commission shall be appointed by the governor from the three persons nominated by each president. One member of the commission shall be elected by the joint state and federal agency, joint state and parochial agency, joint state and municipal agency.

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Be it adopted by the Constitutional Convention of Louisiana of 1973:

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One member of the commission shall be appointed by the governor from the three persons nominated by each president. One member of the commission shall be elected by the joint state and federal agency, joint state and parochial agency, joint state and municipal agency.
tained by examination which, so far as practical, shall be competitive and, for the number to be certified shall not be less than three; however, if more than one vacancy is to be filled, the name of one additional eligible for each vacancy may be certified. Each commission shall adopt rules for the method of certification of persons eligible for appointment, promotion, reemployment, and reinstatement and shall provide for appointments defined as emergency and temporary appointments where certification is not required.

(H) Appeals. (1) Disciplinary Actions. No person who has gained status in the classified state or city service shall be subjected to disciplinary action except for cause expressed in writing. Any classified employee subjected to such disciplinary action shall have the right of appeal to the appropriate commission. The burden of proof on appeal, as to the facts, shall be on the appointing authority.

(2) Discrimination. No classified employee shall be discriminated against by reason of his political or religious beliefs, sex, or race. Any classified employee so discriminated against shall have the right of appeal to the appropriate commission. The burden of proof on appeal, as to the facts, shall be on the employee.

(1) Prohibitions Against Political Activities. (a) No member of any civil service commission, or officer or employee in the classified service shall participate or engage in political activity; or be a candidate for nomination or election to public office except to seek election as the classified state employee serving on the State Civil Service Commission; or be a member of any national, state, or local committee of a political party or faction; or make or solicit contributions for any political party, faction, or candidate; or take active part in the management of the affairs of a political party, faction, or candidate or any political campaign, except to exercise his right as a citizen to express his opinion privately, to serve as a commissioner or official watcher at the polls and to cast his vote as he desires.

(2) No person shall solicit contributions for political purposes from any classified employee, state, or official or use an attempt to use his position in the state or city service to punish or coerce the political action of such classified employee.

(3) Political activity is defined as an effort made to support or oppose the election of a candidate for political office or the support of a particular political party in an election. There shall be no prohibition against support of issues involving bonded indebtedness, tax referenda, or constitutional amendments.

(J) Rules; Investigations; Wages and Hours. (1) Rules. Each commission is vested with broad and general rule-making and subpoena powers for the administration and regulation of the classified service, including but not limited to the adoption of rules for the regulation of employment, promotion, distribution, pay, pay in the case of part-time or temporary employees, rule-making, qualifications, political activities, and all other personnel matters and transactions the adoption of a uniform pay and classification plan, employment conditions, employee training and safety, compensation and disbursements to employees, and generally to carry out and effectuate the objectives and purposes of the merit system of civil service as herein established. Nothing contained herein shall be construed to prevent the legislature from supplementing these uniform pay plans for sworn, commissioned law enforcement officers of the Division of State Police, Department of Public Safety.

Veterans. The Department of State Civil Service and a department of the State Service and a department of city civil service shall accord a ten-point preference in original appointment to each honorably discharged veteran who served either in peace or in war and who has had more disabilities certified by the Veterans Administration as service-connected; or to the spouse of each veteran who is in such poor physical condition as to preclude his or her appointment to a civil service job in his or her usual line of work or to the widow of any of the persons enumerated above, and if the ten-point preference is not being utilized by the veteran, either because of the veteran's physical or mental incapacity which precludes his appointment to a civil service job in his usual line of work or because of his death, the preference shall be available to his spouse, unremarried widow, or eligible parents as defined above, in the order specified, but all such preferences may be given only to persons who have attained the status of personal service employees or who have served in the army, navy, coast or air forces and their dependents as described in this Section) whose length of service and efficiency ratings are as good as or better than other competing employees shall be retained in preference to all other competing employees, provided that any of the functions of any state agency are transferred to or when any state agency is replaced by some other state agency, or state agencies, all preference employees in the classifications and performing the duty or functions of the agency which is replaced by some other state agency shall first be transferred to the replacing state agency, or state agencies, for employment in positions for which they are qualified, before such state agency, or state agencies, shall appoint additional employees from eligible lists for such positions. The appointing authority shall give written notice to the director of any proposed layoff a reasonable time before the effective date thereof, and the director shall make such or determinations thereon as necessary to secure compliance with the rules. No rule, regulation, or practice of the commission, any agency or department, or any officer of the state or any political subdivision shall favor or discriminate against any applicant or employee on the basis of sex, race, age, color, creed, or national origin, provided that this shall not prohibit any state agency, department or political subdivision from contracting with an employee organization with respect to wages, hours, grievances, working conditions or other conditions of employment in a manner not inconsistent with this constitution or any civil service law or valid rule or regulation of a commission.

Rules adopted pursuant hereto shall be published and available to the public and have the effect of law. Each commission may impose penalties for violation of its rules by demotion in, suspension or discharge from position, with attendant loss of pay.

(2) Investigations. Each commission is authorized to investigate the violations of the rules, statutes, or ordinances adopted pursuant hereto.

(Wages and Hours. Any rule or determination affecting wages or hours shall become effective and shall have the effect of law only after approval by the governor or the legislature and the governor.

(K) Penalties. Any person who willfully violates any provision of this Section shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not more than five hundred dollars or by imprisonment for not more than ten years, or both.

(L) Appeal. Each commission shall have the exclusive power and authority to hear and decide all removal and disciplinary cases, with subpoena power and power to administer oaths. It may appoint a referee to take testimony, with subpoena power and power to administer oaths to witnesses. The decision of a commission shall be subject to
review on any question of law or fact upon appeal to the court of appeal wherein such commission is located, upon application filed with such commission within thirty calendar days after its decision becomes final.

(M) Appropriations. (1) State. The legislature shall make adequate annual appropriations to the State Civil Service Commission and to the Department of State Civil Service to enable the commission and the department to carry out efficiently and effectively the provisions of this Section and the amount so appropriated by the legislature shall not be subject to veto by the governor.

(2) Cities. Each city subject to the provisions of this Section shall make adequate annual appropriations to enable its civil service commission and department to carry out efficiently and effectively the provisions of this Section.

(N) Acceptance of Act; Other Cities, Parishes, City and Parish Governed Jointly. Any city having a population exceeding ten thousand but not exceeding four hundred thousand, and any parish, or any parish governed jointly with one or more cities under a plan of government, having a population exceeding ten thousand, according to the last preceding decennial federal census for which the final report of population returns has been reported to the president of the United States, may elect to accept the provisions of this Section by a majority vote at a general or special election for this purpose. The election shall be ordered and held by the city, the parish, or the city-parish, as the case may be upon (1) the adoption of an ordinance by the governing body thereof calling for such elections; (2) the presentation to such governing body of a petition signed by qualified electors equal in number to five percent of the qualified registered voters of the city, the parish, or the city-parish, as the case may be, calling for such election.

If a majority of the votes cast in such election are in favor of the adoption of the provisions of this Section, all the provisions thereof shall thereafter permanently apply to and govern the city or city-parish, as the case may be, in the same manner and to the same extent as if said Section and all its provisions were originally applied to such city, parish, or city-parish. In such instance, all officers and employees of the city, the parish, or the city-parish, or any other subdivision of the state, as the case may be, who have acquired civil service status under a civil service system established by law, fire act, city charter, or otherwise, shall retain such status and shall thereafter be subject to and governed by the provisions of this Section and the rules and regulations adopted under the authority of this Section. If a majority of the votes cast in such election are against the adoption of the provisions of this Section, the question of adopting the provisions of this Section shall not be resubmitted to the voters of the city, the parish, or the city-parish, as the case may be, within one year thereafter.

(O) City, Parish Civil Service System; Creation; Prohibition. Nothing in this Section shall prevent the establishment by the legislature, or by the respective parish governing authority, in one or more parishes, of a civil service system applicable to any or all parish employees, except teaching and professional staffs, and administrative officers of schools, or the establishment by the legislature, or by the respective city governing body, of a civil service system in one or more cities having a population of less than four hundred thousand, in any manner now or hereafter provided by law, except that paid firemen and paid municipal policemen, in a municipality which operates a regularly paid fire and police department and which has a population in excess of thirteen thousand, in all parishes, and in all fire protection districts with paid firemen, are hereby expressly excluded from such civil service system. However, nothing in this Paragraph shall permit inclusion in the local civil service of officials and employees listed in Paragraph (B) of this Section. No legislation by the legislature after the effective date of this constitution establishing a civil service system applicable to one or more parishes or to one or more municipalities having a population of less than four hundred thousand shall be effective in any parish or in any such municipality until approved by ordinance adopted by the governing authority of the affected parish or municipality.
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

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

The Convention was called to order at 9:00 o'clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

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

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<tr>
<th>Delegates</th>
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<tr>
<td>Fowler</td>
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<td>Munson</td>
<td>Newton</td>
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</table>

Delegates—- 115.

The Chairman announced that there were 115 members
present and a quorum.

Prayer
Prayer was offered by Delegate Roemer.

Pledge of Allegiance
Delegate D'Gerolamo led the Convention in reciting the
Pledge of Allegiance to the Flag of the United States of
America.

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

On motion of Delegate Toca, the Journal of yesterday was
adopted.

Morning Hour
Reports of Committees Lying Over
Delegate and Committee
Proposals on Second Reading
Reported by Committees

The following entitled Delegate and Committee Proposals
were taken up and acted upon as follows:

DELEGATE PROPOSAL No. 20—
Introduced by Delegate Jack: — A PROPOSAL
Limiting the number of proposed constitutional amendments
that may be submitted to the voters at any one election.
Read.
Reported unfavorably by the Committee on Bill of Rights
and Elections.
Delegate Jenkins moved that the Proposal be withdrawn
from the files of the Convention.
As a substitute Delegate Jack moved that the Proposal
be ordered engrossed and passed to its third reading.
Delegate A. Jackson objected.
The vote recurred on the substitute.
By a vote of 47 yeas and 45 nays the Proposal was ordered
engrossed and passed to its third reading.

DELEGATE PROPOSAL No. 21—
Introduced by Delegate Jack: — A PROPOSAL
Making provisions for a deduction in state income taxes
for federal income tax payments made during the same
period.
Read.
Reported favorably by the Committee on Revenue, Finance
and Taxation.
On motion of Delegate Jack the Proposal was ordered
engrossed and passed to its third reading.

DELEGATE PROPOSAL No. 33—
Introduced by Delegate Dennis:
A PROPOSAL
Providing for the financing of the Judicial system.
Read.
Reported without action by the Committee on Revenue, Finance
and Taxation.
On motion of Delegate Roemer the Proposal was with-
drawn from the files of the Convention.

DELEGATE PROPOSAL No. 55—
Introduced by Delegate Fontenot:
A PROPOSAL
Making provisions for exemptions from taxation.
Read.
Reported without action by the Committee on Revenue, Finance
and Taxation.
On motion of Delegate Roemer the Proposal was with-
drawn from the files of the Convention.

989
DELEGATE PROPOSAL No. 77—
Introduced by Delegate Robinson:

A PROPOSAL

To provide for the financing of the office of sheriff.

Read.

Reported without action by the Committee on Revenue, Finance and Taxation.

On motion of Delegate Morris the Proposal was withdrawn from the files of the Convention.

Motion

Delegate Miller moved, under Rule No. 86 and with prior notice having been given, to require the Committee on the Judiciary to return, with or without recommendation, Delegate Proposal No. 35 to the Convention.

Delegate Tate objected.

By a vote of 29 yea's and 53 nay's the Convention refused to order the Committee on the Judiciary to return Delegate Proposal No. 35, with or without recommendations, to the Convention.

Motion

Delegate Vick moved, under Rule No. 86 and with prior notice having been given, to require the Committee on the Judiciary to return, with or without recommendation, Delegate Proposal No. 44 to the Convention.

Delegate Drew objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Aeriker
Alexander
Arnette
Asseff
Avant
Bollinger
Brien
Brown
Casey
Chateilain
Comar
Corne
De Blieux
Dennery

Flory
Fulco
Giarrusso
Goldman
Hayes
Jack
Jones
Landry, E. J.
Leithman
Maybuce
Miller
O'Neill
Rachal
Reeves
Roemer

Roy
Schmitt
Stagg
Stovall
Sutherlin
Tobias
Toomy
Ulio
Velasquez
Vick
Warren
Weiss
Wisham
Zervigon

NAYS

Delegates—

Alario
Anzalone
Bel
Blair
Burns
Carmouche
Champagne
Condo
Conroy
D'Gerolamo
Deshotels
Drew
Dunlap
Duval
Elkins
Fowler
Gauthier
Mr. Chairman
Badeaux

Ginn
Graham
Gravel
Grier
Hardee
Helme
Hernandez
Jenkins
Juneau
Kelly
Kibboure
Kilpatrick
Lanler
LeBlanc
Lowe
McDaniel
Martin

Mauberret
Mire
Morris
Munson
Newton
Nunez
Planchar
Sandoz
Shannon
Slay
Smith
Tate
Thistilthewe
Toca
Wattigny
Willis

NOT VOTING

Bergeron
Burson
Cannon
Chehardy

Cowan
Lambert
Dennis
Landrum
Derbes
Landry, A.
Edwards
Leigh
Fayard
Ouroso
Fontenot
Perez
Guarisco
Perkins
Haynes
Pugh
Jackson, A.
Rayburn
Jackson, J.
Riecke
Kean
Segura

And the Convention refused to order the Committee on Judiciary to return Proposal No. 44, with or without recommendations, to the Convention.

Reconsideration

ARTICLE VII. HUMAN RESOURCES

Section 1. Municipal Fire and Police Civil Service

Called from the Calender.

Read.

On motion of Delegate Florio the vote by which Committee Proposal No. 10, Section 1, failed to pass on yesterday, was reconsidered.

ARTICLE VII. HUMAN RESOURCES

Section 1. Municipal Fire and Police Civil Service

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Florio to Committee Proposal No. 10 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 12, in Floor Amendment No. 1 proposed by Delegate Dennery, et al, and adopted by the convention on December 14, 1973, delete Floor Amendment No. 1 proposed by Delegate Schmitt and adopted by the convention on December 14, 1973, and insert in lieu thereof the following:

"Permanent appointments and promotions in municipal fire and police civil service 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."

On motion of Delegate Roy the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Florio to Committee Proposal No. 10 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 12, in Floor Amendment No. 1 proposed by Delegate Dennery, et al, and adopted by the convention on December 14, 1973, delete Floor Amendment No. 1 proposed by Delegate Schmitt and adopted by the convention on December 14, 1973, and insert in lieu thereof the following:

"Permanent appointments and promotions in municipal fire and police civil service 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."

Delegate Florio moved the adoption of the amendment.

Delegate Chatelain objected.

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

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Giaruso</td>
</tr>
<tr>
<td>Aertker</td>
<td>Ginn</td>
</tr>
<tr>
<td>Alario</td>
<td>Goldman</td>
</tr>
<tr>
<td>Alexander</td>
<td>Gravel</td>
</tr>
<tr>
<td>Avant</td>
<td>Guarisco</td>
</tr>
<tr>
<td>Bel</td>
<td>Hardee</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Jack</td>
</tr>
<tr>
<td>Blair</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Brien</td>
<td>Jones</td>
</tr>
<tr>
<td>Brown</td>
<td>Juneau</td>
</tr>
<tr>
<td>Burns</td>
<td>Kelly</td>
</tr>
<tr>
<td>Burson</td>
<td>Kilbourne</td>
</tr>
<tr>
<td>Cannon</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Lambert</td>
</tr>
<tr>
<td>Champagne</td>
<td>Landrum</td>
</tr>
<tr>
<td>Comar</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Conino</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Lanier</td>
</tr>
<tr>
<td>Dennis</td>
<td>Leithman</td>
</tr>
<tr>
<td>Dennishotels</td>
<td>McDaniel</td>
</tr>
<tr>
<td>Drew</td>
<td>Martin</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Maubert</td>
</tr>
<tr>
<td>Duval</td>
<td>Maybuece</td>
</tr>
<tr>
<td>Elkins</td>
<td>Mire</td>
</tr>
<tr>
<td>Flory</td>
<td>Morris</td>
</tr>
<tr>
<td>Fowler</td>
<td>Munson</td>
</tr>
<tr>
<td>Fulco</td>
<td>Newton</td>
</tr>
</tbody>
</table>

**NAYS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Denner</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Fayard</td>
</tr>
<tr>
<td>Arnette</td>
<td>Gier</td>
</tr>
<tr>
<td>Asseff</td>
<td>Hayes</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Heine</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Hernandez</td>
</tr>
<tr>
<td>Casey</td>
<td>Keen</td>
</tr>
<tr>
<td>Chatelain</td>
<td>LeBluex</td>
</tr>
<tr>
<td>Conroy</td>
<td>Lowe</td>
</tr>
<tr>
<td>Corne</td>
<td>Miller</td>
</tr>
<tr>
<td>De Blieux</td>
<td></td>
</tr>
<tr>
<td>Total—31</td>
<td></td>
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</tbody>
</table>

**NOT VOTING**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Chehardy</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Cowen</td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>Derbes</td>
<td>Leigh</td>
</tr>
<tr>
<td>Edwards</td>
<td>Pugh</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Haynes</td>
<td>Soniat</td>
</tr>
<tr>
<td>Total—18</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Chatelain to Committee Proposal No. 10 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**—

On page 1, line 12, in Floor Amendment No. 1 proposed by Delegate Denner et al., and adopted by the convention on December 14, 1973, delete Floor Amendment No. 1 proposed by Delegate Flory and adopted by the convention on December 15, 1973, and insert in lieu thereof the following:

**NAYS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Grier</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Hayes</td>
</tr>
<tr>
<td>Asseff</td>
<td>Miller</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Roemer</td>
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<tr>
<td>Corne</td>
<td>Schmitt</td>
</tr>
<tr>
<td>Total—13</td>
<td></td>
</tr>
</tbody>
</table>

**NOT VOTING**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Edwards</td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>Fontenot</td>
<td>LeBluex</td>
</tr>
<tr>
<td>Haynes</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Derbes</td>
<td>Pugh</td>
</tr>
</tbody>
</table>
And the Chair declared that the above Section was finally passed.

Delegate Rachal moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Passage**

The Proposal was read, as amended.

Delegate Rachal moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Flory</td>
<td>Munson</td>
</tr>
<tr>
<td>Abraham</td>
<td>Fowler</td>
<td>Newton</td>
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<td>O'Neil</td>
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<td>Oursu</td>
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<td>Arnette</td>
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<td>Perez</td>
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<td>Blair</td>
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<td>Riecke</td>
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<td>Bollinger</td>
<td>Heine</td>
<td>Roemer</td>
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<tr>
<td>Brien</td>
<td>Jack</td>
<td>Roy</td>
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<tr>
<td>Brown</td>
<td>Jenkins</td>
<td>Sandoz</td>
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<tr>
<td>Burson</td>
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<td>Cannon</td>
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<td>Shannan</td>
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<td>Carmouche</td>
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<td>Singletary</td>
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<tr>
<td>Casey</td>
<td>Kilbourne</td>
<td>Slay</td>
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<tr>
<td>Champagne</td>
<td>Kilpatrick</td>
<td>Smith</td>
</tr>
<tr>
<td>Comar</td>
<td>Lambert</td>
<td>Stinson</td>
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<tr>
<td>Conino</td>
<td>Landrum</td>
<td>Sutherland</td>
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<tr>
<td>Connroy</td>
<td>Landry, A</td>
<td>Tate</td>
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<tr>
<td>Corne</td>
<td>Landry, E. J.</td>
<td>Thistletwaite</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Lanier</td>
<td>Tobias</td>
</tr>
<tr>
<td>De Blieux</td>
<td>Leitchman</td>
<td>Toca</td>
</tr>
<tr>
<td>Dennehy</td>
<td>Lowe</td>
<td>Toomey</td>
</tr>
<tr>
<td>Dennis</td>
<td>McDaniel</td>
<td>Velazquez</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Martin</td>
<td>Vick</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Maubert</td>
<td>Warren</td>
</tr>
<tr>
<td>Duval</td>
<td>Maybuce</td>
<td>Weiss</td>
</tr>
<tr>
<td>Elkins</td>
<td>Mire</td>
<td>Willis</td>
</tr>
<tr>
<td>Fayard</td>
<td>Morris</td>
<td>Winchester</td>
</tr>
<tr>
<td>Total—99.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delegates—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asseff</td>
<td>Hernandez</td>
<td>Stagg</td>
</tr>
<tr>
<td>Chartain</td>
<td>LeBlieu</td>
<td>Ullo</td>
</tr>
<tr>
<td>Grier</td>
<td>Miller</td>
<td>Zervigon</td>
</tr>
<tr>
<td>Hayes</td>
<td>Schmitt</td>
<td></td>
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<tr>
<td>Total—11.</td>
<td></td>
<td></td>
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<tr>
<td>Delegates—</td>
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<td></td>
</tr>
<tr>
<td>Anzalone</td>
<td>Jackson, A.</td>
<td></td>
</tr>
<tr>
<td>Chehardy</td>
<td>Jackson, J.</td>
<td></td>
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<tr>
<td>Cowen</td>
<td>Leigh</td>
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<tr>
<td>Derbes</td>
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<tr>
<td>Drew</td>
<td>Rayburn</td>
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<tr>
<td>Edwards</td>
<td>Soniat</td>
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<tr>
<td>Fontenot</td>
<td>Stephenson</td>
<td></td>
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<tr>
<td>Haynes</td>
<td>Stovall</td>
<td></td>
</tr>
<tr>
<td>Total—22.</td>
<td></td>
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</tr>
</tbody>
</table>

On motion of Delegate Rachal the vote by which the Proposal was finally passed, was reconsidered.

**Unfinished Business**

The following unfinished business in which the Convention was engaged at the time of adjournment on yesterday was taken up and acted on:

**Proposals**

**Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 15—**

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Chapin, Chehardy, Conroy, De Blieux, Edwards, Fontenot, Lowe, McDaniel, Mau- berret, Mire, Newton, Nunez, Pianchard, Roemer, Schmitt, Slay, Smith, Triche and Winchester:

A PROPOSAL

Relative to the tax structure of the state and to public finance.

Read.

The Chair announced that the Convention had under consideration Committee Proposal No. 15 when it adjourned on Friday, December 14, 1973, which was taken up and acted upon as follows:

**Section 8. State Debt; Interim Emergency Board**

Section 8. (A) The Interim Emergency Board hereby is created and shall be composed of the governor, the state treasurer, the legislative auditor, the chairman of the Senate Finance Committee, and the chairman of the House Appropriations Committee, or their designees.

(B) During the interim between sessions of the legislature, whenever it is determined by majority vote of the Interim Emergency Board that an emergency exists, and then only for a purpose for which the legislature may appropriate funds, after having obtained, as provided by law, the written consent of two-thirds of all members elected to each house of the legislature, the Interim Emergency Board may appropriate from the State General Fund, or borrow upon the full faith and credit of the state an amount to care for an emergency, which is an event or occurrence not reasonably anticipated by the legislature.

(C) The aggregate of indebtedness outstanding at any one time and the amount appropriated from the State General Fund for the current fiscal year under the authority of this Section shall not exceed one-tenth of one percent of total state revenue receipts for the previous fiscal year.

(D) Each fiscal year, as a first priority, there hereby is allocated from the State General Fund an amount sufficient to pay any indebtedness incurred during the preceding fiscal year under the authority of this Section.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Duval to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, delete lines 13 through 16, both inclusive, in their entirety, and insert in lieu thereof the following:
"created and shall be composed of the governor, the lieutenant governor, the state treasurer, the presiding officers of both houses of the legislature, the chairman of the Senate Finance Committee, and the chairman of the House Appropriations Committee, or their designees."

On motion of Delegate Duval the amendment was adopted.

Delegate Duval moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

100th Days Proceedings—December 15, 1973
**FLOOR AMENDMENTS**

Amendment proposed by Delegates Alario and Nunez to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 4, line 27, after the word and punctuation "legislature," add the following:
"The maximum amount which may be appropriated for any agency during any fiscal year shall not exceed one hundred thousand dollars."

**AMENDMENT No. 2—**
On page 4, line 31, after the word and "exceed" and before the word "of" delete the word "one-tenth" and insert the word "one-twentieth"

On request of Delegate O'Neill a division of the question ordered.
Delegate Alario moved the adoption of Amendment No. 1.
Delegate Roemer objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
<th>NAYS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
<td>Flory</td>
<td>Miller</td>
<td>Roemer</td>
</tr>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
<td>Morris</td>
<td></td>
</tr>
<tr>
<td>Alario</td>
<td>Fulco</td>
<td>Munson</td>
<td></td>
</tr>
<tr>
<td>Anzalone</td>
<td>Gaulther</td>
<td>O'Neill</td>
<td></td>
</tr>
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<td>Graham</td>
<td>Perez</td>
<td></td>
</tr>
<tr>
<td>Avant</td>
<td>Guarisco</td>
<td>Perkins</td>
<td></td>
</tr>
<tr>
<td>Bel</td>
<td>Heine</td>
<td>Segura</td>
<td></td>
</tr>
<tr>
<td>Bergeron</td>
<td>Jenkins</td>
<td>Stinson</td>
<td></td>
</tr>
<tr>
<td>Blair</td>
<td>Kean</td>
<td>Toes</td>
<td></td>
</tr>
<tr>
<td>Bollinger</td>
<td>Landry, E. J.</td>
<td>Ulo</td>
<td></td>
</tr>
<tr>
<td>Brien</td>
<td>Lanier</td>
<td>Velazquez</td>
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</tr>
<tr>
<td>Chatelain</td>
<td>Landry, A.</td>
<td>Warren</td>
<td></td>
</tr>
<tr>
<td>Comar</td>
<td>LeBlanc</td>
<td>Weiss</td>
<td></td>
</tr>
<tr>
<td>Conino</td>
<td>LeBlanc</td>
<td>Winchester</td>
<td></td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>LeBlanc</td>
<td>Wisham</td>
<td></td>
</tr>
<tr>
<td>Deshotels</td>
<td>Maybux</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunlap</td>
<td>Maybux</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fayard</td>
<td>Maybux</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total—49.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Delegates— | Edwards | | |
| Abraham | Elders | | |
| Aertker | Arnette | | |
| Alexander | Badeaux | | |
| Arnette | Badeaux | | |
| Brien | Brown | | |
| Chatelain | Burns | | |
| Comar | Busson | | |
| Conino | Cannon | | |
| D'Gerolamo | Cannon | | |
| Deshotels | DeBielus | | |
| Dunlap | Dennis | | |
| Fayard | Duval | | |
| Total—50. | | | |

| Delegates— | Haynes | | |
| Carmouche | Jackson, A. | | |
| Chehardy | Jackson, J. | | |
| Cowen | Joiner | | |
| Derbes | Kilbourne | | |
| Drew | Lambert | | |
| Elkins | Landrum | | |
| Fontenot | Leigh | | |
| Giarruso | | | |

| NOT VOTING | | | |
| Haynes | | | |
| Jackson, A. | | | |
| Jackson, J. | | | |
| Joiner | | | |
| Kilbourne | | | |
| Lambert | | | |
| Landrum | | | |
| Leigh | | | |
| McDaniel | | | |
| Martin | | | |
| Maubert | | | |
| Orso | | | |
| Pugh | | | |
| Rayburn | | | |
| Reeves | | | |
| Roy | | | |

| NOT VOTING | | | |
| Haynes | | | |
| Jackson, A. | | | |
| Jackson, J. | | | |
| Joiner | | | |
| Kilbourne | | | |
| Lambert | | | |
| Landrum | | | |
| Leigh | | | |
| McDaniel | | | |
| Martin | | | |
| Maubert | | | |
| Orso | | | |
| Pugh | | | |
| Rayburn | | | |
| Reeves | | | |
| Roy | | | |

And Amendment No. 1 was rejected.
Delegate Roemer moved to reconsider the vote by which the amendments were rejected, and to lay the motion to reconsider on the table.
Delegate Newton objected to tabling the motion to reconsider.
By a vote of 51 yeas and 47 nays the motion to reconsider was tabled.
Delegate Alario moved the adoption of the Amendment No. 2.
Delegate Roemer objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
<th>NAYS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
<td>Flory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr. Chairman</td>
<td>Fulco</td>
<td>Edwards</td>
<td></td>
</tr>
<tr>
<td>Alario</td>
<td>Gaulther</td>
<td>Elders</td>
<td></td>
</tr>
<tr>
<td>Anzalone</td>
<td>Graham</td>
<td>Archer</td>
<td></td>
</tr>
<tr>
<td>Asseff</td>
<td>Guarisco</td>
<td>Sandoz</td>
<td></td>
</tr>
<tr>
<td>Avant</td>
<td>Heine</td>
<td>Schmitt</td>
<td></td>
</tr>
<tr>
<td>Bergean</td>
<td>Jenkins</td>
<td>Segura</td>
<td></td>
</tr>
<tr>
<td>Blair</td>
<td>Kean</td>
<td>Smith</td>
<td></td>
</tr>
<tr>
<td>Bollinger</td>
<td>Landry, E. J.</td>
<td>Stagg</td>
<td></td>
</tr>
<tr>
<td>Brien</td>
<td>Lanier</td>
<td>Sutherland</td>
<td></td>
</tr>
<tr>
<td>Chatelain</td>
<td>Landry, A.</td>
<td>Tate</td>
<td></td>
</tr>
<tr>
<td>Comar</td>
<td>LeBlanc</td>
<td>Thistleswaite</td>
<td></td>
</tr>
<tr>
<td>Conino</td>
<td>LeBlanc</td>
<td>Tomas</td>
<td></td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>LeBlanc</td>
<td>Toomey</td>
<td></td>
</tr>
<tr>
<td>Deshotels</td>
<td>Maybux</td>
<td>Wattigny</td>
<td></td>
</tr>
<tr>
<td>Dunlap</td>
<td>Maybux</td>
<td>Willis</td>
<td></td>
</tr>
<tr>
<td>Fayard</td>
<td>Maybux</td>
<td>Zervigon</td>
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<tr>
<td>Total—56.</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

| Delegates— | | | |
| Carmouche | | | |
| Chehardy | | | |
| Cowen | | | |
| Derbes | | | |
| Drew | | | |
| Fontenot | | | |
| Giarruso | | | |
| Haynes | | | |
| Jackson, A. | | | |
| Jackson, J. | | | |
| Jones | | | |
| Total—31. | | | |

And Amendment No. 2 was rejected.
Delegate Roemer moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Passage
Committee Proposal No. 15, Section 8 was read, as amended.
Delegate De Blieux moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td></td>
</tr>
<tr>
<td>Abraham</td>
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<td>Aertker</td>
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<td>Alario</td>
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<td>Bergeron</td>
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<td>Bollinger</td>
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<td>Comar</td>
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<td>D'Gerolamo</td>
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<tr>
<td>De Blieux</td>
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<tr>
<td>Denney</td>
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<td>Dennis</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Duval</td>
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<tr>
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NAYS

<table>
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<tbody>
<tr>
<td>Asseff</td>
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<tr>
<td>Destrures</td>
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<tr>
<td>Total—5</td>
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NOT VOTING

<table>
<thead>
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<tbody>
<tr>
<td>Carmouche</td>
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<td>Cowen</td>
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<td>Derbes</td>
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<td>Girard</td>
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<tr>
<td>Jackson, A.</td>
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<tr>
<td>Jackson, J.</td>
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</tr>
<tr>
<td>Total—32</td>
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</tbody>
</table>

And the Chair declared that the above Section was finally passed.
Delegate De Blieux moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Roemer, Committee Proposal No. 15, Section 4, upon which action was previously deferred, was taken up and acted upon as follows:

Motion
Delegate Roemer moved for a suspension of the rules for the purpose of considering Section 4 of Committee Proposal No. 15 lettered paragraph by lettered paragraph with the view that all rules and precedents of the Convention ap-

pllicable to Section by Section consideration of Proposals shall be applicable to the consideration of each proposed lettered paragraph of said Section 4 of Committee Proposal No. 15.
Delegate Bollinger objected.
By a vote of 33 yeas and 55 nays the Convention refused to suspend the rules at this time.

Section 4. Limitations on Taxing Power; Graduated Rates, Severance Tax, and Subdivisions of the State
Section 4. (A) Equal and uniform taxes may be levied upon net incomes, and such taxes may be graduated according to the amount of net income; however, the state individual income tax rate on the first ten thousand dollars of taxable income for single return or twenty thousand dollars of taxable income for joint return shall not exceed two percent.

(B) Taxes may be levied on natural resources severed from the soil or water, to be paid proportionately by the owners thereof at the time of severance. Natural resources may be classified for the purpose of taxation, and such taxes may be predicated upon either the quantity or value of the products at the time and place of severance. No further or additional tax or license shall be levied or imposed upon oil, gas, or sulphur leases or rights, nor shall any additional value be added to the assessment of land by reason of the presence of oil, gas, or sulphur therein or their production therefrom. However sulphur in place shall be assessed for ad valorem taxation to the person, firm or corporation having the right to mine or produce the same in the Parish where located, at no more than twice the total assessed value of the physical property subject to taxation excluding the assessed value of sulphur above ground, in such parish as is used in sulphur operations. Likewise, severance taxes shall be the only tax on timber; however, standing timber shall be and remain liable equally with the land on which it stands for ad valorem taxes levied on said land.

(C) Political subdivisions of the state shall not levy severance taxes, income taxes or taxes on motor fuel.

(D) Three-fourths of the timber severance tax, one-third of the sulphur severance tax, one-fifth of the severance tax on all other natural resources severed from the soil or water, and one-twentieth of the royalties from mineral leases on state-owned property shall be remitted to the governing authority of the parish in which severance occurs or in which production is had, but the amount of severance tax on sulphur so remitted shall not exceed one hundred thousand dollars to any parish for any year, and the amount of severance tax on all natural resources severed from the soil or water so remitted shall not exceed two hundred thousand dollars to any parish for any year.

Read.
Delegate Keen sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Keen to Committee Proposal No. 15 by Delegate Rayburn, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 3, 4 and 5 in their entirety and insert in lieu thereof the following:
"and joint income tax schedule of rates shall never exceed the rates presently set forth in Title 41, Section 33 of the Louisiana Revised Statutes."

Delegate Keen moved the adoption of the amendment.
Delegate De Blieux objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td></td>
</tr>
<tr>
<td>Alario</td>
<td></td>
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<tr>
<td>Arnette</td>
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<td>Asseff</td>
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<td>Avant</td>
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<td>Bel</td>
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<td>Bergeron</td>
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<tr>
<td>Brien</td>
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<tr>
<td>Burns</td>
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<tr>
<td>Cannon</td>
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<td>Corne</td>
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<tr>
<td>D'Gerolamo</td>
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<td>Delay</td>
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<tr>
<td>Elkins</td>
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<tr>
<td>Faye</td>
<td></td>
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<tr>
<td>Pulco</td>
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<tr>
<td>Total—95</td>
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</tbody>
</table>

NAYS

<table>
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<td>D'Gerolamo</td>
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<td>Faye</td>
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</table>
PAGE 7
100th Days Proceedings—December 15, 1973

<table>
<thead>
<tr>
<th>Hardee</th>
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<tbody>
<tr>
<td>Hayes</td>
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<tr>
<td>Heine</td>
<td>Munson</td>
<td>Stagg</td>
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<tr>
<td>Hernandez</td>
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<td>Sutherland</td>
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<td>Perez</td>
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<td>Toomy</td>
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<td>Juneau</td>
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<td>Ullo</td>
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Total—57.

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<td>Goldman</td>
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<td>Brown</td>
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<td>Casey</td>
<td>Grier</td>
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<tr>
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<td>Conino</td>
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<tr>
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<td>Denner</td>
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Total—36.

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<td>Jackson, J.</td>
</tr>
<tr>
<td>Anzalone</td>
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<tr>
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<td>Chehardy</td>
<td>Lambert</td>
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<td>Fontenot</td>
<td>Maubert</td>
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<td>Giarrusso</td>
<td>O'Neill</td>
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<tr>
<td>Haynes</td>
<td>Oursu</td>
</tr>
<tr>
<td>Jackson, A.</td>
<td>Planchard</td>
</tr>
</tbody>
</table>

Total—39.

And the amendment was adopted.
Delegate Kean moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Newton to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, line 5 after the word and punctuation "statutes," added by Convention Floor Amendment No. 1 proposed by Delegate Kean and adopted by the Convention on December 15, 1973, add the following:

"Federal income taxes paid shall be allowed as a deductible item in computing state income taxes paid during the same period."

Delegate Jack moved the adoption of the amendment.
Delegate Abraham objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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</thead>
<tbody>
<tr>
<td>Alario</td>
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Total—68.

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Total—24.

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<td>O'Neill</td>
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<tr>
<td>Haynes</td>
<td>Oursu</td>
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</table>

Total—42.

And the amendment was adopted.
Delegate Jack moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

Amendment proposed by Delegate Bollinger to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, line 3, in Floor Amendment No. 1 proposed by Delegate Kean and adopted by the Convention on December 15, 1973, at the beginning of line 1 of the text of the amendment before the word "and" insert the punctuation and word "corporate"

Delegate Bollinger moved the adoption of the amendment.

Delegate Roemer objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham Kean Stagg
Assess LeBleau Stinson
Bollinger Newton Sutherland
Conroy Perez Ulo
Goldman Riecke Weiss
Hayes Shannon Zervigon

Total—19.

NAYS

Delegates—

Elkins Mire
Alexander Payard Morris
Arnette Foyr
Avant Fowler Perkins
Badeaux Fulco Planchar
Bergeron Glenn Reeves
Blair Graham Roemer
Brien Gravel Sandoz
Bureon Griar Schmitt
Cannon Guarisco Singletary
Casey Hardee Slay
Champagne Jack Smith
Chatelain Jureau Tate
Corlin Kelly Thistethwaite
Corne Kilpatrick Tollas
D’Gerolamo Landry, A.
De Bileux Landry, E. J.
Deeney Lanier Velazquez
Dennery Leihman Warren
Dennis Lowe Willis
Deshotels Maybuce Winchester
Dunlap Miller Wisham
Duval

Total—67.

The amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Casey, the Convention altered the Order of Business to take up other Orders of Business at this time.

PROPOSALS

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

COMMITTEE PROPOSAL No. 10—

Introduced by Delegate Aetker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Corne, Conroy, Frier, Landry, Leihman, Rachal, Robinson, Wattigny and Wisham:

A PROPOSAL

Making provisions for human resources by providing for municipal fire and police civil service.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VII. HUMAN RESOURCES

Section 1, Municipal Fire and Police Civil Service

Section 1. (A) There is hereby created and established a system of classified fire and police civil service which shall be applicable to all municipalities with a population in excess of thirteen thousand which operate a regularly paid fire and municipal police department and all parishes and all fire protection districts which operate a regularly paid fire department. Permanent appointments and promotions in municipal fire and police civil service 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. Except as may be inconsistent with the provisions of this Section, the provisions of Article XIV, Section 15.1 of the Constitution of 1921, are hereby retained and continued in force and effect as statutes. The legislature upon the favorable vote of two-thirds of the elected membership of each house may amend or otherwise modify any of the said provisions of Article XIV, Section 15.1 of the 1921 Constitution except that the legislature may not abolish the system of classified civil service for such firemen and municipal policemen or make it inapplicable to any municipality which has a population in excess of thirteen thousand according to the latest decennial census of the United States or to any parish or fire protection district having a regularly paid fire department. However, in municipalities with a population in excess of four hundred thousand paid firemen and municipal policemen shall be included if a majority of the voters in the city affected voting at an election held for the purpose consent therein, said election shall be called by the governing authority of the city affected within one year after the effective date of this constitution.

Nothing in Article VII, Section 1 of this constitution authorizing cities or other political subdivisions to be placed under the provisions of said Article whether by election, act of the legislature, or ordinance of the local governing authority shall be construed as authorizing the inclusion therein of firemen and policemen in any municipality having a population in excess of thirteen thousand and less than four hundred thousand and which operates a regularly paid fire and municipal police department in any parish or fire protection district which operates a regularly paid fire department, which said firemen and policemen are hereby expressly excluded from any such system.
(B) Prohibitions Against Political Activities. Article XIV, Section 15.1 (34) of the 1921 Constitution is retained and continued in force and effect.

Respectfully submitted,

MOISE W. DENNERY
Secretary

Under the Rules, referred to the Committee on Style and Drafting.

Leave of Absence
Delegate Chehardy—1 day.

Adjournment
Delegate Casey moved that the Convention do now adjourn until Sunday, December 16, 1973, at 2:00 o'clock P.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Sunday, December 16, 1973, at 2:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 2:00 o'clock p.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asoff
Avant
Badeaux
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelein
Comar
Conino
Conroy
Corre
D’Gerolamo
De Blieux
Dennery
Derbes
Dunlap
Duval
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco
Gautier
Ginn
Goldman
Graham
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jackson, A.
Jenkins
Jones
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Landry
LeBlanc
Lowe
Martin
Mauberret
Maybuce
Miller
Mire
Morris
Monson
Newton
Nunez
O’Neill
Ourso
Perez
Perkins
Planchard
Rachal
Reeves
Riecke
Roemer
Sandoz
Schmitt
Segura
Shannon
Singlesity
Slay
Smith
Soniat
Stephenson
Stinson
Tapper
Tate
Thisthethwaite
Thompson
Tober
Tocca
Toomy
Ullo
Velasquez
Vleck
Warren
Weiss
Wills
Winchester
Wisham
Zervigon

Delegates—
Bilbo
Chehardy
Covet
Dennis
Deshotels
Drew
Edwards
Giarrusso

Total—109.

ABSENT

Delegates—
Bet
Chehardy
Covet
Dennis
Deshotels
Drew
Edwards
Giarrusso

Total—23.

The Chairman announced that there were 159 members present and a quorum.

Prayer

Prayer was offered by Delegate E. J. Landry.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Bergeron, the Journal of yesterday was adopted.

Morning Hour

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 15—

Introductions—By Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegate Alario, Badeux, Brown, Champagne, Chehardy, Conroy, De Blieux, Edwards, Fontenot, Lowe, McDaniel, Mauberret, Mire, Newton, Nunez, Planhard, Roemer, Schmitt, Slay, Smith, Triche and Winchester:

A PROPOSAL

Relative to the tax structure of the state and to public finance.

Read.

Section 4. Limitations on Taxing Power; Graduated Rates, Severance Tax, and Subdivisions of the State

Section 4. (A) Equal and uniform taxes may be levied upon net incomes, and such taxes may be graduated according to the amount of net income; however, the state individual income tax rate on the first ten thousand dollars of taxable income for single return or twenty thousand dollars of taxable income for joint return shall not exceed two percent.

(B) Taxes may be levied on natural resources severed from the soil or water, to be paid proportionately by the owners thereof at the time of severance. Natural resources may be classified for the purpose of taxation, and such taxes may be predicated upon either the quantity or the value of the products at the time and place of severance. No further or additional tax or license shall be levied or imposed upon oil, gas, or sulfur leases or rights, nor shall any additional value be added to the assessment of land by reason of the presence of oil, gas, or sulfur therein or their production therefrom. However, in place shall be assessed for ad valorem taxation to the person, firm or corporation having the right to mine or produce the same in the Parish where located, at no more than twice the total assessed value of the physical property subject to taxation excluding the assessed value of sulfur above ground, in such Parish as is used in sulfur operations. Likewise, severance taxes shall be the only tax on timber; however, standing timber shall be and remain liable equally with the land on which it stands for ad valorem taxes levied on said land.

(C) Political subdivisions of the state shall not levy severance taxes, income taxes or taxes on motor fuel.

(D) Three-fourths of the timber severance tax, one-third of the sulfur severance tax, one-fifth of the severance tax on all other natural resources severed from the soil or water, and one-tenth of the royalties from mineral leases on state-owned property shall be remitted to the governing authority of the parish in which severance occurs or in which production is had, but the amount of severance tax on sulfur so remitted shall not exceed one hundred thousand dollars to any parish for any year, and the amount of severance tax on all natural resources severed from the soil or water so remitted shall not exceed two hundred thousand dollars to any parish for any year.

Read.
The Chair announced that the Convention had under consideration Committee Proposal No. 15, Section 4, when it adjourned on Saturday, December 15, 1973, which was taken up and acted upon as follows:

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

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 5, in Floor Amendment No. 1 proposed by Delegate Jack and adopted by the Convention on December 15, 1973, on line 3 of said amendment delete the period “.” at the end of the line and insert in lieu thereof the following punctuation and words:

“; but the deduction shall not be allowed to corporations.”

On motion of Delegate Tobias the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 5, in Floor Amendment No. 1 proposed by Delegate Jack and adopted by the Convention on December 15, 1973, on line 3 of said amendment delete the period “.” at the end of the line and insert in lieu thereof the following punctuation and words:

“; but the deduction need not be allowed to corporations.”

Delegate Tobias moved the adoption of the amendment.

Delegate Lowe objected.

By a vote of 19 yeas and 76 nays the amendment was rejected.

Delegate Lowe moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Tobias moved to suspend the Rules for the purpose of calling from the table the motion to reconsider the vote by which the Convention Floor Amendment No. 1 proposed by Delegate Jack was adopted on December 15, 1973.

Delegate Smith objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Aertker
Badeaux
Blair
Bollinger
Cannon
Carmouche
Conino
Conroy
De Blieux
Total—29.

NAYS

Delegates—

Alario

Asseff
Avant
Bergeron
Brien
Burns
Burson
Casey
Champagne
Chatain
Comar
Corne
D'Gerclamo
Dennery
Elkins
Fowler
Fulce
Ginn
Goldman
Graham
Grier
Hardee

Hayes
Hernandez
Jackson, A.
Jenkins
Jones
Juneau
Keen
Kelly
Kilbourne
Kilpatrick
Landry, A
Landry, E. J
LeBlou
Martin
Mauberret
Maybuce
Miller
Munson
Nunez
O'Neil
Perez
Perkins
Planchard
Reeves
Riecke
Roemer
Sandos
Shannon
Singletary
Slay
Smith
Stinson
Thompson
Toca
Toomy
Ulo
Warren
Weiss
Wills
Winchester
Wisham
Zervigone

NOT VOTING

Delegates—

Mr. Chairman
Alexander
Bel
Brown
Chehardy
Cowen
Dennis
Deshotels
Drew
Edwards
Fayard
Gauthier
Garrusso

Heine
Jack
Jackson, J.
Lambert
Landrum,
Leigh
Leithman
McDaniel,
Mire
Mour
Rayburn
Roy
Segura
Stagg
Stephenson
Stovall
Sutherland
Tapper
Veitch
Vick
Wall
Wattigny
Womack

And the Convention refused to suspend the rules.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Gravel to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 5, immediately after “(A)” delete the remainder of the line and on page 2, at the beginning of line 1 delete “upon” and insert in lieu thereof the following:

“The legislature, upon the favorable vote of two-thirds of the elected members of each house, may levy equal and uniform taxes upon individual and corporate income.”

AMENDMENT No. 2—

On page 2, line 2, immediately after the word “income” change the semicolon “;” to a period “.” and delete the remainder of the line and delete lines 3, 4, and 5 in their entirety including all floor amendments adopted thereto and insert in lieu thereof the following:

“The income tax rate, however, shall not exceed twelve percent on any portion of individual or corporate net income.”

On request of Delegate Roemer a division of the question was ordered.

Point of Order

Delegate Smith suggested the absence of a quorum and asked for a record vote.

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

ROLL CALL

The roll was called with the following result:

PRESENT

Delegates—

Mr. Chairman
Abraham
Aertker
Alario

Assent
Badeaux
Anzalone
Bergeron

Avant
Bergeron
Brien
Burns
Burson
Casey
Champagne
Chatain
Comar
Corne
D'Gerclamo
Dennery
Elkins
Fowler
Fulce
Ginn
Goldman
Graham
Grier
Hardee

Alario

Asseff
Avant
Bergeron
Brien
Burns
Burson
Casey
Champagne
Chatain
Comar
Corne
D'Gerclamo
Dennery
Elkins
Fowler
Fulce
Ginn
Goldman
Graham
Grier
Hardee

Hayes
Hernandez
Jackson, A.
Jenkins
Jones
Juneau
Keen
Kelly
Kilbourne
Kilpatrick
Landry, A
Landry, E. J
LeBlou
Martin
Mauberret
Maybuce
Miller
Munson
Nunez
O'Neil
Perez
Perkins
Planchard
Reeves
Riecke
Roemer
Sandos
Shannon
Singletary
Slay
Smith
Stinson
Thompson
Toca
Toomy
Ulo
Warren
Weiss
Wills
Winchester
Wisham
Zervigone

Not Voting

Delegates—

Mr. Chairman
Alexander
Bel
Brown
Chehardy
Cowen
Dennis
Deshotels
Drew
Edwards
Fayard
Gauthier
Garrusso

Heine
Jack
Jackson, J.
Lambert
Landrum,
Leigh
Leithman
McDaniel,
Mire
Mour
Rayburn
Roy
Segura
Stagg
Stephenson
Stovall
Sutherland
Tapper
Veitch
Vick
Wall
Wattigny
Womack

999
PAGE 3

101st Days Proceedings—December 16, 1973

| Bollinger | Guarisco | Planchard |
| Brien | Hardee | Rachal |
| Burns | Hayes | Reeves |
| Burson | Haynes | Riecke |
| Cannon | Hernandez | Sandez |
| Carmouche | Jackson, A. | Schmitt |
| Casey | Jenkins | Shannon |
| Champagne | Jones | Singletary |
| Charlein | Juneau | Smith |
| Comar | Kean | Stinson |
| Conino | Kelly | Toca |
| Conroy | Kilbourne | Ulo |
| Corne | Kilpatrick | Velazquez |
| D’Gerolamo | Lambert | Weis |
| De Blieux | Landrum | Willis |
| Dennehy | Landry, A. | Winchester |
| Derbes | Landry, E. J. | Womack |
| Dunlap | Lanier | Zertig |
| Elkins | Lowe | Zertig |
| Elkins | Martin | Zertig |
| Fayard | Maubert | Zertig |
| Flory | Maybux | Zertig |
| Fontenot | Miller | Zertig |
| Fowlg | Morris | Zertig |
| Gauthier | Munson | Zertig |
| Ginn | Newton | Zertig |
| Goldman | Nunex | Zertig |
| Graham | O’Neill | Zertig |
| Gravel | Perez | Zertig |
| Grier | Perkins | Zertig |
| Total—103. |

| Carmouche | Hernandez |
| Chapman | Jackson, A. |
| Charlein | Jenkins |
| Comar | Juneau |
| Conino | Kean |
| Conroy | Kilbourne |
| Corne | Lambert |
| D’Gerolamo | Landrum |
| Dennehy | Lanier |
| Dunlap | LeBleu |
| Duval | Martin |
| Elkins | Maubert |
| Full | Miller |
| Gauthier | Munson |
| Ginn | Newton |
| Goldman | Nunex |
| Graham | O’Neill |
| Gravel | Perez |
| Grier | Perkins |
| Total—82. |

| NOT VOTING |
| Mr. Chairman | Jack |
| Bel | Jackson, J. |
| Brown | Leigh |
| Chehardy | Leithman |
| Cowen | McDaniel |
| Dennis | Mire |
| De Blieux | Oursu |
| Drew | Pugh |
| Edwards | Rayburn |
| Girrussio | Reeves |
| Heine | Roy |
| Total—31. |

And the amendment was rejected.

Delegate Burson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel moved the adoption of Amendment No. 1.

Delegate Roemer objected.

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

**ROLL CALL**

The roll was called with the following result:

| Delegates— |
| Aertker | Guarisco |
| Anzalone | Haynes |
| Avant | Jackson, A. |
| Blair | Landry, E. J. |
| Brien | Law |
| De Blieux | Maybux |
| Derbes | Morris |
| Fowlg | Newton |
| Flory | O’Neill |
| Fontenot | Perez |
| Total—39. |

| NAYS |
| Abraham | Asseff |
| Alario | Badeaux |
| Arnette | Bergeron |
| Total—39. |

| NAYS |
| Abraham | Burns |
| Alario | Burson |
| Arnette | Cannon |
| Total—39. |

| NAYS |
| Abraham | Dunlap |
| Alario | Duval |
| Arnette | Asseff |
| Badeaux | Badeaux |
| Canyon | Canyon |
| Condine | Conroy |
| Corne | Corne |
| De Blieux | De Blieux |
| Dennehy | Dennehy |
| Total—39. |

| NAYS |
| Abraham | Asseff |
| Alario | Badeaux |
| Arnette | Bergeron |
| Total—39. |

| NAYS |
| Abraham | Asseff |
| Alario | Badeaux |
| Arnette | Bergeron |
| Total—39. |

| NAYS |
| Abraham | Asseff |
| Alario | Badeaux |
| Arnette | Bergeron |
| Total—39. |
ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alexander       Fowler         Reeves
Annalone        Fulco          Roemer
Avant           Glenn          Shannon
Blair           Graham         Slay
Bollinger       Gravel         Smith
Bray            Grier          Soniat
Casey           Guarisco       Stephenson
Champagne       Haynes         Tate
Chatelain       Jackson, A.     Thompson
De Bileux        Kilpatrick    Vick
Dennery         Landrum         Warren
Derbes          Landry, E. J.   Wisham
Duval           Maybucker      Zervigon
Flory           Morris         Newton
Fontenot

Total—43.

NAYS

Delegates—
Abraham         Goldman        Perez
Aertker         Hardee         Perkins
Alario          Hayes          Pianchard
Arnette         Hernandez      Rachal
Assell          Jenkins        Riecke
Badeaux         Jones          Sandoz
Bergeron        Juneau         Schmitt
Burns           Kean           Singletary
Burson          Kilbourne      Stinson
Cannon          Lambert        Tapper
Carmonche       Landry, A.     Thistlethwaite
Comar           Lanier         Toca
Conlin          LeBluere       Toomy
Conroy          Lowe           Ulo
Corne           Martin         Velazquez
D’Gerolamo      Maubretet      Weiss
Dunlap          Miller         Willis
Elkins          Munson         Winchester
Fayard          Nunez

Total—58.

NOT VOTING

Delegates—

Mr. Chairman——
Bel               Jack           Segura
Brown            Jackson, J.   Stagg
Chehardy         Kelly          Stovall
Coven            Leithman       Sutherland
Dennis           McDaniel       Tobias
Deshotels        Mire           Vesich
Drew             Ouros          Wall
Edwards          Pugh           Wattigny
Giarrusso        Rayburn       Womack
Heine            Roy

Total—31.

And the amendment was rejected.

Delegate Kean moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Newton to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 11, immediately after the word and punctuation “severance,” delete the remainder of the line and delete lines 12 through 25, both inclusive, in their entirety

On motion of Delegate Newton the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

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

Amendment proposed by Delegates Kean and Conroy to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, line 27, after the word “fuel” delete the period “,” and insert a comma “,” and add the following: “except that the legislature may authorize a local governmental subdivision to levy an income tax, subject to such restrictions as the legislature may impose, with rates not to exceed the schedule of rates for the state income tax, and to be levied and collected in the same manner as the state tax, by an act passed by at least a two-thirds vote of the elected membership of each house of the legislature. No such tax, if authorized, shall be effective until a proposition for imposition thereof is submitted to the electors of the affected local governmental subdivision and approved by a majority of the electors who vote in the election held for that purpose.”

Delegate Conroy moved the adoption of the amendment.
Delegate Nunez objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Brown Cannon Casey Chateauin Conroy Dennery Derbes Gravel

Heine Jones Juneau Kean Lanier Lowe Miller Newton

Rachal Soniat Tate Vick Warren Zervigon

Total—22.

NAYS

Delegates—

Mr. Chairman Abraham Aertker Alario Alexander Anzalone Asseff Avant Badeaux Bergeron Blair Bollinger Brien Burns Burson Carmouche Champagne Conino Corne D’Gerolamo De Bieux Dunlap Duval Elkins Fayard Flory

Fontenot Fowler Gauthier Glenn Goldman Graham Grier Guarisco Hardee Hays Jackson A. Jenkins Kelly Kilbourne Kilpatrick Landrum Landry A. Landry E. J. LeBlanc Martin Mauberret Maybucke Meire Morris Monsanto

Nunez O’Neill Perez Perkins Planchard Reeves Rieker Roemer Schmitt Shannon Sandoz Segura Jenkins Jones Kelly Kilbourne Kilpatrick

Total—77.

NOT VOTING

Delegates—

Arnette Bel Chehardy Comar Cowen

Dennis Deshotels Drew Edwards Falco

Garrusso Hernandez Jack Jackson J. Lambert

Total—88.

Leigh Leithman McDaniel Oursz Pugh Rayburn Sutherland Total—33.

And the amendment was rejected.

Delegate Nunez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate A. Landry sent up a floor amendment which was read as follows:

FLOOR AMENDMENT


Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 3, line 6, after the word “exceed” strike out remainder of line 6 and in lieu thereof insert the following: “five hundred thousand dollars to”

Delegate A. Landry moved the adoption of the amendment, Delegate Anzalone objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman Abraham Alario Alexander Arnette Asseff Avant Bollinger Brien Brown Burson Carmouche Champagne Conino Corne D’Gerolamo De Bieux Dunlap Duval Elkins Fayard Flory

Graham Gravel Grier Guarisco Hardee Hayes Haynes Haynes Kilbourne Kilpatrick Landrum Landry A. Landry E. J. LeBlanc Martin Mauberret Maybucke Mire Morris Monsanto

Nunez O’Neill Perez Perkins Planchard Reeves Rieker Roemer Schmitt Sandoz Segura Jenkins Jones Kelly Kilbourne Kilpatrick

Total—88.

NAYS

Delegates—

Aertker Conroy Derbes D’Gerolamo De Bieux Fayard

Total—88.
And the amendment was adopted.

Delegate A. Landry moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Bollinger to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 29, after the word and punctuation “tax,” and before the word “one-fifth” insert the word “and” and at the end of line 30, delete the comma “,” and delete line 31 in its entirety and at the beginning of line 32, before the word “shall” delete the words “owned property” and on page 3, between lines 7 and 8, add the following paragraph:

“(E) Ten percent of the royalties from any mineral lease or agreement herefore or hereafter granted by the state on state owned land and water bottoms or from such lands or water bottoms the title to which is in the public for mineral development shall be remitted by the State Treasurer to the governing authority of the parish from which the minerals were severed to be used by such parish exclusively to construct roads, highways, bridges and tunnels in such parish, and to operate and maintain automobile ferries in such parish.

The governing authority of such parish is authorized to fund into general obligation bonds of the parish its portion of the royalties.”

Delegate Bollinger moved the adoption of the amendment.

Delegate Champagne objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate—

Abraham  Duval  Nunez
Aerkker  Fulco  O’Neill
Alario  Guarsico  Perez
Alexander  Heme  Perkins
Arnette  Hernandez  Rieke
Badeaux  Kilbourne  Schmitt
Bollinger  Lambert  Segura
Brien  Landry, A.  Shannon
Carmouche  Landry, E. J.  Tapper
Chatelain  Lanier  Willis
Cino  Lebleu  Winchester
Corne  Martin  
D’Gerolamo  

Total—63.

**NAYS**

Delegate—

Anzalone  Gauthier  Planechard
Asseff  Glenn  Rachal
Avant  Goldman  Reeves
Bergeon  Graham  Roemer
Blair  Gravel  Sandoz
Brown  Grier  Singletary
Burns  Hardee  Slay
Burson  Hayes  Smith
Cannon  Haynes  Solomon
Casey  Jackson, A.  Stephenson
Champlin  Jones  Tate
Comar  Juneau  Thistlewhite
Conroy  Kean  Thompson
De Bileux  Kelly  Toca
Denney  Kilpatrick  Towny
Derbes  Landrum  Ullo
Delpapa  Low  Velazquez
Elkins  Maybuck  Vick
Fayard  Mire  Warren
Flory  Morris  Weiss
Fontenot  Munson  Wisham
Fowler  Newton  Zervigon

Total—66.

**NOT VOTING**

Delegate—

Mr. Chairman  Jackson, J.  Stagg
Bel  Jenkins  Stinson
Chehardy  Leigh  Stovall
Cowen  Leithman  Sutherland
DeBats  McDaniels  Tobias
Deshotels  Maubert  Vesich
Drew  Ours  Wall
Edwards  Pugh  Wattigny
Garrusso  Rayburn  Womack
Jack  Roy  

Total—29.

And the amendment was rejected.

Delegate Champagne moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Perez and Kelly to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 5, immediately after the word “all” and before the word “natural” insert the word “other” and on page
3. line 5, immediately after the word "resources" and before the word "revered" insert the following: "except timber"

Delegate Kelly moved the adoption of the amendment.
Delegate De Blieux objected.

By a vote of 82 yeas and 14 nays the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, between lines 7 and 8, insert the following: "(E) A state revenue limit shall serve as a check on uncontrolled increases in state tax revenues. The state tax revenue limit for any fiscal year shall be twelve percent of state personal income. State personal income is the dollar amount that is reported by the United States Department of Commerce or its successor agency as total income by persons in the State of Louisiana for the calendar year in which the fiscal year commences. State tax revenues include sales, severance, income, gift, inheritance, excise, property, license, fee, corporation franchise and all other taxes, collected by the state during the fiscal year. The legislature shall establish a system whereby all state tax revenues collected in excess of twelve percent of state personal income and the interest thereon shall be placed in a tax surplus fund which shall be used only for annual tax refunds or reductions as provided by law."

On motion of Delegate Jenkins the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Miller to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 3, between lines 7 and 8, insert the following: "(E) Individuals, partnerships, companies, and corporations paying royalties or other monies derived from oil, gas, or other minerals shall file with the state annual reports of unclaimed funds so paid attributable to minerals produced in Louisiana. Such funds which are unclaimed shall be deposited with the treasurer of the state and held or disposed of according to law."

On motion of Delegate Miller the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Miller to Committee Proposal No. 15, by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 3, between lines 7 and 8, insert the following: "(E) Individuals, partnerships, companies, and corporations paying royalties or other monies derived from oil, gas, or other minerals shall file with the state annual reports of unclaimed funds so paid attributable to minerals produced in Louisiana. Such funds which are unclaimed shall be deposited with the treasurer of the state and held or disposed of according to law."

Delegate Miller moved the adoption of the amendment.
Delegate De Blieux objected.

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

ROLL CALL

The roll call was called with the following result:

YEAS

Delegates—

Aerkel
Aierker
Alerker

Anzalone
Arnette

Asseff
Badeaux

Brown
Burns
Chatelain

Comar
Corne
Ekins

Fontenot

Ginn

Ginn

Total—46.

NAYS

Delegates—

Abraham

Aiaro

Avant

Blair

Bollinger

Burson

Champagne

Conino

Conroy

D'Gergolamo

De Blieux

Dennery

Dunlap

Duval

Total—43.

NOT VOTING

Delegates—

Mr. Chairman

Bel

Bergeron

Cannon

Carmouche

Chahardy

Cowen

Dennis

Derbes

Deshotels

Drew

Edwards

Giarrusso

Jackson, J.

Total—43.

And the amendment was adopted.

Delegate Miller moved to reconsider the vote by which the amendment was adopted, and to lay the motion to reconsider on the table.

Delegate Roemer objected to tabling the motion to reconsider.

By a vote of 31 yeas and 58 nays the Convention refused to table the motion to reconsider.

Reconsideration

Delegates Roemer moved to reconsider the vote by which the amendment was adopted.
Delegate Miller objected.

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

ROLL CALL

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Duval</td>
</tr>
<tr>
<td>Abraham</td>
<td>Fayard</td>
</tr>
<tr>
<td>Alario</td>
<td>Mire</td>
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<tr>
<td>Alexander</td>
<td>Munsen</td>
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<tr>
<td>Avant</td>
<td>Newton</td>
</tr>
<tr>
<td>Blair</td>
<td>Perez</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Planchard</td>
</tr>
<tr>
<td>Burns</td>
<td>Ranchal</td>
</tr>
<tr>
<td>Burson</td>
<td>Roemer</td>
</tr>
<tr>
<td>Casey</td>
<td>Sandoz</td>
</tr>
<tr>
<td>Champagne</td>
<td>Segura</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Slay</td>
</tr>
<tr>
<td>Conino</td>
<td>Tote</td>
</tr>
<tr>
<td>Conroy</td>
<td>Thistlethwaite</td>
</tr>
<tr>
<td>Corne</td>
<td>Tooma</td>
</tr>
<tr>
<td>Ter D’Gerolamo</td>
<td>Zervigon</td>
</tr>
<tr>
<td>De Blieux</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Denney</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Dunlap</td>
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Total—59.

**NAYS**

<table>
<thead>
<tr>
<th>Delegate</th>
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<tbody>
<tr>
<td>Aertker</td>
<td>Goldman</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Grier</td>
</tr>
<tr>
<td>Arnette</td>
<td>Hayes</td>
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<tr>
<td>Asseff</td>
<td>Haynes</td>
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<tr>
<td>Badeaux</td>
<td>Heine</td>
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<tr>
<td>Brown</td>
<td>Jones</td>
</tr>
<tr>
<td>Cannon</td>
<td>Larribert, E. J.</td>
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<tr>
<td>Comar</td>
<td>Lowe</td>
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<tr>
<td>Darbes</td>
<td>Maybuce</td>
</tr>
<tr>
<td>Elkins</td>
<td>Miller</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Morris</td>
</tr>
<tr>
<td>Fulco</td>
<td></td>
</tr>
</tbody>
</table>

Total—39.

NOT VOTING

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Party</th>
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</thead>
<tbody>
<tr>
<td>Bel</td>
<td>Leigh</td>
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<tr>
<td>Bergeron</td>
<td>Leithman</td>
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<tr>
<td>Carmouche</td>
<td>Mcdaniel</td>
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<tr>
<td>Chehardy</td>
<td>Martin</td>
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<tr>
<td>Cowen</td>
<td>Oursu</td>
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<tr>
<td>Dennis</td>
<td>Perkins</td>
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<tr>
<td>Deshotels</td>
<td>Pugh</td>
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<tr>
<td>Drew</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Edwards</td>
<td>Reeves</td>
</tr>
<tr>
<td>Giarrusso</td>
<td>Riecke</td>
</tr>
<tr>
<td>Jack</td>
<td>Schmitt</td>
</tr>
<tr>
<td>Jackson, J.</td>
<td>Stagg</td>
</tr>
<tr>
<td>Kilbourne</td>
<td></td>
</tr>
</tbody>
</table>

Total—37.

And the vote by which the amendment was adopted, was reconsidered.

FLOOR AMENDMENT

Amendment proposed by Delegate Miller to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, between lines 7 and 8, insert the following:

(1) Individuals, partnerships, companies, and corporations paying royalties or other monies derived from oil, gas, or other minerals shall file with the state annual reports of unclaimed funds so paid attributable to minerals produced in Louisiana. Such funds which are unclaimed shall be deposited with the treasurer of the state and held or disposed of according to law.

Motion

Delegate Zervigon moved the previous question on the amendment.

Delegate Weiss objected.

By a vote of 40 yeas and 42 nays the Convention refused to order the previous question at this time.

Delegate Miller moved the adoption of the amendment.

Delegate Roemer objected.

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

ROLL CALL

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Fontenot</td>
</tr>
<tr>
<td>Aertker</td>
<td>Fulco</td>
</tr>
<tr>
<td>Alexander</td>
<td>Goldman</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Grier</td>
</tr>
<tr>
<td>Arnette</td>
<td>Hayes</td>
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<tr>
<td>Asseff</td>
<td>Haynes</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Heine</td>
</tr>
<tr>
<td>Brown</td>
<td>Landrum</td>
</tr>
<tr>
<td>Cannon</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>Comar</td>
<td>LeBlieu</td>
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<tr>
<td>Corne</td>
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<tr>
<td>Elkins</td>
<td>Maybuce</td>
</tr>
<tr>
<td>Flory</td>
<td>Miller</td>
</tr>
</tbody>
</table>

Total—45.

**NAYS**

<table>
<thead>
<tr>
<th>Delegate</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fayard</td>
</tr>
<tr>
<td>Alario</td>
<td>Fowler</td>
</tr>
<tr>
<td>Avant</td>
<td>Gauthier</td>
</tr>
<tr>
<td>Blair</td>
<td>Gin</td>
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<tr>
<td>Bollinger</td>
<td>Gravel</td>
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<tr>
<td>Burson</td>
<td>Guarisco</td>
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<tr>
<td>Casey</td>
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<tr>
<td>Champagne</td>
<td>Juneau</td>
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<td>Chatelain</td>
<td>Keen</td>
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<td>Conino</td>
<td>Kelly</td>
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<tr>
<td>De Blieux</td>
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<td>Lambert</td>
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<td>Landry, A.</td>
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<tr>
<td>Duval</td>
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</table>

Total—48.

NOT VOTING

<table>
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<tbody>
<tr>
<td>Bel</td>
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<tr>
<td>Bergeron</td>
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<tr>
<td>Carmouche</td>
<td>Leithman</td>
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<tr>
<td>Chehardy</td>
<td>Mcdaniel</td>
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<tr>
<td>Cowen</td>
<td>Martin</td>
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<tr>
<td>Dennis</td>
<td>O'Neill</td>
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<tr>
<td>Deshotels</td>
<td>Oursu</td>
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<tr>
<td>Drew</td>
<td>Perkins</td>
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<tr>
<td>Edwards</td>
<td>Pugh</td>
</tr>
<tr>
<td>Giarrusso</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Jack</td>
<td>Riecke</td>
</tr>
<tr>
<td>Jackson, J.</td>
<td>Schmitt</td>
</tr>
</tbody>
</table>

Total—39.

And the amendment was rejected.

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

FLOOR AMENDMENTS

Amendments proposed by Delegates Denney and Warren to Committee Proposal No. 15 by Delegate Rayburn, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, line 32, after the word "property" and before the word "shall" insert a comma ",", and the following:
"and three-fourths of all sales taxes"

AMENDMENT No. 2—
On page 3, line 1, after the word "occur" and before the word "or" insert a comma ",", and the following:
"in which the taxes are collected;"

AMENDMENT No. 3—
On page 3, line 4, after the word and punctuation "year," and before the word "and" insert the following:
"the amount of sales taxes so remitted shall not exceed one million dollars to any parish for any year;"

Delegate Dennehy moved the adoption of the amendment.
Delegate Kelly objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aertker
Alario
Alexander
Asseff
Casey
Comar
D'Gerolamo
Dennehy
Total—23.

NAYS

Delegates—
Abraham
Anzalone
Arnette
Avant
Badeaux
Blair
Bollinger
Brien
Brown
Burson
Cannon
Chapman
Chataein
Coninou
Corney
De Blieux
Dunlap
Duval
Elkins
Fayard
Flory
Fontenot
Total—69.

NOT VOTING

Delegates—
Mr. Chairman
Bel
Bergeron
Biree
Carmouche
Chehardy
Cowen
Dennis
Derbes
Deshotels
Drew
Edwards
Giarussow
Jack
Total—40.

And the amendment was rejected.

Delegate Kelly moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Chatelain, Gravel, and Lanier to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, line 5, after the language added by Floor Amendment No. 1 proposed by Delegate Jack, et al, and adopted by the convention on December 15, 1973, add the following:
"The tax to be assessed, levied, collected and paid upon the net income of every corporation shall be computed at a rate not to exceed four percent of the amount of taxable income up to twenty-five thousand dollars. The legislature shall, by law enacted by the favorable vote of two-thirds of the elected members of each house, provide for the rate of taxation on corporate taxable income over the amount of twenty-five thousand dollars, but such rate shall be not less than four nor more than twelve percent of taxable income."

Delegate Chatelain moved the adoption of the amendment.
Delegate Lowe objected.

By a vote of 30 yeas and 62 nays the amendment was rejected.

Delegate Roemer moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, at the beginning of line 5, immediately after the word "all" and before the word "natural" strike out the word "other" added by the floor amendment proposed by Delegates Perez and Kelly and adopted by the convention on December 16, 1973.

Delegate Gravel moved the adoption of the amendment.
Delegate Perez objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Alexander
Chatelain
Conroy
De Blieux
Dunlap
Flory
Total—20.

NAYS

Delegates—
Mr. Chairman
Aertker
Alario
Anzalone
Arnette
Asseff
Avant
Badeaux
Blair
Bollinger
Total—40.

And the amendment was rejected.
### Delegates

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Total—69.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bel</td>
<td>1</td>
</tr>
<tr>
<td>Bergeron</td>
<td>1</td>
</tr>
<tr>
<td>Carmouche</td>
<td>1</td>
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<tr>
<td>Chehardy</td>
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<td>Cowen</td>
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<tr>
<td>Dennis</td>
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<tr>
<td>Derbes</td>
<td>1</td>
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<tr>
<td>Deshotels</td>
<td>1</td>
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<tr>
<td>Drew</td>
<td>1</td>
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<tr>
<td>Edwards</td>
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<tr>
<td>Eikins</td>
<td>1</td>
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<tr>
<td>Gauthier</td>
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<tr>
<td>Glarrusso</td>
<td>1</td>
</tr>
<tr>
<td>Jack</td>
<td>1</td>
</tr>
<tr>
<td>Jackson, J.</td>
<td>1</td>
</tr>
</tbody>
</table>

### NOT VOTING

<table>
<thead>
<tr>
<th>Not Voting Delegates</th>
<th>Total—39.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hayes</td>
<td>1</td>
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<tr>
<td>Heine</td>
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<tr>
<td>Hernandez</td>
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<td>Jackson, A.</td>
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<tr>
<td>Jenkins</td>
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<tr>
<td>Juneau</td>
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<td>Kean</td>
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<tr>
<td>Kelly</td>
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<tr>
<td>Kilpatrick</td>
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<tr>
<td>Landrum</td>
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<td>Landry, A.</td>
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<tr>
<td>Landry, E. J.</td>
<td>1</td>
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<tr>
<td>Lanier</td>
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</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

### Passage

Committee Proposal No. 15, Section 4 was read, as amended.

Delegate Roemer moved the final passage of the Section.

### ROLL CALL

The roll was called with the following result:

#### YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
</tr>
<tr>
<td>Abraham</td>
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<tr>
<td>Alario</td>
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<tr>
<td>Alexander</td>
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<td>Asseff</td>
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<td>Badeaux</td>
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<td>Bollinger</td>
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<td>Brown</td>
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<td>Burns</td>
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<td>Burson</td>
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<td>Cannon</td>
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<td>Champagne</td>
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<td>Chatelain</td>
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<td>Comar</td>
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<td>Conino</td>
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<tr>
<td>Conroy</td>
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<tr>
<td>Corne</td>
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<tr>
<td>D'Gerolamo</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Duval</td>
</tr>
<tr>
<td>Eikins</td>
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<tr>
<td>Fayard</td>
</tr>
</tbody>
</table>

#### NAYS

<table>
<thead>
<tr>
<th>Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
</tr>
</tbody>
</table>

### COMMITTEE NOTICE

Delegate Stagg, chairman of the Sub-Committee on Alternatives of the Committee on Rules, Credentials and Ethics, sent up the following notice:

The Sub-Committee on Alternatives of the Committee on Rules, Credentials and Ethics will meet on Monday, December 17, 1973, during the noon recess in the Treaty Room and will consider the following agenda:

#### AGENDA

To consider methods of consideration of alternatives.

Respectfully submitted,

**TOM STAGG,**

Chairman of the Sub-Committee on Alternatives of the Committee on Rules, Credentials and Ethics

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

### Motion

On motion of Delegate A. Jackson the rules were suspended for the purpose of calling a meeting of the Committee on Bill of Rights and Elections without giving the required 24 hours notice.

### COMMITTEE NOTICE

Delegate Alphonse Jackson, chairman of the Committee on Bill of Rights and Elections, sent up the following notice:

The Committee on Bill of Rights and Elections will meet on Monday, December 17, at noon recess in Committee Room 1 and will consider the following agenda:
AGENDA

To continue consideration of the Proposal on General Government

Respectfully submitted,
ALPHONSE JACKSON, JR.,
Chairman of the Committee on
Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Miller the Rules were suspended for the purpose of calling a meeting of the Sub-committee on Site of the Executive Committee without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Miller, chairman of the Sub-Committee on Site Selection of the Executive Committee, sent up the following notice:

The Sub-Committee on Site Selection of the Executive Committee will meet on Monday, December 17, 1973, after adjournment in the Treaty Room and will consider the following agenda:

AGENDA

Site Consideration during January, 1974.

Respectfully submitted,
RUTH LOYD MILLER,
Chairman of the Sub-Committee on Site Selection of the Executive Committee

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate McDaniel—2 days.
Delegate Bel—3 days.
Delegate Drew—1 day.
Delegate Jack—2 days.
Delegate Chehardy—1 day.
Delegate Leithman—1 day.
Delegate Stagg—1 day.
Delegate Stovall—1 day.
Delegate Dennis—2 days.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Monday, December 17, 1973 at 9:00 o'clock A.M. Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Monday, December 17, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

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

ONE HUNDRED SECOND DAY'S PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act of the 1972
Regular Session of the Legislature

The Convention was called to order at 9:00 o'clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—
Mr. Chairman
Abraham
Ayerker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chetalein
Chehardy
Comar
Conino
Conroy
Corne
D'Gerolamo
De Blieux
Dennery
Derbes
Drew
Dunlap
Duval
Edwards
Elkins

Morris
Florin
Fontenot
Fowler
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Graham
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jackson, A.
Jenkins
Jones
Juneau
Kean
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
LeBlieu
Lowe
Martin
Mauherret
Maybuece
Miller
Mire

Munson
Newton
Nunez
O'Neill
Ours
Perez
Plancharod
Rayburn
Reeves
Roemer
Roy
Sandoz
Segura
Singleton
Smith
Soniat
Stagg
Stinson
Stovall
Tapper
Tate
Tobias
Toca
Toomy
Velasquez
Vick
Warren
Wattingly
Willis
Winchester
Whisham
Zervigon

ABSENT

Delegates—
Bel
Cowen
Dennis
Deshotels
Gravel
Jack
Jackson, J.
Kelly
Leigh

Leithman
McDaniel
Perkins
Pugh
Rachal
Riecke
Schmitt
Shannon
Slay

Stephenson
Sutherland
Ullo
Vestin
Wall
Womack

The Chairman announced that there were 107 members
present and a quorum.

Prayer

Prayer was offered by Delegate Casey.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Goldman, the Journal of yesterday
was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the Convention
was engaged at the time of adjournment on yesterday was
taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 15—

Introduced by Delegate Rayburn, Chairman, on behalf of
the Committee on Revenue, Finance and Taxation, and Dele-
gate Alario, Badeaux, Brown, Champagne, Chehardy, Con-
roy, De Blieux, Edwards, Fontenot, Lowe, McDaniel, Mau-
herret, Mire, Newton, Nunez, Plancharod, Roemer, Schmitt.
Slay, Smith, Triche and Winchester:

A PROPOSAL

Relative to the tax structure of the state and to public
finance.

Read.

The Chair announced that the Convention had under con-
sideration Committee Proposal No. 15 when it adjourned
on Friday, December 16, 1973, which was taken up and acted
upon as follows:

Motion

On motion of Delegate Roemer Committee Proposal No. 15,
Section 6, action upon which was previously deferred, was
taken up and acted upon as follows:

Section 6. Forestry

Section 6. Forestry shall be practiced in this state, and the
legislature shall enact laws therefor.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Lanier to Committee
Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 3, line 14, after the word "Forestry" add a semi-
colon ";" and the following: "Acreage Taxes; Homestead Ex-
ceptions" and between lines 16 and 17 add the following
paragraph:

"Acreage taxes and contributions for the benefit of the land
may be levied and collected within political subdivisions as
hereofore or hereafter authorized by law. These taxes and
contributions shall be listed on the assessment rolls as pro-
vided by law. However, property occupied as a homestead,
as defined in Article XI, Section 1, shall be subject to the
homestead exemption from acreage taxes and contributions
levied for forestry purposes."

Delegate Lanier moved the adoption of the amendment.

Delegate Thompson objected.

1009
By a vote of 25 yeas and 42 nays the amendment was rejected.

Delegate Thompson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Bollinger to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 3, delete lines 14 through 16, both inclusive, in their entirety

Delegate Bollinger moved the adoption of the amendment.

Delegate Burns objected.

By a vote of 62 yeas and 5 nays the amendment was adopted.

Delegate Bollinger moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Section 9. State Debt; Maximum Debt Service Expense for All Purposes**

Section 9. The legislature shall enact no law authorizing the incurrence of state debt, whether contracted directly by the state or indirectly through a state board, agency, or commission, if incurrence of the indebtedness would result in total annual debt service requirements on all state obligations, whether outstanding or authorized and unissued, exceeding an amount equal to fifteen percent of the average total revenues from state sources available for debt service for the preceding three years.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Kean to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 5, line 15, after the period “.” add the following sentence:

“Nothing contained herein shall be construed to include the indebtedness of any levee district or political subdivision in the calculation of state debt, unless the full faith and credit of the state is pledged to the payment of the bonds of such levee district or political subdivision.”

Delegate Kean moved the adoption of the amendment.

Delegate Asseff objected.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>De Blieux</td>
<td>Fontenot</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Kilbourne</td>
<td>Reeves</td>
</tr>
<tr>
<td>Landry, A.</td>
<td>Roemer</td>
</tr>
<tr>
<td>Landry, E. J.</td>
<td>Sandoz</td>
</tr>
<tr>
<td>Lanier</td>
<td>Singletary</td>
</tr>
<tr>
<td>LeBleu</td>
<td>Smith</td>
</tr>
<tr>
<td>Lowe</td>
<td>Soniat</td>
</tr>
<tr>
<td>Martin</td>
<td>Stagg</td>
</tr>
<tr>
<td>Maubertet</td>
<td>Tapper</td>
</tr>
<tr>
<td>Miller</td>
<td>Thompson</td>
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<tr>
<td>Mire</td>
<td>Velazquez</td>
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<tr>
<td>Morris</td>
<td>Warren</td>
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<td>Nurz</td>
<td>Wattigny</td>
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<tr>
<td>O'Neill</td>
<td>Willis</td>
</tr>
<tr>
<td>Perez</td>
<td>Zervigon</td>
</tr>
<tr>
<td>Planchar</td>
<td></td>
</tr>
<tr>
<td>Rayburn</td>
<td></td>
</tr>
</tbody>
</table>

Delegate Kean moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 15, Section 9 was read, as amended.

Delegate Planchar moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>De Blieux</td>
<td></td>
</tr>
<tr>
<td>Fontenot</td>
<td></td>
</tr>
<tr>
<td>Dunlap</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Delegates—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Casey</td>
<td>Grier</td>
</tr>
<tr>
<td>Abraham</td>
<td>Champagne</td>
</tr>
<tr>
<td>Alario</td>
<td>Chatelain</td>
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<tr>
<td>Anzalone</td>
<td>Comar</td>
</tr>
<tr>
<td>Asseff</td>
<td>Conino</td>
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<tr>
<td>Badeaux</td>
<td>Corne</td>
</tr>
<tr>
<td>Bergeron</td>
<td>D'Gerolamo</td>
</tr>
<tr>
<td>Blair</td>
<td>Denner</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Drew</td>
</tr>
<tr>
<td>Brien</td>
<td>Eikins</td>
</tr>
<tr>
<td>Brown</td>
<td>Flore</td>
</tr>
<tr>
<td>Burns</td>
<td>Gudioso</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Goldman</td>
</tr>
</tbody>
</table>

1010
Delegate Miller sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Miller to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 5, line 26, after the word and punctuation "obtained," insert the following:

"The attorney general shall appoint one assistant who shall be the sole legal representative of the state in all matters relating to the issuance and sale of bonds issued by the state or any of its political subdivisions. The district attorney or district attorneys in the political subdivision affected shall assist the assistant attorney general in matters relating to bonds to be issued and sold by a political subdivision."

On motion of Delegate Miller the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Miller to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 5, line 26, after the word and punctuation "obtained," insert the following:

"The attorney general shall be the legal representative of the state in all matters relating to the issuance and sale of bonds issued by the state. The district attorney or district attorneys in the political subdivision affected shall be the legal representative in matters relating to bonds to be issued and sold by a political subdivision."

On motion of Delegate Miller the amendment was withdrawn.

Delegate Miller moved the adoption of the amendment.

Delegate De Blieux objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Assiff  Cosilain  Conino  Corne  Dunlap  Elkins  Flory  Fulco  Gates  Hite  Leak  Miller

Goldman  Grier  Hardee  Hayes  Jenkins  Jones  Landry, E. J.  Lawyer  LeBlanc  Lienau  Stagg  Stovall  Tapper

Nunez  O'Neill  Perez  Planeard  Roemer  Rugg  Stantig  Stapp  Thompson  Touhy  Velazquez  Wattigny  Willis

Sonnat  Stagg  Stovall  Tapper  Thompson  Velazquez  Wattigny  Zervigon

Total—24.

NAYS

Delegates—

Mr. Chairman  Abraham  Alario  Anzalone  Badeaux  Bergeron  Blair  Bollinger  Brown  Burns  Burson  Cannon  Camouche  Casey  Champagne  Comar  D'Gerolamo  De Blieux

Denney  Fontenot  Gin  Graham  Guarisco  Hayes  Heine  Hernandez  Jackson, A.  Juncuau  Kilbourne  Kilpatrick  Landry, A.  Lanier  Lowe  Martin  Maubert  Mire

Morris  O'Neill  Perez  Planeard  Roemer  Rugg  Stapp  Thompson  Touhy  Touhy  Velazquez  Wattigny  Winchester  Zervigon

Total—55.

Read.
And the amendment was rejected.
Delegate De Blieux moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Roemer to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, line 23, immediately after the word “indebtedness” insert the words “of the state”.

On motion of Delegate Roemer the amendment was adopted.
Delegate Roemer moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Denney to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
ON page 6, line 2, after the word “state” and before the word “as provided by law”

On motion of Delegate Denney the amendment was adopted.

Delegate Denney moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage
Committee Proposal No. 15 Section 10 was read, as amended.
Delegate De Blieux moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS
Abraham  Alerio  Anzalone

NOT VOTING
Badeaux  Fontenot  Mire
Bergeron  Fulco  Morris
Blair  Glenn  Nunez
Bollinger  Goldman  O'Neil
Brown  Grier  Perez
Burns  Guarisco  Rayburn
Burson  Hayes  Reeves
Cannon  Haynes  Roemer
Carmouche  Heine  Roy
Casey  Hernandez  Sandoz
Champagne  Jackson, A.  Singletary
Chatelain  Jones  Smith
Chehardy  Juneau  Stagg
Conroy  Kilbourne  Stovall
Cowen  Kilpatrick  Tapper
Dennis  Landry, A.  Tate
Dugas  Landry, E. J.  Thompson
DeBlieux  Lanier  Tommy
Devery  LeBlanc  Velasquez
Drew  Lowe  Wattigny
Duplais  Martin  Willis
Elkins  Maubreret  Winchester
Flory  Miller  Zervigon

Total—74.

NAYS
Delegates—
Assell  Vick  Warren
Soniat  Total—4.

NOT VOTING
Delegates—
Mr. Chairman  Hardee  Rachal
Aertker  Jack  Riecke
Alexander  Jackson, J.  Segura
Arnette  Jenkins  Segura
Avant  Kean  Shannnon
Bel  Kelly  Shannnon
Conroy  Kean  Shannnon
Cowen  Landrum  Slay
Dennis  LeBlanc  Stephenson
Dugas  LeBlanc  Stephenson
Dugas  LeBlanc  Slay
Dugas  Maybue  Stimson
Duval  Maybue  Suer
Fayard  Newton  Suer
Fowler  Ourso  Wall
Gauthier  Perkins  Wall
Giarrusso  Planchard  Wall
Gravel  Pugh  Weiss

Total—54.

And the Chair declared that the above Section was finally passed.
Delegate De Blieux moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 11. Collection of State Funds; Bond Security and Redemption Fund

Section 11. All money received by the state or by any state board, agency, or commission, immediately upon receipt, shall be deposited in the state treasury, except money received as the result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise, and except money received by trade or professional associations and then only if excluded by the affirmative vote of two-thirds of the members elected to each house of the legislature, and except money received by state agencies operating under authority of this constitution preponderantly from fees and charges for the shipment of goods in international maritime trade and commerce.

Subject to contractual obligations existing at the time this constitution is adopted, all state money deposited in the state treasury, except money received as the result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise, shall be credited to a special fund designated as the Bond Security and Redemption Fund. In each fiscal year there hereby is allocated from the Bond Security and Redemption Fund an amount sufficient to pay all obligations, including but not necessarily limited to principal,
interest, premiums, sinking or reserve fund requirements, which are secured by the full faith and credit of the state and which become due and payable within the current fiscal year. Thereafter, all money remaining in the Bond Security and Redemption Fund shall be credited to the State General Fund.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Rayburn and Roemer to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 6, at the end of line 28, place a comma after the word “associations” and delete the word “and” and delete lines 29 and 30 in their entirety and insert in lieu thereof the following: “the employment security administration fund or its successor, retirement system funds and”

On motion of Delegate Rayburn the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Drew to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 6, delete lines 22 through 32, both inclusive, in their entirety and on page 7, delete lines 1 and 2, in their entirety.

On motion of Delegate Drew the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Perez to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, between lines 17 and 18 insert the following paragraph:

“Nothing contained in this Section shall apply to any levee district or to any political subdivision unless the full faith and credit of the state is pledged to the payment of the bonds of such levee district or political subdivision.”

On motion of Delegate Perez the amendment was withdrawn.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates LeBluex, Rayburn, Munson and Newton to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 16, immediately after “Thereafter,” and before the word “all” insert the following: “except as otherwise provided by law,”

On motion of Delegate Rayburn the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 15, Section 11 was read, as amended.

Delegate Rayburn moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
<th>NAYS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
<td></td>
<td>Delegates—</td>
<td></td>
</tr>
<tr>
<td>Abraham</td>
<td>Fowler</td>
<td>Mire</td>
<td></td>
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<tr>
<td>Alario</td>
<td>Fulco</td>
<td>Morris</td>
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<tr>
<td>Alexander</td>
<td>Giarrusso</td>
<td>Munson</td>
<td></td>
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<tr>
<td>Anzalone</td>
<td>Ginn</td>
<td>Newton</td>
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<tr>
<td>Arnette</td>
<td>Goldman</td>
<td>Nunez</td>
<td></td>
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<tr>
<td>Avant</td>
<td>Graham</td>
<td>Ourso</td>
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<tr>
<td>Bergeron</td>
<td>Grier</td>
<td>Perez</td>
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<td>Blair</td>
<td>Guarisco</td>
<td>Planchar</td>
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<tr>
<td>Bollinger</td>
<td>Hardee</td>
<td>Rayburn</td>
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<td>Burns</td>
<td>Hayes</td>
<td>Reeves</td>
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<td>Heine</td>
<td>Roemer</td>
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<td>Hernandez</td>
<td>Roy</td>
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<td>Carmouche</td>
<td>Jackson, A.</td>
<td>Sandoz</td>
<td></td>
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<tr>
<td>Casey</td>
<td>Jones</td>
<td>Single</td>
<td></td>
</tr>
<tr>
<td>Champagne</td>
<td>Juneau</td>
<td>Stagg</td>
<td></td>
</tr>
<tr>
<td>Chattelain</td>
<td>Kilbourne</td>
<td>Tapper</td>
<td></td>
</tr>
<tr>
<td>Chehardy</td>
<td>Kilpatrick</td>
<td>Tate</td>
<td></td>
</tr>
<tr>
<td>Conino</td>
<td>Lambert</td>
<td>Thistethwaite</td>
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<tr>
<td>De Gerolamo</td>
<td>Landry, A.</td>
<td>Thompson</td>
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<tr>
<td>De Bileux</td>
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<td>Tobias</td>
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<td>Drew</td>
<td>Lanier</td>
<td>Toomey</td>
<td></td>
</tr>
<tr>
<td>Dunlap</td>
<td>LeBluex</td>
<td>Velazquez</td>
<td></td>
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<tr>
<td>Elkins</td>
<td>Lowe</td>
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<tr>
<td>Fayard</td>
<td>Martin</td>
<td>Willis</td>
<td></td>
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<tr>
<td>Flory</td>
<td>Maubert</td>
<td>Winchester</td>
<td></td>
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<tr>
<td>Fonlenot</td>
<td>Miller</td>
<td></td>
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<tr>
<td>Total—77.</td>
<td></td>
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</tr>
</tbody>
</table>

| NOT VOTING | |
| Delegates— | |
| Asseff | Soniat | Warren | |
| Denney | Vick | Zerigovin | |
| Derbes | | | |
| Total—7. | | | |

| NOT VOTING | |
| Delegates— | |
| Mr. Chairman | Haynes | Schmitt | |
| Aerator | Jack | Segura | |
| Badeaux | Jenkins | Shannon | |
| Bel | Kean | Slay | |
| Brien | Kelly | Smith | |
| Brown | Landrum | Stephenson | |
| Comar | Leiph | Stinson | |
| Conroy | Leithman | Stovall | |
| Corne | McDaniel | Sutherland | |
| Cowen | Maybuce | Toca | |
| Dennis | O’Neill | Ullo | |
| Deshotels | Perkins | Vesich | |
| Duval | Pugh | Wall | |
| Edwards | Rachal | Weiss | |
| Gauthier | Riecke | Wisham | |
| Gravel | | | |
| Total—48. | | | |

And the Chair declared that the above Section was finally passed.

Delegate Rayburn moved to reconsider the vote by which the above Section was finally passed, and on his own motion, the motion to reconsider was laid on the table.

**Section 12. Expenditure of State Funds**

Section 12. (A) Money shall be drawn from the state treas-
sury only pursuant to an appropriation made in accordance with law.

(B) Total appropriations made by the legislature for any fiscal year shall not be greater than the anticipated revenues of the state.

(C) The legislature shall provide for the publication of a regular statement of receipts and expenditures of all state money at intervals of not more than one year.

(D) Except as otherwise provided in this constitution, no appropriation shall allocate to any object the proceeds of any particular tax or a part or percentage thereof except when required by the federal government for participation in federal programs.

(E) No appropriation shall be made except for public purposes.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Kean and Alario to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, delete lines 28 through 32, both inclusive, in their entirety.

Delegate Alario moved the adoption of the amendment.

Delegate De Bileux objected.

By a vote of 79 yeas and 6 nays the amendment was adopted.

Delegate Alario moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Alario to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 8, at the beginning of line 1, strike out “(E)” and insert in lieu thereof “(D)”.

On motion of Delegate Alario the amendment was adopted.

Delegate Alario moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Roemer and Alario to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 19, immediately after “(A)” delete the word “Money” and insert in lieu thereof the following: “Except as otherwise provided in this constitution, money”.

On motion of Delegate Roemer the amendment was adopted.

Delegate Roemer moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

---

**Passage**

Committee Proposal No. 15, Section 12 was read, as amended.

Delegate Alario moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

**YEAS**

Delegate—

Abraham

Aertker

Alario

Alexander

Anzano

Arnette

Asseff

Avant

Badeaux

Bergeron

Blair

Bollinger

Brown

Burns

Burson

Carmouche

Cassey

Champagne

Chatelain

Chehardy

ComPAGE 6

Committee Proposal No. 15, Section 12 was read, as amended.

Delegate Alario moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

**YEAS**

Delegate—

Abraham

Aertker

Alario

Alexander

Anzano

Arnette

Asseff

Avant

Badeaux

Bergeron

Blair

Bollinger

Brown

Burns

Burson

Carmouche

Cassey

Champagne

Chatelain

Chehardy

Com NCAA

Conroy

Corne

D’Gerolamo

De Blecum

Dennery

Drew

Dunlap

Dykins

Fayard

Total—90

Total—0

NAYS

NOT VOTING

Delegate—

Mr. Chairman

Bel

Brown

Cannon

Comar

Cowen

Dennis

Derkse

Deshotel

Duval

Edwards

Gaubert

Gravel

Jack

Total—42

And the Chair declared that the above Section was finally passed.

Delegate Alario moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 13. Management of State Funds; Budgets**

Section 13. (A) The governor shall submit to the legislature, at a time fixed by law, a budget estimate for the next fiscal year setting forth all proposed state expenditures and anticipated state revenues, and shall submit a general appropriation bill to authorize the proposed ordinary operating expenditures and, if necessary, a bill or bills containing recommendations in the budget for new or additional revenues. (B) The governor shall submit to each regular session of the legislature a proposed five-year capital outlay program with a request for implementation of the first year of the five-year program. All capital outlay projects approved by the legislature shall be made a part of the comprehensive state capital budget which shall be adopted by the legislature.

Read.

1014
Delegate Casey sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Casey to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 8, line 7, immediately after the word “shall” delete the word “submit” and insert in lieu thereof the words “cause to be submitted”.

**AMENDMENT No. 2—**

On page 8, line 10, immediately after the partial word “mendations” delete the words “in the budget”.

On motion of Delegate Dennery the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 15, Section 13 was read, as amended.

Delegate Lowe moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham

Aeriker

Alario

Alexander

Anzalone

Arnette

Asseff

Avant

Badeaux

Bergeron

Blair

Bollinger

Brien

Burns

Bureau

Cann

Carmouche

Casey

Champlage

Chehardy

Cools

Conroy

Corne

D’Gerolamo

De Blesu

Dennery

Derbes

Drew

Dunlap

Total—86.

Delegate Tobias

Total—1.

**NAYS**

Delegate—

Mr. Chairman

Bel

Brown

Chatelain

Corgan

Cowen

Dennis

O’Neill

Schmitt

Perkins

Segura

Pugh

Shannon

Rachal

Slay

Reeves

Simms

Reed

Simpson

Roemer

Sutherland

Sandz

Thompson

Total—45.

And the Chair declared that the above Section was finally passed.

Delegate Lowe moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Roemer action on Committee Proposal No. 15, Section 14 and 15, was deferred at this time.

**Section 16. Management of State Funds; Prohibition of Loan, Pledge, or Donation of Public Property; Exceptions for Public Purpose**

Section 16. (A) The funds, credit, property or things of value of the state, or of any political corporation thereof, shall not be loaned, pledged, or donated to or for any person or persons, associations or corporations, public or private, nor shall the state nor any political corporation purchase or subscribe to the capital stock or stock of any corporation or association whatever for or any private enterprise.

(B) Nothing contained in this Section shall prevent inter-cooperation between the state and its political corporations or between political corporations, or between the state or its political corporations and the United States, or between the state or its political corporations and any public or private association or corporation or individual for a public purpose.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Perez, Toomy, and Lanier to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 8, delete lines 27 through 32, both inclusive, in their entirety and on page 9, delete lines 1 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 16. Management of State Funds; Donation, Loan, or Pledge of Public Credit"

Section 16. (A) Except as otherwise provided in this constitution, the funds, credit, property or things of value of the state, or of any political subdivision thereof, shall not be loaned, pledged, or donated to or for any person or persons, associations or corporations, public or private, nor shall the state nor any political subdivision purchase or subscribe to the capital stock or stock of any corporation or association whatever for or any private enterprise.

(B) Nothing contained in this Section shall prevent: (1) inter-cooperation between the state and its political subdivisions or between political subdivisions, or between the state or its political subdivisions and the United States, or between the state or its political subdivisions and any public or private association or corporation or individual for a public purpose; (2) the use of public funds for programs of social welfare for the aid and support of the needy; (3) contribution of public funds to pension and insurance programs for the benefit of public employees; (4) the legislature from authorizing the loan or pledge of such funds, credit, property, or things of value for public purposes with respect to the issuance of bonds or other evidences of indebtedness;

(C) Funds, credit, property or things of value of the state or of any political subdivision thereof heretofore loaned, pledged, dedicated or granted by the prior laws of this state, or authorized to be loaned, pledged, dedicated or granted by the prior laws of this state, shall so remain for the full term as provided by the prior
laws and constitution and for the full term as provided by any contract, unless such authorization is revoked by the legislature by a two-thirds vote of the elected membership of each house of the legislature prior to the vesting of any contractual rights pursuant to this Section."

Delegate Perez moved the adoption of the amendment.

Delegate Warren objected.

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

ROLL CALL

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Abraham</td>
<td>Dunlap</td>
<td>Miller</td>
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<td>Aertker</td>
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<td>D’Gerolamo</td>
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<td>Drew</td>
<td>Mauberret</td>
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**NAYS**

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<tr>
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<tr>
<td>Keen</td>
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<td>Womack</td>
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<td>Sandoz</td>
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**NOT VOTING**

<table>
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<tr>
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<tr>
<td>Mr. Chairman</td>
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<td>Heine</td>
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<td>Jack</td>
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<td>Jackson, J.</td>
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<tr>
<td>Jenkins</td>
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</table>

**Total—82.**

FLOOR AMENDMENT

Amendment proposed by Delegates Roy and Pugh to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 8, in Convention Floor Amendment No. 1 proposed by Mr. Perez and adopted by the Convention on December 17, 1973, at the end of line 11 of the text, immediately after the word “enterprise” delete the period “.” and insert in lieu thereof the following: "; however, neither the state nor any political subdivision thereof shall be prohibited from entering into a contract for the purchase of insurance from a mutual company or depositing money in savings and loan associations or savings banks."

On motion of Delegate Roy the previous question was ordered.

On motion of Delegate Roy, and under a suspension of the rules, the amendment was withdrawn.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Avant to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 8, line 13 in Floor Amendment No. 1 proposed by Delegate Perez and adopted by the convention on December 17, 1973, after the word and punctuation "prevent:" delete the remainder of line 13, and delete lines 14 through 15, in entirety and on line 16, delete the word and punctuation "purposes:" "(D) The state and its political corporations may, for a public purpose, engage in cooperative endeavors with each other or with the United States or its agencies, or with any public or private association or corporation or individual."

On motion of Delegate Avant the amendments were adopted.

Delegate Avant moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Jenkins to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 8, line 27 in Floor Amendment No. 1 proposed by Delegate Perez and adopted by the Convention on December 17, 1973, at the end of line 27 of the text of the amendment, delete the words "loan or"

AMENDMENT No. 2—

On page 8, line 27 in Floor Amendment No. 1 proposed by Delegate Perez and adopted by the Convention on December 17, 1973, on line 36 of the text of the amendment, immediately after the word "indebtedness" delete the period "." and insert in lieu thereof the following: "to meet public obligations."
On motion of Delegate Jenkins, the amendments were adopted.

Delegate Jenkins moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 15, Section 16 was read, as amended.

Delegate Planchar moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
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<tbody>
<tr>
<td>Delegates—</td>
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<tr>
<td>Abraham</td>
<td>Elkins</td>
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<tr>
<td>Alario</td>
<td>Maybuche</td>
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<td>Alexander</td>
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<td>Avant</td>
<td>Orso</td>
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<td>Planchar</td>
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<td>Bergeron</td>
<td>Rayburn</td>
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<td>Blair</td>
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<td>Brennan</td>
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<td>Brown</td>
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<td>Burns</td>
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<td>Carmouche</td>
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<td>Case</td>
<td>Tapper</td>
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<td>Champagne</td>
<td>Thompson</td>
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<td>Chaitain</td>
<td>Toca</td>
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<td>Chehardy</td>
<td>Toomy</td>
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<tr>
<td>Derbes</td>
<td>Zervigon</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Total—91.</td>
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</tbody>
</table>

NAYS

Delegate Singletary

NOT VOTING

| Delegates— |  |
| Mr. Chairman | Kelly |
| Aertker | Shannon |
| Bell | Shay |
| Cowen | Stephenson |
| Dennis | Sutherland |
| Deshotels | Tate |
| Duval | Tobias |
| Edwards | Ullo |
| Gravel | Vishni |
| Haynes | Wall |
| Jack | Weiss |
| Jackson, J. | Womack |
| Juneau |  |
| Kean | Segura |
| Total—40. |  |

And the Chair declared that the above Section was finally passed.

On motion of Delegate Planchar, the vote by which the amendments were adopted was reconsidered.

Motion

On motion of Delegate Roemer, Committee Proposal No. 15, upon which action was previously deferred, was taken up and acted upon as follows:

Section 14. Management of State Funds; Public Record

Section 14. All reports and records of the collection, expenditure, investment, and use of state moneys and all reports and records relating to state obligations shall be matters of public record, except returns of taxpayers and matters pertaining thereto.

Read.

Passage

Committee Proposal No. 15, Section 14 was read.

Delegate Alario moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

| YEAS |  |
| Delegates— |  |
| Alario | Elkins |
| Alexander | Maybuche |
| Anzalone | Miller |
| Arnette | Mire |
| Avant | Morris |
| Badeaux | Nunez |
| Bergeron | Orso |
| Blair | Planchar |
| Bollinger | Rayburn |
| Brennan | Reeves |
| Brown | Roemer |
| Burns | Roy |
| Burson | Sandoz |
| Cannon | Smith |
| Carmouche | Soniat |
| Case | Stagg |
| Champagne | Stovall |
| Chaitain | Tapper |
| Chehardy | Thompson |
| Comar | Toca |
| Conino | Toomy |
| Corroy | Velazquez |
| Corne | Vick |
| D'Gerolamo | Warner |
| De Blieux | Wattigny |
| Dennery | Willis |
| Derbes | Winchester |
| Drew | Wisham |
| Dunlap | Zervigon |
| Total—90. |  |

NAYS

Delegate Asseff

NOT VOTING

| Delegates— |  |
| Aertker | Kean |
| Bell | Kelly |
| Cowen | Shannon |
| D'Gerolamo | Slay |
| Dennis | Stephenson |
| Deshotels | Stinson |
| Duval | Tate |
| Edwards | Tobias |
| Gravel | Ullo |
| Haynes | Vishni |
| Jack | Wall |
| Jackson, J. | Weiss |
| Juneau | Womack |
| Kean |  |
| Total—41. |  |

And the Chair declared that the above Section was finally passed.

Delegate Alario moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Roemer Committee Proposal No. 15,
Section 15 upon which action was previously deferred was taken up and acted upon as follows:

Section 15. Management of State Funds; Investment

Section 15. All money available for investment in the custody of the state treasurer shall be invested as provided by law.

Read.

Passage

Committee Proposal No. 15, Section 15 was read.

Delegate Alario moved the final passage of the Section

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman Elkins Mauberret
Abraham Payard Maybucc
Airley Miller Merril
Alexander Fowler Mire
Anzalone Pulco Morris
Arnette Gauthier Nunez
Avanti Girrusso Ours
Badeaux Ginn Planchard
Bergeron Goldman Rayburn
Blair Graham Reeves
Bollinger Grier Roemer
Brien Guarisco Roy
Brown Hardee Sandso
Burns Hayes Singletary
Burton Haynes Smith
Cannon Heine Stagg
Carmouche Hernandez Stoval
Casey Jackson, A. Tapper
Champagne Jenkins Tate
Chatelain Jones Thistlethwaite
Chehardy Kilbourne Thompson
Comar Kilpatrick Toca
Conino Lambert Toney
Conroy Landrum Velazquez
Corne Landry, A. Vick
De Blieux Landry, E. J. Wattigny
Dennery Lanier Willis
Derbes LeBlanc Winchester
Drew Lowe Wisham
Dunlap Martin Zervigon

Total—90.

NAVS

Delegates—
Assiff Sonist Warren

NOT VOTING

Delegates—
Aertker Kean Schmitt
Bel Kelly Segura
Coven Leigh Shannon
D’Gerolamo Leithman Slay
Dennis McDaniel Stephenson
Deshotels Munson Stinson
Duval Newton Sutherland
Edwards O’Neill Tobias
Foncinot Perez Ulo
Gravel Perkins Vesich
Jack Pugh Wall
Jackson, J. Rachel Weiss
Juneau Riecke Womack

Total—39.

And the Chair declared that the above Section was finally passed.

Delegate Alario moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Explanation of Vote

Delegate Assiff sent up the following explanation of vote with respect to the question of the adoption of Section 14 and 15 of Committee Proposal No. 15:

"Though I agree with the principles set forth in Section 14 and 15 of Committee Proposal No. 15, I voted "No" because I feel that such material is statutory. It is most unfortunate that some two-thirds of the material included in the proposed Constitution is statutory. I oppose tying unnecessarily the hands of future generations."

Section 17. Release of Obligation to State, Parish or Municipal Corporation; Taxes on Confiscated Property

Section 17. The legislature shall have no power to release or extinguish or to authorize the releasing or extinguishment, in whole or in part, of the indebtedness, liability, or obligation of any corporation or individual to the state, or to any parish or municipal corporation thereof, provided, that the heirs to confiscated property may be released from all taxes due thereon at the date of its reversion to them; and provided that, whenever any immovable property has been forfeited or adjudicated to the state for the nonpayment of taxes due prior to January 1, 1860, and the state did not sell or dispose of the same or dispossess the tax debtor or his heirs, successors, assigns prior to the adoption of the Constitution of 1921, it shall be presumed conclusively that such forfeiture or adjudication was irregular and null or that the property has been redeemed, and the state and its assigns shall be estopped forever from setting up any title to such property by virtue of such forfeiture or adjudication.

Read.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Jenkins to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 8, line 13, after the number and punctuation “17,” and before the word “The” insert the letter “(A)”

AMENDMENT No. 2—

On page 9, line 17, after the word and punctuation “thereof,” and before the word “provided” insert the following: “provided, that the legislature may establish a system whereby claims by the state or political subdivisions may be compromised, and”

AMENDMENT No. 3—

On page 9, between lines 29 and 30, insert the following: “(B) All taxes and licenses other than real property taxes, shall prescribe in three years from the thirty-first day of December in the year in which such taxes or licenses are due, but prescription may be interrupted or suspended as provided by law.”

On request of Delegate Anzalone a division of the question was ordered.

Delegate Jenkins moved the adoption of Amendment Nos. 1 and 3.

Delegate Conroy objected.

By a vote of 67 yeas and 16 nays the amendments were adopted.

Delegate Jenkins moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins moved the adoption of Amendment No. 2.

Delegate Toomy objected.

By a vote of 45 yeas and 41 nays the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 9, between lines 29 and 30, in Floor Amendment No. 3 proposed by Delegate Jenkins and adopted by the Convention on December 17, 1973, immediately after the language added by said amendment, the following:

“No state, district, parish, or other tax, license, fee or assessment of any kind or nature, with all interest charges and penalties appertaining thereto, imposed, due or collectible, upon any property, minerals or the severance thereof, or due or payable by any person, firm or corporation upon any business operation or activity within the Tidelands area in dispute between the state and the United States and within the state’s historic gulfward boundary three leagues from coast, as established and defined by the Act of Congress of April 8, 1812, which admitted this state into the Union, and as re-defined in Act 33 of the 1954 Legislature of Louisiana, shall prescribe until three years after the 31st day of December in the year in which the controversy existing between the United States and the State of Louisiana over its said state gulfward boundary shall have been finally resolved and settled in accordance with law; provided, however, no interest charges nor penalties shall be assessed or collected on any such tax, license, fee or assessment if such tax, license, fee or assessment is paid within one year after the 31st day of December in the year in which such controversy is finally resolved and settled.”

Delegate Avant moved the adoption of the amendment.

Delegate Lanier objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

[-]

NAYS

[-]
And the Chair declared that the above Section was finally passed.

Delegate Conroy moved to reconsider the vote by which the above Section was finally passed, and, to lay the motion to reconsider on the table.

Delegate Bollinger objected to tabling the motion to reconsider.

By a vote of 64 yeas and 20 nays the motion to reconsider was laid on the table.

Section 18. Legislation to Enable Compliance with Federal Laws and Regulations to Secure Federal Aid in Capital Improvement Projects

Section 18. The legislature may enact legislation to enable the state, its agencies, boards, and commissions, and political subdivisions of the state and their agencies to comply with federal laws and regulations in order to secure federal participation in the cost of capital improvement projects.

Read.

Committee Proposal No. 15, Section 18 was read.

Delegate Goldman moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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NAYS

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<td>Mr. Chairman</td>
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NOT VOTING

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<tr>
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</table>

And the Chair declared that the above Section was finally passed.

Delegate Goldman moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate De Blieux moved for a suspension of the rules for the purpose of calling from the table the motion to reconsider the vote by which Committee Proposal No. 15, Section 4, was passed.

Delegate Anzalone objected.

By a vote of 39 yeas and 48 nays the Convention refused to suspend the rules at this time.

Motion

Delegate Roemer moved to suspend the rules for the purpose of calling from the table the motion to reconsider the vote by which Committee Proposal No. 15, Section 7, was passed.

Delegate Drew objected.

By a vote of 60 yeas and 27 nays the motion was called from the table.

On motion of Delegate Zervigon the vote by which Committee Proposal No. 15, Section 7 was passed was reconsidered.

Section 7. State Debt; Full Faith and Credit Obligations

Section 7. (A) Unless otherwise authorized by this constitution, the state shall have no power to contract, directly or through any state board, agency, or commission, the incurring of debt or the issuance of bonds except upon the affirmative vote of two-thirds of the members elected to each house of the legislature, and then only if the funds are to be used to repel invasion; suppress insurrection; provide relief from natural catastrophes; refund outstanding indebtedness, but only to obtain a lower effective rate of interest; or make capital improvements, but only in accordance with a comprehensive capital budget, which the legislature shall adopt.

(B) If the purpose is to make capital improvements, the nature, location, and if more than one project, the amount allocated to each and the order of priority shall be stated in the comprehensive capital budget which the legislature adopts.

(C) The full faith and credit of the state shall be pledged to the repayment of all bonds or other evidences of indebtedness issued by the state directly or through any state board, agency, or commission.

(D) The legislature, by two-thirds affirmative vote of the members elected to each house thereof, may propose a statewide public referendum for the incurrence of debt for any purpose for which the legislature is not herein authorized to incur debt.

Read.

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

Amendment proposed by Delegate Zervigon to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page four, between line 10 and 11 in Floor Amendment No. 1 proposed by Delegate Perez and adopted by the Convention on December 12, 1973, on line 2 of the text of the amendment
Delegate Zervigon moved the adoption of the amendment.

Delegate Conroy objected.

By a vote of 87 yeas and 1 nay the amendment was adopted.

Delegate Zervigon moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 15, Section 7 was read, as amended.

Delegate Roemer moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

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<thead>
<tr>
<th>Delegates</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
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<td>LeBlanc</td>
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<td>Martin</td>
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<td>Dunlap</td>
<td>Maubernet</td>
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Total—94.

NAYS

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<td>Kelly</td>
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<td>Leigh</td>
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</tbody>
</table>

Total—37.

And the Chair declared that the above Section was finally passed.

Delegates—

| Bel | Leithman |
| Brown | McDaniel |
| Cowen | Munson |
| Dennis | Newton |
| Deshotels | O'Neill |
| Edwards | Orso |
| Edwards | Perez |
| Giarrusso | Perkins |
| Gravel | Pugh |
| Jack | Ralich |
| Jackson, J. | Riecke |
| Kelly | Schmitt |
| Leigh | Shannon |

NOT VOTING

| Slay |     |
| Stephenson |     |
| Stinson |     |
| Sutherland |     |
| Tapper |     |
| Tobias |     |
| Toomey |     |
| Velazquez |     |
| Vick |     |
| Warren |     |
| Watliger |     |
| Winchester |     |
| Wisham |     |
| Zervigon |     |

Delegates—

| Abehram |     |
| Aertker |     |
| Alario |     |
| Alexander |     |
| Arnette |     |
| Asseff |     |
| Avant |     |
| Badeaux |     |
| Bergeron |     |
| Blair |     |
| Bollinger |     |
| Brien |     |
| Burson |     |
| Cannon |     |
| Carmouche |     |
| Case |     |
| Champagne |     |
| Chatalin |     |
| Chehardy |     |
| Conino |     |
| Conroy |     |
| Corne |     |
| D’Gerolamo |     |
| De Blieux |     |
| Dennery |     |
| Derbes |     |
| Drew |     |
| Dunlap |     |
| Elkins |     |
| Maybuce | Miller |
| Mire | Morris |
| Nunez | Planchard |
| Rayburn | Reeves |
| Roemer | Roy |
| Sandoz | Segura |
| Seng | Singleter |
| Smith |     |
| Stagg |     |
| Stovall |     |
| Tate | Thistlewaite |
| Thompson |     |
| Toca |     |
| Toomey | Velazquez |
| Vick |     |
| Warren |     |
| Willis |     |
| Winchester |     |
| Wisham |     |

Delegates—

| Abraham |     |
| Aertker |     |
| Alario |     |
| Alexander |     |
| Arnette |     |
| Asseff |     |
| Avant |     |
| Badeaux |     |
| Bergeron |     |
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| Bollinger |     |
| Brien |     |
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| Cannon |     |
| Carmouche |     |
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| De Blieux |     |
| Dennery |     |
| Derbes |     |
| Drew |     |
| Dunlap |     |

Discarded.

Reconsideration

On motion of Delegate Dennery the vote by which Committee Proposal No. 15, Section 16, was passed, was reconsidered.

Section 16. Management of State Funds; Prohibition of Loan, Pledge, or Donation of Public Property; Exceptions for Public Purpose

Section 16. (A) The funds, credit, property or things of value of the state, or of any political corporation thereof, shall not be loaned, pledged, or donated to or for any person or persons, associations or corporations, public or private, nor shall the state or any political corporation purchase or subscribe to the capital stock or stock of any corporation or association whatever or for any private enterprise.

(B) Nothing contained in this Section shall prevent inter-cooperation between the state and its political corporations or between political corporations, or between the state or its political corporations and the United States, or between the state or its political corporations and any public or private association or corporation or individual for a public purpose.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Dennery to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 4—

On page 8, line 27 in Floor Amendment No. 1 proposed by Delegate Perez, et al., and adopted by the convention on December 17, 1973, in line 30, after the amendment proposed by Delegate Jenkins and adopted by the convention on December 17, 1973, and at the end of the line, insert the following:

"(4) the legislature by a favorable vote of two-thirds of the elected members of each house from authorizing the loan, pledge, or donation of public funds in the furtherance of facilities and other programs having a public purpose;"

Delegate Dennery moved the adoption of the amendment.

Delegate Jenkins objected.

By a vote of 26 yeas and 59 nays the amendment was rejected.

Delegate Jenkins moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 15, Section 16 was read, as amended.

Delegate Roemer moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

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Total—94.

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Total—37.

And the Chair declared that the above Section was finally passed.
And the Chair declared that the above Section was finally passed.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Zervigon to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 10, line 6, add the following Section:

"Section 19. Increase in Taxes
Section 19. Notwithstanding any contrary provision of this constitution, the legislature may increase the individual or joint state income tax rate, the state motor vehicle license tax on automobiles for private use, or the state ad valorem property tax above five and three-fourths mills only by law enacted by the favorable vote of two-thirds of the members elected to each house and approved by a majority of the electors of the state voting in an election called for the purpose."  

Delegate Zervigon moved the adoption of the amendment.

Delegate Alario objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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**NAYS**

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<td>Abraham</td>
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<td>Elkins</td>
<td>Martin</td>
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<td>Fayard</td>
<td>Mauberret</td>
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</table>

And the amendment not having received the majority vote of the total membership of the Convention required to pass a Section to a Proposal failed to pass.

Delegate Roemer moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Burson moved the previous question on the entire subject matter.

Delegate De Blieux objected.

By a vote of 41 yeas and 50 nays, the Convention refused to order the previous question at this time.

**Motion**

Delegate Cannon moved to take up other Orders of Business at this time.

Delegate Champagne objected.

By a vote of 37 yeas and 55 nays the Convention refused to take up other Orders of Business at this time.

**Motion**

Delegate Burson moved for a suspension of the rules in order to limit introduction of further amendments to Proposal 15, except those presently at the Clerk's desk.

Delegate De Blieux objected.

By a vote of 51 yeas and 38 nays the Convention refused to suspend the rules at this time.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennery to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follow:

**AMENDMENT No. 1—**

On page 10, line 6, insert the following:
SECTION 19. The legislature by law enacted by a favorable vote of two-thirds of the elected members of each house may authorize the investment of public funds in bank certificates of deposit, corporate bonds, and savings and loan associations.

On motion of Delegate Dennery the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Dennery to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 10, line 6, insert the following:

"SECTION 19. The legislature by law enacted by a favorable vote of two-thirds of the elected members of each house may authorize the investment of public funds in bank certificates of deposit, corporate bonds, and savings and loan associations."

Delegate Dennery moved the adoption of the amendment.

Delegate Rayburn objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham, Aertker, Alexander, Anzalone, Aseff, Avant, Bergeron, Brien, Burns, Cannon, Carmouche, Casey, Chatelain, Comar, Conroy, Corne, DeBlieux, Dennery, Derbes

Total—57.

Delegates—

Alario, Arnette, Badeaux, Blair, Bollinger, Burns, Champagne, Chehardy, Conino, D'Gerolamo, Duval

Total—31.

Delegates—

Mr. Chairman, Bel, Brown, Cowen, Dennis, Deshotels, Edwards, Fayard, Giarrusso, Gin

NOT VOTING

Delegates—

Schmitt, Sutherland, Vesich, Shannon, Tapper, Wall, Slay, Thompson, Weiss, Stephenson, Tobias, Woman, Sinnon, Ullo

Total—44.

And the amendment not having received the majority vote of total membership of the Convention required to add a Section to a Proposal, failed to pass.

Delegate Rayburn moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Burson moved the previous question on the entire subject matter.

As a substitute Delegate De Blieux moved that the Convention adjourn until Tuesday, December 18, 1973, at 9:00 o'clock A.M.

Delegate Burson objected.

The vote recurred on the Substitute.

By a vote of 21 yeas and 68 nays the Convention refused to adjourn until Tuesday, December 18, 1973, at 9:00 o'clock A.M.

Delegate Burson insisted upon his motion for the previous question.

Delegate De Blieux objected.

By a vote of 62 yeas and 27 nays the previous question was ordered on the entire Proposal.

Passage

The Proposal was read, as amended.

Delegate Roemer moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman, Abraham, Aertker, Alexander, Anzalone, Aseff, Avant, Bergeron, Brien, Burns, Cannon, Carmouche, Casey, Chatelain, Chehardy, Comar, Conino, Conroy, Corne, D'Gerolamo, Duval

Total—66.

Delegates—

Alario, Arnette, Badeaux, Blair, Bollinger, Burns, Champagne, Chehardy, Conino, D'Gerolamo, Duval

Total—31.

Delegates—

Mr. Chairman, Bel, Brown, Cowen, Dennis, Edwards, Fayard, Giarrusso, Gin

NOT VOTING

Delegates—

Schmitt, Sutherland, Vesich, Shannon, Tapper, Wall, Slay, Thompson, Weiss, Stephenson, Tobias, Woman, Sinnon, Ullo

Total—44.

And the amendment not having received the majority vote of total membership of the Convention required to add a Section to a Proposal, failed to pass.

Delegate Rayburn moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Burson moved the previous question on the entire subject matter.

As a substitute Delegate De Blieux moved that the Convention adjourn until Tuesday, December 18, 1973, at 9:00 o'clock A.M.

Delegate Burson objected.

The vote recurred on the Substitute.

By a vote of 21 yeas and 68 nays the Convention refused to adjourn until Tuesday, December 18, 1973, at 9:00 o'clock A.M.

Delegate Burson insisted upon his motion for the previous question.

Delegate De Blieux objected.

By a vote of 62 yeas and 27 nays the previous question was ordered on the entire Proposal.

Passage

The Proposal was read, as amended.

Delegate Roemer moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman, Abraham, Aertker, Alexander, Anzalone, Aseff, Avant, Bergeron, Brien, Burns, Cannon, Carmouche, Casey, Chatelain, Chehardy, Comar, Conino, Conroy, Corne, D'Gerolamo, Duval

Total—66.

Delegates—

Alario, Arnette, Badeaux, Blair, Bollinger, Burns, Cannon, Carmouche, Champagne, Chatelain, Chehardy, Comar, Conino, Conroy, Corne, D'Gerolamo, Duval

Total—31.

Delegates—

Mr. Chairman, Bel, Brown, Cowen, Dennis, Edwards, Fayard, Giarrusso, Gin

NOT VOTING

Delegates—

Schmitt, Sutherland, Vesich, Shannon, Tapper, Wall, Slay, Thompson, Weiss, Stephenson, Tobias, Woman, Sinnon, Ullo

Total—44.
102nd Days Proceedings—December 17, 1973

Gravel
Jack
Jackson, J.
Kelly
Leigh
Leithman
McDaniel
Munson
Newton
O'Neill

Total—41.

Failed to pass.

Motion to reconsider pending.

On motion of Delegate A. Jackson, the Convention altered the Order of Business to take up other Orders of Business at this time.

Reports of Committees

The following reports of Committees were received and read:

Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Bill of Rights and Elections to submit the following report:

COMMITTEE PROPOSAL No. 1—
Introducing Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss:

A PROPOSAL
Providing for general governmental provisions.
Reported By Substitute.

Respectfully submitted,
ALPHONSE JACKSON, JR.,
Chairman.

Suspension of the Rules

On motion of Delegate A. Jackson the rules were suspended in order to take up the Proposal contained in the Committee Report at this time.

COMMITTEE PROPOSAL No. 1—
Introducing Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss:

A PROPOSAL
Providing for general governmental provisions.
Read.
Reported by substitute by the Committee on Bill of Rights and Elections.

The title to the substitute was read as follows:

COMMITTEE PROPOSAL No. 35—
Introducing Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 1, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Roy, Soniat Stinson, Vick and Wall):

A PROPOSAL
Providing for general governmental provisions.

The Substitute was adopted and became Committee Proposal No. 35, substitute for Committee Proposal No. 1, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections.

On motion of Delegate A. Jackson, and under a suspension of the rules, the Proposal was ordered engrossed and passed to its third reading.

Motion

On motion of Delegate Stevall the rules were suspended in order to call a meeting of the Committee on Bill of Rights and Elections without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Stevall, chairman of the Committee on Rules, Credentials and Ethics, sent up the following notice:

The Committee on Rules, Credentials and Ethics will meet on Tuesday, December 18, 1973, at 8:00 o'clock A.M. in the Ante Room and will consider the following agenda:

AGENDA

To consider methods of considering alternatives.

Respectfully submitted,
JAMES L. STOVALL,
Chairman of the Committee on Rules, Credentials and Ethics

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate A. Jackson the rules were suspended in order to call a meeting of the Committee on Bill of Rights and Elections without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate A. Jackson, chairman of the Committee on Bill of Rights and Elections, sent up the following notice:

The Committee on Bill of Rights and Elections will meet on Tuesday, December 18, 1973, at the Noon Recess in Committee Room 1 and will consider the following agenda:

AGENDA

To consider the Committee's Proposal on Constitutional Amendments.

ALPHONSE JACKSON, JR.,
Chairman of the Committee on Bill of Rights and Elections
Respectfully submitted,

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Conroy—½ day.
Delegate Segura—1 day.
Delegate Rachal—1 day.
Delegate Vestich—1 day.
Delegate Duval—1 day.
Delegate J. Jackson—1 day.
Delegate Stinson—1 day.
Delegate O'Neil—1 day.
Delegate Avant—½ day.
Delegate Shannon—1 day.
Delegate Aertker—1 day.
Delegate Cowen—3 days.
Delegate Leithman—1 day.
Delegate Weiss—1 day.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Tuesday, December 18, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Tuesday, December 18, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
Tuesday, December 18, 1973, Baton Rouge, La.

The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

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<tr>
<th>Delegate</th>
<th>Fontenot</th>
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<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
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ABSENT

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<td>Pugh</td>
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The Chairman announced that there were 120 members present and a quorum.

Prayer

Prayer was offered by Delegate Abraham.

Pledge of Allegiance

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

Reading of the Journal

On motion of Delegate O'Neill, the reading of the Journal was dispensed with.

On motion of Delegate O'Neill, the Journal of yesterday was adopted.

Morning Hour

Reports of Committees

The following reports of committees were received and read:

Delegate Stovall, chairman, on behalf of the Committee on Rules, Credentials and Ethics, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Rules, Credentials and Ethics to submit the following report:

COMMITTEE RESOLUTION No. 3—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletery, Velazquez and Warren:

A RESOLUTION

Relative to amending the Standing Rules of the Constitutional Convention to provide expressly for submission of alternative proposals.

Reported by substitute.

Respectfully submitted,

JAMES STOVALL,
Chairman.

Suspension of the Rules

On motion of Delegate Stovall the rules were suspended in order to take up the Resolution contained in the Committee Report at this time.

Reports of Committees Lying Over

Delegate and Committee Resolutions on Second Reading Reported by Committees

The following entitled Delegate and Committee Resolutions were taken up and acted upon as follows:

COMMITTEE RESOLUTION No. 3—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletery, Velazquez and Warren:

A RESOLUTION

Relative to amending the Standing Rules of the Constitutional Convention to provide expressly for submission of alternative proposals.

Read.

Reported by substitute by the Committee on Rules, Credentials and Ethics.

The title to the substitute was read as follows:

COMMITTEE RESOLUTION No. 13—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics (Substitute for Committee Resolution No. 3, by Delegate Stovall, et al.):

A RESOLUTION

To amend the Standing Rules of the Constitutional Convention to add a new Rule 37.1, to provide expressly for submission of alternative provisions.

WHEREAS, Act 2 of the 1972 Regular Session provides for alternative provisions; and
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 alternatives will include to a greater extent involvement of all voters of Louisiana in the convention; and

WHEREAS, the delegates to C/73 are desirous that this convention adopt a constitution that will be ratified by the voters.

THEREFORE, BE IT RESOLVED that Rule No. 37.1 is adopted to read as follows:

A. Alternative provisions authorized by Act No. 2 of the 1972 Regular Session to be submitted to a vote of the people shall be determined by the convention only in the manner provided below. Notwithstanding Rule No. 42, a delegate may introduce a proposal setting forth a proposed alternative. Such a proposal shall state specifically (1) the text of the alternatives; (2) any deletions of presently adopted paragraphs, or sections, or the like; (3) the effect of the alternative, if adopted by the people, in terms of additions to and deletions from the body of the proposed constitution; and (4) the text of the ballot proposition on the alternative proposal introduced must bear the names of at least forty delegates. No such proposal may be introduced after January 5, 1974.

B. Except as otherwise provided herein, each such proposal shall follow the order of processing of proposals set forth in Rule No. 42.

C. All proposals setting forth proposed alternatives shall lie over for committee referral until January 6, 1974. On that day, there shall be put to the convention the question of whether or not to further each such proposal. The question of further consideration shall open the main question, i.e., the merits of the alternative proposal. Debate on the question on each proposal shall be limited to thirty minutes, with the time equally divided between proponents and opponents. Each proposal receiving a majority vote of the delegates present and voting in favor of further consideration shall be referred to the appropriate substantive committee under the rules. Any proposal failing to receive such a majority vote shall be deemed withdrawn from the files of the convention.

D. Not later than January 9, 1974, each substantive committee shall report each proposal referred to it to the convention and only in one of the manners specified in Rule No. 61. Any proposal not returned within said time shall be deemed in the possession of the convention, and a motion shall lie to engross and pass the same to third reading.

E. No alternative provision shall be included on the ballot unless approved on final passage by a majority of the membership of the convention, which approval shall be by record vote.

F. No more than six alternative provisions shall be placed on the ballot.

On motion of Delegate Stovall the substitute was adopted.

On motion of Delegate Stovall, and under a suspension of the rules, the resolution was passed to its third reading.

Reconsideration
On motion of Delegate Roemer the vote by which Committee Proposal No. 15 failed to pass on yesterday was reconsidered.

COMMITTEE PROPOSAL No. 15
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, De Blieux, Edwards, Fontenot, Lowe, McDaniel, Mau-berret, Mire, Newton, Planchar, Roemer, Schmitt, Slay, Smith, Triche and Winchster.

A PROPOSAL
Relative to the tax structure of the state and to public finance.

Read.

Returned to the Calendar.
And the Chair declared that the above Section was finally passed.

Delegate Lambert moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Kelly moved to return Committee Proposal No. 34 to the Calendar.

Delegate DeBlieux objected.

By a vote of 79 yea's and 16 nays Committee Proposal No. 34 was returned to the Calendar.

**Motion**

Delegate Kelly moved to call from the calendar Committee Proposal No. 15.

Delegate DeBlieux objected.

By a vote of 79 yea's and 16 nays Committee Proposal No. 15 was called from the Calendar.

**COMMITTEE PROPOSAL No. 15—**

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, DeBlieux, Edwards, Fontenot, Lowe, McDaniel, Mauberret, Mire, Newton, Nunex, Planchar, Roemer, Schmitt, Slav, Smith, Triche and Winchester.

A PROPOSAL

Relative to the tax structure of the state and to public finance.

**Motion**

Delegate O'Neill moved the previous question on the Proposal.

Delegate DeBlieux objected.

By a vote of 65 yea's and 33 nays the previous question was ordered.

**Passage**

The Proposal was read, as amended.

Delegate Roemer moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<tr>
<th>Delegates—</th>
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<tr>
<td>Mr. Chairman</td>
<td>Burson</td>
<td>Duval</td>
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<td>Abraham</td>
<td>Cannon</td>
<td>Elkins</td>
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<td>Anzalone</td>
<td>Champagne</td>
<td>Giarrusso</td>
</tr>
<tr>
<td>Arnette</td>
<td>Chehardy</td>
<td>Glenn</td>
</tr>
<tr>
<td>Asseff</td>
<td>Conino</td>
<td>Goldman</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Conroy</td>
<td>Graham</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Curne</td>
<td>Grier</td>
</tr>
<tr>
<td>Bollinger</td>
<td>D'Grolamo</td>
<td>Guizarro</td>
</tr>
<tr>
<td>Brien</td>
<td>Deshotel</td>
<td>Hardee</td>
</tr>
<tr>
<td>Burns</td>
<td>Dunlap</td>
<td>Hayes</td>
</tr>
</tbody>
</table>

**NAYS**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nunez</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kelly</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kilbourne</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lambert</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landrum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landry, A.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landry, E. J.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lanier</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LeBlue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total—90.</td>
<td></td>
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</tr>
</tbody>
</table>

**NAYS**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Flory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fowler</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jackson, A.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kilpatrick</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denney</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dennis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Presty</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total—19.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

And the Chair declared that the above Proposal was finally passed.

**Explanation of Vote**

Delegate DeBlieux sent up the following Explanation of Vote with respect to the question of the final passage of Committee Proposal No. 15:

"I do not believe rates for taxes should be placed in the Constitution. This was done in Section 4 of this Proposal and therefore is legislation which I cannot in good conscience vote for."

**Motion**

On motion of Delegate Lambert Committee Proposal No. 34 was called from the Calendar.

**COMMITTEE PROPOSAL No. 34—**

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegates Bollinger, Derbes, Elkins, Hardee, Jack, LeBlue, Leight, Miller, Munson, Perkins, Singletary, Thompson, Velazquez, Warren and Womack (A Substitute for Committee Proposal No. 16):

A PROPOSAL

Making provisions relating to natural resources and environment.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Miller, Tobias and Asseff to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engaged Proposal as follows:

**AMENDMENT No. 1—**

On page 1, between lines 21 and 22, insert the following:

"Section 1.1. (A) The navigable water bodies and bottoms, the sea and its shores, and lands, title to which is in the state,
are hereby declared to be a part of the public domain. Title to lands held by the state, its agencies and political subdivisions, excluding municipalities, is hereby declared to be held in the public domain for the use and benefit of each.

(B) No disposals, contracts, compromises, or leases involving lands or interests therein, of the state and its agencies and political subdivisions, shall be made without the approval of the state's chief legal officer, prior notice, and other safeguards of public interest as prescribed by law.

(C) Neither the lands, or interest therein, in the public domain at the effective date of this constitution shall be subject to loss through prescription. The wrongful act, misfeasance, or nonfeasance of any public official, agent or agency, or employee of the state shall not act to divest the state of its title to property.”

On motion of Delegate Miller the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Derbes to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprint as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, between lines 21 and 22, insert the following:

“Section 1.1. Management Policy

Section 1.1. The legislature shall provide for the coordinated management and administration of natural resources owned by the state and for the regulation of other natural resources.”

Delegate Derbes moved the adoption of the amendment.

Delegate Jack objected.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Alexander</td>
</tr>
<tr>
<td></td>
<td>Anzalone</td>
</tr>
<tr>
<td></td>
<td>Bollinger</td>
</tr>
<tr>
<td></td>
<td>Casey</td>
</tr>
<tr>
<td></td>
<td>Conroy</td>
</tr>
<tr>
<td></td>
<td>Corne</td>
</tr>
<tr>
<td></td>
<td>Dennis</td>
</tr>
<tr>
<td></td>
<td>Total—21</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Nays</th>
<th>Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Flory</td>
</tr>
<tr>
<td></td>
<td>Fontenot</td>
</tr>
<tr>
<td></td>
<td>Fowler</td>
</tr>
<tr>
<td></td>
<td>Fulco</td>
</tr>
<tr>
<td></td>
<td>Gauthier</td>
</tr>
<tr>
<td></td>
<td>Gin</td>
</tr>
<tr>
<td></td>
<td>Goldman</td>
</tr>
<tr>
<td></td>
<td>Graham</td>
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<td></td>
<td>Grier</td>
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<tr>
<td></td>
<td>Hardee</td>
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<tr>
<td></td>
<td>Burns</td>
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<tr>
<td></td>
<td>Burson</td>
</tr>
<tr>
<td></td>
<td>Cannon</td>
</tr>
<tr>
<td></td>
<td>Carmouche</td>
</tr>
<tr>
<td></td>
<td>Champagne</td>
</tr>
<tr>
<td></td>
<td>Chehardy</td>
</tr>
<tr>
<td></td>
<td>Comar</td>
</tr>
<tr>
<td></td>
<td>Conlin</td>
</tr>
<tr>
<td></td>
<td>D'Gerolamo</td>
</tr>
<tr>
<td></td>
<td>De Bleux</td>
</tr>
<tr>
<td></td>
<td>Drew</td>
</tr>
<tr>
<td></td>
<td>Dunlap</td>
</tr>
<tr>
<td></td>
<td>Elkins</td>
</tr>
</tbody>
</table>

And the amendment not having received the vote of a majority of the total membership of the Convention required to pass a Section failed to pass.

Delegate Lambert moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Section 2. Natural Gas; Public Polley; Interstate and Intrastate Pipelines**

Section 2. Natural gas is hereby declared to be affected with a public interest, and natural gas produced in Louisiana shall be made available for utilization within the state as well as to the citizens of other states.

No intrastate natural gas pipeline or gas gathering line shall be connected with an interstate natural gas pipeline, and no interstate natural gas pipeline shall be connected with an intrastate natural gas pipeline without a certificate of public convenience and necessity issued by the Public Service Commission after due application for such connection and hearing thereon.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Derbes and Bollinger to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprint as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 28 through 32, both inclusive, in their entirety and on page 2, delete lines 1 through 2, both inclusive, in their entirety.

Delegate Derbes moved the adoption of the amendment.

Delegate Drew objected.

By a vote of 36 yeas and 62 nays the amendment was rejected.

Delegate Drew moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Bollinger to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprint as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 28 through 32, both inclusive, in their entirety and on page 2, delete lines 1 and 2 in their entirety.

Delegate Bollinger moved the adoption of the amendment.

Delegate Fontenot objected.

A record vote was asked for and ordered by the Convention.
The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Conroy</td>
<td>Jenkins</td>
</tr>
<tr>
<td>DeBlieux</td>
<td>Juneau</td>
</tr>
<tr>
<td>Dennery</td>
<td>Kelly</td>
</tr>
<tr>
<td>Derbes</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Duval</td>
<td>Roemer</td>
</tr>
<tr>
<td>Fusco</td>
<td>Stoval</td>
</tr>
<tr>
<td>Guarisco</td>
<td>Thistlewaite</td>
</tr>
<tr>
<td>Hayes</td>
<td>Toomy</td>
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</table>

Total—24.

**NAYS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Fowler</td>
<td>Munson</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Nunez</td>
</tr>
<tr>
<td>Glenn</td>
<td>Perez</td>
</tr>
<tr>
<td>Goldman</td>
<td>Planchard</td>
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<tr>
<td>Grier</td>
<td>Rachal</td>
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<tr>
<td>Hardee</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Haynes</td>
<td>Riecke</td>
</tr>
<tr>
<td>Heine</td>
<td>Roy</td>
</tr>
<tr>
<td>Hernandez</td>
<td>Schmitt</td>
</tr>
<tr>
<td>Jackson, A.</td>
<td>Shannon</td>
</tr>
<tr>
<td>Jackson, J.</td>
<td>Singletery</td>
</tr>
<tr>
<td>Jones</td>
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<td>Kilbourne</td>
<td>Stagg</td>
</tr>
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<td>Kilpatrick</td>
<td>Stinson</td>
</tr>
<tr>
<td>Lambert</td>
<td>Sutherland</td>
</tr>
<tr>
<td>Landrum</td>
<td>Tapper</td>
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<tr>
<td>Landry, E. J.</td>
<td>Toca</td>
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<td>Miller</td>
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<tr>
<td>Mire</td>
<td>Willis</td>
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Total—71.

**NOT VOTING**

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<td>Vesich</td>
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<td>Ourso</td>
<td>Vick</td>
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<tr>
<td>Perkins</td>
<td>Wall</td>
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<tr>
<td>Pugh</td>
<td>Wells</td>
</tr>
<tr>
<td>Reeves</td>
<td>Winchester</td>
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<tr>
<td>Segura</td>
<td>Wisham</td>
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<tr>
<td>Slay</td>
<td>Womack</td>
</tr>
<tr>
<td>Soniat</td>
<td>Zlevigonz</td>
</tr>
</tbody>
</table>

Total—37.

The amendment was rejected.

Delegate Fontenot moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendments proposed by Delegates Lambert and De Blieux to Committee Proposal No. 24 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, at the end of line 32, after the word "issued" delete the remainder of the line and on page 2, at the beginning of line 1, delete the word "vice Commission" and insert in lieu thereof the words as provided by law.

Delegate Lambert moved the adoption of the amendment.

Delegate Desholes objected.

By a vote of 76 yeas and 14 nays the amendment was adopted.

Delegate Lambert moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Drew to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 26, immediately after the word "utilization" strike out the remainder of the line and strike out line 27 in its entirety, and insert in lieu thereof the following:

"to the best interests of the citizens of the state."

Delegate Drew moved the adoption of the amendment.

Delegate Perez objected.

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

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>DeBlieux</td>
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</tr>
<tr>
<td>Dennery</td>
<td>Schmitt</td>
</tr>
<tr>
<td>DGerolamo</td>
<td>Sharron</td>
</tr>
<tr>
<td>Derbes</td>
<td>Singletery</td>
</tr>
<tr>
<td>Duval</td>
<td>Soniat</td>
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<tr>
<td>Elkins</td>
<td>Stephenson</td>
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<td>Fgyard</td>
<td>Sutherland</td>
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<td>Flory</td>
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<tr>
<td>Fontenot</td>
<td>Velazquez</td>
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<tr>
<td>Fowler</td>
<td>Vick</td>
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<tr>
<td>Gauthier</td>
<td>Warren</td>
</tr>
<tr>
<td>Grier</td>
<td>Womack</td>
</tr>
<tr>
<td>Ham槿</td>
<td>Zlevigonz</td>
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Total—43.

**NAYS**

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<td>Dunlap</td>
<td>Juneau</td>
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<td>Kean</td>
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<td>Lambert</td>
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<td>Fgyard</td>
<td>McDaniell</td>
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<td>Flory</td>
<td>Martin</td>
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<tr>
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<td>Goldman</td>
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<td>Gravel</td>
<td>Riecke</td>
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<td>Guariose</td>
<td>Riecke</td>
</tr>
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<td>Hardee</td>
<td>Riecke</td>
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<tr>
<td>Heine</td>
<td>Riecke</td>
</tr>
<tr>
<td>Jack</td>
<td>Riecke</td>
</tr>
</tbody>
</table>

1029
103rd Days Proceedings—December 18, 1973

Roemer
Roy
Sandoz
Segura

Smith
Stagg
Stinson
Thistlethwaite

Thompson
Ull
Wattigny
Willis

Delegates—
Mr. Chairman
Aerkker
Arnette
Bel
Brown
Cannon
Chehady
Cowen
Dennis
Edwards
Fayard
Giarrusso
Graham

Haynes
Kelly
Kilpatrick
Landry, A.
LaLEncoder
Leitham
Lowe
Mauberret
Newton
Ours

Pugh
Rayburn
Slab
Stovall
Tatte
Tobias
Vesich
Wall
Weiss
Winchester

NOT VOTING

Delegates—
Abraham
Alarid
Anzalone
Arnette
Asseff
Badeaux
Bergeron
Bollinger
Brien
Burson
Cannon
Carmouche
Champagne
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D'Gerolamo
De Blieux
Denner
Dennis
Detsholts
Drew
Dunlap
Duval

Nunez
O'Nell
Perez
Planchard
Reeves
Roemer
Roy
Sandoz
Schmitt
Singletary
Smith
Stagg
Stephenson
Stinson
Sutherland
Tatte
Thistlethwaite
Thompson
Toaco
Toomy
Tule

NOT VOTING

Delegates—
Mr. Chairman
Aerkker
Bel
Blair
Brown
Bren
Bren
Bren
Bren
Bren
Bren
Bren

Landry, A.
Leigh
Leitham
Lowe
McDaniel
Mayberet
Maybece
Newton
Ours

Casey
Chatelain
Elkins
Flory
Fontenot
Goldman
Haynes

Total—23.

Total—38.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Singletary to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 23, after the word "interest" place a period "." and delete the remainder of the line and delete lines 26 and 27 in their entirety;

On motion of Delegate Singletary the amendment was adopted.

Delegate Singletary moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, between lines 2 and 3, insert the following:

"Subsequent to the effective date of this constitution, no petroleum or natural gas produced from lands or water bottoms owned by the state or its political subdivisions shall be marketed outside the state of Louisiana except that in excess of the needs of citizens of the state and manufacturing concerns in this state. This provision shall not impair the obligations of any contract in effect on the effective date of this constitution. The legislature shall implement this Section."

Delegate Avant moved the adoption of the amendment.

Delegate Lambert objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alexander
Avant
Burns

Casey
Chatelain
Elkins
Flory
Fontenot
Goldman
Haynes

Total—30.

NAYS

Delegates—

Abraham
Alarid
Anzalone
Arnette
Asseff
Badeaux
Bergeron
Bollinger
Brien
Burson
Cannon
Carmouche
Champagne
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D'Gerolamo
De Blieux
Denner
Dennis
Detsholts
Drew
Dunlap
Duval

Total—79.

And the amendment was rejected.

Delegate Lambert moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 34, Section 2 was read, as amended.

Delegate Lambert moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alexander
Avant
Burns

Casey
Chatelain
Elkins
Flory
Fontenot
Goldman
Gravel
Hardee
Haynes
Helene
Hernandez

Total—79.

NOT VOTING

Delegates—

Abraham
Alarid
Anzalone
Arnette
Asseff
Badeaux
Bergeron
Bollinger
Brien
Burson
Cannon
Carmouche
Champagne
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D'Gerolamo
De Blieux
Denner
Dennis
Detsholts
Drew
Dunlap
Duval

Total—23.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Singletary to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 23, after the word "interest" place a period "." and delete the remainder of the line and delete lines 26 and 27 in their entirety;

On motion of Delegate Singletary the amendment was adopted.

Delegate Singletary moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, between lines 2 and 3, insert the following:

"Subsequent to the effective date of this constitution, no petroleum or natural gas produced from lands or water bottoms owned by the state or its political subdivisions shall be marketed outside the state of Louisiana except that in excess of the needs of citizens of the state and manufacturing concerns in this state. This provision shall not impair the obligations of any contract in effect on the effective date of this constitution. The legislature shall implement this Section."

Delegate Avant moved the adoption of the amendment.

Delegate Lambert objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alexander
Avant
Burns

Casey
Chatelain
Elkins
Flory
Fontenot
Goldman
Haynes

Total—30.

And the amendment was rejected.

Delegate Lambert moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 34, Section 2 was read, as amended.

Delegate Lambert moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alexander
Avant
Burns

Casey
Chatelain
Elkins
Flory
Fontenot
Goldman
Haynes

Total—79.

NOT VOTING

Delegates—

Abraham
Alarid
Anzalone
Arnette
Asseff
Badeaux
Bergeron
Bollinger
Brien
Burson
Cannon
Carmouche
Champagne
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D'Gerolamo
De Blieux
Denner
Dennis
Detsholts
Drew
Dunlap
Duval

Total—23.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Singletary to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 23, after the word "interest" place a period "." and delete the remainder of the line and delete lines 26 and 27 in their entirety;

On motion of Delegate Singletary the amendment was adopted.

Delegate Singletary moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, between lines 2 and 3, insert the following:

"Subsequent to the effective date of this constitution, no petroleum or natural gas produced from lands or water bottoms owned by the state or its political subdivisions shall be marketed outside the state of Louisiana except that in excess of the needs of citizens of the state and manufacturing concerns in this state. This provision shall not impair the obligations of any contract in effect on the effective date of this constitution. The legislature shall implement this Section."

Delegate Avant moved the adoption of the amendment.

Delegate Lambert objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alexander
Avant
Burns

Casey
Chatelain
Elkins
Flory
Fontenot
Goldman
Haynes

Total—30.

And the amendment was rejected.

Delegate Lambert moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 34, Section 2 was read, as amended.

Delegate Lambert moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alexander
Avant
Burns

Casey
Chatelain
Elkins
Flory
Fontenot
Goldman
Haynes

Total—79.
recover land lost through erosion if the reclamation is effected within ten years from the date the erosion occurs. This Section shall not prevent the leasing of state lands or water bottoms for mineral or other purposes. Except as provided herein, no bed of any navigable water body may be reclaimed except for public use.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Bollinger to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 12, immediately after the word “erosion” insert a period “.” and delete the remainder of the line and delete line 13 in its entirety.

Delegate Bollinger moved the adoption of the amendment.

Delegate Duval objected.

By a vote of 90 yeas and 3 nays the amendment was adopted.

Delegate Bollinger moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Avant to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 17, delete the period “.” after the word “use” and insert the following language: “, and then only when authorized by law enacted upon the favorable vote of two-thirds of the elected members of each house of the legislature.”

Delegate Avant moved the adoption of the amendment.

Delegate Perez objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

- De Bileux
- Dennery
- Dennis
- Drew
- Duval
- Elkins

**NAYS**

- De Bileux
- Dennery
- Dennis
- Drew
- Duval
- Elkins
103rd Days Proceedings—December 18, 1973

Fontenot
Powder
Gauthier
Ginn
Grier
Guarisco
Heine
Hernandez
Jack
Jenkins
Jones

Total—53.

NOT VOTING

Delegates—
Mr. Chairman
Akerter
Bel
Blair
Brown
Cannon
Chehardy
Derbes
Deshotels
Edwards
Giarrusso
Gravel
Kean

Total—37.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Gauthier and Conroy to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 17, after the word "except" delete the remainder of the line and insert in lieu thereof the following:

"as provided by law."

Delegate Gauthier moved the adoption of the amendment.

Delegate Velazquez objected.

By a vote of 37 yes and 60 nays the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 34, Section 4 was read, as amended.

Delegate Lambert moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Mr. Chairman
Abraham
Alario
Alexander
Anzalone
Arnette
Assett
Avant
Badeaux
Bergeron

Reeves
Ricket
Rieke

Total—98.

NAYS

Delegates—
Conino
D’Gerolamo

Total—5.

NOT VOTING

Delegates—
Akerter
Bel
Blair
Brown
Chehardy
Cowan
Derbes
Edwards
Giarrusso
Kean

Ours
Perkins

Total—29.

And the Chair declared that the above Section was finally passed.

Delegate Lambert moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 5. Reservation of Mineral Rights

Section 5. The mineral rights on all property sold by the state shall be reserved, except where the owner or other person having the right to redeem may buy or redeem property sold or adjudicated to the state for taxes.

Read.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Shannon to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, at the end of line 18, add the following:

"; Prescription"

AMENDMENT No. 2—

On page 2, line 19, immediately after "Section 5," and before the word "The" insert the following:

"(A) Reservation of Mineral Rights."

AMENDMENT No. 3—

On page 2, between lines 22 and 23, add the following:

"(B) Prescription. Lands and interests of neither the state nor levee districts shall be lost by prescription."

Delegate Shannon moved the adoption of the amendments.

Delegate Lambert objected.

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

The roll was called with the following result:

DELEGATES—

Alario
Alexander
Anzalone
Arnette
Assiff
Avant
Badeaux
Bergeron
Blair
Bollinger
Brien
Burson
Cannon
Corinto
D’Gerolamo
De Blieux
Deshotels
Drew
Dunlap
Duval
Flory
Glinn
Kean
McDaniel
Maybe
Miller
Total—61.

DELEGATES—

Abraham
Burns
Carmouche
Casey
Champagne
Chateiain
Conroy
Denner
Elkins
Payard
Glinn
Total—31.

DELEGATES—

Mr. Chairman
Aertker
Bel
Brown
Chehardy
Comar
Corne
Cowan
Dennis
Derbes
Edwards
Fontenot
Girrussou
Hernandez
Total—40.

And the amendments were adopted.

Delegated Shannon moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegated Guarisco sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Guarisco to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, between lines 22 and 23, and following the language added by Convention Floor Amendment No. 3 proposed by Mr. Shannon and adopted by the Convention on December 16, 1973, add the following:

“A mineral servitude or royalty interest in land reserved by a vendor shall not expire through the prescription of non-use.”

Motion

Delegated Planchar moved that debate on the amendment be limited to fifteen minutes.

Delegated Perez objected.

By a vote of 50 nays and 24 nays debate on the amendment was limited to fifteen minutes.

Motion

Delegated Duval moved the previous question on the amendment.

Delegated Guarisco objected.

By a vote of 50 nays and 27 nays the previous question was ordered.

Delegated Guarisco moved the adoption of the amendment.

Delegated Smith objected.

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

ROLL CALL

The roll was called with the following result:

DELEGATES—

Graham
Guarisco
Jenkins
Total—9.

DELEGATES—

Elkins
Perry
Flory
Fowler
Gauthier
Glinn
Roemer
Perez
Perkins
Planchar
Roy
Rieke
Sandoz
Sanger
Shannon
Singletary
Sloven
Stepphenson
Stagg
Toca
Toomey
Tooe
Ullo
Velazquez
Winchester
Zervigon

NOT VOTING

Kelly
Kilbourne
Landry, A.
LeBlanc
LeBlanc
Lowery
Martin
Maurret
Monson
O’Neill
Ourso

Pugh
Rachal
Rayburn
Reeves
Slay
Stinson
Tate
Tobias
Vesich
Vick
Wall
Weiss
Womack

And the amendment was rejected.
Delegate Smith moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Burson and Jenkins to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, between lines 22 and 23, delete Floor Amendment No. 3 proposed by Delegate Shannon and adopted by the convention on December 18, 1973 in its entirety and insert in lieu thereof the following:

"(B) Prescription. Lands and mineral interests of the state, any school board, and any levee district shall not be lost by prescription."

On motion of Delegate Burson the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 34, Section 5 was read, as amended.

Delegate Lambert moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

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<tr>
<th>Delegates—</th>
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<th>Perez</th>
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<td>Mr. Chairman</td>
<td>Flory</td>
<td>Perkins</td>
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<td>Abraham</td>
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<td>Dunlap</td>
<td>Mirex</td>
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<tr>
<td>Duval</td>
<td>Nude</td>
<td>Zervigon</td>
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</table>

YEAHS—Kean

NAYS—Munson

Tate

And the Chair declared that the above Section was finally passed.

Delegate Lambert moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Lambert action was deferred on Committee Proposal No. 34, Sections 6, 7 and 8, at this time.

**Section 9. Minerals Beyond Three-Mile Limit**

Section 9. All revenues and royalties from minerals located beyond the three-mile limit of the coastal waterways of the state shall be the property of the state. All funds derived therefrom shall be deposited in the state treasury and used in the purchase, retirement, and payment of the bonded indebtedness of the state.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Derbes and Casey to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, delete lines 8 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. Tidelands Ownership

Section 9. Revenues and royalties obtained from minerals located beyond the three-mile limit of the coastal waterways of the state shall belong to the state."

On motion of Delegate Casey the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Derbes to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, delete lines 8 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. Tidelands Ownership

Section 9. Revenues and royalties obtained from minerals located beyond the seaward boundary of the state belong to the state."

Delegate Casey moved the adoption of the amendment.

Delegate Kean objected.

By a vote of 88 yeas and 3 nays the amendment was adopted.

Delegate Casey moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 34, Section 9 was read, as amended.

Delegate Lambert moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:
Delegate Derbes sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Derbes and Casey to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 15 through 20, both inclusive, in their entirety.

On motion of Delegate Casey the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Stagg to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 17 and 18 in their entirety and at the beginning of line 19, delete the words “the parties”

On motion of Delegate Stagg the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 21, immediately after the word “constitution” insert a comma “,” and delete the remainder of the line and at the beginning of line 22, delete the words and punctuation “Road Fund or to public education.”

On motion of Delegate Gravel the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, at the end of line 19, delete the word “Those” and delete lines 20 through 22, both inclusive, in their entirety.

Delegate De Blieux moved the adoption of the amendment.

Delegate Stagg objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

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Delegate—

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**NAYS**

Delegates—

<p>| | |</p>
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And the Chair declared that the above Section was finally passed.

Delegate Lambert moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 10. Offshore Mineral Revenues: Use of Funds

Section 10. Funds derived from offshore mineral leases and held in escrow under agreement between the state and the United States pending settlement of the dispute between the parties shall be deposited in the state treasury. Those funds and the interest from their investment, except the portion otherwise dedicated in this constitution to the Royalty Road Fund or to public education, shall be used by the treasurer in the purchase, retirement, and payment in advance of maturity of the bonded indebtedness of the state.

If any of these funds cannot be so expended within one year, the legislature may annually appropriate for capital improvements, or for the purchase of land, ten percent of the remaining funds, not to exceed ten million dollars in one year.

Read.
COMMITTEE PROPOSAL No. 24—
Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegate Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall, and Weiss:

A PROPOSAL
Relative to constitutional revision.
Reported by Substitute.
Respectfully submitted,
ALPHONSE JACKSON, JR.
Chairman.

Suspension of the rules.
On motion of Delegate A. Jackson, the rules were suspended in order to take up the proposal contained in the Committee Reports at this time.

Reports of Committees Lying Over
Delegate and Committee Proposals on Second Reading Reported by Committees
The following entitled Delegate and Committee Proposals reported by Committees were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 36—
Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 24, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegate Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL
Relative to constitutional revision.
On motion of Delegate A. Jackson the substitute was adopted and become Committee Proposal No. 36 by the Committee on Bill of Rights and Elections.

On motion of Delegate A. Jackson, and under a suspension of the rules, the Proposal was ordered engrossed and passed to its third reading.

Delegate Denery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

COMMITTEE PROPOSAL No. 15—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, DeBlieux, Edwards, Fontenot, Lowe, McDaniel, Maubert, Mire, Newton, Nunez, Planchar, Roemer, Schmitt, Slay, Smith, Triche and Winchester:

A PROPOSAL
Relative to the tax structure of the state and to public finance.
Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XI. REVENUE AND FINANCE
Section 1. Power to Tax; Public Purpose
Section 1. Except as otherwise provided in this constitution, the power of taxation shall be vested in the legislature, shall never be surrendered, suspended, or contracted away, and shall be imposed for public purposes only.
Section 2. Power to Tax; Limitation
Section 2. The levy of a new tax or any increase in an existing tax or any repeal of an existing exemption from a tax shall require the favorable vote of two-thirds of the members elected to each house of the legislature.
Section 3. Collection of Taxes; Process to Restrain; Refunds
Section 3. The legislature shall provide against the issuance of processes to restrain the collection of any tax and for a complete and adequate remedy for the prompt recovery by every taxpayer of any illegal tax paid by him.
Section 4. Limitations on Taxing Power; Graduated Rates, Severance Tax, and Subdivisions of the State

Section 4. (A) Equal and uniform taxes may be levied upon net incomes, and such taxes may be graduated according to the amount of net income; however, the state individual and joint income tax schedule of rates shall never exceed the rates presently set forth in Title 47, Section 8 of the Louisiana Revised Statutes. Federal income taxes paid shall be deemed as a deduction in computing state income taxes paid during the same period.

(B) Taxes may be levied on natural resources severed from the soil or water, to be paid proportionately by the owners thereof at the time of severance. Natural resources may be classified for the purpose of taxation, and such taxes may be predicated upon either the quantity or value of the products at the time and place of severance. No further or additional tax or license shall be levied or imposed on oil, gas, or sulphur leases or rights, nor shall any additional value be added to the assessment of land by reason of the presence of oil, gas, or sulphur therein or their production therefrom. However, sulphur in place shall be assessed for ad valorem taxation in the firm or corporation having the right to mine or produce the same in the Parish where located, at no more than twice the total assessed value of the physical property subject to taxation excluding the assessed value of sulphur above ground, in such parish as is used in sulphur processing or sold in the Parish or elsewhere, and sulphur in place shall be the only tax on timber; however, standing timber shall be and remain liable equally with the land on which it stands for ad valorem taxes levied on said land.

(C) Political subdivisions of the state shall not levy severance taxes, income taxes, or taxes on motor fuel.

(D) Three-fourths of the severance tax, one-third of the sulphur severance tax, one-fifth of the severance tax on all other natural resources severed from the soil or water, and one-tenth of the royalties from mineral leases on state-owned land shall be reimbursed to the governing body of the parish in which severance occurs or in which production is had, but the amount of severance tax on sulphur so remitted shall not exceed one hundred thousand dollars to any parish for any year, and the amount of severance tax levied on other natural resources except timber severed from the soil or water so remitted shall not exceed five hundred thousand dollars to any parish for any year.

Section 5. Annual Motor Vehicle License Tax

Section 5. No State Board Commission shall impose an annual license tax of three dollars on automobiles for private use, and on other motor vehicles, an annual license tax based upon horsepower, carrying capacity, or weight, any or all. No parish or municipality may impose any license fee on motor vehicles.

Section 7. State Debt; Full Faith and Credit Obligations

Section 7. (A) Unless otherwise authorized by this constitution, the state shall have no power, directly or indirectly, or through any state board, agency, commission or otherwise, to incur debt or to issue bonds except upon the affirmative vote of two-thirds of the members elected to each house of the legislature, and then only if the funds are to be used to repel invasion; suppress insurrection; provide relief from natural catastrophes; refund outstanding indebtedness; and such as are included in some or all of the lower effective rate of interest; or make capital improvements, but only in accordance with a comprehensive capital budget, which the legislature shall adopt. Legislative approval may be obtained only during open session except as otherwise provided in this constitution.

(B) If the purpose is to make capital improvements, the nature, location, and if more than one project, the amount allocated to each and the order of priority shall be stated in the comprehensive capital budget which the legislature adopts.

(C) The full faith and credit of the state shall be pledged to the repayment of all bonds or other evidences of indebtedness issued by the state directly or through any state board, agency, or commission.

(D) Any by two-thirds affirmative vote of the members elected to each house thereof, may propose a statewide public referendum for the incurrence of debt for any purpose for which the legislature is not herein authorized to incur debt.

(E) Nothing contained in this Section shall apply to any levee district, any political subdivision or local public agency unless the full faith and credit of the state is pledged to the payment of the bonds of such levee district or political subdivision.

Section 8. State Debt; Interim Emergency Board

Section 8. (A) The Interim Emergency Board hereby is created and shall be composed of the governor, the lieutenant governor, the president of the state senate, and the presiding officers of both houses of the legislature, the chairman of the Senate Finance Committee, and the chairman of the House Appropriations Committee, or their designees.

(B) During the idleness between sessions of the legislature, whenever it is determined by majority vote of the Interim Emergency Board that an emergency exists, and then only for a purpose for which the legislature may appropriate funds, after having obtained, as provided by law, the consent of the house of the legislature to which was referred to each house of the legislature, the Interim Emergency Board may appropriate from the State General Fund, or borrow upon the full faith and credit of the state an amount to care for an emergency, which is an event or occurrence not reasonably anticipated by the legislature.

(C) The aggregate of indebtedness outstanding at any one time and the amount appropriated from the State General Fund for the current fiscal year under the authority of this Section shall not exceed one-third of the total state revenue receipts for the previous fiscal year.

(D) Each fiscal year, as a first priority, there hereby is allocated from the State General Fund an amount sufficient to retire the balance of the bonds issued and outstanding on the preceding fiscal year under the authority of this Section.

Section 10. (A) The State Bond Commission hereby is created and its membership and authority shall be determined by the legislature.

(B) No bonds or other obligations shall be issued or sold by the state, directly or through any state board, agency, commission, or by any political subdivision of the state, unless prior written approval of the State Bond Commission is obtained.

(C) Limited Time for Contesting State Bonds. Bonds, notes, certificates, or other evidence of indebtedness of the state (hereafter referred to collectively as “bonds”) shall not be invalid for any irregularity or defect in the proceedings or the issuance and sale thereof, and shall be incontestible for all purposes of a bond or of the proceeds thereof. If the issuing agency, after authorizing the issuance of bonds by resolution, shall publish once in the official journal of the state as provided by law a notice of intention to issue the bonds and a description thereof and the security therefor and the aggregate amount of bonds, such notice may be given by any person in interest shall have the right to contest the legality of said resolution and any provision therein of the bonds to be issued pursuant thereto and the provisions respecting the bonds and the validity of all other provisions and proceedings in connection with the authorization and issuance of the bonds. If such action or proceedings shall not have been instituted within the said 30 day period, no one shall have any right of action to contest the validity of the bonds or the provisions of the resolution pursuant to which the bonds were issued or the security of the bonds or the validity of any other provisions or proceedings in connection with the authorization and issuance of the bonds, nor shall the bonds conclusively be presumed to be legal, and no court thereafter shall have authority to inquire into such matters.

Section 11. Collection of State Funds; Bond Security and Redemption Fund

Section 11. All money received by the state or by any state board, agency, or commission, immediately upon receipt, shall be deposited in the state treasury, except money received as the result of grants or donations or other forms of assistance, in which case the terms and conditions thereof or of agreements pertaining thereto require otherwise, and except money received by trade or professional associations, the employment security administration fund or its successor, retirement system funds and except money received by state agencies pursuant to contracts for the procurement of goods in international maritime trade and commerce.
Subject to contractual obligations existing at the time this constitution is adopted, all state money deposited in the state treasury, except money received as the result of grants or donations or other forms of assistance when the terms and conditions of agreement pertaining thereto require otherwise, shall be credited to a special fund designated as the Bond Security and Redemption Fund. In each fiscal year there hereby is allocated from the Bond Security and Redemption Fund an amount sufficient to pay all obligations, including but not necessarily limited to principal, interest, premiums, sinking or reserve fund requirements, which are secured by the full faith and credit of the state and which become due and payable within the current fiscal year. Furthermore, except as otherwise provided by law, all money remaining in the Bond Security and Redemption Fund shall be credited to the State General Fund. Nothing contained in this Section shall apply to any levee district or to any political subdivision unless the full faith and credit of the state is pledged to the payment of the bonds of such levee district or political subdivision.

Section 12. Expenditure of State Funds

Section 12. (A) Except as otherwise provided in this Constitution, no money or property shall be drawn from the state treasury only pursuant to an appropriation made in accordance with law.

(B) Total appropriations made by the legislature for any fiscal year shall not be greater than the anticipated revenues of the state.

(C) The legislature shall provide for the publication of a regular statement of receipts and expenditures of all state money at intervals of not more than one year.

(D) No appropriation shall be made except for public purposes.

Section 13. Management of State Funds; Budgets

Section 13. (A) The governor shall submit to the legislature, by law, a budget estimate for the next fiscal year setting forth all proposed state expenditures and anticipated state revenues, and shall cause to be submitted a general appropriation bill to authorize the proposed ordinary operating expenditures and, if necessary, a bill or bills containing recommendations for new or additional revenues.

(B) The governor shall submit to each regular session of the legislature a proposed five-year capital outlay program with a request for implementation of the first year of the five-year plan. All capital outlay projects approved by the legislature shall be made a part of the comprehensive state capital budget which shall be adopted by the legislature.

Section 14. Management of State Funds; Public Record

Section 14. All reports and records of the collection, expenditure, investment, and use of state moneys and all reports and records relating to state obligations shall be matters of public record, except returns of taxpayers and matters pertaining thereto.

Section 15. Management of State Funds; Investment

Section 15. All money available for investment in the custody of the state treasurer shall be invested as provided by law.

Section 16. Management of State Funds; Donations, Loan, or Pledge of Public Credit

Section 16. (A) Except as otherwise provided in this constitution, the funds, credit, property, or things of value of the state, or of any political subdivision thereof, shall not be loaned, pledged, or donated to or for any person or persons, associations or corporations, public or private, nor shall the state nor any political subdivision purchase or subscribe to the capital stock or stock of any corporation or association whatsoever or for any private enterprise.

(B) Nothing contained in this Section shall prevent: (1) the use of public funds for programs of social welfare for the aid and support of the needy; (2) contributions of public funds for insurance and annuities programs for the improvement and welfare of public employees; (3) the legislature from authorizing the pledge of such funds, credit, property, or things of value for public purposes with respect to the issuance of bonds or other evidences of indebtedness to meet public obligations.

(C) Funds, credit, property or things of value of the state or of any political subdivision thereof heretofore loaned, pledged, dedicated or granted by the prior laws of this state, or authorized to be loaned, pledged, dedicated or granted by the prior laws and constitution of this state, shall remain for the full term as provided by the prior laws and constitution and for the full term as provided by any contract, unless such authorization is revoked by the legislature by a two-thirds vote of the elected membership of each house of the legislature prior to the vesting of any contractual rights pursuant to this Section.

(D) The state and its political corporations may, for a public purpose, engage in cooperative endeavors with each other or with the United States or its agencies, or with any public or private association or corporation or individual.

Section 17. Release of Obligation to State, Parish or Municipal Corporation; Taxes on Confiscated Property

Section 17. (A) The legislature shall have no power to release or extinguish or to authorize the releasing or extinguishment, in whole or in part, of the indebtedness, liability, or obligation of any corporation or individual to the state, or to any parish or municipal corporation thereof, provided, that this Section shall not establish a system whereby claims by the state or political subdivisions may be compromised, and provided, that the heirs to confiscated property may be released from all taxes due thereon at the date of its reversion to them; and provided that, whenever any immovable property has been forfeited or adjudicated to the state for the nonpayment of taxes due prior to January 1, 1880, and the state did not sell or dispose of the same or dispossess the tax debtor or his heirs, successors, or assigns prior to the adoption of the Constitution of 1974, it shall be presumed conclusively that such forfeiture or adjudication was irregular and null or that the property has been redeemed, and the state and its assigns shall be estopped forever from setting up or asserting title to such property by virtue of such forfeiture or adjudication.

(B) All taxes and licenses, other than real property taxes, shall prescribe in three years from the thirty-first day of December in the year in which such taxes or licenses are due, but prescription may be interrupted or suspended as provided by law. No state, district, parish, or other tax, license, fee or assessment of any kind or nature, with all interest charges and penalties appurtenant thereto, imposed, levied, or recorded, or payable by any property, minerals or the severance thereof, or due or payable by any person, firm or corporation upon any business operation or activity within the Tidelands area in dispute between the state and the United States and within the state’s historic gulfward boundary three leagues from coast, as established and defined by the Act of Congress of April 8, 1812, which admitted this state into the Union, and as re-defined in Act 33 of the 1944 Legislature of Louisiana, shall prescribe unless 10 years after the 31st day of December in the year in which the controversy existing between the United States and the State of Louisiana over its said state gulfward boundary shall have been finally resolved and settled in accordance with law; provided, however, no interest, penalties or other charges shall be assessed or collected on any such tax, license, fee or assessment if such tax, license, fee or assessment is paid within one year after the 31st day of December in the year in which such controversy is finally resolved and settled.

Section 18. Legislation to Enable Compliance with Federal Laws and Regulations to Secure Federal Aid in Capital Improvement Projects

Section 18. The legislature may enact legislation to enable the state, its agencies, boards, and commissions, and political subdivisions of the state and their agencies to comply with federal laws and regulations in order to secure federal participation in the cost of capital improvement projects.

Respectfully submitted,

MOISE W. DEMNERY
Secretary

Under the Rules, referred to the Committee on Style and Drafting.

Leaves of Absence

Delegate Lowe—½ day.
Delegate Tate—1 day.
Delegate Lanier—½ day.
Delegate Weiss—2 days.
Delegate Leithman—1 day.
Delegate Zervigon—1 day.
Delegate A. Landry—½ day.
Delegate Chatelin—½ day.
Delegate Tate—1 day.
**Adjournment**

Delegate Stagg moved that the Convention do now adjourn until Wednesday, December 19, 1973 at 9:00 o'clock A.M. Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, December 19, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY  
Secretary

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

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


The Convention was called to order at 9:00 o'clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

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

PRESENT

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Total—123.

The Chairman announced that there were 123 members
present and a quorum.

Prayer
Prayer was offered by Delegate Stovall.

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

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

On motion of Delegate Bel, the Journal of yesterday was
adopted.

Morning Hour
Unfinished Business
The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Proposals, Delegate and Committee
The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 34—
Introduced by Delegate Lambert, Chairman, on behalf of
the Committee on Natural Resources and Environment, and
Delegates Bollinger, Derbes, Eklins, Hardee, Jack, LeBlanc,
Leigh, Miller, Munson, Perkins, Singletary, Thompson, Velaz-
quez, Warren and Womack (A Substitute for Committee
Proposal No. 16):

A PROPOSAL
Making provisions relating to natural resources and en-
vironment.

Read.

The Chairman announced that the Convention had under
consideration Committee Proposal No. 34 when it adjourned
on Tuesday, December 18, 1973, which was taken up and
acted upon as follows:

Motion
On motion of Delegate Lambert Committee Proposal No.
34, Section 10, upon which action was previously deferred,
was taken up out of its regular order, and acted upon as
follows:

Section 10. Offshore Mineral Revenues; Use of Funds
Section 10. Funds derived from offshore mineral leases and
held in escrow under agreement between the state and the
United States pending settlement of the dispute between
the parties shall be deposited in the state treasury. Those funds
and the interest from their investment, except the portion
otherwise dedicated in this constitution to the Royalty
Road Fund or to public education, shall be used by the trea-
surer in the purchase, retirement, and payment in advance
of maturity of the bonded indebtedness of the state.
If any of these funds cannot be so expended within one
year, the legislature may annually appropriate for capital
improvements, or for the purchase of land, ten percent of
the remaining funds, not to exceed ten million dollars in
one year.

Read.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Gravel to Committee
Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, line 21, immediately after the word “otherwise”
delete the remainder of the line and at the beginning of the
line 22, delete “Read Fund or to public education,” and insert
in lieu thereof the following:
“allocated or dedicated in this constitution,”

1040
Delegate Champagne moved the adoption of the amendment.
Delegate Stinson objected.
By a vote of 64 yeas and 29 nays the amendment was adopted.
Delegate Champagne moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Champagne sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Champagne to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, line 19, after the words "the parties" and before the word "shall" insert the words "when received"

On motion of Delegate Champagne the amendment was adopted.
Delegate Champagne moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Champagne sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Champagne to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, line 24, after the words "maturity of" delete the remainder of the line and insert in lieu thereof the following: "then existing bonded indebtedness of the state or invested for such purpose."

Delegate Champagne moved the adoption of the amendment.
Delegate De Blieux objected.
By a vote of 91 yeas and 1 nay the amendment was adopted.
Delegate Champagne moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage
Committee Proposal No. 34, Section 10 was read, as amended.
Delegate Lambert moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS
Delegate—
Bollinger
Cowen
D'Gerolamo
De Blieux
Denney
Dennis
Deshotels
Drew
Dunlap
Duval
Elkins
Flory

Total—102.

NAYS—
Landry, E. J.
Soniat
Lanier
Stagg
Leigh
Stephenson
Martin
Stinson
Maybue
Stovall
Miller
Sutherland
Mire
Tate
Morris
Thistiwaite
Heine
Thompson
Hernandez
Toosa
Jackson, A.
Nunez
Jones
Toomy
Juneau
O'Neill
Kean
Ullo
Kelly
Rayburn
Kelly
Riecke
Roemer
Jones
Sandoz
Kilbourne
Winchester
Klipatrick
Wisham
Lambert
Womack
Landrum
Zervigon

ROLL CALL
The roll was called with the following result:

YEAS
Delegate—
Avant
Bollinger
Brien
Bland
Breaux
Brie
Breaux
Casey

Total—30.

And the Chair declared that the above Section was finally passed.

Section 11. Commissioner of Agriculture

Section 11. The Department of Agriculture shall be headed by a commissioner of agriculture who, notwithstanding Article IV, Section 23, shall be elected every four years for a term of four years by the electors of the state as prescribed by law. The commissioner shall have the powers and perform the duties authorized by this constitution or provided by law. Qualifications of candidates for commissioner of agriculture, in addition to those in Article IV, Section 2(A), shall be provided by law.

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

FLOOR AMENDMENT
Amendment proposed by Delegate De Blieux to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, delete lines 30, 31, and 32 in their entirety and on page 4, delete lines 1 through 7, both inclusive, in their entirety

Delegate De Blieux moved the adoption of the amendment.
Delegate Corne objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegate—
Mr. Chairman
Avant
Bollinger
Abraham
Brien
Breaux
Breaux
Breaux
Bel
Bel
Bergeron
Bergeron

Total—10.
Champagne  Graham  Roy  Sandoz
Chatelain  Gravel  Sandown  Shannon
Chehardy  Hardee  Shannon  Soniat
Comar  Haynes  Stagg  Stephenville
Conino  Jackson, A.  Stevall  Sutherland
Conroy  Jones  Sutter  Tate
Cowan  Juneau  Tobias  Thistlethwaite
D’Gerolamo  Kean  Tobias  Tosca
De Bileux  Landrum  Vick  Toca
Dennery  Landry, A.  Wattigny  Willa
Deshotels  Landry, E. J.  Wisham  Zervigon
Dunlap  Lanier  X
Duval  Derbes  X
Eikins  McDaniel  X
Flory  Maybuee  X
Fontenot  Nunez  Zervigon
Goldman  O’Neill
Fulco  Riecke

Total—64.

Delegates—
Aertker  Jack  Rayburn
Alario  Jenkins  Roemer
Anzalone  Kelly  Singelcary
Asseff  Kilbourne  Smith
Burns  Kilpatrick  Stephenson
Cannon  Lambert  Stinson
Corne  Leigh  Thompson
Drew  Martin  Tommy
Drew  Miller  Ullo
Fowler  Mire
Grier  Morris
Hayes  Munnson
Heine  Perkins
Hernandez  Perkins

Total—39.

Delegates—
Aertker  Jackson, J.  Rachal
Alario  LeBlanc  Reeves
Bureau  Leithman  Schmit
Dennis  Lowe  Segura
Edwards  Mauberret  Slay
Fayard  Newton  Tapper
Gauthier  Ourso  Vesich
Giarrusso  Perez  Wall
Ginn  Planchard  Weiss
Guirguiss  Pugh

Total—29.

And the amendment was adopted.

Delegate De Bileux moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 12, Wildlife and Fisheries Commission

Section 12. The wildlife of the state, including all aquacic life, is hereby placed under the control and supervision of the Louisiana Wildlife and Fisheries Commission, which shall consist of seven members appointed by the governor, six of whom shall serve for a term of six years and one of whom shall serve for a term concurrent with that of the governor. Three shall be electors of the coastal parishes and representatives of the commercial fishing and fur industries, and three shall be electors from the state at large.

No member who has served for six years or more shall be eligible for reappointment.

The functions, duties, and responsibilities of the commission, and the compensation of its members shall be provided by law.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Stagg and Abraham to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, delete lines 8 through 22, both inclusive, in their entirety.

Delegate Shannon moved to limit debate on the amendment to fifteen minutes.

Delegate Singletary objected.

By a vote of 64 yeas and 31 nays debate on the amendment was limited to fifteen minutes.

Delegate Stagg moved the adoption of the amendment.

Delegate Hernandez objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham  Denney  Sutherland
Arnette  Jenkins  Thistlethwaite
Casey  Landrum  Tobias
Champagne  Schmit  Vick
Conroy  Soniat  Zervigon
De Bileux  Stagg

Total—17.

NAYS

Delegates—
Aertker  Fowler  Mire
Biair  Johnson  Morris
Anzalone  Kean  Munson
Asseff  Kilbourne  O’Neil
Avant  Gravel  Perkins
Badeaux  Rayburn
Bel  Grier  Reeves
Bergeron  Hardee  Riecke
Boillinger  Hayes  Roemer
Brown  Haynes  Roy
Broussard  Heine  Sandoz
Burns  Hernandez  Singelcary
Cannon  Jackson, A.  Smith
Chateilan  Jones  Stinson
Chehardy  Juneau  Stovall
Conino  Kilbourne  Thompson
Corne  Kilpatrick  Toca
Cowan  Lambert  Tommy
D’Gerolamo  Landry, A.  Ullo
Derbes  Landry, E. J.  Velazquez
Drew  Lee  Warren
Dunlap  Newton  Wattigny
Edwards  Lowe  Willis
Elkins  McDaniel  Winchester
Flory  Perez  Wisham
Fontenot  Maybuee  Womack

Total—36.

NOT VOTING

Delegates—
Mr. Chairman  Kean  Rachal
Blair  LeBlanc  Segura
Bureau  Leithman  Shannon
Dennis  Mauberret  Slay
Deshotels  Miller  Tapper
Duval  Newton  Tate
Fayard  Ourso  Vesich
Giarrusso  Perez  Wall
Guirguiss  Planchard  Weiss
Jackson, J.  Pugh

Total—29.

And the amendment was rejected.

Delegate Chehardy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

1042
FLOOR AMENDMENT

Amendment proposed by Delegate Drew to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 4, delete lines 8 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 12. Wildlife and Fisheries Agency

Section 12. There shall be a Wildlife and Fisheries Agency. A director of said agency shall be appointed by the governor, with consent of the Senate, for a term concurrent with the appointing governor. The agency and the director shall have control and supervision of the wildlife of the state, including all aquatic life, and other powers and duties authorized by this constitution or provided by law."

Motion

Delegate Shannon moved that debate on the amendment be limited to 15 minutes.

Delegate Hernandez objected.

By a vote of 56 yeas and 28 nays the debate on the amendment was limited to 15 minutes.

Delegate Drew moved the adoption of the amendment.

Delegate Avant objected.

By a vote of 26 yeas and 84 nays the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 4, line 10, after the word and punctuation "life," and before the word "hereby" delete the word "is" and insert in lieu thereof the following:

"are recognized as renewable resources, belonging to the people. The right of the citizens of the State to harvest these resources is recognized, subject to private property rights and reasonable regulation, as provided by law, to insure their preservation for the future. They are"

On motion of Delegate Avant the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendments proposed by Delegate Duval to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 4, line 12, after the word and punctuation "governor," and before the word six insert the following:

"subject to confirmation by the Senate,"

On motion of Delegate Duval the amendment was adopted.

Delegate Duval moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Kelly and Bergeron to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 4, line 18, at the end of the line, delete the word "three" and insert in lieu thereof the word "four"

On motion of Delegate Bergeron the amendment was adopted.

Delegate Bergeron moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Burns to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 4, line 17, at the end of the line, immediately after the word "large" delete the period "," and add the following:

"other than representatives of the commercial fishing and fur-industries."

Delegate Burns moved the adoption of the amendment.

Delegate Bollinger objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham—
Aertker—
Alario—
Alexander—
Anzalone—
Arnette—
Asseff—
Avant—
Badeaux—
Bel—
Bergeron—
Brien—
Brown—
Burns—
Burson—
Casey—
Champagne—
Chatelain—
Chehardy—
Conar—
Conino—
Conroy—
Corne—
Coven—
D’Gerolamo—
De Blieux—
Denner—
Dennis—
Derbes—
Deshotels—
Drew—
Duvall—
Edwards—
Elkins—

Fayard—
Flory—
Fowler—
Fulco—
Gauthier—
Ginn—
Goldman—
Graham—
Grier—
Guarisco—
Hardee—
Hayes—
Haynes—
Hernandez—
Jack—
Jackson, A.—
Jenkins—
Jones—
Juneau—
Kelly—
Kiblbourne—
Kilpatrick—
Lambert—
Landry, A.—
Landry, E. J.—
Leigh—
Lowe—
McDaniel—
Martin—
Maybue—
Miller—
Mire—
Monson—
Nunez

Perez—
Perkins—
Planchard—
Rayburn—
Riecke—
Roemer—
Roy—
Sandoz—
Schmit—
Shannon—
Smith—
Soniat—
Stagg—
Stephenson—
Stinson—
Stovall—
Sutherland—
Tapper—
Tate—
Thistletwaite—
Thompson—
Tobias—
Toca—
Ulio—
Velazquez—
Vick—
Warren—
Wattigny—
Willis—
Winchester—
Womack—
Zervigon

NAVS

Delegates—

Bollinger—
Landrum—

Toomy—

1043
Delegate Tobias moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Avant and Ginn to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT NO. 1—**
On page 4, at the end of line 8, add the following: "; Director"

**AMENDMENT NO. 2—**
On page 4, line 9, immediately after "Section 12," and before the word "The" insert the following: "(A) Wildlife and Fisheries Commission."

**AMENDMENT NO. 3—**
On page 4, between lines 22 and 23, insert the following: "(B) Director. The commission shall appoint a director. He shall hold a degree in wildlife management or marine biology from an accredited university and have at least five years of wildlife management or marine biology experience as provided by law. However, these qualifications shall not apply to the director serving on the effective date of this constitution."

**Motion**

Delegate Juneau moved to limit debate on the amendment to five minutes.

Delegate Kelly objected.

By a vote of 48 yeas and 33 nays debate was limited to five minutes on the amendment.

The previous question was ordered on the amendment.

On motion of Delegate Ginn, and under a suspension of the rules, the amendment was withdrawn.

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

**FLOOR AMENDMENTS**

Amendment proposed by Delegate Ginn to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT NO. 1—**
On page 4, delete lines 17 in its entirety and insert in lieu thereof the following: "shall be selected from a list of names submitted by the Louisiana Wildlife Federation as provided by law."

On motion of Delegate Ginn the amendment was withdrawn.

**Motion**

Delegate Juneau moved to limit debate on all remaining amendments to Committee Proposal No. 34, Section 12 to thirty minutes.

Delegate Kelly objected.

By a vote of 33 yeas and 50 nays the Convention refused to limit debate on all remaining amendments to Section 12, to thirty minutes.

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

**FLOOR AMENDMENTS**

Amendment proposed by Delegate Rayburn to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT NO. 1—**
On page 4, line 17, in Floor Amendment No. 1 proposed by Delegate Burns and adopted by the convention on December
Delegate Rayburn moved the adoption of the amendment.
Delegate Bollinger objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates</td>
<td>Delegates</td>
<td>Delegates</td>
</tr>
<tr>
<td>Mr. Chairman</td>
<td>Flory</td>
<td>Aertker</td>
</tr>
<tr>
<td>Alario</td>
<td>Fowler</td>
<td>Blair</td>
</tr>
<tr>
<td>Alexander</td>
<td>Fulco</td>
<td>Cannon</td>
</tr>
<tr>
<td>Asseff</td>
<td>Giarrusso</td>
<td>Carmouche</td>
</tr>
<tr>
<td>Avant</td>
<td>Ginn</td>
<td>D'Gerolamo</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Goldman</td>
<td>Dennis</td>
</tr>
<tr>
<td>Bel</td>
<td>Gravel</td>
<td>Fayard</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Grier</td>
<td>Fontenot</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Hardee</td>
<td>Gauthier</td>
</tr>
<tr>
<td>Brown</td>
<td>Hayes</td>
<td>Guarisco</td>
</tr>
<tr>
<td>Burns</td>
<td>Heine</td>
<td>Total-92</td>
</tr>
<tr>
<td>Casey</td>
<td>Hernandez</td>
<td></td>
</tr>
<tr>
<td>Champagne</td>
<td>Jackson, A.</td>
<td></td>
</tr>
<tr>
<td>Chatelain</td>
<td>Jackson, J.</td>
<td></td>
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<tr>
<td>Chehardy</td>
<td>Jenkins</td>
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<tr>
<td>Comar</td>
<td>Jones</td>
<td></td>
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<tr>
<td>Conino</td>
<td>Juneau</td>
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<tr>
<td>Conroy</td>
<td>Kelly</td>
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<tr>
<td>Corne</td>
<td>Kilbourne</td>
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<tr>
<td>Cowen</td>
<td>Lowbe</td>
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<tr>
<td>De Blieux</td>
<td>Landrum</td>
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<tr>
<td>Dennery</td>
<td>Landry, E. J.</td>
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<tr>
<td>Derbes</td>
<td>Leigh</td>
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<tr>
<td>Deshotels</td>
<td>Leithman</td>
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<tr>
<td>Drew</td>
<td>Lowe</td>
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<tr>
<td>Dunlap</td>
<td>McDaniel</td>
<td></td>
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<tr>
<td>Duval</td>
<td>Martin</td>
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<td>Edwards</td>
<td>Maybeuce</td>
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<td>Elkins</td>
<td>Morris</td>
<td></td>
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<tr>
<td>Flory</td>
<td>Nunez</td>
<td></td>
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<tr>
<td>Total-91</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ROLL CALL**
The roll was called with the following result:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates</td>
<td></td>
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<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Alario</td>
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<td>Alexander</td>
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<td>Bergeron</td>
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<td>Bollinger</td>
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<tr>
<td>Brown</td>
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<tr>
<td>Burns</td>
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<tr>
<td>Casey</td>
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<td>Champagne</td>
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<td>Chatelain</td>
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<td>Chehardy</td>
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<td>Cowen</td>
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<td>De Blieux</td>
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<td>Dennery</td>
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<td>Derbes</td>
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<td>Deshotels</td>
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<td>Drew</td>
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<td>Dunlap</td>
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<td>Duval</td>
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<td>Edwards</td>
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<tr>
<td>Elkins</td>
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<tr>
<td>Flory</td>
<td></td>
</tr>
<tr>
<td>Total-92</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was adopted.
Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Committee Proposal No. 34, Section 12 was read, as amended.**

Delegate Lambert moved the final passage of the Section.
forestry and have at least four years of forestry experience, as provided by law.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Abraham to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, delete lines 23 through 32, both inclusive, in their entirety, and on page 5, delete lines 1 through 10, both inclusive, in their entirety

**Motion**

On motion of Delegate Reeves, debate on the above amendment was limited to 15 minutes.

Delegate Abraham moved the adoption of the amendment.

Delegate Hernandez objected.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
</tr>
<tr>
<td>Abraham</td>
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<tr>
<td>Arnette</td>
</tr>
<tr>
<td>Avant</td>
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<tr>
<td>Brian</td>
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<tr>
<td>Burson</td>
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<tr>
<td>Conroy</td>
</tr>
<tr>
<td>De Blieux</td>
</tr>
<tr>
<td>Dennery</td>
</tr>
<tr>
<td>Dunlap</td>
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<tr>
<td>Duval</td>
</tr>
<tr>
<td>Total — 29.</td>
</tr>
</tbody>
</table>

<table>
<thead>
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<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
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<td>Mr. Chairman</td>
</tr>
<tr>
<td>Alario</td>
</tr>
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<td>Alexander</td>
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<td>Anzalone</td>
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<td>Badesaux</td>
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<td>Bel</td>
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<td>Bollinger</td>
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<td>Brown</td>
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<td>Burns</td>
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<td>Casey</td>
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<td>Champagne</td>
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<td>Chatelain</td>
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<td>Chehardy</td>
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<td>Comino</td>
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<td>Derbes</td>
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<td>Deshotels</td>
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<td>Edwards</td>
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<td>Elkins</td>
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<tr>
<td>Fowler</td>
</tr>
<tr>
<td>Fulco</td>
</tr>
<tr>
<td>Gautier</td>
</tr>
<tr>
<td>Total — 73.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
</tr>
<tr>
<td>Aker</td>
</tr>
<tr>
<td>Blair</td>
</tr>
</tbody>
</table>

D’Gerolamo | Mire |
Dennis | Munson |
Fayard | O’Neill |
Fontenot | Ourso |
Haynes | Planchar |
Kilpatrick | Pugh |
LeBlanc | Long |
Mauberret | Segura |

Total—30.

And the amendment was rejected.

Delegate Hernandez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Sandoz to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, line 28, immediately after the word and punctuation “each,” and before the word “and” insert the words and punctuation “as provided by law,”

AMENDMENT No. 2—

On page 4, line 32, immediately after the word and punctuation “members,” delete the remainder of the line and on page 5, delete lines 1 through 6, both inclusive, in their entirety.

On motion of Delegate Champagne the amendments were adopted.

Delegate Champagne moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Duval to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, line 27, immediately after the word “governor” and before the word “for” insert the words “subject to confirmation by the Senate”

On motion of Delegate Duval the amendment was adopted.

Delegate Duval moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Hernandez, Burns, Kilbourne, Planchar and Grier to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, line 23, immediately after “13,” and before the word “Forestry” insert the following:

“Forestry: Acreage Taxes;”

AMENDMENT No. 2—

On page 4, between lines 23 and 24 insert the following:

“Section 13. (A) Forestry shall be practiced in the state, and the legislature is authorized to make provisions therefor. The legislature may authorize the governing authorities of the parishes to levy acreage taxes, not to exceed two cents per acre, for the purpose of this Section. The provisions of this constitution relative to the exemption of homesteads from taxation, are hereby extended and made applicable to the tax hereby authorized.
Delegate Hayes sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Hayes to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 5, delete lines 7 through 10, both inclusive, in their entirety including all Floor Amendments thereto.

Delegate Hayes moved the adoption of the amendment.

Delegate Hernandez objected.

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

**ROLL CALL**
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fulco</td>
<td>Abraham</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Flory</td>
</tr>
<tr>
<td>Girard</td>
<td>Nunez</td>
</tr>
<tr>
<td>Donlon</td>
<td>O'Neill</td>
</tr>
<tr>
<td>Perry</td>
<td>Roemer</td>
</tr>
<tr>
<td>Rayburn</td>
<td>Schmitt</td>
</tr>
<tr>
<td>Reeves</td>
<td>Stagg</td>
</tr>
<tr>
<td>Slocum</td>
<td>Stovall</td>
</tr>
<tr>
<td>Toomey</td>
<td>Ullo</td>
</tr>
<tr>
<td>Velazquez</td>
<td>Warren</td>
</tr>
<tr>
<td>Winchester</td>
<td>Wisham</td>
</tr>
</tbody>
</table>

Delegate Hernandez moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.
Passage

Committee Proposal No. 34 Section 13 was read, as amended.

Delegate Lambert moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman  Flory  Martin  Maybue
Alario    Fowler  Maybue  Morris
Anzalone  Fulco  Morris  Nunez
Asseff  Gautier  Nunez  Perez
Avant  Glarrusso  Perez  Perkins
Badeaux  Glenn  Perkins  Rachal
Bel  Goldman  Rayburn  Reeves
Bergeron  Graham  Reeves  Riecke
Bollinger  Gravel  Roemer  Roemer
Brown  Grier  Rosser  Seeley
Burns  Hardee  Smith  Smith
Cannon  Hayes  Shannon  Singletary
Casey  Haynes  Singleton  Smith
Champagne  Heine  Smith  Stephenson
Chatelain  Hernandez  Smith  Stephenson
Chehardy  Jack  Sokol  Sinston
Conner  Jackson, A.  Sinter  Sinter
Conroy  Jackson, J.  Smith  Smith
Corne  Juneau  Smith  Smith
Cowen  Kean  Smith  Smith
D'Gerolamo  Kelly  Smith  Smith
Dennis  Kilbourne  Smith  Smith
Derbes  Lambert  Smith  Smith
Deshotel  Landry, A.  Smith  Smith
Drew  Landry, E. J.  Smith  Smith
Dunlap  Lanier  Smith  Smith
Duval  Leigh  Smith  Smith
Edwards  Leithman  Smith  Smith
Elkins  Lowe  Smith  Smith
Fayard  McDaniel  Smith  Smith

Total—82.

NAYS

Delegates—

Abraham  Guarisco  Soniat  Stagg
Alexander  Jenkins  Stagg  Stovall
Arnette  Landrum  Stovall  Thistletwaite
Brien  Miller  Stovall  Thistletwaite
Bureau  O'Neill  Vick  Zervigon
De Blieux  Schmitt  Vick  Zervigon
Denmeyer  Total—19.

NOT VOTING

Delegates—

Aertker  More  Segura  Segura
Blair  Munson  Slay  Slay
Carmouche  Newton  Slay  Tapper
Fontenot  Ouroso  Tobias  Tobias
Kilpatrick  Planiard  Vesich  Vesich
LeBlanc  Pugh  Wall  Wall
Maubertet  Sandoz  Weiss  Weiss

Total—21.

And the Chair declared that the above Section was finally passed.

Delegate Lambert moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 14. Public Service Commission

Read.

Motion

Delegate Perkins moved for a suspension of the rules for the purpose of considering Section 14 of Committee Proposal No. 34 lettered paragraph by lettered paragraph with the view that all rules and precedents of the Convention applicable to Section by Section consideration of Proposals shall be applicable to the consideration of each proposed lettered paragraph of said Section 14 of Committee Proposal No. 34.

Delegate Schmitt objected.

By a vote of 83 yea and 10 nays the rules were suspended.

Section 14. (A) Composition; Term. There shall be a Public Service Commission which shall consist of five members elected at the time fixed for congressional elections from single member districts established by law for overlapping terms of six years. The commission annually shall elect one of its members as chairman.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Glenn, Reeves, Kelly, and Roemer to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 5, line 13, delete the word “five” and insert in lieu thereof the word “three”

Delegate Glenn moved the adoption of the amendment.

Delegate Gravel objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman  Glarrusso  Perez
Arnette  Glenn  Perkins
Avant  Grier  Reeves
Bergeron  Haynes  Riecke
Brown  Jackson, A.  Roemer
Burton  Jenkins  Roy
Cannon  Juneau  Sinter
Champagne  Kean  Smith
Chatelain  Kelly  Smith
Chehardy  Landry, J.  Smith
Conner  Leithman  Smith
Corne  Lowe  Smith
Cowen  McDaniel  Smith
D'Gerolamo  Nunez  Smith
Dennis  O'Neill  Smith
Derbes  Perkins  Smith
Deshotel  Roemer  Smith
Drew  Smith  Smith
Dunlap  Smith  Smith
Duval  Smith  Smith
Edwards  Smith  Smith
Elkins  Smith  Smith
Fayard  Smith  Smith

Total—69.

NAYS

Delegates—

Abraham  Fulco  Nunez
Alario  Goldman  Rachal
Anzalone  Graham  Rayburn
Asseff  Gravel  Schmitt
Badeaux  Guerico  Shannon
Bel  Hardee  Singletary
Bollinger  Hayes  Smith
Brien  Hernandez  Smith
Casey  Jackson, J.  Stagg
Chatelain  Kilbourne  Stovall
Chehardy  Lambert  Tapper
Conner  Landrum  Thistletwaite
Corne  Landry, A.  Thompson
D'Gerolamo  Landry, E. J.  Toco
Denmeyer  Lanier  Tombs
Drew  LeBlanc  Tombs
Dunlap  Lowe  Tombs
Elkins  Lowe  Tombs
Fayard  Lowe  Tombs

Total—21.
Delegates—

NOT VOTING

Aertker
Blair
Burns
Carmouche
Cowen
Edwards
Fontenot
Fowler
Total—22.

And the amendment was rejected.

Delegate Rayburn moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Anzalone to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

ON page 5, line 13, immediately after the words “consist of” delete the word “five” and insert in lieu thereof the word “eight”

Delegate Anzalone moved the adoption of the amendment.
Delegate De Blieux objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Bergeron
Cannon
Casey
Chatelain
Chehardy
Conino
Corne
De’Gerolamo
Dennehy
Derbe
Total—52.

NAYS

Delegates—

Mr. Chairman
Badeaux
Bel
Bollinger
Brien
Brown
Burson
Champagne
Conar
Conroy
Cowen
De Blieux
Dennis
Deshotels
Drew

1049
Soniat  Sutherland  Tobias  
Stagg  Tate  Vick  
Stephenson  Thistlethwaite  Winchester  
Stinson  Thompson  Womack  

**Total—66.**

**NOT VOTING**

| Delegate  | Surname | Location  
|-----------|---------|-----------|
| Aertker   | Kilpatrick  Pugh  
| Blair     | Lambert  Sandoz  
| Burns     | Mauberret  Segura  
| Carmouche | Mire  Slay  
| Dennis    | Munson  Vesich  
| Fontenot  | Newton  Wall  
| Fowler    | Planchard  Weiss  

**Total—21.**

And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Alexander to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

> On page 5, at the end of line 17, after the word and punctuation “chairman,” add the following:
> "The chairman shall have no vote except to break a tie."

On motion of Delegate Alexander the amendment was withdrawn.

**Motion**

Delegate Thompson moved the previous question on lettered paragraph A.

Delegate Alexander objected.

By a vote of 13 yeas and 79 nays the Convention refused to order the previous question on paragraph A at this time.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Perez and Toomy to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

> On page 5, at the end of line 17, add the following:
> "Each commissioner serving upon the effective date of this constitution shall be the commissioner for the new district in which he resides and shall serve out the term for which he was chosen."

Delegate Perez moved the adoption of the amendment.

Delegate Deshotels objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

| Delegate  | Surname | Location  
|-----------|---------|-----------|
| Brown     | Haynes  Rayburn  
| Burson    | Heine    Reeves  
| Cannon    | Hernandez  Riecke  
| Casey     | Jack     Roemer  
| Champagne | Jackson, A.  Roy  
| Chatelain | Jackson, J.  Schmitt  
| Chehardy  | Jenkins  Shannon  
| Comas     | Jones     Smith  
| Conino    | Juneau    Stagg  
| Conroy    | Kean      Stephenson  Stinson  
| Corne     | Kilbourne  Stovall  
| D'Gerolamo  Landrum  Sutherland  
| Denney    | Landry, A.  Tapper  
| Derbes    | Landry, E. J.  Tate  
| Deshotels | LeBlanc  Thompson  
| Drew      | LeBlanc  Thistlethwaite  
| Dunlap    | Leigh      Tobias  
| Duval     | Leithman   Toca  
| Edwards   | Lowe      Tomay  
| Elkins    | McDaniel  Uilo  
| Fulleo    | Martin    Velazquez  
| Gauthier  | Miller    Warren  
| Giarrusso | Morris    Wattigny  
| Glenn     | Nunez      Willis  
| Goldman   | O'Neil    Winchester  
| Grier     | Ourso     Wisham  
| Hardee    | Perez     Womack  
| Total—99.  Perkins  Zervigon  

**NAYS**

| Delegate  | Surname  
|-----------|---------|
| Avant     | Guarisco  Rachal  
| De Blieux | Hayes    Singleteray  
| Fayard    | Maybuce  Vick  

**Total—10.**

**NOT VOTING**

**Delegates—**

| Aertker  | Kilpatrick  Sandoz  
| Blair    | Lambert  Segura  
| Burns    | Mauberret  Slay  
| Carmouche | Mire  Soniat  
| Cowen    | Munson  Vesich  
| Dennis   | Newton  Wall  
| Fontenot | Planchard  Weiss  
| Fowler   | Pugh  

**Total—23.**

And the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 34, Section 14, Paragraph A was read, as amended.

Delegate Perkins moved the final passage of the paragraph.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

| Delegate  | Surname  
|-----------|---------|
| Abraham  | Corne    
| Alario   | Cowen    
| Alexander | D'Gerolamo  
| Arnette  | Denney   
| Assiff   | Derbes   
| Badeaux  | Drew     
| Bel      | Dunlap   
| Bergeron | Edwards  
| Bollinger | Elkins  
| Brien    | Fayard   
| Brown   | Fulleo   
| Cannon  | Gauthier 
| Casey   | Goldmann 
| Chatelain | Gravel  
| Chehardy | Grier    
| Comar   | Guarisco 
| Conino  | Hardee   

**Total—99.**

| Delegate  | Surname  
|-----------|---------|
| Conroy   | Haynes  
| Corne    | Heine    
| Cannon   | Hernandez  
| Casey    | Jack     
| Champagne | Jackson, A.  
| Chatelain | Jackson, J.  
| Chehardy | Jenkins  
| Comas    | Jones     
| Conino   | Juneau    
| Conroy   | Kean      
| D'Gerolamo  Landrum  
| Denney   | Landry, A.  
| Derbes   | Landry, E. J.  
| Deshotels | LeBlanc  
| Drew    | LeBlanc  
| Dunlap  | LeBlanc  
| Duval   | LeBlanc  
| Edwards | LeBlanc  
| Elkins  | LeBlanc  
| Fulleo  | LeBlanc  
| Gauthier | LeBlanc  
| Giarrusso | LeBlanc  
| Glenn   | LeBlanc  
| Goldman | LeBlanc  
| Grier   | LeBlanc  
| Hardee  | LeBlanc  

**Total—99.**

| Delegate  | Surname  
|-----------|---------|
| Corne    | Hayes    
| Cowen    | Haynes   
| D'Gerolamo | Hernandez  
| Denney   | Jack     
| Derbes   | Jackson, A.  
| Drew    | Jackson, J.  
| Dunlap  | Jones     
| Edwards | Juneau    
| Elkins  | Kilbourne  
| Fayard  | Lambert  
| Fulleo  | Landrum  
| Gauthier | Landry, A.  
| Goldmann | Landry, E. J.  
| Gravel  | Lanier    
| Grier   | LeBlanc  
| Guarisco | Leigh    
| Hardee  | Leithman 

**Total—99.**
Vice-Chairman Casey in the Chair

(B) Powers and Duties. The commission shall regulate all common carriers and public utilities as provided by law. It shall adopt and enforce reasonable rules, regulations, and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law.

Read.

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

FLOOR AMENDMENTS

Amendment proposed by Delegate Gravel to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 5, line 18, immediately after “Duties,” delete the word “The” and insert in lieu thereof the following:

“Except for natural gas, the”

AMENDMENT No. 2—

On page 5, between lines 23 and 24, add the following Paragraph:

“The legislature shall provide for the regulation of natural gas by such regulatory authority as it may designate.”

On motion of Delegate Gravel the amendment was withdrawn.

Motion

On motion of Delegate Chatelain, the Convention altered the Order of Business to take up other Orders of Business at this time.

Motion

On motion of Delegate Lowe a comparison of budgeted and actual expenses of the Constitutional Convention of 1973, for the month of November, 1973, was ordered incorporated in the official Journal as follows:

CONSTITUTIONAL CONVENTION 1973

Comparison of Budgeted and Actual Expenses

<table>
<thead>
<tr>
<th>Expenses</th>
<th>November 1973</th>
<th>Actual</th>
<th>Budget</th>
<th>Actual</th>
<th>Under</th>
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</thead>
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<tr>
<td></td>
<td>Budget Actual</td>
<td>Over</td>
<td>Under</td>
<td>Budget</td>
<td>Actual</td>
</tr>
<tr>
<td>Salaries:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>Research</td>
<td>65,800.00</td>
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<td>7,456.79</td>
<td>492,016.79</td>
<td>418,833.66</td>
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<td>Clerk’s Office</td>
<td>22,400.00</td>
<td>27,365.65</td>
<td>5,655.68</td>
<td>115,854.82</td>
<td>100,984.89</td>
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<tr>
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<td>1,767.50</td>
<td>1,873.13</td>
<td>215.63</td>
<td>11,373.42</td>
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<td>4,100.00</td>
<td>5,646.29</td>
<td>2,546.29</td>
<td>26,644.09</td>
<td>27,918.35</td>
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<td>95,167.50</td>
<td>94,414.48</td>
<td>7,753.02</td>
<td>540,419.22</td>
<td>538,937.04</td>
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<td>Employer’s Fringe Benefit Share</td>
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<td></td>
<td></td>
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<td></td>
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<tr>
<td>Teachers’ Retirement</td>
<td>265.00</td>
<td>253.07</td>
<td>11.93</td>
<td>2,348.05</td>
<td>2,337.80</td>
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<tr>
<td>State Retirement</td>
<td>6,500.00</td>
<td>6,300.68</td>
<td>196.89</td>
<td>36,400.19</td>
<td>30,685.40</td>
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<tr>
<td>P.L.C.A.</td>
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<td>66.83</td>
<td>193.17</td>
<td>1,606.67</td>
<td>1,193.77</td>
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<td>Group Hospitalisation</td>
<td>355.00</td>
<td>486.82</td>
<td>131.82</td>
<td>2,761.32</td>
<td>2,471.29</td>
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<td>Group Life</td>
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<td>136.56</td>
<td>11.56</td>
<td>919.06</td>
<td>899.39</td>
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<td>Workmen’s Compensation</td>
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<td>741.00</td>
<td>325.00</td>
<td>2,084.00</td>
<td>1,111.00</td>
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<td>Total</td>
<td>6,581.00</td>
<td>7,100.76</td>
<td>529.76</td>
<td>46,466.07</td>
<td>37,962.85</td>
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<tr>
<td>Other Expenses</td>
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<td></td>
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<td></td>
<td></td>
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<td>Wages—Per Diem</td>
<td>20,000.00</td>
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<td>1,990.00</td>
<td>112,000.00</td>
<td>122,990.00</td>
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<td>Delegate—Per Diem</td>
<td>133,500.00</td>
<td>90,191.90</td>
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<td>438,000.00</td>
<td>666,764.00</td>
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<td>Meeting Expense</td>
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<td>131,690.85</td>
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<td>346.43</td>
<td>553.57</td>
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<td>5,796.00</td>
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<tr>
<td>Printing</td>
<td>1,500.00</td>
<td>1,483.27</td>
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<td>7,359.39</td>
<td>5,688.85</td>
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<td>Daily Journal</td>
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<td>55,972.70</td>
<td>320,080.00</td>
<td>42,402.48</td>
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<tr>
<td>Equipment Rental</td>
<td>16,000.00</td>
<td>8,460.83</td>
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<td>87,649.73</td>
<td>70,935.93</td>
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<td>589.71</td>
<td>11,084.49</td>
<td>10,256.10</td>
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<td>Staff Travel</td>
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<td>1,897.70</td>
<td>102.30</td>
<td>11,147.29</td>
<td>2,685.39</td>
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<tr>
<td>Office Supplies</td>
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<td>4,984.69</td>
<td>155.31</td>
<td>10,745.68</td>
<td>10,355.70</td>
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<td>Equipment Purchase</td>
<td>200.00</td>
<td>881.64</td>
<td>681.64</td>
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<td>LSU Renovation</td>
<td>5,000.00</td>
<td>6,605.89</td>
<td>605.89</td>
<td>6,605.89</td>
<td>6,605.89</td>
</tr>
<tr>
<td>Total</td>
<td>278,000.00</td>
<td>156,600.20</td>
<td>37,199.80</td>
<td>1,655,409.40</td>
<td>1,498,422.37</td>
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<td>Total:</td>
<td>278,038.50</td>
<td>257,008.24</td>
<td>12,730.26</td>
<td>1,655,409.40</td>
<td>1,465,322.29</td>
</tr>
</tbody>
</table>

Respectfully submitted by:

HERMAN “MONDAY” LOWE
Treasurer
Constitutional Convention 1973

1051
Leaves of Absence
Delegate Sandoz—1/2 day.
Delegate Carmouche—1/2 day.
Delegate Vesich—Indefinite.
Delegate Blair—1 day.
Delegate Mire—1 day.

Adjournment
Delegate Henry moved that the Convention do now adjourn until Thursday, December 20, 1973, at 9:00, o'clock A.M.

Which motion was agreed to.

And Vice-chairman Casey declared the Convention adjourned to Thursday, December 20, 1973, at 9:00, o'clock.

MOISE W. DENNERY
Secretary

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

ONE HUNDRED FIFTH DAY’S PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature


The Convention was called to order at 9:00 o’clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—
Mr. Chairman
Abraham
Aeriker
Alario
Alexander
Anzalone
Arnette
Assen
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burson
Cannon
Carmouche
Casey
Champagne
Chatlain
Cheadly
Comar
Conino
Conroy
Corne
Cwen
D’Gerolamo
De Bileux
Denny
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edward
Elkins
Fayard
Flory

Pulco
Gauthier
Girouard
Ginn
Goldman
Graham
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jenkins
Jones
Juncau
Kean
Kelly
Kibort
Kibort
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.

Ours
Perez
Perkins
Planhard
Rachal
Rayburn
Reeves
Riecke
Roemer
Roy
Schmitt
Shannon
Singletary
Slay
Smith
Sonat
Stagg
Stephenson
Stinson
Stovall
Strander
Tapp
Tate
Thistlewaite
Thompson
Tobias
Toca
Toomy
Ullo
Velazquez
Vick
Warren
Wattigny
Welch
Willis
Winchester
Wisham
Womack
Zervigon

Delegates—
Burns
Fontenot
Fowler
Jackson, J.

Mauherret
Newton
Pugh
Sandoz

Vesich
Segura
Wall

The Chairman announced that there were 121 members
present and a quorum.

Prayer

Prayer was offered by Delegate Maybuce.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Wattigny, the Journal of yesterday
was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 34—

Introductions by Delegate Lambert, Chairman, on behalf of
the Committee on Natural Resources and Environment, and
Delegates Bollinger, Derbes, Elkins, Hardee, Jack, LeBleu,
Leigh, Miller, Munson, Perkins, Singletary, Thompson, Velaz-
quez, Warren and Womack (A Substitute for Committee
Proposal No. 16):

A PROPOSAL

Making provisions relating to natural resources and environ-
ment.

Read.

Section 14. Public Service Commission

Read.

(B) Powers and Duties. The commission shall regulate all
common carriers and public utilities as provided by law. It
shall adopt and enforce reasonable rules, regulations, and
procedures necessary for the discharge of its duties, and
shall have other powers and perform other duties as pro-
vided by law.

Read.

The Chairman announced that the Convention had under
consideration Committee Proposal No. 34, Section 14, Paragraph
B, when it adjourned on Wednesday, December 19, 1973, which
was taken up and acted upon as follows:

Motion

On motion of Delegate Miller the Convention deferred action
on Committee Proposal No. 34, Section 14, lettered Paragraph
B, at this time.

Motion

On motion of Delegate Miller the Convention reverted to
Committee Proposal No. 34, Section 1, for the purpose of
offering an amendment adding a new Section:

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

FLOOR AMENDMENT

Amendment proposed by Delegates Miller, Assen, Avant,
Derbes, Tobias, Warren, Schmitt, Arnette and Carmouche to
Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, between lines 21 and 22, insert the following:
"Section 1.1. (A) The navigable water bodies and bottoms,
the sea and its shores, and lands, title to which is in the state
and its agencies at the effective date of this constitution, are
hereby declared to be a part of the public domain, and for the use, benefit and enjoyment of the people, as provided by law.

(B) No conveyance, contract, compromise, or lease involving lands, minerals, or other interests therein, title to which is in the state or its agencies, shall be made without prior public notice or public bidding, and other safeguards as prescribed by law.

No transfer of a real right or of minerals taken in kind belonging to the state and its agencies which do not comply with such requirements shall henceforth be valid."

On motion of Delegate Miller the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Miller, Asseff, Avant, Derbes, Tobias, Warren, Schmitt, Arnette and Carmouche to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, between lines 21, and 22, insert the following:

"Section 1.1. (A) The navigable water bodies and bottoms, the sea and its shores, and lands, title to which is in the state and its agencies at the effective date of this constitution, are hereby declared to be a part of the public domain, and for the use, benefit and enjoyment of the people, as provided by law.

(B) No conveyance, contract, compromise, or lease involving lands, minerals, or other interests therein, title to which is in the state or its agencies, shall be made without prior public notice or public bidding, and other safeguards as prescribed by law.

No transfer of a real right or of minerals taken in kind belonging to the state or its agencies which does not comply with such requirements shall henceforth be valid."

Delegate Miller moved the adoption of the amendment.

Delegate Tapper objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Alario
Alexander
Anzalone
Arnette
Asseff
Bel
Burson
Carmouche
Champagne
Corne
Cowan
D’Gerolamo
De Blieux
Derbes
Deshotel
Drew
Elkins
Flory
Fulco

Total—57.

NAYS

Delegates—

Aertker
Badeaux
Bollinger

Total—36.

Delegate—

Mr. Chairman

Avant
Bergeron
Blair
Brown
Burns
Chatelain
Dennis
Edwards
Fayard
Fontenot
Fowler
Gauthier

Total—38.

And the amendment not having received the vote of a majority of the total membership of the Convention required to add a Section to a proposal failed to pass.

Delegate Tapper moved to reconsider the vote by which the amendment was rejected, and to lay the motion to reconsider on the table.

Delegate O’Neill objected to tabling the motion to reconsider.

By a vote of 56 yeas and 38 nays the Convention refused to table the motion to reconsider.

Reconsideration

Delegate Tapper insisted upon the motion to reconsider the vote by which the amendment failed to pass.

Delegate Singletary objected.

By a vote of 82 yeas and 11 nays the vote by which the amendment failed to pass, was reconsidered.

FLOOR AMENDMENT

Amendment proposed by Delegates Miller, Asseff, Derbes, Tobias, Warren, Schmitt, Arnette and Carmouche to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, between lines 21, and 22, insert the following:

"Section 1.1. (A) The navigable water bodies and bottoms, the sea and its shores, and lands, title to which is in the state and its agencies at the effective date of this constitution, are hereby declared to be a part of the public domain, and for the use, benefit and enjoyment of the people, as provided by law.

(B) No conveyance, contracts, compromise, or lease involving lands, minerals, or other interests therein, title to which is in the state or its agencies, shall be made without prior public notice or public bidding, and other safeguards as prescribed by law.

No transfer of a real right or of minerals taken in kind belonging to the state or its agencies which does not comply with such requirements shall henceforth be valid."

On motion of Delegate Miller the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Miller, Asseff, Derbes, Tobias, Warren, Schmitt, Arnette and Carmouche to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 1, between lines 21 and 22, insert the following:
“Section 1.1. Public Lands; Lease, Contract
No conveyance, contract, compromise, or lease involving lands, minerals, or other interests therein, title to which is in the state or its agencies, shall be made without prior public notice or public bidding, and other safeguards as prescribed by law.”

On motion of Delegate Miller the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Miller, Asseff, Derbes, Tobias, Warren, Schmitt, Arnette and Carmouche to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, between lines 21 and 22, insert the following:
“Section 1.1. Public Lands; Lease, Contract
Section 1.1. No conveyance, contract, compromise, or lease involving lands, minerals, or other interests therein, title to which is in the state or its agencies, shall be made without prior public notice or public bidding, and other safeguards as prescribed by law.”

Motion

On motion of Delegate Duval debate on the Amendment was limited to 5 minutes.

Delegate Miller moved the adoption of the amendment.
Delegate Gravel objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Alexander
Anzalone
Arnette
Asseff
Badeaux
Bel
Bollinger
Burson
Carmouche
Champagne
Chatelain
Corne
De Blieux
Duval
Eldin
Falco
Giarrusso
Ginn
Total—60.

Goldman
Graham
Grier
Guardisco
Hayes
Hernandez
Jack
Jenkins
Jones
Juneau
Kean
Kilbourne
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leigh
Lowe
McDaniel
Maybuce
Miller
O'Neill
Riecke
Sandoz
Schmitt
Shannon
Smith
Soniat
Stagg
Stirron
Stovall
Thistlewaite
Ulo
Velaquez
Warren
Weiss
Willis
Winchester
Wisham

NAYS

Delegates—
Alario
Avant
Bergeron
Brien
Cannon
Casey
Chehardy
Comar
Conino
Conroy
Cowen
D’Gerolamo
Dennery
Deehotsels
Drew
Dunlap
Flory
Gravel
Hardie
Jackson, A.
Leithman
Martin
Mire
Nunez
Reeves
Roy
Singlyear
Slay
Stephenson

Sutherland
Tapper
Total—36.

Toca
Toomy
Waitigny
Zervigen

NOT VOTING

Delegates—
Mr. Chairman
Blair
Brown
Burns
Dennis
Derbes
Edwards
Fayard
Fontenot
Fowler
Gauthier
Haynes
Total—36.

Heine
Jackson, J.
Kelly
Lambert
Mauberret
Morris
Monson
Newton
Ouroz
Perez
Perkins
Pianchard

Pugh
Rachal
Rayburn
Roemer
Segura
Tate
Thompson
Tobias
Vesich
Vick
Wall
Womack

And the amendment not having received the vote of a majority of the total membership of the Convention required to add a Section to a Proposal failed to pass.

Motion

On motion of Delegate Miller the Convention took up Committee Proposal No. 34, Section 6, upon which action was deferred on yesterday.

Section 6. Mineral Rights; Alluvion

Section 6. Mineral rights to land formed or exposed by accretion or delination caused principally by acts of man, on a water body the bed of which is owned by the state, are retained by the state.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate LeBlanc to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 23 through 27, in their entirety.

Delegate LeBlanc moved the adoption of the amendment.
Delegate Miller objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Alario
Anzalone
Badeaux
Bollinger
Burson
Carmouche
Champagne
Chatelain
Coine
De Blieux
Duval
Elkins
Falco
Giarrusso
Ginn
Total—60.

Goldman
Graham
Grier
Guardisco
Hayes
Hernandez
Jack
Jenkins
Jones
Juneau
Kean
Kilbourne
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leigh
Lowe
McDaniel
Maybuce
Miller
O'Neill
Riecke
Sandoz
Schmitt
Shannon
Smith
Soniat
Stagg
Stirron
Stovall
Thistlewaite
Ulo
Velaquez
Warren
Weiss
Willis
Winchester
Wisham

NAYS

Delegates—
Aertker
Alexander
Arnette
Asseff
Bel
Bergeron

Nunez
O'Neill
Planchar
Rachal
Rayburn
Rayburn
Rayburn
Roemer
Roy
Sandoz
Singlyear
Stephenson
Tapper
Thistlewaite
Winchester
Wisham

Giarrusso
Ginn
Guarisco
Hardee
Heine
Jackson, A.
Jenkins
Juneau
Kean
Kelly
Landry, A.
Lanier
LeBlanc
Leigh
Martin

1055
Page 4
105th Days Proceedings—December 20, 1973

Dennery  Leithman  Sutherland
Elkins   Lowe    Toca   
Flory    McDaniel  Toomy
Fulco    Maybuce  Ullo
Goldman  Miller   Velazquez
Graham   Mire     Vick
Gravel   Riecke   Warren
Grier    Schmitt  Wattigny
Hayes    Shannon  Weiss
Kilpatrick Smith  Willis
Landrum  Soniat   Womack
Landry, E. J. Stovall  Zervigon

Delegates—
Mr. Chairman  Jackson, J.  Pugh
Avant  Jones   Segura
Blair  Lambert  Stagg
Burns  Maubert  Tate
Cannon  Morris   Thompson
Edwards  Munson  Tobias
Fontenot  Newton  Vesich
Fowler  Ousso   Wall
Haynes  Perkins  
Jack  Total—28.

NOT VOTING

Delegates—
Aeriker  Gauthier  Perez
Alario  Giarruso  Perkins
Alexander  Glenn  Planchard
Anzalone  Graham  Rayburn
Arnette  Gravel  Reeves
Asself  Guarisco  Riecke
Badeaux  Bel  Hardee
Bergeron  Hayes  Sandoz
Bollinger  Hernandez  Schmitt
Brown  Jackson, A.  Singletary
Burson  Jenkins  Slay
Carmouche  Juneau  Soniat
Champlin  Kean  Stagg
Chauvin  Kelly  Stephenson
Comar  Conino  Stokes
Conroy  Kilbourne  Sutherland
Corne  Kilpatrick  Tapper
Cowan  Landrum  Thistlethwaite
D’Gerolamo  Landry, A.  Thompson
De Bree  Lanier  Toca
Denner  LeBleu  Ullo
Deshotel  Lowe  Velazquez
Drew  McDaniell  Vick
Dunlap  Marden  Wattigny
Duval  Maybuce  Weiss
Elkins  Miller  Willis
Fayard  Mire  Winchester
Fohy  Nunzi  Wisham
Fulco  O’Neill  Zervigon

Total—93.

And the amendment was rejected.

Delegate Miller moved to reconsider the vote by which the amendment was rejected, and to lay the motion to reconsider on the table.

Delegate Duval objected to laying the motion to reconsider on the table.

By a vote of 31 yeas and 68 nays the Convention refused to table the motion to reconsider.

Reconsideration

Delegate Duval moved to reconsider the vote by which the amendment failed to pass.

Delegate Miller objected.

By a vote of 57 yeas and 46 nays the Convention reconsidered the vote by which the Floor Amendment proposed by Delegate LeBleu failed to pass.

FLOOR AMENDMENT

Amendment proposed by Delegate LeBleu to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 28 through 31, both inclusive, in their entirety

Delegate LeBleu moved the adoption of the amendment.

Delegate Brown objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aeriker  Gauthier  Perez
Alario  Giarruso  Perkins
Alexander  Glenn  Planchard
Anzalone  Graham  Rayburn
Arnette  Gravel  Reeves
Asself  Guarisco  Riecke
Badeaux  Bel  Hardee
Bergeron  Hayes  Sandoz
Bollinger  Hernandez  Schmitt
Brown  Jackson, A.  Singletary
Burson  Jenkins  Slay
Carmouche  Juneau  Soniat
Champlin  Kean  Stephenson
Chauvin  Kelly  Stokes
Conroy  Kilbourne  Sutherland
Corne  Kilpatrick  Tapper
Cowan  Landrum  Thistlethwaite
D’Gerolamo  Landry, A.  Thompson
De Bree  Lanier  Ullo
Denner  LeBleu  Velazquez
Deshotel  Lowe  Vick
Drew  McDaniell  Wattigny
Dunlap  Marden  Weiss
Duval  Maybuce  Weiss
Elkins  Miller  Willis
Fayard  Nunzi  Winchester
Fohy  O’Neill  Wisham
Fulco  Total—7.

NOT VOTING

Delegates—
Brown  Jones  Shannon
Casey  Landry, E. J.  Smith
Grier  Total—2.

Section 7. Mineral Rights; Erosion

Section 7. Mineral rights to land lost by erosion caused principally by acts of man, on a navigable water body, are retained by the riparian landowner.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate LeBleu to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 28 through 31, both inclusive, in their entirety

Delegate LeBleu moved the adoption of the amendment.

Delegate Brown objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aeriker  Gauthier  Perez
Alario  Giarruso  Perkins
Alexander  Glenn  Planchard
Anzalone  Graham  Rayburn
Arnette  Gravel  Reeves
Asself  Guarisco  Riecke
Badeaux  Bel  Hardee
Bergeron  Hayes  Sandoz
Bollinger  Hernandez  Schmitt
Brown  Jackson, A.  Singletary
Burson  Jenkins  Slay
Carmouche  Juneau  Soniat
Champlin  Kean  Stephenson
Chauvin  Kelly  Stokes
Conroy  Kilbourne  Sutherland
Corne  Kilpatrick  Tapper
Cowan  Landrum  Thistlethwaite
D’Gerolamo  Landry, A.  Thompson
De Bree  Lanier  Ullo
Denner  LeBleu  Velazquez
Deshotel  Lowe  Vick
Drew  McDaniell  Wattigny
Dunlap  Marden  Weiss
Duval  Maybuce  Weiss
Elkins  Miller  Willis
Fayard  Nunzi  Winchester
Fohy  O’Neill  Wisham
Fulco  Total—93.

NAYS

Delegates—
Brown  Jones  Shannon
Casey  Landry, E. J.  Smith
Grier  Total—7.

NOT VOTING

Delegates—
Mr. Chairman  Fowler  Pugh
Abraham  Haynes  Roy
Avant  Heine  Segura
Blair  Jackson, J.  Stovall
Burns  Leigh  Tate
Cannon  Leithman  Tobias
Chehardy  Maubert  Toomy
Dennis  Morris  Vesich
Derbes  Munson  Wall
Edwards  Newton  Womack
Fontenot  Ousso  Total—32.

And the amendment was adopted.

Delegate LeBleu moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 8. Royalty Road Fund

Section 8. Ten percent of the royalties from any mineral lease heretofore or hereafter granted by the state shall be placed by the treasurer in a special fund to the credit of the parish from which the mineral was severed. This special fund shall be known as the Royalty Road Fund, and shall be used by the state to acquire, construct, and maintain transportation facilities in the parish.

Read.
Delegate Perez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Perez, Miller and Gravel to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete line 32 in its entirety and on page 3, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 8. As used in Article XI, Section 4(D), "state-owned property" means state-owned land, lake and river beds, and other water bottoms belonging to the state or the title to which is in the public for mineral development. The governing authority of a parish may fund its one-tenth of the royalties from mineral leases on such state-owned property into general obligation bonds of the parish in accordance with law. Neither the provisions of this Section nor the provisions of Article XI, Section 4(D) shall apply to those properties comprising the Russell Sage Wildlife and Game Refuge."

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Burson to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 32, in Floor Amendment No. 1 proposed by Delegates Perez, et al. and adopted by the Convention on December 20, 1973, on line 2 in the text of the amendment, immediately after "Section 8," and before the word "As" insert "(A)" and at the end of the language added by the text of the amendment add the following:

"(B) No conveyance, lease, royalty agreement or unitization agreement involving minerals or mineral rights owned by the State of Louisiana shall be confermented without prior public notice or public bidding."

**Point of Order**

Delegate Perez suggested that the amendment was out of order in that the subject matter contained therein was not germane to the subject matter of the amendment and asked a ruling from the chair.

**Ruling of the Chair**

The Chair ruled the amendment out of order at this time.

**Passage**

Committee Proposal No. 34, Section 8 was read, as amended.

Delegate Miller moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Asseff</td>
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<td>Badeaux</td>
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<td>Total—95.</td>
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<tr>
<td>Velazquez</td>
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<td>Warren</td>
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**NAYS**

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Miller</td>
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<tr>
<td>Perez</td>
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<td>Perkins</td>
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<td>Rayburn</td>
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<td>Reeves</td>
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**NOT VOTING**

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<th>Delegates—</th>
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<td>Haynes</td>
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<td>Heine</td>
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<td>Jackson, J.</td>
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<td>Kean</td>
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<td>Landrum</td>
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<td>Leithman</td>
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<td>Morris</td>
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<td>Newton</td>
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</table>

**Total—33.**

And the Chair declared that the above Section was finally passed.

Delegate Miller moved to reconsider the vote by which the above Section was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Aertker, the Convention altered the Order of Business to take up other Orders of Business at this time.

**Motion**

On motion of Delegate Aertker the rules were suspended for the purpose of calling a meeting of the Committee on Education and Welfare without giving the required 24 hours notice.

**COMMITTEE NOTICE**

Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Thursday, December 20, 1973, at the noon recess in the Anti-Room and will consider the following agenda:

**AGENDA**

1. Review all outstanding delegate proposals.
2. Review reports to Committee on Legislative Liaison and Transitional Measures from Committee on Education and Welfare.

Respectfully submitted,

ROBERT J. AERTKER,
Chairman of the Committee on Education and Welfare
The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Tate the rules were suspended for the purpose of calling a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Thursday, December 20, 1973 at noon recess in the Treaty Room, and also on the following dates:
(a) Saturday, December 22, 1973, at 9:30 A.M. in the Treaty Room;
(b) if necessary, Sunday, December 23, 1973, at 9:30 A.M. in the Treaty Room;
(c) Wednesday, January 3, 1974, at 9:30 A.M. in the Treaty Room and will consider the following agenda:

AGENDA

Remaining proposals referred to the Committee.
Respectfully submitted,
ALBERT TATE, JR.,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Unfinished Business, Resumed

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 34—

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegate Bollinger, Derbes, Elkins, Hardee, Jack, LeBlu, Leigh, Miller, Munson, Perkins, Singleary, Thompson, Velazquez, Warren and Womack (A Substitute for Committee Proposal No. 16):

A PROPOSAL

Making provisions relating to natural resources and environment.

Read.

Point of Order

Delegate Miller suggested the absence of a quorum.

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

ROLL CALL

The roll was called with the following result:

PRESENT

Delegates—

Abraham
Anzalone
Assess
Avant
Badeaux
Brien
Brown
Burton

Graham
Gravel
Grier
Guerrisco
Hardee
Heine
Jack
Jackson, A.
Jenkins
Jones
Kilbourne
Kilpatrick
Lambert
Landry, E. J.
Lanier
LeBlu
Leigh
Leihman
Lowe
McDaniel
Total—82

Miller
Mire
Morris
Munson
O'Neill
Perez
Perkins
Planhard
Rachal
Rayburn
Reeves
Riecke
Roy
Sandoz
Schmitt
Shannon
Singletary
Stay
Smith
Soniat

ABSENT

Delegates—

Mr. Chairman
Aeter
Alario
Alexander
Arnette
Bel
Bergen
Blair
Bollinger
Borns
Cannon
Carmouche
Chehardy
De Bileux
Deshotels
Drew
Duval

Total—50.

And the Chair declared that there were 82 delegates present, and a quorum.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Burson to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, between lines 27 and 28, add the following Section:

"Section 6.1. Public Notice; Public Bidding Requirements Section 6.1. No conveyance, lease, royalty agreement or unitization agreement involving minerals or mineral rights owned by the State of Louisiana shall be concluded without prior public notice or public bidding."

Delegate Burson moved the adoption of the amendment.

Delegate Leigh objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Anzalone
Assess
Avant
Badeaux
Brien
Brown
Burton

De Buleux
Derbes
Deshotels
Drew
Elkins
Fulco
Gillum
Goldman
Gier
Guerrisco

Hailey
Haynes
Heine
Jackson, A.
Jenkins
Juneau
Kelly
Lambert
Landry, A.
Landry, E. J.
### Delegates—

<table>
<thead>
<tr>
<th>Delegate Name</th>
<th>City</th>
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<tbody>
<tr>
<td>Lanier</td>
<td>Reeves</td>
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<td>Sandoz</td>
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<td>Velazquez</td>
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<td>Miller</td>
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<td>Stagg</td>
<td>Warren</td>
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<td>O'Neil</td>
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**TOTAL—61.**

### NAYS

<table>
<thead>
<tr>
<th>Delegate Name</th>
<th>City</th>
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<tbody>
<tr>
<td>Abraham</td>
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<td>Anzalone</td>
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**TOTAL—53.**

### NOT VOTING

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<td>Fayard</td>
<td>O'Neil</td>
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</tbody>
</table>

**TOTAL—34.**

And the Convention refused to table the motion to reconsider the vote by which the amendment failed to pass.

### Motion

Delegate Miller moved to reconsider the vote by which the amendment was rejected.

Delegate Leigh objected.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

<table>
<thead>
<tr>
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<tbody>
<tr>
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<td>Riecke</td>
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**TOTAL—57.**

### NAYS

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<td>Kilbourne</td>
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<td>Kilpatrick</td>
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**TOTAL—45.**
Amendment proposed by Delegate Burson to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 27 and 28, add the following Section:

“Section 6.1 Public Notice; Public Bidding Requirements
Section 6.1. No conveyance, lease, royalty agreement or unitization agreement involving minerals or mineral rights owned by the State of Louisiana shall be perfected without prior public notice or public bidding.

On motion of Delegate Burson the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Burson to Committee Proposal No. 84 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 27 and 28, add the following Section:

“Section 6.1 Public Notice; Public Bidding Requirements
Section 6.1. No conveyance, lease, royalty agreement or unitization agreement involving minerals or mineral rights owned by the State of Louisiana shall be perfected without prior public notice or public bidding.

On motion of Delegate Burson the amendment was withdrawn.

Delegate Burson moved the adoption of the amendment.

Delegate Leigh objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham

Alexander

Anzalone

Arnette

Asseff

Badeaux

Bel

Bollinger

Brown

Burson

Champagne

Chalas

Chamerly

Comar

Conroy

Conroy

Corne

Corne

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Leithman Reeves Thistethwaite
Lowe Riecke Thompson
McDaniel Roy Toca
Maybuc Sandoz Toomy
Miller Schmitt Ulo
Mire Shannon Velazquez
Morris Singletary Vick
Nunez Slay Warren
O'Neill Smith Wattigny
Ouguay Soniat Weiss
Perez Stagg Willis
Perkins Stinson Winchester
Planchard Sutherland Wisham
Rachal Tapper Zervigon
Rayburn Total—97.

Delegates—
Alario Amory Flory Stephenson
Avant Leigh Total—5.

NOT VOTING

Delegates—
Mr. Chairman Girruso Newton
Aerkker Graham Pugh
Blair Hernandez Roemer
Burns Jackson, J. Segura
Carmouche Jones Stoval
Cown Cowen Tate
Dennis Kelly Tobias
Fayard Martin Vesich
Fontenot Mauberret Wall
Fowler Munson Womack
Total—30.

And the Chair declared that the above Section was finally passed.

Delegate Burson moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 14. Public Service Commission

Section 14. (A) Composition; Term. There shall be a Public Service Commission which shall consist of five members elected at the time fixed for congressional elections from single member districts established by law for overlapping terms of six years. The commission annually shall elect one of its members as chairman.

(B) Powers and Duties. The commission shall regulate all common carriers and public utilities as provided by law. It shall adopt and enforce reasonable rules, regulations, and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law.

(C) Limitation. The commission shall have no power to regulate any common carrier or public utility owned, operated, or regulated on the effective date of this constitution by the governing authority of one or more political subdivisions, except by the consent of a majority of the electors voting in an election held for that purpose; however, a political subdivision may reinvest itself with such regulatory power in the manner provided by law shall be filed within one year after such final action.

(D) Decisions on Applications, Petitions, and Schedules

1. The commission shall render its final decision on applications, petitions, and proposed rate schedules within twelve months from the date the application, petition, or proposed schedule is filed.

2. If a decision is not rendered within six months from the filing date of any proposed rate schedule, it shall be deemed to be tentatively approved.

3. If the proposed schedule results in a rate increase, it may be put into effect, subject to such protective bond or security requirements as may be provided by law, pending final approval, modification, or rejection. If the commission disapproves the proposed increase, in whole or in part, the carrier or utility may place or continue the schedule in effect under the bond or security, subject to any appeal and final action by a court of last resort. Refund claims therefor

in the manner provided by law shall be filed within one year after such final action.

4. Any utility filing a proposed rate schedule shall, within twenty days, give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable. Any person affected by the proposed rate schedule may intervene.

(E) Appeals. Should the commission not render its decision within twelve months, an appeal may be taken as if a decision had been rendered. Appeals may be taken by any party or intervenor and shall be filed with the district court, within the time provided by law, at the domicile of the commission, with a direct appeal to the supreme court as a matter of right.

(F) Jurisdiction. The commission shall regulate the transportation and sale of natural gas for industrial purposes. This jurisdiction shall not include the right to regulate the terms of any contract or the price of gas; but, regardless of the terms of any contract, shall include the right to curtail and allocate natural gas to industrial and other users to provide adequate supplies for essential human needs and to protect the interests of the public. Gas allocated to any user in the absence of a prior contract shall be sold at rates comparable to those at which such natural gas is then being sold to industrial users.

This paragraph is self-executing, and the commission shall promulgate such orders and regulations necessary to carry out the purpose and intent of this paragraph.

Read.

(B) Powers and Duties. The commission shall regulate all common carriers and public utilities as provided by law. It shall adopt and enforce reasonable rules, regulations, and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law.

Read.

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

FLOOR AMENDMENTS

Amendment proposed by Delegate Jenkins to Committee Proposal No. 34 by Delegate Lambert, et al.

Amendment reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 5, at the end of line 23, insert the following:

"Such rules, regulations, and practices shall, insofar as practicable, encourage competition and production among the common carriers and public utilities subject to the authority of the commission."

On motion of Delegate Jenkins the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 34 by Delegate Lambert, et al.

Amendment reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 5, at the end of line 23, insert the following:

"Such rules, regulations, and procedures shall, insofar as practicable, encourage competition and production among the common carriers and public utilities subject to the authority of the commission."

Delegate Jenkins moved the adoption of the amendment.

Delegate De Blieux objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abraham Alario Anzalone
**PAGE 10**

105th Days Proceedings—December 20, 1973

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**NAYS**

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**NOT VOTING**

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<th>District</th>
<th>County</th>
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<td>Cowen</td>
<td>Martin</td>
<td>Toca</td>
</tr>
<tr>
<td>Dennis</td>
<td>Maubert</td>
<td>Vesich</td>
</tr>
<tr>
<td>Fayard</td>
<td>Newton</td>
<td>Wall</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Perkins</td>
<td>Womack</td>
</tr>
<tr>
<td>Fowler</td>
<td>Pugh</td>
<td></td>
</tr>
</tbody>
</table>

**Total—65.**

And the amendment was rejected.

Delegate Singletary moved to reconside the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Arnette to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 5, line 21, after the word “duties,” and insert in lieu thereof:

“and shall render decisions on applications, petitions, and proposed rate schedules in the manner provided by law. It shall”

On motion of Delegate Abraham the amendment was withdrawn.

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

<table>
<thead>
<tr>
<th>Delegate</th>
<th>District</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fontenot</td>
<td>Newton</td>
</tr>
<tr>
<td>Aertker</td>
<td>Fowler</td>
<td>Pugh</td>
</tr>
<tr>
<td>Blair</td>
<td>Giarrusso</td>
<td>Roemer</td>
</tr>
<tr>
<td>Burns</td>
<td>Graham</td>
<td>Segura</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Heine</td>
<td>Stovall</td>
</tr>
<tr>
<td>Cowen</td>
<td>Martin</td>
<td>Vesich</td>
</tr>
<tr>
<td>Dennis</td>
<td>Maubert</td>
<td>Wall</td>
</tr>
<tr>
<td>Fayard</td>
<td>Munson</td>
<td>Womack</td>
</tr>
</tbody>
</table>

**Total—24.**

And the amendment was rejected.

Delegate Lambert moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

<table>
<thead>
<tr>
<th>Delegate</th>
<th>District</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gauthier</td>
<td>Juneau</td>
<td>Shannon</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Juneau</td>
<td>Stagg</td>
</tr>
<tr>
<td>Arnette</td>
<td>Kean</td>
<td>Sutherland</td>
</tr>
<tr>
<td>Asseff</td>
<td>Lanier</td>
<td>Thistlethwaite</td>
</tr>
<tr>
<td>Corne</td>
<td>Miller</td>
<td>Tobias</td>
</tr>
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<td>Deshotels</td>
<td>Morris</td>
<td>Rachal</td>
</tr>
<tr>
<td>Duval</td>
<td></td>
<td>Velazquez</td>
</tr>
</tbody>
</table>

**NAYS**

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<tr>
<th>Delegate</th>
<th>District</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Goldman</td>
<td>Ouroso</td>
</tr>
<tr>
<td>Alexander</td>
<td>Gravel</td>
<td>Perez</td>
</tr>
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<td>Avant</td>
<td>Grier</td>
<td>Perkins</td>
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<td>Badeaux</td>
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<td>Planchard</td>
</tr>
<tr>
<td>Bel</td>
<td>Hardee</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Hayes</td>
<td>Reeves</td>
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<tr>
<td>Bollinger</td>
<td>Haynes</td>
<td>Riecke</td>
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<tr>
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<td>Roy</td>
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<tr>
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<td>Schmitt</td>
</tr>
<tr>
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<td>Smith</td>
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<td>Soniat</td>
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<tr>
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<td>Kilbourne</td>
<td>Stephenson</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Kilpatrick</td>
<td>Stinson</td>
</tr>
<tr>
<td>Comar</td>
<td>Kumbbe</td>
<td>Tapper</td>
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<tr>
<td>Conino</td>
<td>Lambert</td>
<td>Tate</td>
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<tr>
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<td>Thompson</td>
</tr>
<tr>
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<td>Landry, E. J.</td>
<td>Toca</td>
</tr>
<tr>
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<td>LeBlue</td>
<td>Toomy</td>
</tr>
<tr>
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<td>Leigh</td>
<td>Ullo</td>
</tr>
<tr>
<td>Drew</td>
<td>Leithman</td>
<td>Vick</td>
</tr>
<tr>
<td>Edwards</td>
<td>McDaniel</td>
<td>Warren</td>
</tr>
<tr>
<td>Elkins</td>
<td>Maybusce</td>
<td>Wattigny</td>
</tr>
<tr>
<td>Flory</td>
<td>Mire</td>
<td>Weis</td>
</tr>
<tr>
<td>Fulco</td>
<td>Nunez</td>
<td>Winchester</td>
</tr>
<tr>
<td>Glenn</td>
<td>O'Neill</td>
<td>Wisham</td>
</tr>
<tr>
<td>Grier</td>
<td>Morris</td>
<td>Zervigon</td>
</tr>
</tbody>
</table>

**NOT VOTING**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>District</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fontenot</td>
<td>Newton</td>
</tr>
<tr>
<td>Aertker</td>
<td>Fowler</td>
<td>Pugh</td>
</tr>
<tr>
<td>Blair</td>
<td>Giarrusso</td>
<td>Roemer</td>
</tr>
<tr>
<td>Burns</td>
<td>Graham</td>
<td>Segura</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Heine</td>
<td>Stovall</td>
</tr>
<tr>
<td>Cowen</td>
<td>Martin</td>
<td>Vesich</td>
</tr>
<tr>
<td>Dennis</td>
<td>Maubert</td>
<td>Wall</td>
</tr>
<tr>
<td>Fayard</td>
<td>Munson</td>
<td>Womack</td>
</tr>
</tbody>
</table>

**Total—87.**
FLOOR AMENDMENT

Amendment proposed by Delegates Lambert and Nunez to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 5, at the end of line 23, add the following: "Notwithstanding any provision in this Paragraph, the legislature shall provide for the regulation of natural gas by such regulatory authority as it may designate."

Delegate Lambert moved the adoption of the amendment.

Delegate Bollinger objected.

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

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Ginn</td>
</tr>
<tr>
<td>Alario</td>
<td>Goldman</td>
</tr>
<tr>
<td>Alexander</td>
<td>Gravel</td>
</tr>
<tr>
<td>Avant</td>
<td>Girer</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Guarisco</td>
</tr>
<tr>
<td>Bel</td>
<td>Hayes</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Haynes</td>
</tr>
<tr>
<td>Brown</td>
<td>Hernandez</td>
</tr>
<tr>
<td>Bursen</td>
<td>Jack</td>
</tr>
<tr>
<td>Cannon</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Casey</td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>Champagne</td>
<td>Jones</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Junque</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Kean</td>
</tr>
<tr>
<td>Comar</td>
<td>Kelly</td>
</tr>
<tr>
<td>Conino</td>
<td>Kilbourne</td>
</tr>
<tr>
<td>Conroy</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Corne</td>
<td>Lambert</td>
</tr>
<tr>
<td>D’Gerolamo</td>
<td>Landrum</td>
</tr>
<tr>
<td>De Bileux</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Denney</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>Derbes</td>
<td>Lanier</td>
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<tr>
<td>Dunlap</td>
<td>Leigh</td>
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<td>Duval</td>
<td>Leithman</td>
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<tr>
<td>Edwards</td>
<td>Lowe</td>
</tr>
<tr>
<td>Elkins</td>
<td>McDaniel</td>
</tr>
<tr>
<td>Florio</td>
<td>Maybucke</td>
</tr>
<tr>
<td>Fulco</td>
<td>Miller</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Mire</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anzalone</td>
<td>Hardee</td>
</tr>
<tr>
<td>Arnette</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Assef</td>
<td>O’Neill</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Planchard</td>
</tr>
<tr>
<td>Dehotels</td>
<td>Singletary</td>
</tr>
</tbody>
</table>

NOT VOTING

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fontenot</td>
</tr>
<tr>
<td>Aertker</td>
<td>Fowier</td>
</tr>
<tr>
<td>Blair</td>
<td>Giarrusso</td>
</tr>
<tr>
<td>Burns</td>
<td>Gramen</td>
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<tr>
<td>Carmouche</td>
<td>LeBluе</td>
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<tr>
<td>Cowen</td>
<td>Martin</td>
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<tr>
<td>Dennis</td>
<td>Mauberret</td>
</tr>
<tr>
<td>Drew</td>
<td>Morris</td>
</tr>
<tr>
<td>Fayard</td>
<td>Munson</td>
</tr>
</tbody>
</table>

Total—27.

And the amendment was adopted.

Delegate Lambert moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 34, Section 14, Paragraph B, was read, as amended.

Delegate Lambert moved the final passage of the paragraph.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
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<td>Grier</td>
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<td>Alexander</td>
<td>Guarisco</td>
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<tr>
<td>Avant</td>
<td>Hardee</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Hayes</td>
</tr>
<tr>
<td>Bel</td>
<td>Haynes</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Heine</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Hernandez</td>
</tr>
<tr>
<td>Brien</td>
<td>Jack</td>
</tr>
<tr>
<td>Brown</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Burson</td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>Cannon</td>
<td>Jones</td>
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<tr>
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<td>Juneau</td>
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<td>Kean</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Kelly</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Kilbourne</td>
</tr>
<tr>
<td>Comar</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Conino</td>
<td>Lambert</td>
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<td>Conroy</td>
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<tr>
<td>Corne</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>D’Gerolamo</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>De Bileux</td>
<td>Lanier</td>
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<tr>
<td>Denney</td>
<td>LeBluе</td>
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<td>Derbes</td>
<td>Leithman</td>
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<tr>
<td>Drew</td>
<td>Lowe</td>
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<tr>
<td>Dunlap</td>
<td>McDaniel</td>
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<tr>
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<td>Maybucke</td>
</tr>
<tr>
<td>Edwards</td>
<td>Miller</td>
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<td>Elkins</td>
<td>Mire</td>
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<tr>
<td>Florio</td>
<td>O’Neill</td>
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<tr>
<td>Fulco</td>
<td>Ouro</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Perkins</td>
</tr>
<tr>
<td>Ginn</td>
<td>Planchard</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anzalone</td>
<td>Assef</td>
</tr>
<tr>
<td>Arnette</td>
<td>Deshotels</td>
</tr>
<tr>
<td>Assef</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Planchard</td>
</tr>
<tr>
<td>Dehotels</td>
<td>Singletary</td>
</tr>
</tbody>
</table>

Total—6.

NOT VOTING

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fontenot</td>
</tr>
<tr>
<td>Aertker</td>
<td>Fowier</td>
</tr>
<tr>
<td>Blair</td>
<td>Giarrusso</td>
</tr>
<tr>
<td>Burns</td>
<td>Gramen</td>
</tr>
<tr>
<td>Carmouche</td>
<td>LeBluе</td>
</tr>
<tr>
<td>Cowen</td>
<td>Martin</td>
</tr>
<tr>
<td>Dennis</td>
<td>Mauberret</td>
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<tr>
<td>Fayard</td>
<td>Morris</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Munson</td>
</tr>
<tr>
<td>Total—25.</td>
<td>Wall</td>
</tr>
</tbody>
</table>

And the Chair declared that the above paragraph was finally passed.

Delegate Lambert moved to reconsider the vote by which the above paragraph was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

(C) Limitation. The commission shall have no power to regulate any common carrier or public utility owned, operated, or regulated on the effective date of this constitution by the governing authority of one or more political subdivisions, except by consent of a majority of the electors voting in an election held for that purpose; however, a political subdivision may reinvest itself with such regulatory power in the manner it was surrendered.

Read.

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

1063
Delegate Cannon moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 34, Section 14, Paragraph C, was read, as amended.

Delegate Lambert moved the final passage of the paragraph.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graham</td>
</tr>
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<td>Gauthier</td>
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<tr>
<td>Planchar</td>
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<tr>
<td>Alexander</td>
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<tr>
<td>Goldman</td>
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<tr>
<td>Rayburn</td>
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<tr>
<td>Arnette</td>
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<td>Grier</td>
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<td>Reeves</td>
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<td>Avant</td>
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<td>Riecke</td>
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<td>Haynes</td>
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<tr>
<td>Brown</td>
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<tr>
<td>Jackson, A.</td>
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<td>Burson</td>
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<td>Jackson, A.</td>
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<tr>
<td>Cannon</td>
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<tr>
<td>Jones</td>
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<td>Denery</td>
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<td>LeBlanc</td>
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<tr>
<td>Conroy</td>
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<tr>
<td>Lambert</td>
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<tr>
<td>Conroy, A.</td>
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<tr>
<td>Corne</td>
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<tr>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>D'Gerolamo</td>
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<tr>
<td>De Blieux</td>
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<td>Deshotels</td>
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<td>Drew</td>
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<td>Dunlap</td>
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<td>Duval</td>
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<td>Elkins</td>
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<td>Flory</td>
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<td>Total—105.</td>
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**NAYS**

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<td>Tobias</td>
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<td>Kelly</td>
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<tr>
<td>Total—3.</td>
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**NOT VOTING**

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<tr>
<td>Fowler</td>
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<tr>
<td>Blair</td>
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<tr>
<td>Giarrusso</td>
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<tr>
<td>Roemer</td>
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<tr>
<td>Burns</td>
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<tr>
<td>Landrum</td>
</tr>
<tr>
<td>Segura</td>
</tr>
<tr>
<td>Carmouche</td>
</tr>
<tr>
<td>Martin</td>
</tr>
<tr>
<td>Stovall</td>
</tr>
<tr>
<td>Cowen</td>
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<tr>
<td>Mauherret</td>
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<tr>
<td>Vescch</td>
</tr>
<tr>
<td>Dennis</td>
</tr>
<tr>
<td>Morris</td>
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<tr>
<td>Vick</td>
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<td>Fontenot</td>
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<tr>
<td>Newton</td>
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<tr>
<td>Womack</td>
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<td>Total—24.</td>
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And the Chair declared that the above paragraph was finally passed.

Delegate Lambert moved to reconsider the vote by which the above paragraph was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

(D) Decisions on Applications, Petitions, and Schedules

(1) The commission shall render its final decision on applications, petitions, and proposed rate schedules within twelve months from the date the application, petition, or proposed schedule is filed.

(2) If a decision is not rendered within six months from the filing date of any proposed rate schedule, it shall be deemed to be tentatively approved.

(3) If the proposed schedule results in a rate increase, it may be put into effect subject to such protective bond or security requirements as may be provided by law, pending final approval, modification, or rejection. If the commission...
disapproves the proposed increase, in whole or in part, the carrier or utility may place or continue the schedule in effect under the bond or security, subject to any appeal and final action by a court of last resort. Refund claims therefor in the manner provided by law shall be filed within one year after such final action.

(4) Any utility filing a proposed rate schedule shall, within twenty days, give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable. Any person affected by the proposed rate schedule may intervene.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Abraham to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 6, delete lines 1 through 23, both inclusive, in their entirety, and insert in lieu thereof the following:

"The commission shall render decisions on applications, petitions, and proposed rate schedules in the manner prescribed by law."

Delegate Deshotels moved that debate on the amendment be limited to thirty minutes.

As a substitute Delegate Schmitt moved that debate be limited to fifteen minutes for proponents and opponents respectively, of the amendments.

Delegate O'Neill objected.

The vote recurred on the substitute.

By a vote of 52 yeas and 34 nays debate was limited to fifteen minutes for the proponents and fifteen minutes for the opponents of the amendment.

Delegate Abraham moved the adoption of the amendment.

Delegate Roy objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<th>Delegates</th>
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**NAYS**

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Jackson, A.        |        |       |
Jackson, J.        |        |       |
Jenkins            |        |       |
Jones              |        |       |
Kilbourne          |        |       |
Kilpatrick         |        |       |
Landrum            |        |       |
Landry, A.         |        |       |
Landry, E. J.      |        |       |
Lanier             |        |       |
LeBlanc            |        |       |
Leithman           |        |       |
Lowe               |        |       |
McDaniel           |        |       |
Maybucke           |        |       |
Miller             |        |       |
Total—80.          |        |       |

**NOT VOTING**

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Rayburn to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 6, delete lines 5 through 17, both inclusive, in their entirety.

**Motion**

On motion of Delegate Derbes further debate on the amendment was limited to 15 minutes.

Delegate Rayburn moved the adoption of the amendment. Delegate Perkins objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<tr>
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**YEAS**

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Maybucke           |        |       |
Miller             |        |       |
Total—80.          |        |       |

**NOT VOTING**

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Delegate Aertker

Blair

Burns

Carmouche

Cowen

Crenery

Dennis

Dunlap

Edwards

Delegate Fontenot

Fowler

Giarrusso

Leigh

Martin

Mauberret

Morriss

Munson

Newtow

Pugh

Roemer

Segura

Stovall

Tobias

Vesich

Wall

Womack

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Rayburn to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 6, delete lines 5 through 17, both inclusive, in their entirety.

**Motion**

On motion of Delegate Derbes further debate on the amendment was limited to 15 minutes.

Delegate Rayburn moved the adoption of the amendment. Delegate Perkins objected.

A record vote was asked for and ordered by the Convention.
105th Days Proceedings—December 20, 1973

Delegates—

NAYS

Alexander—

Grier—NAYS

Bel—NAYS

Bergeron—NAYS

Brown—NAYS

Casey—NAYS

Chatelain—NAYS

Chehardy—NAYS

Comar—NAYS

Conino—NAYS

D’Gerolamo—NAYS

Denney—NAYS

Dennis—NAYS

Elkins—NAYS

Flory—NAYS

Fulco—NAYS

Gravel—NAYS

Grier—NAYS

Total—53.

NOT VOTING

Delegates—

Aeriker—NOT VOTING

Blair—NOT VOTING

Burns—NOT VOTING

Cannon—NOT VOTING

Carmouche—NOT VOTING

Cowen—NOT VOTING

Dunlap—NOT VOTING

Edwards—NOT VOTING

Fontenot—NOT VOTING

Giarrusso—NOT VOTING

Total—27.

And the amendment was rejected.

Delegate Duval moved to reconsider the vote by which the amendment was rejected.

Delegate Tapper objected.

Motion

Delegate Duval moved to limit debate on the motion to reconsider to 15 minutes.

Delegate Singletary objected.

By a vote of 64 yeas and 23 nays the debate on the motion to reconsider was limited to 15 minutes.

The vote then recurred on the motion to reconsider.

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

ROLL CALL

The roll was called with the following result:

YEAS

Duval—Perez

Fayard—Planchard

Gauthier—Rayburn

Ginn—Reeves

Hernandez—Sandoz

Jackson, J.—Schmitt

Juneau—Stay

Kean—Tate

Kelly—Thistlethwaite

Knight—Tommy

Lambert—Ullo

LeBlanc—Velasquez

Mire—Weiss

Nunez—Zervigon

Bel—NAYS

Bergeron—NAYS

Brown—NAYS

Chatelain—NAYS

Chehardy—NAYS

Comar—NAYS

Conino—NAYS

D’Gerolamo—NAYS

Denney—NAYS

Dennis—NAYS

Elkins—NAYS

Flory—NAYS

Fulco—NAYS

Goldman—NAYS

Gravel—NAYS

Grier—NAYS

Total—54.

NOT VOTING

Delegates—

Aeriker—NOT VOTING

Burns—NOT VOTING

Cannon—NOT VOTING

Carmouche—NOT VOTING

Cowen—NOT VOTING

Dunlap—NOT VOTING

Edwards—NOT VOTING

Fontenot—NOT VOTING

Fowler—NOT VOTING

Giarrusso—NOT VOTING

Total—28.

And the Convention refused to reconsider the vote by which the amendment was rejected.

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

FLOOR AMENDMENTS

Amendment proposed by Delegate Warren to Committee Proposal No. 34 by Delegate Lambert, et al.

Amendment reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, line 1, immediately after the word “decision” and before the word “on” insert the following:

“after a public hearing”

AMENDMENT No. 2—

On page 6, line 15, immediately following “revert,” delete the remainder of the line and delete lines 16 and 17 in their entirety and insert in lieu thereof the following:

“After the final rejection of a proposed rate increase, the applicant shall refund all monies paid pursuant to any increase placed in effect pending final approval.”

On request of Delegate Warren a division of the question was ordered.

Delegate Warren moved the adoption of Amendment No. 1.
Delegate Arnette objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abraham—Chatelain

Alario—Chehardy

Anzalone—Comar

Arnette—Conino

Badeaux—Asseff

Blair—Corne

Bollinger—De Bieulex

Burson—Dunlap

Casey—Bel

Champagne—Bergeron

Conroy—Blair

Corne—Bollinger

De Bieulex—Brown

Derbes—Burson

Deshotels—Casey

Drew—Champagne

Duval—Chatelain

Fayard—Chehardy

Gauthier—Comar

Ginn—Conino

Hernandez—Asseff

Jackson, J.—Corne

Juneau—D’Gerolamo

Kean—De Bieulex

Kelly—Bel

Knight—Bergeron

LeBlanc—Blair

Mire—Bollinger

Nunez—Brown

Perez—Chatelain

Planchard—Chehardy

Rayburn—Comar

Reeves—Conino

Sandoz—Asseff

Schmitt—Corne

Stay—D’Gerolamo

Tate—De Bieulex

Thistlethwaite—Bel

Ullo—Bergeron

Velasquez—Blair

Weiss—Bollinger

Zervigon—Brown

Goldman—Alario

Graham—Blair

Gravel—Bollinger

Guarisco—Conroy

Hardie—De Bieulex

Hayes—Dunlap

Jackson, A.—Bel

Jackson, J.—Derbes

Jenkins—Deshotels

Jones—Drew

Juneau—Duval

Kelly—Elkins

Kilbourne—Fayard

Kilpatrick—Flory

Lambert—Gauthier

Perkins—Alario

Riecke—Blair

Roy—Bollinger

Shannon—Conroy

Singletary—De Bieulex

Smith—Dunlap

Sovall—Bel

Tapper—Derbes

Thompson—Jones

Toca—Drew

Vick—Juneau

Warren—Kelly

Wattigny—Kilbourne

Willis—Kilpatrick

Wisham—Lambert

1066
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leithman
Lowe
McDaniel
Miller
Mire
Munson
O'Neill
Perkins
Total—86.

Delegates—
Arnette
Conroy
Dennis
Fulco
Total—11.

NOT VOTING

Delegates—
Mr. Chairman
Acker
Burns
Cannon
Carmouche
Cowen
Dunlap
Edwards
Fontenot
Fowler
Giacosso
Ginn
Total—35.

And the amendment was adopted.

Delegate Warren moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

The previous question was ordered on Amendment No. 2.

On motion of Delegate Warren and under a suspension of the rules, Amendment No. 2 was withdrawn.

Delegate Rayburn moved to take up other Orders of Business.

Delegate Abraham objected.

By a vote of 42 yeas and 50 nays the Convention refused to take up other Orders of Business, at this time.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Ray, Lanier, Guariosco, Stagg, and Chatelain to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT NO. 1—

On page 6, delete lines 5 through 17, both inclusive, in their entirety including all Floor Amendments thereto and insert in lieu thereof the following:

"(3) If the proposed increase is finally disallowed, in whole or in part, the utility or carrier shall make refunds within one year after any final action, and as otherwise provided by law."
105th Days Proceedings—December 20, 1973

Delegates—

Mr. Chairman: Fowler
Aertker: Giarrusso
Arnette: Haynes
Blair: Heine
Burns: Leigh
Cannon: Leithman
Carmouche: Martin
Chehardy: Mauherret
Cohen: Maybeuce
Derbes: Morris
Dunlap: Newton
Edwards: Oursso
Fontenot: Pugh

Total—40.

And the Convention refused to order the previous question on the entire subject matter.

Delegate Kelly insisted upon his original motion to take up other orders of business.

Delegate Roy objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham: Duval
Alario: Elkins
Anzalone: Gauthier
Asseff: Glenn
Brown: Hayes
Burson: Jackson, J.
Conroy: Keen
Corne: Kelly
De Bieux: Kilpatrick
Dennis: Lambert
Deshotel: Landrum
Drew: Landry, E. J.

Total—35.

NAYS

Delegates—

Alexander: Graham
Arnette: Gravel
Avant: Grier
Badeaux: Guarisco
Bel: Hardee
Bergeron: Hernandez
Bollinger: Jack
Brien: Jackson, A.
Casey: Jenkins
Champagne: Jones
Chatelain: Juneau
Coninno: Kilbourne
D'Gerolamo: Landry, A.
Denner: Lowe
Dorger: McDonald
Fayard: Miller
Flury: Mire
Fulco: Munson
Goldman: O'Neill

Total—60.

NOT VOTING

Delegates—

Mr. Chairman: Cowen
Aertker: Dunlap
Bald: Edwards
Burns: Fontenot
Cannon: Fowler
Carmouche: Giarrusso
Chehardy: Haynes

Total—38.

And the Convention refused to take up other orders of business at this time.

Motion

Delegate Shannon moved to limit debate on the amendment to 30 minutes.

As a substitute Delegate Bollinger moved to limit debate on the amendment to 20 minutes.

Delegate Schmitt objected.

The vote recurred on the substitute.

By a vote of 66 yeas and 25 nays debate on the amendment was limited to 20 minutes.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Roy, Lanier, Guarisco, Stagg, Chatelain and Willis to Committee Proposal No 54
by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, delete lines 5 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"(2) If a proposed rate schedule is approved in whole or in part within six months, any increase shall become effective on the date established by the Public Service Commission order. If no decision is rendered within six months from the effective filing date of any proposed rate schedule, such increase may be put into effect, as provided by law, subject to such protective bond or security requirements until final action by a court of last resort.

(3) If the proposed increase is finally disallowed, in whole or in part, the utility or carrier shall make refunds within one year after any final action, and as otherwise provided by law."

Delegate Roy moved the adoption of the amendment.

Delegate Deshotel objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alexander: Gauthier
Asseff: Glenn
Avant: Goldman
Bel: Graham
Bollinger: Gravel
Brien: Grier
Brown: Guarisco
Casey: Hardee
Champagne: Jack
Chatelain: Jackson, A.
Chehardy: Jenkins
Coninno: Jones
D'Gerolamo: Kilbourne
Denner: Landry, A.
Dorger: Landry, E. J.
Fayard: Landry
Flury: Mire
Fulco: Munson
Goldman: O'Neill

NOT VOTING

Delegates—

Mr. Chairman: Cowen
Aertker: Dunlap
Bald: Edwards
Burns: Fontenot
Cannon: Fowler
Carmouche: Giarrusso
Chehardy: Haynes

Total—50.

1068
Delegate Roy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Reeves moved that the Convention take up other orders of business.

Delegate Champagne objected.

By a vote of 72 yeas and 34 nays the Convention took up other orders of Business:

**Introduction of Resolutions**

**Delegate and Committee Resolution**

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

**DELEGATE RESOLUTION No. 49—**

Introduced by Delegate Casey and all other delegates to the Convention.

**A RESOLUTION**

To convey to Delegate Anthony J. Vesich the good wishes of the Convention for a speedy and complete recovery.

**WHEREAS,** the Delegates to the Constitutional Convention have learned with regret that Delegate Anthony J. Vesich, who recently underwent serious surgery in New Orleans will be hospitalized during the Christmas holidays; and

**WHEREAS,** the Delegates desire to express to their colleague their sincere good wishes and a complete and speedy recovery in order that he may return to the Convention within the near future.

**THEREFORE,** BE IT RESOLVED, that the Delegates to the Constitutional Convention of Louisiana of 1973 do hereby express to Delegate Vesich their heartfelt wishes and prayers for a most successful and speedy recovery.

**BE IT FURTHER RESOLVED,** that the Convention takes this opportunity to wish Delegate Vesich a blessed Christmas and a most successful New Year.

BE IT FURTHER RESOLVED, that a copy of this resolution will be transmitted without delay to Delegate Anthony J. Vesich at the Hotel Dieu in New Orleans, Louisiana.

Read.

On motion of Delegate Casey, and under a suspension of the rules, the resolution was adopted.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

**Constitutional Convention of 1973**

**State of Louisiana**

**December 20, 1973, Baton Rouge, La.**

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Delegate Resolution has been properly enrolled:

**DELEGATE RESOLUTION No. 49—**

Introduced by Delegate Casey and all other delegates to the Convention:

**A RESOLUTION**

To convey to Delegate Anthony J. Vesich the good wishes of the Convention for a speedy and complete recovery.

**WHEREAS,** the Delegates to the Constitutional Convention have learned with regret that Delegate Anthony J. Vesich, who recently underwent serious surgery in New Orleans will be hospitalized during the Christmas holidays; and

**WHEREAS,** the Delegates desire to express to their colleague their sincere good wishes and a complete and speedy recovery in order that he may return to the Convention within the near future.

**THEREFORE,** BE IT RESOLVED, that the Delegates to the Constitutional Convention of Louisiana of 1973 do hereby express to Delegate Vesich their heartfelt wishes and prayers for a most successful and speedy recovery.

**BE IT FURTHER RESOLVED,** that the Convention takes this opportunity to wish Delegate Vesich a blessed Christmas and a most successful New Year.

**BE IT FURTHER RESOLVED,** that a copy of this resolution will be transmitted without delay to Delegate Anthony J. Vesich at the Hotel Dieu in New Orleans, Louisiana.

Respectfully submitted,

MOISE W. DENNERY
Secretary

Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention.

**Leaves of Absence**

Delegate Fowler—2 days.
Delegate Burns—2 days.
Delegate Blair—½ day.
Delegate Aertker—1 day.
Delegate Cowen—1½ days.

**Adjournment**

Delegate Nunez moved that the Convention do now adjourn until Friday, December 21, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, December 21, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUITIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA
ONE HUNDRED SIXTH DAY'S PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Friday, December 21, 1973, Baton Rouge, La.
The Convention was called to order at 9:00 o'clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

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

PRESENT

Delegates—
Mr. Chairman— Fulco
Abraham— Gauthier
Aeriker— Ginn
Alaric— Goldman
Alexander— Graham
Anzalone— Gravel
Arnette— Grier
Asselt— Guarisco
Avant— Hardee
Badeaux— Hayes
Bel— Heine
Bergeron— Haynes
Blair— Hernandez
Bollinger— Jack
Brien— Jackson, A.
Brown— Jackson, J.
Burson— Jenkins
Cannon— Jones
Carmouche— Juneau
Casey— Kean
Champagne— Kelly
Chatelain— Kilbourne
Cheramy — Kilpatrick
Comar— Lambert
Conino— Landry, A.
Corley— Landry, E. J.
Corne— Lanier
D’Gerolamo— LeBlanc
De Blieux— Leithman
Dennery— Lowe
Dennis— McDaniel
Derbes— Marberret
Deshotel— Maybuce
Drew— Miller
Dunlap— Mire
Duval— Morris
Elkins— Munson
Fayard— Nunez
Flory— O’Neill
Total—115.

ABSENT

Delegates—
Burns— Landrum
Cowen— Leigh
Edwards— Martin
Fontenot— Newton
Fowler— Rachel
Giarrusso— Roemer
Total—17.

The Chairman announced that there were 115 members
present and a quorum.

Prayer
Prayer was offered by Delegate De Blieux.

Pledge of Allegiance
Delegate Smith led the Convention in singing “The Star
Spangled Banner”.

Reading of the Journal
On motion of Delegate A. Landry, the reading of the Jour-
nal was dispensed with.

On motion of Delegate A. Landry, the Journal of yester-
day was adopted.

Regular Order
Unfinished Business
The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Proposals, Delegate and Committee
The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 34—
Introduced by Delegate Lambert, Chairman, on behalf of
the Committee on Natural Resources and Environment, and
Delegates Bollinger, Derbes, Elkins, Hardee, Jack, LeBlanc,
Leigh, Miller, Munson, Perkins, Singletary, Thompson, Velaz-
quez, Warren and Womack (A Substitute for Committee
Proposal No. 16):

A PROPOSAL
Making provisions relating to natural resources and environ-
ment.

Read.

Section 14. Public Service Commission
Read.

(D) Decisions on Applications, Petitions, and Schedules
(1) The commission shall render its final decision on ap-
lications, petitions, and proposed rate schedules within
twelve months from the date the application, petition, or
proposed schedule is filed.
(2) If a decision is not rendered within six months from
the filing date of any proposed rate schedule, it shall be
deemed to be tentatively approved.
(3) If the proposed schedule results in a rate increase, it
may be put into effect, subject to such protection bond or
final approval, modification, or rejection. If the commission
approves the proposed increase, in whole or in part, the
carrier or utility may place or continue the schedule in ef-
fect under the bond or security, subject to any appeal and
in the manner provided by law shall be filed within one
year after such final action.
(4) Any utility filing a proposed rate schedule shall, with-
in twenty days, give notice thereof by publication in the
official state journal and in the official journal of each
parish within the geographical area in which the schedule
would become applicable. Any person affected by the pro-
posed rate schedule may intervene.

Read.

The Chairman announced that the Convention had under
consideration Committee Proposal No. 34, Section 14, Para-
graph (D), when it adjourned on Thursday, December 20,
1973, which was taken up and acted upon as follows:

Motion
Delegate Gravel moved that the Convention do now revert
to Committee Proposal No. 34, Section 2, at this time.
Delegate Fayard objected.
By a vote of 83 yeas and 20 nays the Convention reverted
to Committee Proposal No. 34, Section 2, which was taken
up and acted upon as follows:

Reconsideration
On motion of Delegate Gravel the vote by which Com-
mittee Proposal No. 34, Section 2, was adopted on December 18, 1973, was reconsidered.

Section 2. Natural Gas; Public Policy; Interstate and Intrastate Pipelines

Section 2. Natural gas is hereby declared to be affected with a public interest, and natural gas produced in Louisiana shall be made available for utilization within the state as well as to the citizens of other states.

No intrastate natural gas pipeline or gas gathering line shall be connected with an interstate natural gas pipeline, and no interstate natural gas pipeline shall be connected with an intrastate natural gas pipeline without a certificate of public convenience and necessity issue by the Public Service Commission after due application for such connection and hearing thereon.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Lambert, Nunez and Gravel to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 1, delete lines 24 through 27, both inclusive, including all floor amendments thereto and insert in lieu thereof the following:

"Section 2. Natural Gas is hereby declared to be affected with a public interest and not withstanding any other provision of this constitution, the legislature shall provide for its regulation by such regulatory authority as it may designate."

Delegate Gravel moved the adoption of the amendment.

Delegate Burson objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate—

Alario
Alexander
Avant
Bergeron
Blair
Brein
Brown
Casey
Chehady
D’Gerolamo
De Blieux
Deeney
Dunlap
Fayard
Total—42.

DELEGATES—

Flory
Ginn
Haynes
Hernandez
Jackson, A.
Jackson, J.
Kean
Kelly
Kilpatrick
Lambert
Landry, E. J.
Leithman
Maybuce
Mire
Morris
Nunez
Perez
Pugh
Rayburn
Roy
Shannon
Singleton
Slay
Stephenson
Tobias
Toca

**NAYS**

Delegates—

Abraham
Aertker
Anzalone
Arnette
Asseff
Badeaux
Bollinger
Burson
Cannon
Carmouche
Champagne
Chateau
Comar
Conino
Conroy
Corne
Derbes
Deshotels
Drew
Duval
Elkins
Fulco
Gauthier
Goldman
Graham
Grier
Guarisco
Hardee
Hayes
Heine
Jack
Jenkins
Jones
Juneau
Killbourne
Lanier

LeBleu
Lowe
McDaniel
Miller
O’Neill
Perkins
Planchard
Riecke
Sandoz
Schmitt
Smith
Soniat
Stagg
Stinson
Sutherland
Tapper
Thistlethwaite
Thompson
Toomy
Ullo

Delegates—

Landrum
Landy, A.
Leigh
Martin
Maubernet
Newton
Ourso
Ousse
Reeves
Roemer
Segura
Stovall
Thorpe
Vesich
Vick
Wall
Womack

NOT VOTING

Delegates—

Champagne
Chateau
Conin
Conroy
Corne
D’Gerolamo
De Blieux
Deeney
Dunlap
Elkins
Fayard
Flory
Ginn
Goldman
Graham
Gravel
Grier
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Juneau
Kean
Kelly
Kilpatrick

And the amendment was rejected.

Delegate Miller moved to reconsider the vote by which the amendment was rejected, and on her own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Fulco an invitation was extended to the Hon. Edwin W. Edwards, Governor of the State of Louisiana, to address the Constitutional Convention after the Christmas Holidays, the exact date to be determined later.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Perez to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 1, delete lines 24 through 27, both inclusive, including all floor amendments thereto and insert in lieu thereof the following:

"Section 2. Natural gas is hereby declared to be affected with a public interest and not withstanding any other provision of this constitution, the legislature shall provide for its regulation by such regulatory authority as it may designate. The legislature in its discretion, however, may grant such authority to the Public Service Commission."

Delegate Perez moved the adoption of the amendment.

Delegate Willis objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman
Abraham
Aertker
Alario
Alexander
Asseff
Avant
Bergeron
Blair
Brein
Brown
Cannon
Burson
Carmouche
Casey
Chateau
Goldman
Graham
Gravel
Grier
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Juneau
Kean
Kelly
Kilpatrick

1071
Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 34, Section 2 was read, as amended.

Delegate Perez moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

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And the Chair declared that the above Section was finally passed.

Motion

Delegate Lambert moved to return Committee Proposal No. 34 to the Calendar subject to call.

Delegate Roy objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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<th>Delegate</th>
<th>Fayerd</th>
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1072
And Committee Proposal No. 34 was returned to the Calendar subject to call.

Motion

On motion of Delegate Lambert, the Convention altered the Order of Business to take up other Orders of Business at this time.

Motion

Delegate Lambert moved to suspend the Rules for the purpose of introducing a Committee Proposal at this time.

Delegate Jenkins moved for a suspension of the rules to allow debate on the motion to suspend the rules.

Delegate Lambert objected.

By a vote of 32 yeas and 72 nays the Convention refused to suspend the rules to allow debate on the motion to suspend the rules for the purpose of introducing a Committee Proposal.

Delegate Jenkins objected to suspending the rules for the purpose of introducing a Proposal.

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

ROLL CALL

The roll was called with the following result:

**YEAS**

- Aertker
- Arnette
- Bel
- Burns
- Casey
- Chehardy
- Cowen
- Dennis
- Edwards
- Elkins
- Fontenot
- Fowler
- Haynes
- Heine
- Landrum
- Leithman
- McDaniel
- Martin
- Newton
- Ours
- Rachael
- Ravier
- Perez
- Planchar
- Rayburn
- Reeves
- Riecke
- Roy
- Sandor
- Schmitt
- Shannon
- Singletary
- Slay
- Smith
- Soniat
- Stagg
- Stephenson
- Sutherland
- Tale
- Thistlethwaite
- Thompson
- Tobias
- Toomy
- Ull
- Vasquez
- Warren
- Weiss
- Winchester
- Zerigian

**NAYS**

- Tapper
- Toca
- Vick
- Wattigny
- Willis
- Wisham

And the Rules were suspended.

**Introduction of Proposals**

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

**COMMITTEE PROPOSAL No. 37—**

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment.

A PROPOSAL

Making provisions relating to the Public Service Commission.

Read.

Motion

On motion of Delegate Anzalone the Convention altered the Order of Business to take up other Orders of Business at this time.

**Proposals, Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

Motion

On motion of Delegate Anzalone Committee Proposal No. 34 was called from the Calendar.

**COMMITTEE PROPOSAL No. 37—**

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and delegates Bollinger, Derbes, Elkins, Hardee, Jack, LeBlieu, Leigh, Miller, Munson, Perkins, Singletary, Thompson, Velazquez, Warren and Womack (A Substitute for Committee Proposal No. 15):

A PROPOSAL

Making provisions relating to natural resources and environment.

Read.

Motion

On motion of Delegate Stagg the Proposal was returned to the Calendar.

Motion

On motion of Delegate Rayburn the rules were suspended in order to engross Committee Proposal No. 37 and pass it to its third reading.

**COMMITTEE PROPOSAL No. 37—**

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment:

A PROPOSAL

Making provisions relating to the Public Service Commission.

Read.
Motion
Delegate Stagg moved to call Committee Proposal No. 37 from the Calendar.
As a substitute Delegate Rayburn moved to call Committee Proposal No. 34 from the Calendar.
Delegate Stagg objected.
The vote recurred on the substitute motion.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

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<td>Total—63.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aerkier</td>
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<tr>
<td>Alexander</td>
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<tr>
<td>Arnette</td>
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<tr>
<td>Asseff</td>
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<td>Avant</td>
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<td>Carmouche</td>
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<tr>
<td>Chatelain</td>
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<td>Chehardy</td>
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<tr>
<td>Comar</td>
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<tr>
<td>Conino</td>
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<tr>
<td>D'Gerolamo</td>
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<tr>
<td>Denney</td>
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<tr>
<td>Drew</td>
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<tr>
<td>Flory</td>
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<tr>
<td>Fulco</td>
</tr>
<tr>
<td>Total—43.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
</tr>
<tr>
<td>Bel.</td>
</tr>
<tr>
<td>Burns</td>
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<tr>
<td>Casey</td>
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<td>Cowen</td>
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<tr>
<td>Dennis</td>
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<tr>
<td>Derbes</td>
</tr>
<tr>
<td>Edwards</td>
</tr>
<tr>
<td>Elkins</td>
</tr>
<tr>
<td>Total—26.</td>
</tr>
</tbody>
</table>

And Committee Proposal No. 34 was called from the Calendar.

Motion
Delegate Lambert moved for a suspension of the rules in order to consider Committee Proposal No. 34, Section by Section, in accordance with the rules, as opposed to the previous motion of December 18, by which Section 14 was ordered considered lettered paragraph by lettered paragraph.
Delegate Willis objected.
By a vote of 76 yeas and 30 nays the rules were so suspended.
Delegate Lambert sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Lambert to Committee Proposal No. 34 by Delegate Lambert, et al.
Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 5, delete lines 11 through 32, both inclusive, in their entirety, and on page 6, delete lines 1 through 32, both inclusive, in their entirety and on page 7, delete lines 1 through 12, both inclusive, in their entirety and all floor amendments thereto.

Motion
Delegate Reeves moved the previous question on the amendment.
Delegate Jenkins objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
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<tbody>
<tr>
<td>Abraham</td>
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<tr>
<td>Alario</td>
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<tr>
<td>Anzalone</td>
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<tr>
<td>Bollinger</td>
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<tr>
<td>Badeaux</td>
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<td>Boreen</td>
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<tr>
<td>Cannon</td>
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<td>Conroy</td>
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<tr>
<td>Corne</td>
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<tr>
<td>De Bileux</td>
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<tr>
<td>Deshotels</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Fulco</td>
</tr>
<tr>
<td>Glenn</td>
</tr>
<tr>
<td>Total—54.</td>
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</table>

<table>
<thead>
<tr>
<th>NAYS</th>
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</thead>
<tbody>
<tr>
<td>Aerkier</td>
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<td>Alexander</td>
</tr>
<tr>
<td>Arnette</td>
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<tr>
<td>Asseff</td>
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<tr>
<td>Avant</td>
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<tr>
<td>Carmouche</td>
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<tr>
<td>Chatelain</td>
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<tr>
<td>Chehardy</td>
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<tr>
<td>Comar</td>
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<tr>
<td>Conino</td>
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<tr>
<td>D'Gerolamo</td>
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<tr>
<td>Denney</td>
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<tr>
<td>Drew</td>
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<tr>
<td>Flory</td>
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<tr>
<td>Fulco</td>
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<tr>
<td>Total—43.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
</tr>
<tr>
<td>Bel.</td>
</tr>
<tr>
<td>Burns</td>
</tr>
<tr>
<td>Casey</td>
</tr>
<tr>
<td>Cowen</td>
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<tr>
<td>Dennis</td>
</tr>
<tr>
<td>Derbes</td>
</tr>
<tr>
<td>Edwards</td>
</tr>
<tr>
<td>Elkins</td>
</tr>
<tr>
<td>Total—26.</td>
</tr>
</tbody>
</table>

And Committee Proposal No. 34 was called from the Calendar.
106th Days Proceedings—December 21, 1973

Delegates—
Mr. Chairman  
Bel  
Burns  
Casey  
Cowen  
Derber  
Edwards  
Fontenot  
Fowler  
Glarrusso

Total—28.

And the Convention refused to move the previous question, at this time.

Motion

On motion of Delegate Champagne debate on the amendment was limited to 20 minutes.

Motion

Delegate Lambert moved to withdraw the amendment. Delegate Schmitt objected.

By a vote of 82 yeas and 19 nays the amendment was withdrawn.

Motion

Delegate Chatelain moved that the Convention do now adjourn until Thursday, January 3, 1974, at 9:00 o'clock A.M.

Delegate Schmitt objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aecker  
Alario  
Asseff  
Badeaux  
Blair  
Bollinger  
Burson  
Carmouche  
Chatelain  
Comar  
Corne  
D'Gerolamo  
Deshotsel  
Duval  
Elkins  
Fayard

Total—46.

NAYS

Delegates—
Abraham  
Alexander  
Anzalone  
Arnette  
Avant  
Bergeron  
Bren  
Brown  
Cannon  
Chehardy  
Conino  
Conroy  
De Blieux  
Dennery

Total—68.

Leaves of Absence

Delegate Rachal—1 day.
Delegate Bel—1/4 day.
Delegate A. Landry—1/4 day.
Delegate Tobias—1/4 day.
Delegate Casey—1/4 day.
Delegate Mire—1/4 day.

Adjournment

Delegate Perez moved that the Convention adjourn until Thursday, January 3, 1973 at 9:00 o'clock A.M.

Delegate Schmitt objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman  
Alario  
Anzalone  
Arnette  
Asseff  
Badeaux  
Blair  
Bollinger  
Burson  
Carmouche  
Chatelain  
Chehardy  
Conino  
Conroy  
D'Gerolamo  
Dennery  
Deshotsel  
Duval  
Elkins  
Fayard

Total—46.

NAYS

Delegates—
Abraham  
Anzalone  
Arnette  
Avant  
Bergeron  
Bren  
Brown  
Champagne  
Chehardy  
Conino  
Conroy  
De Blieux  
Dennery

Total—35.
### Delegates—

<table>
<thead>
<tr>
<th>Delegates</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Aerker</td>
<td>Fontenot</td>
</tr>
<tr>
<td>Bel</td>
<td>Fowler</td>
</tr>
<tr>
<td>Burns</td>
<td>Giarrusso</td>
</tr>
<tr>
<td>Casey</td>
<td>Heine</td>
</tr>
<tr>
<td>Cowen</td>
<td>Hernandez</td>
</tr>
<tr>
<td>Derbes</td>
<td>Landrum</td>
</tr>
<tr>
<td>Edwards</td>
<td>Landry, A.</td>
</tr>
</tbody>
</table>

### Total—29.

And Chairman Henry declared the Convention adjourned to Thursday, January 3, 1974 at 9:00 o’clock A.M.

<table>
<thead>
<tr>
<th>Shannon</th>
<th>Toblas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stovall</td>
<td>Vesich</td>
</tr>
<tr>
<td>Thompson</td>
<td>Vick</td>
</tr>
</tbody>
</table>

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The roll being called, the following delegates answered to their names:

**PRESENT**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Fontenot</th>
<th>O’Neill</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
<td>Ourso</td>
</tr>
<tr>
<td>Abraham</td>
<td>Gauthier</td>
<td>Perez</td>
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<tr>
<td>Acetker</td>
<td>Ginn</td>
<td>Perkins</td>
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<td>Alario</td>
<td>Goldman</td>
<td>Planchard</td>
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<tr>
<td>Alexander</td>
<td>Graham</td>
<td>Rachal</td>
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<tr>
<td>Anzalone</td>
<td>Gravel</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Arnette</td>
<td>Grier</td>
<td>Reeves</td>
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<tr>
<td>Asseff</td>
<td>Guarisco</td>
<td>Riecke</td>
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<tr>
<td>Avant</td>
<td>Hardee</td>
<td>Roemer</td>
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<tr>
<td>Badeaux</td>
<td>Hayes</td>
<td>Roy</td>
</tr>
<tr>
<td>Bel</td>
<td>Haynes</td>
<td>Sandoz</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Heine</td>
<td>Shannon</td>
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<tr>
<td>Blair</td>
<td>Hernandez</td>
<td>Singletary</td>
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<tr>
<td>Bollinger</td>
<td>Jackson, A.</td>
<td>Slay</td>
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<tr>
<td>Brien</td>
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<td>Brown</td>
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<td>Burns</td>
<td>Jones</td>
<td>Stagg</td>
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<td>Burson</td>
<td>Juneau</td>
<td>Stephenson</td>
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<td>Stinson</td>
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<td>Carmouche</td>
<td>Kilbourne</td>
<td>Sivokall</td>
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<tr>
<td>Casey</td>
<td>Kilpatrick</td>
<td>Sutherland</td>
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<tr>
<td>Champagne</td>
<td>Lambert</td>
<td>Tapper</td>
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<tr>
<td>Chatelain</td>
<td>Landrum</td>
<td>Tate</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Landry, A.</td>
<td>Thistlethwaite</td>
</tr>
<tr>
<td>Comar</td>
<td>Landry, E. J.</td>
<td>Thompson</td>
</tr>
<tr>
<td>Conino</td>
<td>Lanier</td>
<td>Tocla</td>
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<td>Conroy</td>
<td>LeBlanc</td>
<td>Toomey</td>
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<td>Corre</td>
<td>Leihman</td>
<td>Ullo</td>
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<td>Cowen</td>
<td>Lowe</td>
<td>Velazquez</td>
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<td>D’Gerolamo</td>
<td>McDaniel</td>
<td>Vick</td>
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<td>DeBileux</td>
<td>Martin</td>
<td>Warren</td>
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<tr>
<td>Dennery</td>
<td>Mauhrelet</td>
<td>Wattigny</td>
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<tr>
<td>Dennis</td>
<td>Miller</td>
<td>Weis</td>
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<tr>
<td>Deshotels</td>
<td>Morris</td>
<td>Willis</td>
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<tr>
<td>Dunlap</td>
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<td>Wisham</td>
</tr>
<tr>
<td>Duval</td>
<td>Nuex</td>
<td>Womack</td>
</tr>
<tr>
<td>Edwards</td>
<td>Schmitt</td>
<td>Zervigon</td>
</tr>
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</table>

**ABSENT**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Maybuce</th>
<th>Segura</th>
</tr>
</thead>
<tbody>
<tr>
<td>Derbes</td>
<td>Mire</td>
<td>Vesich</td>
</tr>
<tr>
<td>Giarrusso</td>
<td>Pugh</td>
<td>Wall</td>
</tr>
<tr>
<td>Jack</td>
<td>Schmitt</td>
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<tr>
<td>Kelly</td>
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</tbody>
</table>

The Chairman announced that there were 121 members present and a quorum.

**Prayer**

Prayer was offered by Delegate Willis.

**Pledge of Allegiance**

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

**Reading of the Journal**

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

On motion of Delegate Smith, the Journal of yesterday was adopted.

**Morning Hour**

**Motion**

On motion of Delegate Stovall the Convention was ordered to transmit a communication of condolence, in memory of the late James E. Fitzmorris, Sr., father of the Honorable James E. Fitzmorris, Jr., Lieutenant Governor, State of Louisiana.

**Reports of Committees**

The following reports of committees were received and read:

Delegate Aertker, chairman, on behalf of the Committee on Education and Welfare, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Education and Welfare to submit the following report:

**DELEGATE PROPOSAL No. 3**—Introduced by Dr. Asseff:

A PROPOSAL

Relative to legislation increasing financial burdens of school boards.

Reported without action.

**DELEGATE PROPOSAL No. 53**—Introduced by Delegate Leithman:

A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Reported without action.

**DELEGATE PROPOSAL No. 57**—Introduced by Delegate Flory:

A PROPOSAL

To provide for the registration of corporate stockholders.

Reported without action.

**DELEGATE PROPOSAL No. 58**—Introduced by Delegate Flory:

A PROPOSAL

Providing for municipal fire and police civil service.

Reported without action.

**DELEGATE PROPOSAL No. 87**—Introduced by Delegate Segura:

A PROPOSAL

Providing for state and city civil service.

Reported without action.

**DELEGATE PROPOSAL No. 88**—Introduced by Delegate Lemieux:

A PROPOSAL

To provide for the continuous operation of government.

Reported without action.
DELEGATE PROPOSAL No. 89—
Introduced by Delegate Lennox:
A PROPOSAL
Prohibiting strikes by public employees.
Reported without action.

DELEGATE PROPOSAL No. 90—
Introduced by Delegate Lennox:
A PROPOSAL
To prohibit monopolistic control over employment in any
industry within the state.
Reported without action.

DELEGATE PROPOSAL No. 94—
Introduced by Delegate Pugh:
A PROPOSAL
Prohibiting the purchase or subscription by the state or its
political subdivisions of stock of any corporation or asso-
ciation or for any private enterprise and providing excep-
tions.
Reported without action.
Respectfully submitted,
ROBERT J. AERTKER, 
Chairman.

Unfinished Business
The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday was
taken up and acted on:

Proposals, Delegate and Committee
The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 34—
Introduced by Delegate Lambert, Chairman, on behalf of
the Committee on Natural Resources and Environment, and
Delegates Bollinger, Derbes, Elkins, Hardee, Jack, LeBleu,
Leigh, Miller, Munson, Perkins, Singletary, Thompson, Velaz-
quez, Warren and Womack (A Substitute for Committee
Proposal No. 18):
A PROPOSAL
Making provisions relating to natural resources and en-
vironment.
Read.
The Chairman announced that the Convention had under
consideration Committee Proposal No. 34 when it adjourned
on Friday, December 21, 1973, which was taken up and acted
upon as follows:

Motion
On motion of Delegate Lambert Committee Proposal No.
34 was returned to the Calendar.

Motion
On motion of Delegate Lambert the Convention took up
Proposals on third reading and final passage.

Proposals, Delegate and Committee
The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

Motion
On motion of Delegate Lambert Committee Proposal No.
37 was taken up out of its regular order and acted upon as
follows:

COMMITTEE PROPOSAL No. 37—
Introduced by Delegate Lambert, Chairman, on behalf of
the Committee on Natural Resources and Environment:
A PROPOSAL
Making provisions relating to the Public Service Commission.
Read.

Section 14. Public Service Commission
Section 14. (A) Composition; Term. There shall be a Public
Service Commission which shall consist of five members
elected at the time fixed for congressional elections from
single member districts established by law for overlapping
terms of six years. The commission annually shall elect one
of its members as chairman. Each commissioner serving upon
the effective date of this constitution shall be the commis-
sioner for the new district in which he resides and shall serve
out the term for which he was chosen.

(B) Powers and Duties. The commission shall regulate all
common carriers and public utilities as provided by law. It
shall adopt and enforce reasonable rules, regulations, and
procedures necessary for the discharge of its duties, and shall
have other powers and perform other duties as provided by
law. Notwithstanding any provision in this Paragraph, the
legislature shall provide for the regulation of natural gas by
such regulatory authority as it may designate.

(C) Limitation. The commission shall have no power to
regulate any common carrier or public utility owned, op-
erated, or regulated on the effective date of this constitution
by the governing authority of one or more political subdivi-
sions, except by the consent of a majority of the electors vot-
ing in an election held for that purpose; however, a political
subdivision may reinvest itself with such regulatory power
in the manner it was surrendered. This shall not apply to
state regulatory authorities or to the operation of such utilities.

(D) Decisions on Applications, Petitions, and Schedules.
(1) The commission shall render its final decision after a
public hearing on applications, petitions, and proposed rate
schedules within twelve months from the date the application,
petition, or proposed schedule is filed.

(2) If a proposed rate schedule is approved in whole or in
part within six months, any increase shall become effective
on the date established by the Public Service Commission or-
der. If no decision is rendered within six months from the
effective filing date of any proposed rate schedule, such in-
crease may be put into effect, as provided by law, subject to
such protective bond or security requirements until final
action by a court of last resort.

(3) If the proposed increase is finally disallowed, in whole
or in part, the utility or carrier shall make refunds within
one year after any final action, and as otherwise provided by law.

(4) Any utility filing a proposed rate schedule shall, within
twenty days, give notice thereof by publication in the official
state journal and in the official journal of each parish within
the geographical area in which the schedule would become
applicable. Any person affected by the proposed rate schedule
may intervene.

(E) Appeals. Should the commission not render its decision
within twelve months, an appeal may be taken as if a decision
had been rendered. Appeals may be taken by any party or
intervenor and must be filed with the district court, within
the time provided by law, at the domicile of the commission,
with a direct appeal to the supreme court as a matter of
right.

(F) Jurisdiction. The commission shall regulate the trans-
portation and sale of natural gas for industrial purposes. This
jurisdiction shall not include the right to regulate the terms of
any contract or the price of gas; but regardless of the terms
of any contract, shall include the right to curtail and allocate
natural gas to industrial and other users to provide adequate
supplies for essential human needs and to protect the interests
of the public. Gas allocated to any user in the absence of a
prior contract shall be sold at rates comparable to those at
which such natural gas is then being sold to industrial users.
This paragraph is self-executing, and the commission shall
promulgate such orders and regulations necessary to carry out
the purpose and intent of this paragraph.

Read.
Delegate Rayburn sent up floor amendments, which were
read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Rayburn to Committee
Proposal No. 37 by Delegate Lambert, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 10 through 20, both inclusive, in their entirety.

AMENDMENT No. 2—
On page 2, at the beginning of line 21, change the number "(4)" to the number "(2)"
Delegate Rayburn moved the adoption of the amendments.
Delegate Roy objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Abraham
Alario
Arnette
Badeaux
Bergeron
Blair
Bollinger
Burns
Busson
Carmouche
Casey
Champagne
Conroy
Corne
De Blieux
Dennis
Total—48.

Delegates—
Aker
Alexander
Asseff
Avant
Bel
Brien
Cannon
Chatelain
Chehardy
Comar
Conino
Cowan
D'Orleans
Denny
Drew
Elkins
Flory
Fulco
Goldman
Total—55.

NAYS
Delegates—
Grier
Guarisco
Hardee
Heine
Jackson, A.
Jenkins
Jones
Kilbourne
Landrum
Landry, A.
Lanier
Leithman
Lowe
McDaniel
Miller
Newton
O'Neil
O'Neal
Riecke

NOT VOTING
Delegates—
Mr. Chairman
Anzalone
Brown
Derbes
Edwards
Gauthier
Giarrusso
Graham
Gravel
Jack
Total—28.

And the amendments were rejected.
Delegate Chatelain moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegates—
Kelly
Leigh
Martin
Maybuce
Mire
Nunex
Ouazo
Perkins
Planchar

FLOOR AMENDMENTS
Amendments proposed by Delegate Brien to Committee Proposal No. 37 by Delegate Lambert, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, line 8, delete the word "twelve" and insert in lieu thereof the word "six"

AMENDMENT No. 2—
On page 2, delete lines 10 through 20, both inclusive, in their entirety.

AMENDMENT No. 3—
On page 2, at the beginning of line 21, delete the numeral "4" and insert in lieu thereof the numeral "2"

On motion of Delegate Brien the amendments were withdrawn.
Delegate Brien sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Brien to Committee Proposal No. 37 by Delegate Lambert, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, line 8, delete the word "twelve" and insert in lieu thereof the word "six"

AMENDMENT No. 2—
On page 2, delete lines 10 through 20, both inclusive, in their entirety.

AMENDMENT No. 3—
On page 2, at the beginning of line 21, delete the numeral "4" and insert in lieu thereof the numeral "2"

AMENDMENT No. 4—
On page 2, line 28, delete the word "twelve" and substitute in lieu thereof the word "six"

AMENDMENT No. 5—
On page 2, line 32, immediately after the period "." add the following sentence:
"All appeals shall be tried summarily and in preference to all other suits."

Motion
On motion of Delegate Smith the previous question on the amendment was ordered.

Motion
Delegate Flory moved to reconsider the vote by which the previous question on the amendment was ordered.
Delegate Roy objected.
By a vote of 44 yeas and 59 nays the Convention refused to reconsider the vote by which the previous question on the amendment was ordered.
Delegate Brien moved the adoption of the amendments.
Delegate Roy objected.
By a vote of 19 yeas and 89 nays the amendments were rejected.
Delegate Roy moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Roy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Roy, Chatelain, Conino, Willis, Roemer and Lowe to Committee Proposal No. 37 by Delegate Lambert, et al.
AMENDMENT No. 1—
On page 2, delete lines 5 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Applications, Petitions, and Schedules; Protective Bond and Security

(1) Any common carrier or public utility filing a proposed rate schedule which, if finally approved, would result in a change in existing rates, shall, within twenty days, give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable.

(2) Within twelve months from the date of filing, the commission shall render a full decision on every application, petition, and proposed rate schedule.

(3) After the effective filing date of any proposed schedule by a public utility which would result in an increase in rates, the commission, pending its decision on the application for rate increase, may permit the proposed schedule to be put into effect, in whole or in part, subject to protective bond or security approved by the commission. If no decision is rendered on the application within twelve months after such filing date the proposed increase may be put into effect, as provided by law and subject to protective bond or security requirements, by final action by a court of last resort.

(4) If any proposed increase which has been put into effect is finally disallowed, in whole or in part, the utility shall make full refund, with legal interest thereon, within the time and in the manner prescribed by law.

(5) Appeals. Appeal may be taken in the manner provided by law by any aggrieved party or intervenor to the district court of the domicile of the commission. A right of direct appeal from any judgment of the district court shall be allowed to the supreme court."

Motion

On motion of Delegate Stagg debate on the amendment was limited to 20 minutes, to be divided equally between proponents and opponents, said 20 minutes to be exclusive of opening and closing time.

Motion

On motion of Delegate Stagg the previous question was ordered on the amendment.

Motion

Delegate Roy moved for a suspension of the Rules for the purpose of withdrawing his amendment.

Delegate Perez objected.

By a vote of 33 yeas and 3 nays, the rules were suspended.

Motion

On motion of Delegate Roy the amendment was withdrawn.

Motion

Delegate Nunez moved that the Convention recess until 1:30 o'clock P.M.

Delegate Roy objected.

By a vote of 27 yeas and 69 nays the Convention refused to recess until 1:30 o'clock P.M.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Roy, Chatelain, Conino, Willis, Roemer and Lowe to Committee Proposal No. 37 by Delegate Lembert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 5 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Applications, Petitions, and Schedules; Protective Bond and Security

(1) Any common carrier or public utility filing a proposed rate schedule which, if finally approved, would result in a change in existing rates, shall, within twenty days, give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable.

(2) Within twelve months from the date of filing, the commission shall render a full decision on every application, petition, and proposed rate schedule.

(3) After the effective filing date of any proposed schedule by a public utility which would result in an increase in rates, the commission, pending its decision on the application for rate increase, may permit the proposed schedule to be put into effect, in whole or in part, subject to protective bond or security approved by the commission. If no decision is rendered on the application within twelve months after such filing date the proposed increase may be put into effect, as provided by law and subject to protective bond or security requirements, by final action by a court of last resort.

(4) If any proposed increase which has been put into effect is finally disallowed, in whole or in part, the utility shall make full refund, with legal interest thereon, within the time and in the manner prescribed by law.

(5) Appeals. Appeal may be taken in the manner provided by law by any aggrieved party or intervenor to the district court of the domicile of the commission. A right of direct appeal from any judgment of the district court shall be allowed to the supreme court."

Motion

Delegate Stagg moved that debate on the amendment be limited to 10 minutes on the amendment, to be divided equally between the proponents and opponents.

Delegate Perez objected.

By a vote of 63 yeas and 35 nays debate was limited to 10 minutes on the amendment.

Delegate Roy moved the adoption of the amendment.

Delegate Nunez objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Aeriker

Alexander

Arnette

Avant

Bel

Bollinger

Bren

Burns

Cannon

Carmouche

Chatelain

Chehady

Comar

Conino

Conroy

Corne

Cowen

D’Gerolamo

De Bleux

Drew

Duncan

Elkins

Florey

Fontenot

Fulco

Goldman

Grier

Guarisco

Hardee

Haynes

Heine

Hernandez

Jackson, A.

Jenkins

Jones

Kean

Kilbourne

Landrum

Landry, A.

Landry, E. J.

Lanier

LeBleu

LeLumman

Lowe

McDaniel

Martin

Mauberret

Miller

Morris

Manson

Newton

O’Neill

Ousso

Rachal

Riecke

Roemer

Roy

Sandez

Shannon

Singletary

Smith

Soniat

Stagg

Stephenson

Stinson

Stovall

Sutherland

Tate
Thistlethwaite           Velazquez           Willis
            Vick              Winchester
Tobias               Warren             Wisham
Toca               Wattigny           Womack

Delegates—
Abraham               Deshotels          Nunez
Alario                Duval              Perez
Asseff                Fayard            Planchar
Badeaux              Fowler             Rayburn
Bergeron             Gauthier           Reeves
Blair                Glin               Tomay
Burson               Hayes             Ullo
Casey                Jackson, J.           Weiss
Champagne            Kilpatrick         Zervigon
Dennis               Lambert

Delegates—
Mr. Chairman           Jack              Pugh
Anzano                Juneau            Schmait
Denner               Kelly             Segura
Derbes                Leigh             Slay
Edwards             Maybuce           Toper
Garrusso            Mire              Veshich
Graham               Perkins           Wall
Gravel

Delegates—
Mr. Chairman           Conino            Goldman
Abraham                Conroy           Graham
Aertker               Corne              Gravel
Alario               Cowen              Grise
Alexander            D’Gerolamo         Hardee
Anzano               Denner             Haynes
Assief                Dennis            Heine
Badeaux             Deshotels          Hernandez
Bel                Bergeron           Jackson, A.
Blair                Drew              Jenkins
Blal                    Dunlap          Jones
Bollinger            Duval             Juneau
Brien               Edwards           Kilbourne
Burns                Elkins            Kilpatrick
Burson               Fayard           Landrum
Cannon              Flory              Landry, A.
Casey               Fontenot           Landry, E. J.
Champagne            Fowler           Lanier
Chalcolin            Fulco              LeBlieu
Chehardy             Gauthier          Lowe

McDaniel             Roemer            Tocha
Mauberret             Roy              Ulo
Morris                Sandzo          Velazquez
Munson                Singletary       Warren
Newton                Slay              Wattigny
O’Neill              Sonat              Weiss
Perez                Stephenson         Willis
Perkins             Sinton             Wisham
Planchar            Sutherland        Womack
Rayburn             Tate                Zervigon
Reeves               Thistlethwaite
Riecke

Delegates—
Annette             Kelly             Segura
Avant                Lambert         Shannon
Brown                Leigh             Smith
Carmouche            Leitman          Stagg
Comar               Martin            Stovall
Derbes                Maybuce          Tapper
Garrusso            Mire              Tobias
Ginn                 Nunez              Toomy
Guarisco            Ourov             Veshich
Hayes               Ourov             Vick
Jack                 Pugh              Wall
Jackson, J.         Rachal            Winchester
Kean

Delegates—
Mr. Chairman           Conino            Goldman
Abraham                Conroy           Graham
Aertker               Corne              Gravel
Alario               Cowen              Grise
Alexander            D’Gerolamo         Hardee
Anzano               Denner             Haynes
Assief                Dennis            Heine
Badeaux             Deshotels          Hernandez
Bel                Bergeron           Jackson, A.
Blair                Drew              Jenkins
Blair                Dunlap          Jones
Bollinger            Duval             Juneau
Brien               Edwards           Kilbourne
Burns                Elkins            Kilpatrick
Burson               Fayard           Landrum
Cannon              Flory              Landry, A.
Casey               Fontenot           Landry, E. J.
Champagne            Fowler           Lanier
Chalcolin            Fulco              LeBlieu
Chehardy             Gauthier          Lowe

Proposals, Delegate and Committee, Resumed
The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 37—
Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment:
A PROPOSAL
Making provisions relating to the Public Service Commission.

Section 14. Public Service Commission
Section 14. (A) Composition. Term. There shall be a Public Service Commission which shall consist of five members elected at the time fixed for congressional elections from single member districts established by law for overlapping terms of six years. The commission annually shall elect one of its members as chairman. Each commissioner serving upon the effective date of this constitution shall be the commissioner for the new district in which he resides and shall serve out the term for which he was chosen.

(B) Powers and Duties. The commission shall regulate all common carriers and public utilities as provided by law. It shall adopt and enforce reasonable rules, regulations, and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law. Notwithstanding any provision in this Paragraph, the legislature shall provide for the regulation of natural gas by such regulatory authority as it may designate.

(C) Limitation. The commission shall have no power to regulate any common carrier or public utility owned, operated, or regulated on the effective date of this constitution by the governing authority of one or more political subdivisions, except by the consent of a majority of the voters voting in an election held for that purpose; however, a political subdivision may reestablish itself with such regulatory power in the manner it was surrendered. This shall not apply to safety regulations pertaining to the operation of such utilities.

(D) Decisions on Applications, Petitions, and Schedules.
(1) The commission shall render its final decision after a public hearing on applications, petitions, and proposed rate schedules within twelve months from the date the application, petition, or proposed rate schedule is filed.
(2) If a proposed rate schedule is approved in whole or in part within six months, any increase shall become effective on the date established by the Public Service Commission order. If no decision is rendered within six months from the effective filing date of any proposed rate schedule, such increase may be put into effect, as provided by law, subject to such protective bond or security requirements until final action by a court of last resort.
(3) If the proposed increase is finally disallowed, in whole or in part, the utility or carrier shall make refunds within one year after any final action, and as otherwise provided by law.

(4) Any utility filing a proposed rate schedule shall, within twenty days, give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable. Any person affected by the proposed rate schedule may intervene.

(E) Appeals. Should the commission not render its decision within twelve months, an appeal may be taken as if a decision had been rendered. Appeals may be taken by any party or intervenor and must be filed with the district court, within the time allowed by law, at the domicile of the commission, with a direct appeal to the supreme court as a matter of right.

(F) Jurisdiction. The commission shall regulate the transportation and sale of natural gas for industrial purposes. This jurisdiction shall not include the right to fix the terms of the contract or the price of gas; but, regardless of the terms of any contract, shall include the right to curtail and allocate natural gas to industrial and other users to provide adequate supplies for essential human needs and to protect the interests of the public. Gas allocated to any user in the absence of a prior contract shall be sold at rates comparable to those at which such natural gas is then being sold to industrial users.

This paragraph is self-executing, and the commission shall promulgate such orders and regulations necessary to carry out the purpose and intent of this paragraph.

FLOOR AMENDMENTS

Amendments proposed by Delegates Miller and Juneau to Committee Proposal No. 37 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 11, after the word "Term" and before the word "hereafter" insert the following: "Term," and insert the following word and punctuation "Domicile."

AMENDMENT No. 2—

On page 1, line 19, after the word and punctuation "chosen," add the following:

"The commission shall have its domicile at the state capitol, but may meet, hold investigations, and render orders elsewhere in this state."

Delegate Juneau moved the adoption of the amendments.

Delegate Brown objected.

By a vote of 101 yeas and 1 nay the amendment was adopted.

Delegate Juneau moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Abraham to Committee Proposal No. 37 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 2—

On page 2, at the beginning of line 21, change the number "(4)" to the number "(2)"

Delegate Abraham moved the adoption of the amendments.

Delegate Roy objected.

By a vote of 40 yeas and 56 nays the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Lambert to Committee Proposal No. 37 by Delegate Lambert, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 1 through 13, both inclusive, in their entirety.

On motion of Delegate Lambert the amendment was adopted.

Delegate Lambert moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Smith moved the previous question on Section 14.

Delegate Burson objected.

By a vote of 48 yeas and 56 nays the Convention refused to order the previous question on Section 14.

Committee Proposal No. 37, Section 14 was read, as amended.

Delegate Lambert moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS


NAYS

Delegates—Mr. Chairman, Abraham, Alario, Anzalone, Arnette, Badeaux, Bergeron, Blair, Total—127.
NOT VOTING

Delegates—

Denney  "Leigh"

Derbes  "Mire"

Fayard  "Morris"

Giarrusso  "Outro"

Jack  "Pugh"

Kean  "Schmitt"

Kelly  Total—19.

And the motion to reconsider the vote by which Committee Proposal No. 37, Section 14, was finally passed was laid on the table.

Passage

The Proposal was read, as amended.

Delegate Roy moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alexander  "Guarisco"

Asseff  "Roemer"

Avant  "Roy"

Bel  "Shannon"

Bollinger  "Singletary"

Brown  "Smith"

Carmouche  "Stagg"

Chatelain  "Stephenson"

Chehardy  "Stinson"

Comar  "Stovall"

Conino  "Sutherland"

Cowen  "Tobias"

D’Gerolamo  "Toca"

Drew  "Toca"

Dunlap  "Tocci"

Elkins  "Vick"

Elkins  "Warren"

Flory  "Wattigny"

Fontenot  "Wells"

Fowler  "Womack"

Fulco  Total—67.

NAYS

Delegates—

Mr. Chairman  "De Blieux"

Abraham  "Miller"

Alario  "Nunez"

Anzalone  "Perez"

Arnette  "Perkins"

Asseff  "Planchard"

Bollinger  "Rayburn"

Blair  "Rayburn"

Burson  "Reeves"

Casey  "Sandoz"

Champagne  "Sandez"

Conroy  "Slay"

Corne  Total—48.

NAYS

Delegates—

Mr. Chairman  "De Blieux"

Abraham  "Dennis"

Alario  "Deshotels"

Anzalone  "Duval"

Arnette  "Gauthier"

Asseff  "Gin"

Bollinger  "Ginn"

Blair  "Graham"

Burson  "Hayes"

Casey  "Jackson, J.

Champagne  "Juneau"

Conroy  "Lambert"

Corne  "LeBlue"

Total—45.

Delegates—

Aertker  "Pugh"

Denney  "Kelly"

Derbes  "Leigh"

Fayard  "Maybucce"

Giarrusso  "Mire"

Jack  "Ousor"

Kean  "Pugh"

Kelly  "Schmitt"

Total—18.

And the Chair declared that the above Proposal was finally passed.

Motion

On motion of Delegate Lambert Committee Proposal No. 34 was called from the Calendar.
Delegate Lambert sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Lambert to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 5, delete lines 11 through 32, both inclusive, in their entirety, and on page 6, delete lines 1 through 32, both inclusive, in their entirety and on page 7, delete lines 1 through 12, both inclusive, in their entirety and all floor amendments thereto.

On motion of Delegate Lambert the amendment was adopted.

Delegate Lambert moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**


Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, at the beginning of line 13, add the following Section:

"Section 15. Department of Wildlife and Fisheries; Commissioned Enforcement Officers"

Section 15. Nothing in Article VII of this constitution relating to civil service shall be construed to prevent the legislature from supplementing any civil service pay plan for regularly commissioned officers of the Enforcement Division of the Department of Wildlife and Fisheries."

Delegate Avant moved the adoption of the amendment.

Delegate Asseff objected.

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

**ROLL CALL**

The roll was called with the following result:

<table>
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<tr>
<th>Delegates—</th>
<th>YEA</th>
<th>NAY</th>
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<tr>
<td>Mr. Chairman</td>
<td>Corne</td>
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<td>Conino</td>
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1084
107th Days Proceedings—January 3, 1974

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<tbody>
<tr>
<td>Martin</td>
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<tr>
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<td>Planchar</td>
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<td>Rayburn</td>
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NAYS

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<tbody>
<tr>
<td>Abraham</td>
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<td>Arnette</td>
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<td>Assaf</td>
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NOT VOTING

<table>
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<tr>
<td>Aertker</td>
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<td>Denney</td>
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<td>Garrusso</td>
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<td>Jack</td>
<td>Ourso</td>
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<tr>
<td>Kean</td>
<td>Pugh</td>
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</table>

And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 34, Section 15 was read.
Delegate Avant moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Alario</td>
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<tr>
<td>Alexander</td>
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<td>Bel</td>
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<td>Brown</td>
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<td>Kilbourne</td>
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<td>Kilpatrick</td>
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<tr>
<td>Landry, E. J.</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Lanier</td>
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</tr>
<tr>
<td>LeBluie</td>
<td>Lowe</td>
</tr>
<tr>
<td>McDaniel</td>
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<td>Miller</td>
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<tr>
<td>Munson</td>
<td>Newton</td>
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<tr>
<td>Nunez</td>
<td>O'Neill</td>
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<tr>
<td>Perkins</td>
<td>Planchar</td>
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<tr>
<td>Planchar</td>
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<td>Roemer</td>
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<tr>
<td>Roy</td>
<td>Sandoz</td>
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<td>Shannon</td>
<td>Shannon</td>
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<td>Singleity</td>
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<tr>
<td>Slaw</td>
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<td>Uppo</td>
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<tr>
<td>Velazquez</td>
<td>Vicker</td>
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<tr>
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<td>Warren</td>
</tr>
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<td>Wattigny</td>
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<td>Willis</td>
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</tr>
<tr>
<td>Winham</td>
<td>Womack</td>
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Total-103.
107th Days—January 3, 1974

Delegates—

<table>
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<tr>
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<tr>
<td>Abraham</td>
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<tr>
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<tr>
<td>Asseff</td>
<td>Jenkins</td>
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Total—7.

Delegates—

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<tr>
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<tr>
<td>Drew</td>
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<tr>
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</tr>
<tr>
<td>Fayard</td>
</tr>
<tr>
<td>Giarrusso</td>
</tr>
<tr>
<td>Jack</td>
</tr>
</tbody>
</table>

Total—22.

And the Chair declared that the above Proposal was finally passed.

Motion

On motion of Delegate A. Jackson Committee Proposal No. 35, was called out of its regular order and acted upon as follows:

COMMITTEE PROPOSAL No. 35—

Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 1, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Roy, Soniat, Stinson, Vick and Wall):

A PROPOSAL

Providing for general governmental provisions.

Read.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Tate to Committee Proposal No. 35 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 12 and 13 and insert in lieu thereof the following:

"ARTICLE II. DISTRIBUTION OF POWERS"

AMENDMENT No. 2—
On page 1, between lines 21 and 22 insert the following:

"ARTICLE XII. GENERAL PROVISIONS"

On motion of Delegate Tate the amendments were adopted.

Delegate Tate moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 1. Three Branches

Section 1. The powers of government of the State of Louisiana are divided into three distinct branches—legislative, executive, and judicial.

Passage

Committee Proposal No. 35, Section 1, was read.

Delegate Guarisco moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td></td>
</tr>
<tr>
<td>Abraham</td>
<td></td>
</tr>
<tr>
<td>Alario</td>
<td></td>
</tr>
<tr>
<td>Alexander</td>
<td></td>
</tr>
</tbody>
</table>

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Elkins</td>
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<tr>
<td>Fontenot</td>
<td>Fowler</td>
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<td>Pulco</td>
<td>Gauthier</td>
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<td>Ginn</td>
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<td>Veron</td>
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<tr>
<td>Brown</td>
<td>Wall</td>
</tr>
<tr>
<td>Burns</td>
<td>WithError</td>
</tr>
<tr>
<td>Cowen</td>
<td>WithError</td>
</tr>
<tr>
<td>D’Gerolamo</td>
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<td>WithError</td>
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<tr>
<td>Duval</td>
<td>WithError</td>
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<tr>
<td>Edwards</td>
<td>WithError</td>
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</table>

Total—100.

NAYS

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<td>Carmouche</td>
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<tr>
<td>Comar</td>
<td></td>
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<tr>
<td>Corne</td>
<td></td>
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<tr>
<td>Derbes</td>
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<tr>
<td>Fayard</td>
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<tr>
<td>Giarrusso</td>
<td></td>
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<tr>
<td>Jack</td>
<td></td>
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<tr>
<td>Jackson, J.</td>
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<td>Juneau</td>
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<tr>
<td>Kean</td>
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Total—0.

Not VOTING

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<td>Carmouche</td>
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<td>Comar</td>
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<td>Giarrusso</td>
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<tr>
<td>Jack</td>
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<tr>
<td>Jackson, J.</td>
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<tr>
<td>Juneau</td>
<td></td>
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<tr>
<td>Kean</td>
<td></td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was finally passed.

Delegate Guarisco moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 2. Limitations of Each Branch

Section 2. No one of these branches, nor any person holding office in one of them, shall exercise power belonging to either of the others, except as otherwise provided in this constitution.

Passage

Committee Proposal No. 35, Section 2, was read.

Delegate Guarisco moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Abraham</td>
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</tr>
<tr>
<td>Alario</td>
<td></td>
</tr>
<tr>
<td>Alexander</td>
<td></td>
</tr>
</tbody>
</table>

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Anzalone</td>
<td>Badeaux</td>
</tr>
<tr>
<td>Arnette</td>
<td>Bel</td>
</tr>
<tr>
<td>Assaff</td>
<td>Bergener</td>
</tr>
<tr>
<td>Avant</td>
<td>Blair</td>
</tr>
</tbody>
</table>

1086
Bollinger  
Brown  
Burns  
Burson  
Cannon  
Casey  
Champlagne  
Chatelain  
Chehardy  
Comar  
Conino  
Conroy  
Cown  
D’Gerolamo  
De Blieux  
Dennery  
Denis  
Deshotels  
Drew  
Duval  
Edwards  
Elkins  
Flory  
Fontenot  
Fowler  
Fulco  
Gauthier  
Ginn  
Goldman  
Graham  
Gravel  
Gravel  
Total—106.

NAYS

Delegates—

Aetker  
Burson  
Carmouche  
Corne  
Derbes  
Douglas  
Fayard  
Glarruso  
Jack  
Total—26.

And the Chair declared that the above Section was finally passed.

Delegate Guarisco moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 3. Civilian-Military Relations

Section 3. The Military shall be subordinate to the civil power.

Passage

Committee Proposal No. 35, Section 3 was read.

Delegate Vick moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman  
Abraham  
Alario  
Alexander  
Anzalone  
Arnette  
Assaff  
Avant  
Badeaux  
Bollinger  
Brown  
Burns  
Casey  
Champagne  
Chateian  
Chehardy  
Comar  
Conino  
Conroy  
Cown  
D’Gerolamo  
De Blieux  
Dennery  
Denis  
Deshotels  
Drew  
Duval  
Edwards  
Elkins  
Flory  
Fontenot  
Fowler  
Fulco  
Gauthier  
Ginn  
Goldman  
Graham  
Gravel  
Grier  
Guarisco  
Hardee  
Hayes  
Haynes  
Total—106.

Total—0.

NAYS

Delegates—

Aetker  
Burson  
Carmouche  
Corne  
Derbes  
Douglas  
Fayard  
Glarruso  
Jack  
Total—26.

And the Chair declared that the above Section was finally passed.

Delegate Vick moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 4. Right to Direct Participation

Section 4. No person shall be denied the right to observe the deliberations of public bodies and examine public documents, except in cases established by law.

Passage

Committee Proposal No. 35, Section 4 was read.

Delegate Jenkins moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman  
Abraham  
Alario  
Alexander  
Anzalone  
Arnette  
Assaff  
Avant  
Badeaux  
Bollinger  
Brown  
Burns  
Casey  
Champagne  
Chateian  
Chehardy  
Comar  
Conino  
Conroy  
Cown  
D’Gerolamo  
De Blieux  
Dennery  
Denis  
Deshotels  
Drew  
Duval  
Edwards  
Elkins  
Flory  
Fontenot  
Fowler  
Fulco  
Gauthier  
Ginn  
Goldman  
Graham  
Gravel  
Grier  
Guarisco  
Hardee  
Hayes  
Haynes  
Total—106.

Total—0.
PAGE 12
107th Days Proceedings—January 3, 1974

Delegates—
Bel
Graham
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Jones
Juneau
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
Total—104.

NAYS
Delegates—
Bel
Burson
Total—6.

NOT VOTING
Delegates—
Aertker
Carmouche
Derbes
Dunlap
Fayard
Giarrusso
Jack
Kean
Total—22.

And the Chair declared that the above Section was finally passed.

Delegate Jenkins moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 5. Oath of Office

Section 5. All officers before entering upon the duties of their respective offices shall take the following oath or affirmation: "I, (A.B.), do solemnly swear (or affirm) that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as according to the best of my ability and understanding, so help me God."

Read.

On motion of Delegate A. Jackson action on Section 5 was deferred at this time.

Section 6. State Capital

Section 6. The capital of Louisiana is the city of Baton Rouge.

Passage

Committee Proposal No. 35, Section 6 was read.
Delegate Soniat moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

Delegates—
Mr. Chairman
Abraham
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badieux
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Burson
Cannon
Casey
Champagne
Chetealain
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D’Gerolamo
De Blieux
Denney
Dennis
Deshotels
Drew
Duval
Elkins
Flory
Total—105.

NAYS
Delegates—
Soniat
Brenneman
Jones
Rayburn
Roy
Sandoz
Shannon
Slay
Smith
Total—104.

Delegates—
Kelly
Leigh
Maybreg
Mire
Monson
Ourso
Perez
Pugh
Total—105.

NOT VOTING
Delegates—
Cannon
Deharm
Leithman
Lowe
Martin
McDaniel
Maybreg
Mire
Monson
Ourso
Perez
Pugh
Total—1.

Not Voting
Delegates—
Kelly
Leigh
Maybreg
Mire
Monson
Ourso
Perez
Pugh
Total—1.

FLOOR AMENDMENT

Amendment proposed by Delegate O’Neill to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 9 through 14, both inclusive, in their entirety.

1088
Delegate Smith moved the previous question on the amendment.
Delegate Jenkins objected.
By a vote of 24 yea and 65 nays the Convention refused to order the previous question, at this time.
Delegate O'Neill moved the adoption of the amendment.
Delegate Stinson objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Jenkins
Morris
O'Neill
Roemer

Total—11.

NAYS

Delegates—

Mr. Chairman
Abraham
Alexander
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brown
Burns
Burson
Cannon
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Corm
Cowan
De Gerolamo
De Blieux
Denness
Deshotes
Drew
Duval
Edwards
Ekin
Fayard
Fontenot

Total—94.

NOT VOTING

Delegates—

Aertker
Alario
Anzalone
Artinette
Carmourbe
Dennis
Dorbes
Dunlap
Girrussso

Total—27.

Delegate Smith moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegates Dennery and A. Jackson to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 11, after the word and punctuation "heirs," delete the word "and" and insert in lieu thereof "the"

AMENDMENT No. 2—
On page 2, line 12, after the word "for" delete the word "disenheritance" and insert in lieu thereof "disinheritson"

AMENDMENT No. 3—
On page 2, line 13, after the word "law" delete the words "for any purpose"

AMENDMENT No. 4—
On page 2, line 13, after the word "a" delete "legi" and at the beginning of line 14 delete "time" and insert in lieu thereof "time forced portion"

Delegate Dennery moved the adoption of the amendments.
Delegate De Blieux objected.

By a vote of 101 yea and 3 nays the amendments were adopted.

Delegate Dennery moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 35, Section 7, was read, as amended.
Delegate Stinson moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Abraham
Alario
Alexander
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brown
Burns
Burson
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Cowan
De Gerolamo
De Blieux
Denness
Deshotes
Drew
Duval
Edwards
Ekin
Fayard
Fontenot

Total—102.
And the Chair declared that the above Section was finally passed.

Delegate Stinson moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Chairman Henry in the Chair**

Section 8. Protection of Vested Rights.

Section 8. Vested rights shall not be divested, except for the purposes and in accordance with the substantive and procedural safeguards established in this constitution for the taking or damaging of property.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Perez to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 15 through 19, both inclusive, in their entirety.

Delegate Perez moved the adoption of the amendment.

Delegate Jenkins objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<thead>
<tr>
<th>Edwards</th>
<th>Elkins</th>
<th>Fayard</th>
<th>Flory</th>
<th>Fowler</th>
<th>Fuco</th>
<th>Gauthier</th>
<th>Goldman</th>
<th>Graham</th>
<th>Gravel</th>
<th>Hardee</th>
<th>Heine</th>
<th>Jones</th>
<th>Juneau</th>
<th>Kilbourne</th>
<th>Lambert</th>
<th>Landry, A.</th>
<th>Lanier</th>
<th>LeBlu</th>
<th>Leigh</th>
<th>Leithman</th>
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</thead>
<tbody>
<tr>
<td>Lowe</td>
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<td>Nunez</td>
<td>Perez</td>
<td>Perkins</td>
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<td>Rachal</td>
<td>Rayburn</td>
<td>Reeves</td>
<td>Riecke</td>
<td>Roemer</td>
<td>Sandoz</td>
<td>Singletary</td>
<td>Slay</td>
<td>Stephenson</td>
<td>Stovall</td>
<td>Sutherland</td>
<td>Tapper</td>
<td>Thistlethwaite</td>
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**NAYS**

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<td>Singletary</td>
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**Delegates—**

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<tr>
<th>Aertker</th>
<th>Anzalone</th>
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<th>Cannon</th>
<th>Carmouche</th>
<th>Derbes</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Haynes</td>
<td>Jack</td>
<td>Kean</td>
<td>Kelly</td>
<td>Martin</td>
<td>Maybube</td>
<td>Miller</td>
<td>Mire</td>
</tr>
<tr>
<td>Munson</td>
<td>Ours</td>
<td>Pugh</td>
<td>Schmitt</td>
<td>Segura</td>
<td>Shannon</td>
<td>Velich</td>
<td>Wall</td>
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</table>

**Total—24.**

Not voting.

**NAYS**

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</tr>
</thead>
<tbody>
<tr>
<td>Guarisco</td>
<td>Hayes</td>
<td>Haynes</td>
<td>Hernandez</td>
<td>Jackson, A.</td>
<td>Jackson, J.</td>
<td>Jenkins</td>
<td>Landrum</td>
<td>Landry, E. J.</td>
<td>Morris</td>
<td></td>
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<tr>
<td>O'Neill</td>
<td>Roy</td>
<td>Smith</td>
<td>Soniat</td>
<td>Stagg</td>
<td>Stinson</td>
<td>Velazquez</td>
<td>Warren</td>
<td>Weiss</td>
<td>Wisham</td>
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</table>

**NOT VOTING**

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<thead>
<tr>
<th>Mr. Chairman</th>
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And the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 15 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 8. Protection of Vested Rights.

Section 8. Vested rights shall not be divested, unless for purposes of public utility, and for just and adequate compensation previously paid.”

Delegate Jenkins moved the adoption of the amendment.

Delegate Gravel objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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Delegate Jenkins moved the adoption of the amendment.

Delegate Gravel objected.

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

**ROLL CALL**

The roll was called with the following result:

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And the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 15 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 8. Protection of Vested Rights.

Section 8. Vested rights shall not be divested, unless for purposes of public utility, and for just and adequate compensation previously paid.”

Delegate Jenkins moved the adoption of the amendment.

Delegate Gravel objected.

A record vote was asked for and ordered by the Convention.
107th Days Proceedings—January 3, 1974

<table>
<thead>
<tr>
<th>Burns</th>
<th>Ginn</th>
<th>Rayburn</th>
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<tr>
<td>Burson</td>
<td>Graham</td>
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<td>Tate</td>
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<td>Thistlewaite</td>
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<td>Deshotels</td>
<td>McDaniels</td>
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<td>Fowler</td>
<td>Blanchard</td>
<td>Willis</td>
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<tr>
<td>Fulco</td>
<td>Rachal</td>
<td>Zervigon</td>
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</table>

Total—66.

NOT VOTING

Delegates—
Mr. Chairman—Aertker
Aerlko—Kenny
Anzalone—Martin
Arnette—Maybuce
Carmouche—Miller
Derbes—Mire
Dunlap—Monson
Glarrusso—Ourso

Total—26.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate A. Jackson Committee Proposal No. 35, Section 5, upon which action was deferred on today, was taken up and acted upon as follows:

Section 5. Oath of Office

Section 5. All officers before entering upon the duties of their respective offices shall take the following oath or affirmation: “I (A B), do solemnly swear (or affirm) that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as according to the best of my ability and understanding, so help me God."

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Lanier to Committee Proposal No. 35 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 30, after the word “officers” delete the remainder of the line and on line 31, delete the words “their respective offices”

Delegate Lanier moved the adoption of the amendment.

Delegate Tobias objected.

By a vote of 52 yeas and 45 nays the amendment was adopted.

Delegate Lanier moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 35, Section 5 was read, as amended.

Delegate A. Jackson moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

Delegates—
Abraham—Fulco
Alario—Gauthier
Alexander—Ginn
Assett—Goldman
Avery—Gravel
Badeaux—Rieke
Bel—V닉
Bollinger—Hardee
Bren—Hayes
Burns—Haynes
Burson—Heine
Cannon—Hernandez
Casey—Jackson, A.
Champagne—Jackson, J.
Chatelain—Jenkins
Chehardy—Jones
Comar—Juneau
Conino—Kean
Conroy—Kilbourne
Corne—Lambert
Cowen—Landrum
D’Gerolamo—Landry, A.
De Bieux—Landry, E. J.
Denney—Lanier
Denis—LeBlanc
Drew—Lowe
Duval—McDaniel
Elkins—Maureret
Fayard—Morris
Flory—Nunez
Fontenot—O’Neill
Fowler—Perez

Total—98.

NAYS

Delegates—
Newton—Zervigon

Total—4.

NOT VOTING

Delegates—
Mr. Chairman—Giarrusso
Aertker—Jack
Anzalone—Kelly
Arnette—Kilpatrick
Blair—Leithman
Carmouche—Martin
Derbes—Maybuce
Deshotels—Miller
Dunlap—Mire
Edwards—Monson

Total—30.

And the Chair declared that the above Section was finally passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Burson moved that the Convention take up other orders of business at this time.

Delegate Fulco objected.

By a vote of 53 yeas and 44 nays the Convention took up other Orders of Business.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


1091
To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposals have been properly enrolled:

COMMITTEE PROPOSAL No. 34—

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegates, Mendenhall, Derbes, Elkins, Hardee, Jack, LeBlanc, Leigh, Miller, Munson, Perkins, Singletary, Thompson, Velazquez, Warren and Womack (A Substitute for Committee Proposal No. 18):

A PROPOSAL

Making provisions relating to natural resources and environment.


ARTICLE VIII. NATURAL RESOURCES

Section 1. Natural Resources and Environment; Public Policy

Section 1.1. The natural resources of the state, including air and water, and the healthful, scenic, historic, and aesthetic quality of the environment shall be protected, conserved, and replenished, as far as possible and consistent with the health, safety, and welfare of the people. The legislature shall implement this policy by appropriate legislation.

Section 2. Natural Gas; Public Policy; Interstate and Intrastate Pipelines

Section 2.1. Natural gas is hereby declared to be affected with a public interest and not withstand any provisions of this constitution relative to the powers and duties of the Public Service Commission, the legislature shall provide for its regulation by such regulatory authority as it may designate. The legislature in its discretion, however, may grant such authority to the Public Service Commission.

Section 3. Interstate natural gas pipeline or gas gathering line shall be connected with an interstate natural gas pipeline, and no interstate natural gas pipeline shall be connected with an intrastate natural gas pipeline without a certificate of public convenience and necessity issued as provided by law after due application for such connection and hearing thereon.

Section 4. Allenment of Water Bottoms

Section 4.1. The legislature shall neither allocate nor authorize the alienation of the beds of navigable water bodies, except for purposes of reclamation by the riparian owner to recover land lost through erosion. This section shall not prevent the leasing of state lands or water bottoms for mineral or other purposes. Except as provided herein, no bed of any navigable water body may be reclaimed except for public use.

Section 5. Reservation of Mineral Rights; Prescription

Section 5.1. Reservation of Mineral Rights. The mineral rights on all property sold by the state shall be reserved, except where the owner or other person having the right to redeem may buy or redeem property sold or adjudicated to the state for taxes.

(B) Prescription. Lands and mineral interests of the state, any school board, and any jeveix district shall not be lost by prescription.

Section 6.1. Public Notice; Public Bidding Requirements

Section 6.1.1. No conveyance, lease, royalty agreement or unitization agreement involving minerals or mineral rights owned by the State of Louisiana shall be consecrated without prior public notice or public bidding as shall be provided by law.

Section 8. Royalty Funds

Section 8.1.4. As used in Article XI, Section 4(D), ‘state-owned property’ means state-owned land, lake and river beds, and other water bottoms belonging to the state or the title to which is in the public for mineral development. The governing authority of a parish may fund its one-eighth of the royalties from mineral leases on such state-owned property into general obligation bonds of the parish in accordance with law. Neither the provisions of this Section nor the provisions of Article XI, Section 4(D) shall apply to those properties comprising the Russell Sage Wildlife and Game Refuge.

Section 9. Tidelands Ownership

Section 9.1. Revenues and royalties obtained from minerals located beyond the seaward boundary of the state belong to the state.

Section 10. Offshore Mineral Revenues; Use of Funds

Section 10.1. Funds derived from offshore mineral leases and produced in the agreement between the state and the United States pending settlement of the dispute between the parties when received shall be deposited in the state treasury. These funds and the interest from their investment, except the portion otherwise allocated or dedicated in this constitution, shall be used by the treasurer in the purchase, retirement, and payment in advance of maturity of then existing bonded indebtedness of the state or invested for such purpose.

If any of these funds cannot be so expended within one year, the legislature may annually appropriate for capital improvements, or for the purchase of land, ten percent of the remaining funds, not to exceed ten million dollars in one year.

Section 12. Wildlife and Fisheries Commission

Section 12.1. The wildlife of the state, including all aquatic life is hereby placed under the control and supervision of the Louisiana Wildlife and Fisheries Commission, which shall consist of seven members appointed by the governor, subject to confirmation by the Senate, six of whom shall serve for overlapping terms of six years and one of whom shall serve for a term concurrent with that of the governor. The governor shall be elected by the major parties and representatives of the commercial fishing and fur industries, and four shall be elected from the state at large other than representatives of the commercial fishing and fur industries, and four shall be elecators from the state at large other than representatives of the commercial fishing and fur industries, as provided by law.

No member who has served for six years or more shall be eligible for reappointment.

The functions, duties, and responsibilities of the commission, and the compensation of its members shall be provided by law.

Section 13. Forestry; Acreage Taxes; Forestry Commission; State Forester

Section 13.1. No taxation of the natural gas pipeline or gas gathering line shall be connected with an interstate natural gas pipeline, and no interstate natural gas pipeline shall be connected with an intrastate natural gas pipeline without a certificate of public convenience and necessity issued as provided by law after due application for such connection and hearing thereon.

Section 15. Department of Wildlife and Fisheries; Commission on Fisheries Enforcement Officers

Section 15.1. Nothing in Article VII of this constitution relating to civil service shall be construed to prevent the legislature from supplementing any civil service pay plan for regularly commissioned officers of the Enforcement Division of the Department of Wildlife and Fisheries.

COMMITTEE PROPOSAL No. 37—

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment

A PROPOSAL

Making provisions relating to the Public Service Commission.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VIII. NATURAL RESOURCES

Section 14. Public Service Commission

Section 14.1. Composition; Term; Domicile. There shall be a Public Service Commission which shall consist of five members elected at the time fixed for congressional elec-
tions from single member districts established by law for overlapping terms of six years. The commission annually shall elect one of its members as chairman. Each commissioner serving upon the effective date of this constitution shall be the commissioner for the new district in which he resides and shall serve out the term for which he was chosen. The commission shall have its domicile at the state capital, but may meet, hold investigations, and render orders elsewhere in this state.

(B) Powers and Duties. The commission shall regulate all common carriers and public utilities as provided by law. It shall adopt and enforce reasonable rules, regulations, and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law. Notwithstanding any provision in this Paragraph, the legislature shall provide for the regulation of natural gas by such regulatory authority as it may designate.

(C) Limitation. The commission shall have no power to regulate any common carrier or public utility owned, operated, or regulated on the effective date of this constitution by the governing authority of one or more political subdivisions, except by the consent of a majority of the electors voting in an election held for that purpose; however, a political subdivision may re-invest itself with such regulatory power in the manner it was surrendered. This shall not apply to safety regulations pertaining to the operation of such utilities.

(D) Applications, Petitions, and Schedules; Protective Bond and Security

(1) Any common carrier or public utility filing a proposed rate schedule which, if finally approved, would result in a change in existing rates, shall, within twenty days, give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable.

(2) Within twelve months from the effective date of filing, the commission shall render a full decision on every application, petition, and proposed rate schedule.

(3) After the effective filing date of any proposed schedule by a public utility which would result in any increase in rates, the commission, pending its decision on the application for rate increase, may permit the proposed schedule to be put into effect, in whole or in part, subject to protective bond or security approved by the commission. If no decision is rendered on the application within twelve months after such filing date the proposed increase may be put into effect, but only as provided by law and subject to protective bond or security requirements, until final action by a court of last resort.

(4) If any proposed increase which has been put into effect is finally disallowed, in whole or in part, the utility shall make full refund, with legal interest thereon, within the time and in the manner prescribed by law.

(E) Appeals. Appeal may be taken in the manner provided by law by any aggrieved party or intervenor to the district court of the domicile of the commission. A right of direct appeal from any judgment of the district court shall be allowed to the supreme court. The right of appeal granted herein shall extend to any action by the commission, including without limitation any action taken by the commission or by a public utility under the provisions of Subparagraph (3) above.

Respectfully submitted,

MOISE W. DENNERY,
Secretary.

Under the Rules, referred to the Committee on Style and Drafting.

---

**Motion**

On motion of Delegate Perez the rules were suspended to the purpose of calling a meeting of the Committee on Local and Parochial Government with giving the required 24 hours notice.

**COMMITTEE NOTICE**

Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Friday, January 4, 1974, at noon in the Convention Hall and will consider the following agenda:

**AGENDA**

To consider the report of the Committee on Style and Drafting

Respectfully submitted,

CHALON O. PEREZ,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Motion**

On motion of Delegate Juneau the rules were suspended for the purpose of calling a meeting of the Committee on Public Information without giving the required 24 hours notice.

**COMMITTEE NOTICE**

Delegate Juneau, chairman of the Committee on Public Information, sent up the following notice:

The Committee on Public Information will meet on Thursday, January 3, 1974, at 6:30 o'clock P.M. in the Treaty Room and will consider the following agenda:

**AGENDA**

Committee Business

Respectfully submitted,

PATRICK JUNEAU,
Chairman of the Committee on Public Information

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Leaves of Absence**

Delegate Maybuc—2 days.
Delegate Jack—1 day.
Delegate Pugh—1 day.
Delegate Mire—2½ days.

**Adjournment**

Delegate Burson moved that the Convention do now adjourn until Friday, January 4, 1974, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, January 4, 1974, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Friday, January 4, 1974, Baton Rouge, La.

The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

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<tr>
<th>Delegates</th>
<th>Present</th>
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| Delegates—       |         |        |
| Cannon           |         |        |
| Carmouche        |         |        |
| Jack             |         |        |
| Total—8.         |         |        |

The Chairman announced that there were 124 members present and a quorum.

Prayer

Prayer was offered by Delegate Stovall.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Goldman, the Journal of yesterday was adopted.

Morning Hour

Reports of Committees Lying Over

Delegate and Committee Resolutions on Second Reading Reported by Committees

The following entitled Delegate and Committee Resolutions reported by Committees were taken up and acted upon as follows:

DELEGATE PROPOSAL No. 3—

Introduced by Dr. Assaff:

A PROPOSAL

Relative to legislation increasing financial burdens of school boards.

Read.

Reported without action by the Committee on Education and Welfare.

On motion of Delegate Flory the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 55—

Introduced by Delegate Leithman:

A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Read.

Reported without action by the Committee on Education and Welfare.

Delegate Flory moved that the Proposal be withdrawn from the files of the Convention.

As a substitute Delegate Leithman moved that the Proposal be engrossed and passed to its third reading.

Delegate Hernandez objected.

The vote recurred on the substitute.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham          |         |
Alario           |         |
Arnette          |         |
Assaff           |         |
Badeaux          |         |
Bel              |         |
Bergeron         |         |
Bollinger        |         |
Brien            |         |
Burns            |         |
Casey            |         |
Chatelain        |         |
Chehardy         |         |
Conino           |         |
Conroy           |         |
Corne            |         |
Cowen            |         |
D'Gerolamo       |         |
De Bileux        |         |
Denery           |         |
Dennis           |         |
Derbes           |         |
Deshotels        |         |
Drew             |         |
Dunlap           |         |
Duval            |         |
Edwards          |         |
Elkins           |         |
Fayard           |         |
Flory            |         |
Fontenot         |         |
Fowler           |         |
Total—124.       |         |

Delegates—

Mire             |         |
Rachal           |         |
Schmitt          |         |

ABSENT

Vesich           |         |
Wall             |         |

1094
## 108th Days Proceedings—January 4, 1974

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### DELEGATES—

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### NOT VOTING

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<td><strong>Total</strong>—37.</td>
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And the Convention refused to engross the Proposal and pass it to its third reading.

On motion of Delegate Flory the Proposal was withdrawn from the files of the Convention.

### DELEGATE PROPOSAL No. 57—

**Introduced by Delegate Flory: A PROPOSAL**

To provide for the registration of corporate stockholders.

**Read.**

Reported without action by the Committee on Education and Welfare.

On motion of Delegate Flory the Proposal was withdrawn from the files of the Convention.

### DELEGATE PROPOSAL No. 58—

**Introduced by Delegate Flory: A PROPOSAL**

Providing for municipal fire and police civil service.

**Read.**

Reported without action by the Committee on Education and Welfare.

On motion of Delegate Flory the Proposal was withdrawn from the files of the Convention.

### DELEGATE PROPOSAL No. 57—

**Introduced by Delegate Flory: A PROPOSAL**

Providing for state and city civil service.

**Read.**

Reported without action by the Committee on Education and Welfare.

On motion of Delegate Flory the Proposal was withdrawn from the files of the Convention.

### UNFINISHED BUSINESS

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

**Proposals Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 35—**

**Introduced by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 1, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Roy, Soniat, Stinson, Vick and Wall):**

**A PROPOSAL**

Providing for general governmental provisions.

**Read.**

The Chairman announced that the Convention had under consideration Committee Proposal No. 35 when it adjourned on Thursday, January 3, 1974, which was taken up and acted upon as follows:

**Section 9. Limitations on Banking**
Section 9. No law shall permit multi-bank holding companies, metropolitan banking, or statewide branch banking, except by a favorable vote of two-thirds of each house of the legislature.

Read.

Delegate O'Neill sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates O'Neill, Tobias, Newton and Jones to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 20 through 24, both inclusive, in their entirety

Motion
Delegate Tobias moved to limit debate on the amendment to 15 minutes.
Delegate Rayburn objected.

By a vote of 24 yeas and 58 nays the Convention refused to limit debate on the amendment to 15 minutes.

Point of Order
Delegate Dennery raised the point of order that Section 9 of Committee Proposal No. 35 was not within the scope of the subject matter to be considered by the Committee on Bill of Rights and Elections, under the rules, therefore was out of order, and asked a ruling from the Chair.

Ruling of the Chair
The Chair ruled that Section 9 was properly within the subject matter under consideration in Committee Proposal No. 35, which was considered by the Committee on Bill of Rights and Elections.

Delegate Jones moved the adoption of the amendment.
Delegate Rayburn objected.

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

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Abraham—Gauthier—Slay
Alario—Graham—Soniat
Alexander—Hayes—Stagg
Asseff—Jackson, J.—Sutherland
Bergeron—Jenkins—Tobias
Cannon—Jones—Toca
Casey—Landrum—Toomy
Chehardy—Leigh—Ulo
Conroy—Leithman—Velasquez
De Blieux—Miller—Warren
Dennery—Morris—Wells
Dennis—Newton—Wisham
Derbes—O'Neill—Zervigon
Fayard—Total—40.

Delegates—
Aehtker—Brien—Corne
Avant—Burns—Coven
Badeaux—Burson—D'Geralamo
Bel—Chatelain—Deshotels
Blair—Comar—Drew
Bollinger—Conino—Dunlap

NAYS

Delegates—
Duval—Kilbourne—Riecke
Elkins—Kilpatrick—Roemer
Fiore—Lambert—Roy
Fontenot—Landry, A.—Segura
Fowler—Landry, E. J.—Signleary
Futco—LeBlu—Smith
Goldman—Lanier—Stephenson
Gravel—LeBlu—Stinson
Grier—McDaniel—Stovall
Guarisco—Martin—Tapper
Hardee—Mauberret—Thompson
Haynes—Munson—Waittingy
Heine—Nunez—Willis
Hernandez—Perkins—Winchester
Jackson, A.—Planchard—Rayburn
Juneau—Total—64.

NOT VOTING

Delegates—
Mr. Chairman—Keen—Sandoz
Arzalone—Kelly—Schmitt
Arnette—Maybuce—Shannon
Brown—Mire—Tate
Carmouche—Ourso—Thistledithwaite
Champagne—Perez—Veech
Edwards—Pugh—Vick
Giarrusso—Rachal—Wall
Ginn—Reeves—Wemack

And the amendment was rejected.
Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Dennery sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Dennery to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 2—
On page 2, line 21, after the word "permit" and before the word "multi-bank" insert the words "foreign or domestic"

AMENDMENT No. 3—
On page 2, line 22, after the words "two-thirds of" and before the word "each" insert the words "the elected members of"

AMENDMENT No. 4—
On request of Delegate Hernandez a division of the question was ordered.
Delegate Dennery moved the adoption of Amendment No. 1.
Delegate Aehtker objected.

By a vote of 95 yeas and 8 nays the amendment was adopted.
Delegate Dennery moved to reconsider the amendment by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Dennery moved the adoption of Amendment No. 2.
Delegate Heine objected.

By a vote of 101 yeas and 3 nays the amendment was adopted.
Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Dennery moved the adoption of Amendment No. 3.
Delegate Perez objected.

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

ROLL CALL

The roll was called with the following result:

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**NOT VOTING**

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And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Conroy to Committee Proposal No. 35 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 22, after the word and punctuation “bank-

ing,” and before the word “or” insert the words “multi-
parish”

On motion of Delegate Conroy the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 35, Section 9 was read, as amended.

Delegate Roy moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

**YEAS**

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<th>Naubert</th>
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And the Chair declared that the above Section was finally passed.

Delegate Roy moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Explanation of Vote**

Delegate Champagne sent up the following Explanation of Vote with respect to the vote on the adoption of Section 9 of Committee Proposal No. 35.
108th Days Proceedings—January 4, 1974

"I have abstained from voting on Section 9 because of a possible conflict of interest."

**Explanation of Vote**

Delegate Sandoz sent up the following Explanation of Vote with respect to the vote on the adoption of Section 9 of Committee Proposal No. 35.

"I have abstained from voting on Section 9 in view of a possible conflict of interest on this Section."

**Explanation of Vote**

Delegate Thiltethwaite sent up the following Explanation of Vote with respect to the vote on the adoption of Section 9 of Committee Proposal No. 35.

"Owing to the possibility of charges of conflict of interest, I abstain from voting on the adoption of Section 9 of Committee Proposal No. 35, and on proposed amendments thereto."

**Explanation of Vote**

Delegate Vick sent up the following explanation of vote with respect to the vote on the adoption of Section 9 of Committee Proposal No. 35.

"I have abstained from voting on Section 9, pursuant to LRS 42:1112 B(1), because of a possibility of conflict of interest.

**Explanation of Vote**

Delegate Roy sent up the following explanation of vote with respect to the vote on the adoption of Section 9 of Committee Proposal No. 35.

"Out of an abundance of caution, I am filing this statement explaining my voting for and discussing of Section 9 of Committee Proposal No. 35.

My brother, A. J. Roy, Jr., as President of the Central Louisiana Bank and Trust Co. of Marksville, Louisiana in which I own 27 shares.

I am not an officer nor director of that bank nor any other bank, nor do I represent any other bank, therefore I felt that I was not required to abstain from any participation or voting on this section."

**Motion**

On motion of Delegate Tate, the rules were suspended for the purpose of calling a meeting of the committee on Style and Drafting without giving the required 24 hours notice.

**COMMITTEE NOTICE**

Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting Sub-Committee of the Executive Department will meet on Friday, Jan. 4, 1974 at the noon recess in the Ante-Room and will consider the following agenda:

**AGENDA**

The committee report of the Executive Department Committee.

Respectfully submitted,

ALBERT TATE, Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

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

**FLOOR AMENDMENT**


Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 2, line 25, add the following Section:

"Section 10. Administrative and Quasi-Judicial Agency Code

Section 10. Rules, regulations and procedures adopted by all state administrative and quasi-judicial agencies, boards and commissions shall be published in one or more codes and made available to the public.

Delegate Singletary moved the adoption of the amendment.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Alario

Goldman

A. Alexander

Graham

Anzalone

Gravel

Arnette

Grier

Aseff

Hardee

Avant

Hayes

Badeux

Hernandez

Bel

Jackson, A.

Bergeron

Jackson, J.

Bollinger

Jenkins

Brien

Jones

Burns

Juneau

Busson

Kilbourne

Casey

Landrum

Champagne

Lambert

Chata lain

LeBleu

Comar

Landry, A.

Conino

Landry, E. J.

Conroy

Leigh

Corne

McDaniel

Dennery

Martin

Derbes

Mauberret

Deshotels

Maybuee

Dunlap

Minnon

Duval

Mewton

Elkins

O’Neill

Fiory

Oursa

Fulco

Planchar

Gauthier

Total—87.

**NAYS**

Total—0.

**NOT VOTING**

Delegates—

Mr. Chairman

Drew

Abraham

Edwards

Aertker

Fayard

Blair

Fontenot

Brown

Fowler

Cannon

Giarrusso

Carmouche

Ginn

Chehardy

Guarisco

Cowan

Heine

D’Gerolamo

Jack

De Blieux

Kean

Dennis

Kelly

Respectfully submitted,

ALBERT TATE, Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

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

**FLOOR AMENDMENT**


Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 25 after the language added by the Convention Floor Amendment by Mr. Singletary et al and adopted by the Convention on January 4, 1974, add the following:

"Section 11. Preservation of Linguistic and Cultural Origin

Section 11. The right of the people to preserve, foster, and promote their respective historic linguistic and cultural origin is recognized."

Delegate Corne moved the adoption of the amendment.

Delegate Hayes objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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**NAYS**

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</table>

And the Chair declared that the above Section was finally passed.

Delegate Singletary moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Singletary moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.
And the amendment having received a majority vote of the total membership of the Convention required to add a Section to a Proposal was adopted.

Delegate Corne moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 35, Section 11 was read.

Delegate Corne moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Goldman</td>
<td>Reeves</td>
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<td>Alario</td>
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NAYS

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Total—99.

Delegate Hayes
Total—1.

Not Voting

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Total—44.

And the Chair declared that the above Section was finally passed.

Delegate Corne moved to reconsider the vote by which the above Section was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Dennery to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 25, after the language proposed by Convention floor amendment No. 1 by Delegate Corne, et al and adopted by the Convention on January 4, 1974, add the following:

“Section 12. Validity to Existing Legislation
   Section 12. Existing legislation not in conflict with this constitution is valid and in force.”

On motion of Delegate Dennery the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Dennery to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 25, after the language proposed by Convention floor amendment No. 1 by Delegate Corne and adopted by the Convention on January 4, 1974, add the following:

“Section 12. Laws Authorizing Supplemental Pay
   Section 12. Any law authorizing supplemental pay shall be enacted only by the vote of two-thirds of the elected members of each house of the legislature.”

Delegate Dennery moved the adoption of the amendment.

Delegate Floric objected.

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

ROLL CALL

The roll was called with the following result:

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Total—44.

Delegate Hayes
Total—1.
Delegates—

Aertker
Alario
Anzalone
Avant
Bel
Brien
Burns
Comar
Conino
D'Gerolamo
Dennis
Dunlap
Fayard
Flory
Fulco
Gauthier
Girrusso
Ginn
Graham
Gravel

Total—60.

NOT VOTING

Delegates—

Mr. Chairman
Blair
Brown
Cannon
Carmouche
Cowen
Edwards
Fontenot
Fowler
Jack

Total—28.

And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Landrum to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 25, and after the language added by Convention Floor Amendment No. 1, proposed by Delegate Corne and adopted by the Convention on January 4, 1974, add the following:

"Section 12. Burial of Indigents; Appropriation
Section 12. The legislature shall appropriate adequate funds for the burial of indigents."

Delegate Landrum moved the adoption of the amendment.

Delegate Thompson objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander
Avant
Chatelain
Cheatlady
Comar
D'Gerolamo
Dennery

Derbes
Flory
Girrusso
Ginn
Haynes
Jackson, J.

Jones
Kilpatrick
Lambert
Landrum
Landry, E. J.
Maybuc

Roll Call

The roll was called with the following result:
PAGE 9
108th Days Proceedings—January 4, 1974

Delegates—
Acker     Duval     Sutherland
Alexander Lowes     Tate
Arnette    Newton    Tobias
Casey      Perkins    Willis
Denney     Sandez    Zervigon
Deshotes   Total—16.

Delegates—
Abraham Fowler    Nunes
Alario     Fulco     O'Neill
Anzalone   Gauthier  Perez
Assett     Gin       Planehard
Avant      Goldman   Reeves
Badeaux    Graham    Riecke
Bel         Grier     Roemer
Bergeron   Garischo  Roy
Bollinger  Hardee    Shannon
Brien      Hayes     Singletary
Brown      Haynes    Slay
Burns      Hernandez Jackson, A.
Burson     Jenkins   Smith
Champagne  Juneau   Soniat
Chatelain  Kelly     Stagg
Chehardy   Kilpatrick Stovall
Comar      Lambert   Thistlethwaite
Conino     Landry, A. Thompson
Conroy     Landry, E. J. Toca
Corne      LeBlau    Tominy
Cowen      Leigh     Ullo
D'Gerolamo Leithman  Velazquez
De Blieux  LeBlau    Vick
Derbes     McDaniell Warren
Drew       Martin    Wattigny
Dunlap     Maubert   Weiss
Elkins     Maybuice  Winchester
Fayard     Miller    Wisham
Flory      Morris    Womack
Fontenot   Munson    Total—90.

Delegates—
Mr. Chairman Jack     Pugh
Blair      Jackson, J. Rachal
Cannon     Jones      Rayburn
Carmouche  Kean      Schmitt
Dennis     Kilbourne  Segura
Edwards    Landrum   Tapper
Giarrusso  Lanier    Vesich
Gravel     Mire      Wall
Helene     Ouorno    Total—28.

And the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Dennery to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amendment reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, line 25, and after Convention Floor Amendment No. 1 proposed by Delegate Corne and adopted by the Convention on January 4, 1974, add the following:

"Section 12. Laws Authorizing Supplemental Pay
Section 12. Any law authorizing supplemental pay for state classified employees shall be enacted only by the vote of two-thirds of the elected members of each house of the legislature."

Delegate Dennery moved the adoption of the amendment.
Delegate Flory objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Abraham Deshotels Riecke
Alario     Drew      Soniat
Anzalone   Duval     Stagg
Assett     Goldman   Sutherland
Avant      Jackson, J. Thistlethwaite
Badeaux    Jenkins   Tobias
Bel        Jones      Weiss
Bergeron   Landrum   Zervigon
Bollinger  LeBlau    Total—34.

NAYS

Delegates—
Abraham Fowler    Nunes
Alario     Fulco     O'Neill
Anzalone   Gauthier  Perez
Assett     Gin       Planehard
Avant      Goldman   Reeves
Badeaux    Graham    Riecke
Bel        Grier     Roemer
Bergeron   Garischo  Roy
Bollinger  Hardee    Shannon
Brien      Hayes     Singletary
Brown      Haynes    Slay
Burns      Heine     Smith
Burson     Hernandez Stagg
Chateilain Jackson, A. Stephenson
Chehardy   Landry, A. Stovall
Comar      Landry, E. J. Tooma
Conino     LeBlau    Ullo
Conroy     Leigh     Velazquez
Corne      Leithman  Vick
Cowen      Martin    Warren
D'Gerolamo LeBlau    Wattigny
De Blieux  LeBlau    Weiss
Derbes     McDaniell Winchester
Dunlap     Maubert   Wisham
Elkins     Maybuice  Womack
Fayard     Miller    Total—75.
Flory      Morris    Total—28.
Fontenot   Munson    Total—28.

NOT VOTING

Mr. Chairman Giarrusso  Rachal
Blair      Jack       Rayburn
Cannon     Kean       Schmitt
Carmouche  Leithman  Tapper
Dennis     Mire      Vesich
Edwards    Mire      Wall
Gauthier   Ouorno    Total—23.

And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate A. Jackson the previous question was ordered on the Proposal.

Motion
On motion of Delegate Roy the vote by which the previous question was ordered was reconsidered.

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

Amendment proposed by Delegate Roy to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 19 and 20, add the following:

"Section 9. Limitations on Banking
Section 9. No law shall permit foreign or domestic multi-bank holding companies or multi-parish branch banking, except by a favorable vote of two-thirds of the elected members of each house of the legislature. This section does not prohibit the continued operation of existing multi-parish banks."

Delegate Roy moved the adoption of the amendment.

Delegate O'Neill objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abraham Fulco
Aertker Munson
Alario Gauthier
Alexander Guinn
Arnette Goldman
Asseff Graham
Avant Gravel
Badeaux Grier
Bel Guarisco
Bollinger Hardee
Brown Haynes
Burns Heine
Burson Hernandez
Cannon Jackson, J.
Chelalim Juneau
Chehardy Kelly
Conino Kilpatrick
Conroy Lambert
Corne Landry A.
Cowen Landry, E. J.
D'Elieaux LeBlanc
Drew Lowe
Dunlap McDaniel
Duval Martin
Elkins Mauherret
Flory Maybucke
Fontenot Miller
Fowler Total—85.

NAYS

Jenkins Soniat
Jones Slagg
Comar Sutherland
D'Gerolamo Tobias
Dennery Velazquez
Dennis Newton
Derbes O'Neil
Payard Sandoz
Hayes Total—25.

NOT VOTING

Jack Racal
Kean Rayburn
Kean Schmitt
Lanier Tapper
Leithman Vesch
Mire Vick
Ourso Wall
Pugh

And the amendment having received a majority vote of the total membership of the Convention required to add a Section to a Proposal was adopted.

Delegate Roy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Graham, Jones and Roy to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, strike out Convention Floor Amendment No. 1 proposed by Mr. Roy adding a New Section between lines 19 and 20, and insert in lieu thereof the following:

"Section 9. Limitations on Banking
Section 9. No law shall permit multi-bank holding companies or multi-parish branch banking, unless enacted by two-thirds of the elected members of each house of the legislature. This Section shall not prohibit multi-parish banks which were lawfully operating as such prior to January 1, 1974; however, no such bank may extend its operations to any parish in which it was not operating prior to said date unless authorized to do so by a general law enacted by two-thirds of the elected members of each house."

On motion of Delegate Roy the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendments proposed by Delegates Graham, Jones and Roy to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, strike out Convention Floor Amendment No. 1 proposed by Mr. Roy adding a New Section between lines 19 and 20, and insert in lieu thereof the following:

"Section 9. Limitations on Banking
Section 9. No law shall permit foreign or domestic multi-bank holding companies or multi-parish branch banking, unless enacted by two-thirds of the elected members of each house of the legislature. This Section shall not prohibit multi-parish banks which were lawfully operating as such prior to January 1, 1974; however, no such bank may extend its operations to any parish in which it was not operating prior to said date unless authorized to do so by a general law enacted by two-thirds of the elected members of each house."

Delegate Roy moved the adoption of the amendment.

Delegate Weiss objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abraham Comar
Aertker Conino
Alexander Corne
Arnette Cowen
Avant D'Elieaux
Badeaux De Blieux
Bel Derbes
Bollinger Drew
Brown Edwards
Burson Elkins
Cannon Flory
Chelalim Fontenot
Chehardy Fowler
Comar Fulco
Gauthier
Guinn
Goldman
Grier
Gravel
Guastaco
Hardee
Haynes
Heine
Hernandez
Jackson, A.
Jones

1103
Juneau  Miller  Smith  Stephenson  Total—78.
Kelly  Nunez  O'Neill  Stovall  Tate  Thistlethwaite  Thompson  Winchester  Wisham
Kilbourne  Perków  Perkins  Planchard  Thompson  Wattigny  Willis
Kilpatrick  Pie  Stovall  Stovall  Stow  Stow
Landry, A  Riecke  Inomier  Roy  Segura  Slay
Landry, E. J.  Roome  Segura  Slay
LeBlanc  Schouten  Slay  Slay
LeBlanc  DeBiers  Shaller  Slay
LeBlanc  LeBlanc  Slay
LeBlanc  Kuhn  Slay
LeBlanc  Kuboume  Total—23.
Martin  Kuhn  Total—77.
MauBerret  Kuboume  Total—23.
Maybuce  Kuboume  Total—23.
NAYS  Kuboume  Total—23.
NOT VOTING  Kuboume  Total—23.

Delegate Roy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage
Committee Proposal No. 35, New Section 9 was read, as amended.
Delegate Roy moved the final passage of the Section.

Roll Call
The roll was called with the following result:
YEAS

Delegates—
Abraham  Drew  Juneau  Kelly  Total—86.
Aertker  Duval  Kelly  Total—86.
Alexander  Edwards  Kilbourne  Total—86.
Arnette  Elkins  Kilpatrick  Total—86.
Avant  Flory  Lambert  Total—86.
Badeaux  Fontenot  Landry, A  Total—86.
Bel  Fowler  Landry, E. J.  Total—86.
Bollinger  Fulco  LeBlanc  Total—86.
Brown  Gauthier  LeBlanc  Total—86.
Burns  Giarrusso  McDaniel  Total—86.
Burlon  Glenn  Martin  Total—86.
Cannon  Goldstein  Mauberret  Total—86.
Champagne  Graham  Maybuce  Total—86.
Chateauneuf  Grier  Munson  Total—86.
Comar  Guarisco  Munson  Total—86.
Coninno  Hardee  Munson  Total—86.
Conroy  Haynes  Reeves  Total—86.
Corne  Heine  Reeves  Total—86.
Cowen  Jackson, A  Roemer  Total—86.
D'Egolomo  Jones  Roy  Total—86.

Delegate Roy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Roy the rules were suspended for the purpose of calling from the table the motion to reconsider the vote by which Committee Proposal No. 35, old Section 9, was passed.

On motion of Delegate Roy the vote by which Committee Proposal No. 35, Old Section 9, was passed was reconsidered.

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

Floor Amendment
Amendment proposed by Delegate Roy to Committee Proposal No. 35 by Delegate Jackson, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 20 through 24, both inclusive, in their entirety and delete all amendments adopted thereto.

On motion of Delegate Roy the amendment was adopted.
Delegate Roy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage
The Proposal was read, as amended.
Delegate Roy moved the final passage of the entire Proposal.

Roll Call
The roll was called with the following result:
YEAS

Delegates—
Aertker  Brien  Corinno  Total—86.
Alexander  Brown  Corine  Total—86.
Arnette  Burns  Cowen  Total—86.
Avant  Burson  D'Egolomo  Total—86.
Badeaux  Champagne  Drew  Total—86.
Bel  Chateauneuf  Duval  Total—86.
Bollinger  Comar  Edwards  Total—86.
### Committee Notice

Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Saturday, January 5, 1974, at 8:30 o’clock A.M. in the Treaty Room of the White House Inn and will consider the following agenda:

**AGENDA**

To discuss Style and Drafting report.

Respectfully submitted,

ROBERT J. AERTKER,
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

### Motion

On motion of Delegate Casey the rules were suspended for the purpose of calling a meeting of the Executive Committee without giving the required 24 hours notice.

### Committee Notice

Delegate Henry, chairman of the Executive Committee, sent up the following notice:

The Executive Committee will meet on Saturday, January 5, 1974, at noon in the Treaty Room and will consider the following agenda:

**AGENDA**

To review the status of the Convention.

Respectfully submitted,

E. L. HENRY,
Chairman of the Executive Committee

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

### Leaves of Absence

Delegate Rachal—½ day.
Delegate Lanier—½ day.
Delegate Rayburn—½ day.
Delegate Blair—½ day.

### Adjournment

Delegate O’Neill moved that the Convention do now adjourn until Saturday, January 5, 1974, at 9:00 o’clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Saturday, January 5, 1974, at 9:00 o’clock A.M.

MOISE W. DENNERY
Secretary

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

ONE HUNDRED NINTH DAY’S PROCEEDINGS

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

Saturday, January 5, 1974, Baton Rouge, La.

The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—
Mr. Chairman
Abraham
Aeriker
Alexander
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Bellinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chateiain
Chesnary
Comar
Conino
Conroy
Corne
Cotern
D’Gerolamo
De Blieux
Dennery
Dermis
Derbes
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Powlar
Total—119.

ABSENT

Delegates—
Alario
Anzalone
Blair
Dehotels
Hardee
Total—13.

The Chairman announced that there were 119 members present and a quorum.

Prayer

Prayer was offered by Delegate Burns.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Avant, the Journal of yesterday was adopted.

Morning Hour

Motion

On motion of Delegate Jenkins, the Convention altered the Order of Business to take up Proposals on third reading and final passage at this time.

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

On motion of Delegate Jenkins, Committee Proposal No. 36 was taken up out of its regular order and acted upon as follows:

COMMITTEE PROPOSAL No. 36—

Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 24, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL

Relative to constitutional revision.

Read.

Section 1. Amendments

Section 1. (A) An amendment to this constitution may be proposed by joint resolution at any session of the legislature, provided that notice of intention to introduce any such joint resolution and a summary thereof shall have been published in the official Journal of the state at least ten days before the beginning of the session. If two-thirds of the members elected to each house concur in the resolution, pursuant to all the procedures and formalities required for passage of a bill except submission to the governor, the secretary of state shall cause the proposed amendment to be published in the official Journal of each parish once within not less than thirty nor more than sixty days preceding the election at which the proposed amendment is submitted to the electorate.

(B) If a majority of the electors voting for or against the proposed amendment shall approve it, then it shall become part of this constitution unless the governor has proclaimed its adoption, unless the amendment otherwise provides. However, no proposed amendment affecting five or fewer political subdivisions shall become part of this constitution unless a majority of the electors voting thereon in the state and also a majority, in the aggregate, of the electors in the affected areas vote in favor of adoption of the proposed amendment.

(C) When more than one amendment is submitted at the same election, each shall be submitted so as to enable the electors to vote on them separately. A proposed amendment shall be confined to one object and may set forth the entire article or articles to be revised or only the sections or other subdivisions which are to be added or in which a change is to be made; provided that a section or other subdivision may be repealed by reference. The proposed amendment shall have a title containing a brief summary of the changes proposed.

Read.

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

Amendments proposed by Delegates Bergeron and Asseff to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 1, line 15, after the word "any" add the word "regular" and on line 19 after the word "If" insert the following:

"during the session and the next succeeding regular session,"

**AMENDMENT No. 2—**
On page 1, after the word and punctuation "electorate." insert the following:

"In emergency situations, an amendment may be proposed by joint resolution at a single session of the legislature pursuant to the above procedures if three-fourths of the members elected to each house concur in the resolution."

**AMENDMENT No. 3—**
On page 1, at the beginning of line 23, insert the words "an explanation of"

**Motion**

Delegate Stagg moved for a suspension of the rules in order to prohibit record votes except in cases specifically required by the rules.

Delegate Avant objected.

By a vote of 77 yea and 34 nay the rules were suspended.

Delegate Bergeron moved the adoption of the amendments.

Delegate A. Jackson objected.

By a vote of 34 yea and 77 nay the amendments were rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Pugh and Casey to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 1, line 15, after the word "legislature" change the comma "," to a period "." 

**AMENDMENT No. 2—**
On page 1, delete lines 16, 17, and 18 in their entirety and on line 19, delete the words and punctuation "beginning of the session."

Delegate Casey moved the adoption of the amendments.

Delegate Jenkins objected.

By a vote of 52 yea and 53 nay the amendments were rejected.

Delegate Champagne moved to reconsider the vote by which the amendments were rejected, and to lay the motion to reconsider on the table.

Delegate Casey objected to tabling the motion to reconsider.

By a vote of 58 yea and 47 nay the motion to reconsider was laid on the table.

**Motion**

Delegate Flory moved that the Convention take up other Orders of Business at this time.

As a substitute Delegate Weiss moved that the Convention recess for one hour.

The vote recurred on the substitute motion.

By a vote of 38 yea and 57 nay the Convention refused to recess for one hour.

Delegate Flory insisted upon his motion to take up other Orders of Business.

Delegate Weiss objected.

By a vote of 65 yea and 37 nay the Convention took up other Orders of Business.

Delegate Denbery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 5, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

**COMMITTEE PROPOSAL No. 35—**

Introduced by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 1, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Roy, Soniat, Stinson, Vick and Wall):

A PROPOSAL

Providing for general governmental provisions.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

**ARTICLE II. DISTRIBUTION OF POWERS**

Section 1. Three Branches

Section 1. The powers of government of the State of Louisiana are divided into three distinct branches—legislative, executive, and judicial.

Section 2. Limitations of Each Branch

Section 2. No one of these branches, nor any person holding office in one of them, shall exercise power belonging to either of the others, except as otherwise provided in this constitution.

**ARTICLE XII. GENERAL PROVISIONS**

Section 3. Civilian-Military Relations

Section 3. The military shall be subordinate to the civil power.

Section 4. Right to Direct Participation

Section 4. No person shall be denied the right to observe the deliberations of public bodies and examine public documents, except in cases established by law.
Section 5. Oath of Office
Section 5. All officers shall take the following oath or affirmation: "I, (A B), do solemnly swear (or affirm) that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as according to the best of my ability and understanding, so help me God."

Section 6. State Capital
Section 6. The capital of Louisiana is the city of Baton Rouge.

Section 7. Forced Heirship and Trusts
Section 7. No law shall abolish forced heirship. The determination of forced heirs, the amount of the forced portion, and the grounds for disinheritance shall be provided by law. Trusts may be authorized by law and a forced portion may be placed in trust.

Section 9. Limitations of Banking
Section 9. No law shall permit foreign or domestic multi-bank holding companies or multi-parish banking, unless enacted by two-thirds of the elected members of each house of the legislature. This Section shall not prohibit multi-parish banks which were lawfully operating as such prior to January 1, 1974; however, no such bank may extend its operations to any parish in which it was not operating prior to said date unless authorized to do so by a general law enacted by two-thirds of the elected members of each house.

Section 10. Administrative and Quasi-Judicial Agency Code
Section 10. Rules, regulations and procedures adopted by all state administrative and quasi-judicial agencies, boards and commissions shall be published in one or more codes and made available to the public.

Section 11. Preservation of Linguistic and Cultural Origin
Section 11. The right of the people to preserve, foster, and promote their respective historic linguistic and cultural origin is recognized.

Respectfully submitted,
MOISE W. DENNERY,
Secretary.

Under the Rules, referred to the Committee on Style and Drafting.

COMMITTEE NOTICE
Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:
The Committee on Style and Drafting will meet on Monday, January 7, 1974, at 9:30 o'clock a.m. in the Treaty Room and will consider the following agenda:

AGENDA
To prepare style and drafting reports for presentation to the full committee.

Respectfully submitted,
ALBERT TATE,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Edwards, vice-chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:
The Committee on Revenue, Finance and Taxation will meet on Monday, January 7, 1974, at 10:30 o'clock a.m. in Committee Rm. 5 and will consider the following agenda:

AGENDA
To complete the work of the committee.

Respectfully submitted,
FRANK M. EDWARDS, JR.
Vice-Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion
On motion of Delegate Perez the rules were suspended for the purpose of calling a meeting of the Committee on Local and Parochial Government without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:
The Committee on Local and Parochial Government will meet on Saturday, January 5, 1974, at 1:30 o'clock p.m. in the Treaty Room and will consider the following agenda:

AGENDA
To complete the Committee's business.

Respectfully submitted,
CHALIN O. PEREZ,
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion
On motion of Delegate Tate the rules were suspended for the purpose of calling a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:
The Committee on Style and Drafting will meet on Saturday, January 5, 1974, at adjournment in the Convention Hall and will consider the following agenda:

AGENDA

Respectfully submitted,
ALBERT TATE,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence
Delegate Deshotels—4 days.
Delegate Sandoz—1 day.
Delegate Tapper—1 day.

Adjournment
Delegate Nunez moved that the Convention do now adjourn until Sunday, January 6, 1974, at 2:00 o'clock P.M.
Which motion was agreed to.
And Chairman Henry declared the Convention adjourned to Sunday, January 6, 1974, at 2:00 o'clock P.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk

1108
Prayer

Prayer was offered by Delegate Haynes.

Pledge of Allegiance

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

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on.

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 36—

Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 24, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL

Relative to constitutional revision.

The chairman announced that the Convention had under consideration Committee Proposal No. 36 when it adjourned on January 5, 1974, which was taken up and acted upon as follows:

Section 1. Amendments

Section 1. (A) An amendment to this constitution may be proposed by joint resolution at any session of the legislature, provided that notice of intention to introduce any such joint resolution and a summary thereof shall have been published in the official journal of the state at least ten days before the beginning of the session. If two-thirds of the members elected to each house concur in the resolution, pursuant to all the procedures and formalities required for passage of a bill except submission to the governor, the secretary of state shall cause the proposal amendment to be published in the official journal of each parish once within not less than thirty nor more than sixty days preceding the election at which the proposed amendment is submitted to the electorate.

(B) If a majority of the electors voting for or against the proposed amendment shall approve it, then it shall become part of this constitution, effective twenty days after the governor has proclaimed its adoption, unless the amendment otherwise provides. However, no proposed amendment affecting five or fewer political subdivisions shall become part of this constitution unless a majority of the electors voting therein in the state and also a majority, in the aggregate, of the electors in the affected areas vote in favor of adoption of the proposed amendment.

(C) When more than one amendment is submitted at the same election, each shall be submitted so as to enable the electors to vote on them separately. A proposed amendment shall be confined to one object and may set forth the entire article or articles to be revised or only the sections or other subdivisions which are to be added or in which a change is to be made; provided that a section or other subdivision may be repealed by reference. The proposed amendment shall have a title containing a brief summary of the changes proposed.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Pugh, Flory, A. Landry, Morris, Goldman, E. J. Landry, Gravel, Lanier and Abraham to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 13, after the word "that" strike out the remainder of the line and strike out lines 17 and 18 in their entirety and insert in lieu thereof the following:

The Chairman announced that there were 118 members present and a quorum.
110th Days Proceedings—January 6, 1974

"such resolution has been prefiled at least ten days before"

On motion of Delegate Flory the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Pugh, Flory, A. Landry, Morris, Goldman, E. J. Landry, Gravel, Laner and Abraham to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 16, after the words "that" strike out the remainder of the line and strike out lines 17 and 18 in their entirety and insert in lieu thereof the following:

"such resolution has been prefiled, in accordance with the Rules of the houses of the legislature, at least ten days before the" (as printed)

On motion of Delegate Flory the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 16, immediately after the words "provided that" and before the word "such" add by Convention Floor Amendment No. 1 proposed by Mr. Pugh, et al., and adopted by the Convention on January 5, 1974, insert the following: 

"such resolution has been prefiled, in accordance with the Rules of the houses of the legislature, at least ten days before the" (as printed)

On motion of Delegate Jenkins the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Jack, Smith, Fulco, Shannon and Aseff to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, between lines 26 and 27, insert the following Paragraph:

"No more than ten proposed amendments shall be submitted to the electors of the state at any one election. The legislature shall provide the method for selecting which amendments shall be submitted at a particular election. The effective date of this Paragraph shall be January 1, 1978."

**Motion**

Delegate Tobias moved that debate be limited on the amendment.

Delegate Velazquez objected.

By a vote of 40 yeas and 63 nays and the Convention refused to limit debate on the amendment to thirty minutes.

Delegate Jack moved the adoption of the amendment.

Delegate Bollinger objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Abraham</td>
<td>Dunlap</td>
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<td>Aertker</td>
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<td>Alexander</td>
<td>Gauthier</td>
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<td>Arnette</td>
<td>Ginn</td>
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<td>Aseff</td>
<td>Goldman</td>
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<td>Badeaux</td>
<td>Grier</td>
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<td>Bergeron</td>
<td>Guarisco</td>
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<td>Burns</td>
<td>Jack</td>
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<td>Cannon</td>
<td>Jones</td>
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<td>Champagne</td>
<td>Kean</td>
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<td>Comar</td>
<td>Kelly</td>
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<tr>
<td>Conroy</td>
<td>Kilbourne</td>
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<td>D'Gerolamo</td>
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<tr>
<td>Dennis</td>
<td>Rachal</td>
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<tr>
<td>Drew</td>
<td>Reeves</td>
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**NAYS**

<table>
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<tr>
<td>Mr. Chairman Hardee</td>
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<td>Anzalone</td>
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<td>Martin</td>
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<tr>
<td>Girrusso</td>
<td>Menneto</td>
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<tr>
<td>Gravel</td>
<td>Maybuce</td>
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**NOT VOTING**

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<td>Brown</td>
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<tr>
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<td>Pugh</td>
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<td>Graham</td>
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<td>Total</td>
<td>20</td>
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</tbody>
</table>

And the amendment was rejected.

Delegate Jenkins moved to reconsider the vote by which the amendment was rejected, to lay the motion to reconsider on the table.

Delegate Jack objected to tabling the motion to reconsider.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Abraham</td>
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<td>Chatelain</td>
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<td>Comar</td>
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<td>Bel</td>
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<td>Blair</td>
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<td>Flory</td>
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<table>
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<th>Delegates</th>
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<tbody>
<tr>
<td>Casey</td>
<td>Flory</td>
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</tr>
<tr>
<td>Fayard</td>
<td>Heine</td>
</tr>
</tbody>
</table>

1110
PAGE 3

110th Days Proceedings—January 6, 1974

Hernandez
Jackson, A.
Jenkins
Juneau
Klapmack
Lambert
Landrum
Landry, A.
Lanier
LeBlanc
Leithman
Lowe

Martin
Mauberret
Maybuce
Miller
Mire
Morris
Munson
Newton
Nunez
O'Neill
Perez
Perkins
Rayburn
Reeves
Stephenson
Stinson
Tate
Thistlthwaite
Tobias
Toea
Weiss
Willis
Winchester
Zervigon

Delegates—
Aeriker
Alario
Alexander
Asseff
Badeaux
Bergeron
Burns
Burson
Captain
Champagne
Chateleur
Cheney
Conroy
Drew

Elkins
Fulco
Gauthier
Gray
Guarisco
Jackson, J.
Kelly
Kilbourne
Landry, E. J.
Planchard
Riecke

Riecke
Roemer
Sandoz
Shinn
Stagg
Sutherland
Tomey
Ullo
Velaquez
Warren

Total—60.

NAYS

Abraham
Anzalone
Arnette
Avant
Bel
Blair
Bollinger
Brien
Brown
Carmouche
Casey
Chatelain
Comar
Conino
Corne
Coxen
D'Gerolamo
Dennis
De Blieux
Denner
Dennis
Deroses
Dunlap
Dunlap
Eddins

Fowler
Graham
Leigh
Oursu
Pugh
Roy
Segura

Stovall
Tapper
Thompson
Vesich
Wall
Watling

Total—51.

NOT VOTING

Mr. Chairman
Brown
Chehardy
Coxen
Deshotels
Duval
Edwards
Edwards
Leigh

Fowler
LeBlanc
LeBlanc
Oursu
Pugh
Roy
Segura
Stovall
Tapper

Stovall
Tapper
Thompson
Vesich
Wall
Watling
Winchester
Womack

Total—21.

And the vote by which the amendment was rejected, was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Jack, Smith, Fulco, Shannon, Asseff and Velaquez to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, between lines 26 and 27, insert the following Paragraph:

"No more than fifteen proposed amendments shall be submitted to the electors of the state at any one election. The legislature shall provide the method for selecting which amendments shall be submitted at a particular election. The effective date of this Paragraph shall be January 1, 1978."

Motion

On motion of Delegate Derbes debate on the amendment was limited to thirty minutes.

Delegate Jack moved the adoption of the amendment.

Delegate Nunez objected.

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

ROLL CALL

The roll was called with the following result:

Delegates—
Aeriker
Alario
Alexander
Asseff
Badeaux
Bergeron
Burns
Burson
Cannon
Champagne
Conroy
Drew

Elkins
Fulco
Gauthier
Gray
Guarisco
Jackson, J.
Kelly
Kilbourne
Landry, E. J.
Planchard
Riecke

Roemer
Schmitt
Shannon
Smith
Stagg
Sutherland
Tomey
Ullo
Velaquez
Warren

NAYS

Abraham
Anzalone
Arnette
Avant
Bel
Blair
Bollinger
Brien
Brown
Carmouche
Casey
Chatelain
Comar
Conino
Corne
Coxen
D'Gerolamo
Dennis
De Blieux
Denner
Dennis
Deroses
Dunlap
Dunlap
Eddins

Fowler
Graham
Leigh
Oursu
Pugh
Roy
Segura

Stovall
Tapper
Thompson
Vesich
Wall
Watling

Total—78.

NOT VOTING

Mr. Chairman
Brown
Chehardy
Coxen
Deshotels
Duval
Edwards
Edwards
Leigh

Fowler
LeBlanc
LeBlanc
Oursu
Pugh
Roy
Segura
Stovall
Tapper

Thompson
Vesich
Wall
Watling
Winchester
Womack

Total—20.

And the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Jack, Smith, Fulco, Shannon, Asseff and Velaquez to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, between lines 26 and 27, insert the following Paragraph:

"No more than six proposed amendments shall be submitted to the electors of the state at any one election. The legislature shall provide the method for selecting which amendments shall be submitted at a particular election. The effective date of this Paragraph shall be January 1, 1978."

Delegate Jack moved the adoption of the amendment.

Delegate Derbes objected.

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

1111
ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Auker
Alario
Arseff
Badeaux
Bergeron
Burns
Burson
Cannon
Champagne
Conroy
Donnely
Elkins

Total—36.

NAYS

Delegates—

Abraham
Alexander
Anzalone
Arnette
Avant
Bel
Blair
Bollinger
Brien
Brown
Carmouche
Casey
Chatelain
Comar
Conino
Corne
Cown
D'Geralamo
De Blieux
Dennis
Derbes
Drew
Dunlap
Fayard
Fiery
Fontenot

Total—77.

NOT VOTING

Delegates—

Mr. Chairman
Chehardy
Deshotels
Duval
Edwards
Fowler
Leigh

Total—19.

And the amendment was rejected.

Delegate Derbes moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Jenkins and Abraham to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 2—

On page 1, line 19, after the word and punctuation "session," and before the word "if" insert the following:

"An amendment to this constitution may be proposed at any extraordinary session of the legislature if it is within the call of the session and is introduced in the first five calendar days thereof."

On motion of Delegate Jenkins the amendments were withdrawn.

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

FLOOR AMENDMENTS

Amendments proposed by Delegates Jenkins and Abraham to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 15, after the words "at any" and before the word "session" insert the word "regular"

AMENDMENT No. 2—

On page 1, line 19, after the word and punctuation "session," and before the word "if" insert the following:

"An amendment to this constitution may be proposed at any extraordinary session of the legislature if it is within the objects of the call of the session and is introduced in the first five calendar days thereof."

Delegate Jenkins moved the adoption of the amendments.

Delegate De Blieux objected.

And the amendments were adopted Viva Voce.

Delegate Jenkins moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Shannon to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 23, immediately after the word "in" and before the word "the" insert the words "at least eight point type in"

Delegate Shannon moved the adoption of the amendment.

Delegate Blair objected.

And the amendment was rejected viva voce.

Delegate Newton moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Jenkins and Gravel to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, at the end of line 26, after the word and punctuation "elevenite," delete Floor Amendment No. 1 proposed by Delegates Pugh and Casey and adopted by the convention on January 5, 1974, and insert in lieu thereof the following:

"Each joint resolution shall specify the statewide election at which the proposed amendment shall be submitted. Special elections for submitting proposed amendments may be authorized by law."

Delegate Jenkins moved the adoption of the amendment.

Delegate Asseff objected.
By a vote of 89 yeas and 1 nay the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate A. Jackson to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 1, line 27, after the word “voting” delete the words “for or against” and insert in lieu thereof the word “on”.

On motion of Delegate A. Jackson the amendment was adopted.

Delegate A. Jackson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Perez to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 1, line 31, after the words and punctuation “otherwise provided,” delete the remainder of line 31 and delete all of line 32 and on page 2, delete all of lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

“However, no proposed amendment affecting five or fewer parishes or areas within five or fewer parishes shall become part of this constitution unless approved by a majority of the electors voting therein in the state and also a majority of the electors voting therein in each such parish.”

Delegate Perez moved the adoption of the amendment.

Delegate Zervigon objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Elkins</th>
<th>LeBleu</th>
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<tbody>
<tr>
<td></td>
<td>Fontenot</td>
<td>Leithman</td>
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<td></td>
<td>Fulco</td>
<td>McDaniel</td>
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<td>Giarrusso</td>
<td>Martin</td>
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<td>Ginn</td>
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<td>Goldman</td>
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<td>Graham</td>
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<td>Grier</td>
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<td>Guarisco</td>
<td>Perez</td>
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<td>Hardee</td>
<td>Perkins</td>
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<td>Heine</td>
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<td>Hernandez</td>
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<td>Jackson</td>
<td>Reeves</td>
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<td>Jenkins</td>
<td>Sandoz</td>
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<td>Juneau</td>
<td>Schmitt</td>
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<td></td>
<td>Kilbourne</td>
<td>Shannon</td>
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<td></td>
<td>Kilpatrick</td>
<td>Singletary</td>
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<td></td>
<td>Landry</td>
<td>Slay</td>
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<td>Lanier</td>
<td>Smith</td>
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<td></td>
<td>Toca</td>
<td>Stagg</td>
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</table>

**NAYS**

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<tr>
<th>Delegates</th>
<th>Sutherland</th>
<th>Toomy</th>
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<td>Thistlewaite</td>
<td>Willis</td>
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<td>Boemer</td>
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<td>Jones</td>
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<td>Kean</td>
<td>Tobias</td>
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<td>Kelly</td>
<td>Velazquez</td>
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<td>Landrum</td>
<td>Vick</td>
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<td></td>
<td>Landry, E. J.</td>
<td>Warren</td>
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<td></td>
<td>Lowe</td>
<td>Wisham</td>
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<td></td>
<td>Maybuck</td>
<td>Zervigon</td>
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<td>Morris</td>
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<td>Newton</td>
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<td></td>
<td>Riecke</td>
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<td>Total—71.</td>
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</table>

And the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Zervigon to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 1, line 31, in Floor Amendment No. 1 proposed by Delegate Perez and adopted by the convention on January 5, 1974, on line 6 of the language added by said amendment after the word and punctuation “parish,” add the following:

“No proposed amendment affecting five or fewer municipalities shall become part of this constitution unless approved by a majority of the electors voting therein in the state and also a majority of the electors voting therein in each such municipality.”

On motion of Delegate Zervigon the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 2, line 12, immediately after the word and punctuation “reference,” and before the word “The” insert the following:

“However, the legislature may propose, as one amendment, a revision of an entire article of this constitution which revision may contain multiple objects or changes.”

Delegate Gravel moved the adoption of the amendment.

Delegate Jenkins objected.

By a vote of 49 yeas and 36 nays the amendment was adopted.
Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Dennery, the Convention altered the Order of Business to take up other Orders of Business at this time.

**Motion**

On motion of Delegate Stagg the rules were suspended for the purpose of calling a meeting of the Executive Committee without giving the required 24 hours notice.

**COMMITTEE NOTICE**

Delegate Stagg, chairman of the Committee on the Executive Department, sent up the following notice:

The Committee on the Executive Department will meet on Monday, January 7, 1974, at 11:30 o'clock in the House Chamber and will consider the following agenda:

**AGENDA**

To consider the Report of the Committee on Style and Drafting.

Respectfully submitted,  
TOM STAGG,  
Chairman of the Committee on the Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Motion**

On motion of Delegate Perez the rules were suspended for the purpose of calling a meeting of the Committee on Local and Parochial Government without giving the required 24 hours notice.

**COMMITTEE NOTICE**

Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Monday, January 7, 1974, at 9:30 o'clock a.m. in Committee Room 1 and will consider the following agenda:

**AGENDA**

To complete its business.

Respectfully submitted,  
CHALIN O. PEREZ,  
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Suspension of the Rules**

On motion of Delegate Tobias the rules were suspended in order to take up Reading of the Journal at this time.

**Reading of the Journal**

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

On motion of Delegate Chatelain, the Journal of yesterday was adopted.

**Leaves of Absence**

Delegate Thompson—1½ days.  
Delegate Chehardy—1 day.  
Delegate Pugh—1 day.  
Delegate Tapper—1 day.  
Delegate Roy—1 day.  
Delegate Dunlap—½ day.  
Delegate Duval—1 day.

**Adjournment**

Delegate Dennery moved that the Convention do now adjourn until Monday, January 7, 1974, at 1:30 o'clock P.M.

Which motion was agreed to.  
And Chairman Henry declared the Convention adjourned to Monday, January 7, 1974, at 1:30 o'clock P.M.

MOISE W. DENNERY  
Secretary  
DAVID R. POYNTER  
Chief Clerk
The Convention was called to order at 1:30 o'clock p.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—

Mr. Chairman—Fontenot
Abraham—Fowler
Acket—Fulco
Alario—Gauthier
Alexander—Giarulusso
Anzalone—Ginn
Arnette—Goldman
Asseff—Graham
Avant—Gravel
Badeaux—Grier
Bcl—Hardee
Bergeron—Hayes
Blair—Haynes
Bollinger—Heine
Brien—Hernandez
Brown—Jackson, A.
Burns—Jackson, J.
Burson—Jenkins
Cannon—Jones
Carmouche—Juneau
Casey—Kean
Champagne—Kelly
Chatailian—Kilbourne
Chehardy—Kilpatrick
Comar—Lambert
Conilo—Landrum
Conroy—Landry, A.
Corne—Landry, E. J.
Coven—Lanier
D’Gerolamo—LeBlu
De Bileux—Leithman
Dennery—Lowe
Dennis—McDaniel
Drew—Martin
Dunlap—Mauberret
Duval—Maybe
Edwards—Miller
Elkins—Mire
Fayard—Morris
Flory—Moro

Total—118.

ABSENT

Delegates—

Derbes—Rachal
Deshotel—Roy
Guarisco—Slay
Jack—Thompson
Leigh—Ull

Total—14.

The Chairman announced that there were 118 members present and a quorum.

Prayer

Prayer was offered by Delegate Warren.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Bergeron, the Journal of yesterday was adopted.

Morning Hour

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on.

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 36—

Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 24, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Duplan, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL

Relative to constitutional revision.

Read.

The chairman announced that the Convention had not been in session a sufficient time for the consideration Committee Proposal No. 36 when it adjourned on January 6, 1974, which was taken up and acted upon as follows:

Section I. Amendments

Section I. (A) An amendment to this constitution may be proposed by joint resolution at any session of the legislature, provided that notice of intention to introduce said joint resolution and a summary thereof shall have been published in the official journal of the state at least ten days before the beginning of the session. If two-thirds of the members elected to each house concur in the resolution, pursuant to all the procedures and formalities required for passage of a bill except submission to the governor, the secretary of state shall cause the proposed amendment to be published in the official journal of each parish once within not less than thirty nor more than sixty days preceding the election at which the proposed amendment is submitted to the electorate.

(B) If a majority of the electors voting for or against the proposed amendment shall approve it, then it shall become part of this constitution, effective twenty days after the governor has proclaimed its adoption, unless the amendment otherwise provides. However, no proposed amendment affecting five or fewer political subdivisions shall become part of this constitution unless a majority of the electors voting thereon in the state and also a majority, in the aggregate, of the electors in the affected areas vote in favor of adoption of the proposed amendment.

(C) When more than one amendment is submitted at the same election, each shall be submitted so as to enable the electors to vote on them separately. A proposed amendment shall be confined to one object and may set forth the entire article or articles of the constitution to be revised or only the sections or other subdivisions which are to be added or in which a change is to be made; provided that a section or other subdivision may be repealed by reference. The proposed amendment shall have a title containing a brief summary of the changes proposed.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 36, Section 1, when
it adjourned on Sunday, January 6, 1974, which was taken up and acted upon as follows:

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Perez, Zervigon and Gravel to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 31, after the words and punctuation “otherwise provided,” delete the remainder of line 31 and delete all of line 32 and on page 2, delete all of line 1 through 4, both inclusive, in their entirety and delete Floor Amendment No. 1 proposed by Delegate Perez and adopted by the convention on January 6, 1974, and insert in lieu thereof the following: “A proposed amendment directly affecting not more than five parishes or areas within not more than five parishes shall become part of this constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each affected parish. However, a proposed amendment directly affecting not more than five municipalities, and only such municipalities, shall become part of this constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each such municipality.”

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Florcy to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 2—**

On page 2, line 8, after the word “or” delete the remainder of the line and insert in lieu thereof the following: “shall set forth the entire section or article”

**AMENDMENT No. 3—**

On page 2, line 9, at the beginning of the line, delete the words “or articles”

Delegate Florcy moved the adoption of the amendments.

Delegate De Bileux objected.

By a vote of 74 yeas and 23 nays the amendments were adopted.

Delegate Florcy moved to reconsider the vote by which the amendments were adopted, and, on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Zervigon to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 3—**

On page 2, line 8, after the word “and” delete the remainder of the line, lines 9 and 10 and at the beginning of line 11, delete the word and punctuation “made” and delete Amendment No. 1 proposed by Delegate Florcy and adopted by the Convention on January 7, 1974, and insert in lieu thereof the following: “shall set forth the entire article, sections, or other subdivisions thereof as revised or only the article, sections, or other subdivisions which are to be added.”

On motion of Delegate Zervigon the amendment was adopted.

Delegate Zervigon moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 36, Section 1 was read, as amended.

Delegate Jenkins moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Abraham—Giarrusso
Alario—Goldman
Alexander—Hardee
Amnette—Haynes
Avant—Heine
Badeaux—Hernandez
Bel—Jackson, A
Bollinger—Jackson, J
Brief—Jenkins
Burns—Jones
Burren—Junias
Cannon—Kean
Carmouche—Klippatrick
Champagne—Landrum
Chateign—Landry, A
Chehardy—Landry, E. J
Comar—Lanier
Conino—LeBleu
Corne—LeBlanc
D’GeroIamo—Lowe
De Bileux—McDaniel
Drew—Martin
Dunlap—Maubert
Duval—Maybucke
Elkins—Miller
Ellis—Mire
Fayard—Morris
Florey—Monson
Fulco—Nunez
Total—87.

**NAYS**

Delegates—
Asseff—Cowen
Bergeron—Gauthier
Casey—Grier
Conroy—Hayes
Total—12.

**NOT VOTING**

Delegates—
Mr. Chairman—Ginn
Aerkker—Graham
Anzalone—Gravel
Blair—Guarisco
Brown—Jack
Dennery—Kelly
Derbes—Kilbourne
Deshotels—Lambert
Edwards—Leigh
Fontenot—Ours
Fowler—Rachel
Total—33.

And the Chair declared that the above Section was finally passed.

Delegate Jenkins moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.
Section 2. Convention Called by Legislature

Section 2. Whenever two-thirds of the members elected to each house consider it desirable to revise, alter, or amend this constitution, they may recommend to the electors at the next election for representatives to the legislature of Congress to vote for or against a convention for that purpose. If a majority of the electors voting on the proposition approve it, the legislature shall provide at its next session for calling such a convention. At a special election called for that purpose, the proposed constitution and any alternative propositions agreed upon by the convention shall be submitted to the people for their ratification or rejection. If the proposal is approved by a majority of the electors voting thereon, the governor shall proclaim it to be the Constitution of the State of Louisiana.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Gauthier, Tobias, Denny and Derbes to Committee Proposal No. 38 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, delete lines 15 through 22, both inclusive in their entirety and on line 23, delete the partial word and punctuation "pose," and strike out the language added by Convention Floor Amendment No. 1 proposed by Mr. Avant and adopted by the Convention on January 7, 1974 and insert in lieu thereof the following:

"Section 2. The legislature, by a two-thirds vote of the elected membership of each house, may provide by law for the calling of a constitutional convention. The convention may be called whenever the legislature considers it desirable to revise or propose a new constitution. The revision or"

Delegate Casey moved the adoption of the amendment.

Delegate Flory objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

A. Jackson, et al.

Gauthier, Morris

Ginn, Newton

Graham, Nunez

Harelle, Perkins

Hayes, Planchard

Heline, Pugh

Jackson, J., Reeves

Jones, Sandor

Kean, Schmitt

Kilpatrick, Smith

Landcrum, Stephenson

Landry, A., Siovall

Lanier, Tate

Lebleu, Thistlethwaite

Leithman, Tobias

McDaniel, Vick

Martin, Wattigny

Miller, Willis

Mire, Zervigon

NAYS

Delegates—

A. Jackson, et al.

Flory, Perez

Fulco, Riecke

Goldman, Roemer

Grier, Shannon

Haynes, Singleterry

Hernandez, Soniad

Jackson, A., Stagg

Jenkins, Silsby

Landry, E. J., Sutherland

Low, Toac

Maybrec, Tommy

Munson, Velazquez

O’Neill, Warren

NOT VOTING

Delegates—

A. Jackson, et al.

Guarisco, Segura

Jack, Slay

Juneau, Tapper

Kelly, Thompson

Kilbourne, Ullo

Lambert, Versich

Leigh, Wall

Maubreter, Weiss

Rachal, Winchester

Rayburn, Wisem

Roy, Womack

Total—14.

Total—34.
Passage

Committee Proposal No. 36, Section 2 was read, as amended.
Delegate Jenkins moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
<td>Munson</td>
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<tr>
<td>Abraham</td>
<td>Fulk</td>
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<td>Roemer</td>
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<td>Casey</td>
<td>Juneau</td>
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<td>Champagne</td>
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<td>Chatelain</td>
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<td>Landry, A.</td>
<td>Stephenson</td>
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<tr>
<td>Conrey</td>
<td>Landry, E. J.</td>
<td>Stovall</td>
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<td>D'Gerolamo</td>
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<td>De Blieux</td>
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<tr>
<td>Dennis</td>
<td>McDaniell</td>
<td>Velazquez</td>
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<td>Willis</td>
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<td>Fayard</td>
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<td>Zervigon</td>
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<td>Flory</td>
<td>Morris</td>
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<td>Total—90.</td>
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**NAYS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Deaff</td>
<td>Comar</td>
<td>Stinson</td>
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<tr>
<td>Avant</td>
<td>Grier</td>
<td>Tobias</td>
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<tr>
<td>Total—6.</td>
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</table>

**NOT VOTING**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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<tbody>
<tr>
<td>Alario</td>
<td>Gravel</td>
<td>Segura</td>
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<td>Blair</td>
<td>Guarisco</td>
<td>Slay</td>
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<td>Carmouche</td>
<td>Jack</td>
<td>Tapper</td>
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<td>Chehardy</td>
<td>Kelly</td>
<td>Thompson</td>
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<tr>
<td>Dennery</td>
<td>Kilbourne</td>
<td>Ulo</td>
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<tr>
<td>Derbes</td>
<td>Lambert</td>
<td>Vesich</td>
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<tr>
<td>Deshotes</td>
<td>Leigh</td>
<td>Wall</td>
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<tr>
<td>Dunlap</td>
<td>Mauberret</td>
<td>Warren</td>
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<tr>
<td>Edwards</td>
<td>Rachal</td>
<td>Weiss</td>
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<td>Fontenot</td>
<td>Rayburn</td>
<td>Winchester</td>
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<td>Giarrusso</td>
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<td>Wisram</td>
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<tr>
<td>Graham</td>
<td>Roy</td>
<td>Womack</td>
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<td>Total—36.</td>
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</tbody>
</table>

And the Chair declared that the above Section was finally passed.

Delegate Jenkins moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 3. Convention Called by People

Section 3. At the election for representatives to Congress to be held in the year one thousand nine hundred eighty-six and in every tenth year thereafter, the question "Shall there ever be a convention to revise the Constitution of the State of Louisiana" shall be submitted to the electors of the state. If a majority of the electors who vote on the question favor it, the legislature shall at its next session provide for calling a convention, according to the same procedures mentioned in the previous section. The convention shall consist of delegates elected from the same districts and having the same qualifications as state representatives. The legislature may also provide for not more than twenty-seven delegates to be appointed by the governor.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Duval, Arnette, Perez and Stovall to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—On page 2, delete lines 29 through 32, both inclusive, in their entirety and on page 3, delete lines 1 through 10, both inclusive, in their entirety.

Delegate Duval moved the adoption of the amendment.
Delegate Jenkins objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Abraham</td>
<td>Flory</td>
<td>Newton</td>
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<tr>
<td>Aertker</td>
<td>Fowler</td>
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<td>Ourso</td>
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<td>D'Gerolamo</td>
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<td>De Blieux</td>
<td>Martin</td>
<td>Velazquez</td>
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<td>Total—54.</td>
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**NAYS**

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<tr>
<td>Deaff</td>
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<td>Avant</td>
<td>Grier</td>
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<td>Total—6.</td>
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**NOT VOTING**

<table>
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<tr>
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<tr>
<td>Alexander</td>
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<td>Riecke</td>
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<td>Champagne</td>
<td>Jackson, J.</td>
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<td>Sutherland</td>
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<td>Giarrusso</td>
<td>Roy</td>
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<td>Graham</td>
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<tr>
<td>Total—43.</td>
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</tbody>
</table>
And the amendment was adopted.

Delegate Duval moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 36 by Delegate A. Jackson, et al.

AMENDMENT No. 1—

On page 2, delete lines 30 through 32, in their entirety and on page 3, delete lines 1 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Convention Called by People

Section 3. At the election for representatives to Congress to be held in the year one thousand nine hundred ninety-four and in every twentieth year thereafter, the question "Shall there be a convention to revise the Constitution of the State of Louisiana" shall be submitted to the electors of the state. If a majority of the electors who vote on the question favor it, the legislature shall at its next session provide for calling a convention. The call of the convention shall specify the duration, time, and place it is to be held. The convention shall consist of delegates elected from the same districts and having the same qualifications as state representatives. The legislature may also provide for not more than twenty-seven delegates to be appointed by the governor. The proposed constitution and any alternative propositions agreed upon by the convention shall be submitted to the people for their ratification or rejection. If the proposal is approved by a majority of the electors voting thereon, the governor shall proclaim it to be the Constitution of the State of Louisiana."

Delegate Jenkins moved the adoption of the amendment.

Delegate Arnette objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham

Aertker

Alexander

Assess

Badeaux

Bel

Bergeron

Bren

Champagne

Chateil

Conino

Conroy

Cone

DeBleux

Dennis

Elkins

Fowler

Total—51.

NAYS

Delegates—

Arnette

Avant

Blair

Bollinger

Brown

Burns

Delegates—

Burson

Cannon

Casey

Comar

Cowen

D'Gerolamo

Drew

Duval

Fayard

Flory

Ginn

Hardie

Gauthier

Goldman

Grier

Hayes

Haynes

Hernandez

Jackson, A.

Jackson, J.

Jenkins

Jones

Landrum

Landry, E. J.

Lanier

Lowe

Martin

Newton

O'Neil

Reeves

Riecke

Roeser

Sandoz

Shannon

Singletary

Soniat

Stagg

Stinson

Sutherland

Tate

Tobias

Velazquez

Warren

Wisham

Zervigon

Mire

Morris

Nunez

Perez

Perkins

Planchard

Pugh

Rayburn

Smith

Stephenson

Stovall

Thistlethwaite

Toca

Toomey

Vick

Wattigny

Wills

Womack

NOT VOTING

Delegates—

Mr. Chairman

Aertker

Alexander

Assess

Badeaux

Bel

Bollinger

Brown

Comar

Conino

Conroy

Cowan

Coven

Fowler

Wells

Winston

Page 1119
lllth Days Proceedings—January 7, 1974

D'Gerolamo
De Blieux
Dennery
Dennis
Drew
Duval
Elkins
Fayard
Flory
Fowler
福米
Gauthier
Ginn
Goldman
Graham
Gravel
Grier
Hardee
Hayes
Paynes
Heine
Hernandez
Jackson, A.
Jackson, J.
Jenkins

Total—99.

Total—0.

NAYS

Delegates—
Alario
Anzalone
Blair
Carmouche
Chehardy
Debes
Deshotels
Dunlap
Edwards
Fontenot
Giarrusso

Total—33.

And the Chair declared that the above Section was finally passed.

Delegate Stinson moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Passage

The Proposal was read as amended.

Delegate A. Jackson moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Aerkner
Alexander
Arnette
Avant
Baden
Bel
Bollinger
Brown
Burns
Burton
Casey
Chelatin
Comar
Conino
Corne

Cowen
D'Gerolamo
De Blieux
Dennery
Dennis
Drew
Dulal
Dollinger
Brown
Burns
Burton
Casey
Chelatin
Comar
Conino
Corne

Hernandez
Jackson, A.
Jackson, J.
Jones
Juneau
Kean
Kilbourne
Kilpatrick
Landrum
Landry, E. J.
Lowel
Maybece
Miller
Mire
Moore
Perez
Perkins
Planchard
Pugh
Rayburn
Reeves

Roemer
Sandoz
Schmitt
Shannon
Singletary
Smith
Sonlat
Stephenson
Stinson
Stovall
Tate
Thistletwaite
Tobias
Toomey
Toomey
Toomey
Velazquez
Vick
Wattigny
Willis
Wisham
Womack
Zervigon

Delegates—
Abraham
Asseff
Bergeron
Brien
Champagne
Conroy
Elkins
Felco

Total—24.

Delegates—
Alario
Anzalone
Blair
Cannon
Carmouche
Chehardy
Derbes
Deshotels
Dunlap
Edwards
Fontenot
Giarrusso

Total—34.

And the Chair declared that the above Proposal was finally passed.

Reconsideration pending.

Motion

On motion of Delegate Casey, the Convention altered the Order of Business to take up other Orders of Business at this time.

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

DELEGATE PROPOSAL No. 18—

Introduced by Delegates Casey, Alario, Denney and Gravel:

A PROPOSAL

Providing for meeting of the legislature for the next three years following the adoption of this constitution.

Read.

Section 1. Legislative Sessions

Section 1. The legislature, during the first two regular annual sessions following the effective date of this constitution, shall provide, by rule or otherwise, for a recess of at least eight calendar days after the first fifteen calendar days of the session.

Read.

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

FLOOR AMENDMENTS

Amendments proposed by Delegates Casey, Sutherland, Riecke and Chelatin to Delegate Proposal No. 18 by Delegate Casey, et al.

Amend reprinted as engrossed proposal as follows:

1120
AMENDMENT No. 1—
On page 1, line 3, add Delegate Riecke to the list of authors.

AMENDMENT No. 2—
On page 1, at the end of line 5, delete the word “three” and insert in lieu thereof the word “two”

AMENDMENT No. 3—
On page 1, delete lines 11 through 15, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 1. 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.”

On motion of Delegate Casey the amendments were adopted.

Delegate Riecke moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Casey the rules were suspended in order to take the required record votes on passage of Section 1 and the Proposal simultaneously as a single vote.

Passage
The Proposal was read, as amended.

Delegate Casey moved the final passage of the Section and of the entire Proposal.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Abraham
Alexander
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Bollinger
Brien
Burns
Burson
Cannon
Casey
Champagne
Chatelain
Comar
Comino
Conroy
Corne
Cowan
D’Gerolamo
De Blieux
Deenery
Dennis
Duval
Fayard
Flory
Fowler
Total—85.

Delegates—
Brown
Drew
Total—8.

NAYS

Delegates—
Mr. Chairman
Aeriker

NOT VOTING

Delegates—
Mr. Chairman
Aeriker

Delegates—
Chehardy
Derbee
Deshots
Dunlap
Edwards
Elkins
Fontenot
Giarnvino
Guarisco
Jack
Kelly
Kispatick
Total—41.

Chehardy
Derbee
Deshots
Dunlap
Edwards
Elkins
Fontenot
Giarnvino
Guarisco
Jack
Kelly
Kispatick
Total—41.

And the Chair declared that the above Section and Proposal were finally passed.

Delegate Casey moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion to reconsider pending on the Proposal.

Motion
On motion of Delegate Dennery Delegate Proposal No. 28 was taken up out of its regular order and acted upon as follows:

DELEGATE PROPOSAL No. 28—
Introduced by Delegate Dennery:
A PROPOSAL
Relative to transition for members of the State Civil Service Commission.

Read.

Article XIV, Section I. Transition; Civil Service Commission; State; Cities

Section 1. (A) State Commission. Each person who, on the effective date of this constitution, is a member of the State Civil Service Commission shall continue in such position for the remainder of the term to which he was appointed. Within thirty days after the effective date of this constitution, the presidents of St. Mary’s Dominican College and Xavier University of Louisiana each shall submit three names to the governor for appointment to the commission as provided in Article VII, Section 1, Paragraph (C). 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, on the effective date of this constitution, is a member of the New Orleans City Civil Service Commission shall continue in such position for the remainder of the term to which he was appointed. 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 this appointee shall be six years.

Read.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Dennery to Committee Proposal No. 28 by Delegate Dennery.

Amend printed Proposal as follows:

AMENDMENT No. 2—
On page 1, line 18 after the word and punctuation “Para-

AMENDMENT No. 1—
On page 1, delete line 15 in its entirety and insert in lieu thereof the words “the president of Xavier” and on line 16 after the word “Louisiana” and before the word “shall” delete the word “each”

1121
AMENDMENT No. 3—
On page 1, line 30 after the partial word and punctuation “pointed,” and before the words “Within thirty” insert the following:

“Within thirty days after the effective date of this constitution, the presidents of St. Mary’s Dominican College and Xavier University of Louisiana 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).”

AMENDMENT No. 4—
On page 2, delete line 4 in its entirety and insert in lieu thereof the following:

“of these appointees shall be six years.”

On motion of Delegate Dennery the amendments were adopted.

Delegate Dennery moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Tobias, action was deferred on Section 1.

Section 2. Transition; Civil Service Officers; Employees;
State; Cities

Section 2. 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 of the state shall retain said status in the position, class, and rank that they have on such date and shall thereafter be subject to and governed by the provisions of this constitution and the rules and regulations adopted under the authority hereof.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Dennery to Delegate Proposal No. 26 by Delegate Dennery.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, at the end of line 9, strike out the words “of the” and at the beginning of line 10, strike out the word “state”

On motion of Delegate Dennery the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Tobias the rules were suspended in order to take the required record votes on the passage of Sections 1 and 2 and of the entire Proposal simultaneously as a single vote.

Passage
The Proposal was read, as amended.

Delegate Dennery moved the final passage of Sections 1 and 2, as amended, and of the entire Proposal, as amended.

The roll was called with the following result:

Yeas

Delegates—
Mr. Chairman

Abraham
Alexander
Arnette
Avant
Badeaux
Belding
Bennett
Bollinger
Brown
Burton
Benson
Conner
De Blieux
Derouen
Dennis
Duval
Elkins
Flory
Fowler
Fulop
Total—86.

Nays

Delegates—

Aker
Alario
Anzalone
Asseff
Blair
Burns
Carmouche
Chehardy
Cohen
Derbes
Deshotels
Drew
Dunlap
Edwards
Fayard
Fontenot
Total—48.

And the Chair declared that the above Sections and the entire Proposal were finally passed.

Delegate Dennery moved to reconsider the vote by which the above Sections were finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion to reconsider the entire Proposal pending.

Motion
On motion of Delegate O’Neill, the Convention altered the Order of Business to take up other Orders of Business at this time.

Reports of Committees

The following reports of committees were received and read:

Delegate Rayburn, chairman, on behalf of the Committee on Revenue, Finance and Taxation, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Revenue, Finance and Taxation to submit the following report:

DELEGATE PROPOSAL No. 34—
Introduced by Delegate Dennis:
A PROPOSAL
Providing for the financing of the state judicial system.
Without action.

DELEGATE PROPOSAL No. 60—
Introduced by Delegate Jenkins:
A PROPOSAL
Making provision to control future growth of state tax revenues.
Without action.

DELEGATE PROPOSAL No. 91—
Introduced by Delegate Zervigon:
A PROPOSAL
Making provisions for property taxation.
Without action.

DELEGATE PROPOSAL No. 95—
Introduced by Delegate Bel:
A PROPOSAL
Making provisions for property taxation.
Without action.

Respectfully submitted,

B. B. RAYBURN,
Chairman.

COMMITTEE NOTICE

Delegate Graham, chairman of the sub-Committee on Personnel of the Public Information Committee, sent up the following notice:

The sub-Committee on Personnel of the Public Information Committee will meet on Wednesday, January 9, 1974, at 5:30 o'clock p.m. in the Treaty Room and will consider the following agenda:

AGENDA

The sub-committee will discuss the criteria for selecting a commercial artist to work on the tabloid edition of the final document.

Respectfully submitted,

R. W. GRAHAM,
Chairman of the sub-Committee on Personnel of the Public Information Committee

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Tate the rules were suspended for the purpose of calling a meeting of the Committee on Style and Drafting, without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Tuesday, January 8, 1974, at the noon recess in the Convention Hall and will consider the following agenda:

AGENDA

To continue preparation of the Committee's Report.

Respectfully submitted,

ALBERT TATE,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Ullo—2 days.
Delegate Weiss—2 days.
Delegate Jack—2 days.
Delegate Dennery—½ day.
Delegate Winchester—1 day.
Delegate Rayburn—1 day.
Delegate Blair—1 day.
Delegate Roy—2 days.

Adjournment

Delegate O'Neill moved that the Convention do now adjourn until Tuesday, January 8, 1974, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Tuesday, January 8, 1974, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock A.M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—
Mr. Chairman
Abraham, Edgar
Aetker
Alarie
Alexander
Anzalone
Arnette
Asche
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burns
Burson
Cannon
Carmouche
Casey
Chamagne
Chatelet
Chehardy
Comar
Conino
Conroy
Corne
Cowan
D'Georlamo
De Blieux
Deneny
Dennis
Derbes
Drew
Dunlap
Duval
Edwards
Elkins
Payard

Total—120.

ABSENT

Delegates—
Deshotels
Jack
Kelly
Leigh

Total—12.

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

Prayer

Prayer was offered by Delegate Helne.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Mire, the Journal of yesterday was adopted.

Morning Hour

Motion

On motion of Delegate Pugh the Convention was ordered to transmit a message of best wishes to the Constitutional Convention of the State of Texas on the occasion of its first day in session.

Reports of Committees Lying Over

Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

DELEGATE PROPOSAL No. 34—

Introduced by Delegate Dennis:
A PROPOSAL

Providing for the financing of the state judicial system.

Read.

Reported without action by the Committee on Revenue, Finance and Taxation.

Delegate Nunez moved that the Proposal be withdrawn from the files of the Convention.

As a substitute Delegate Dennis moved that the Proposal be engrossed and passed to its third reading.

The vote recurred on the substitute motion.

By a vote of 34 yeas and 50 nays the Convention refused to order the Proposal engrossed and passed to its third reading.

On motion of Delegate Nunez the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 69—

Introduced by Delegate Jenkins:
A PROPOSAL

Making provisions to control future growth of state tax revenues.

Read.

Reported without action by the Committee on Revenue, Finance and Taxation.

On motion of Delegate Nunez the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 91—

Introduced by Delegate Zervigon:
A PROPOSAL

Making provisions for property taxation.

Read.

Reported without action by the Committee on Revenue, Finance and Taxation.

Delegate Nunez moved that the Proposal be withdrawn from the files of the Convention.

As a substitute Delegate Zervigon moved that the Proposal
be recommitted to the Committee on Revenue, Finance and Taxation.

The vote recurred on the substitute motion.

By a viva voce vote the Proposal was recommitted to the Committee on Revenue, Finance and Taxation.

**DELEGATE PROPOSAL No. 85—**
Introduced by Delegate Bel:  
A PROPOSAL
Making provisions for property taxation.

Read.

Reported without action by the Committee on Revenue, Finance and Taxation.

On motion of Delegate Nunez the Proposal was withdrawn from the files of the Convention.

**Motion**

On motion of Delegate Champagne, the Convention altered the Order of Business to take up Proposals on third reading and final passage, at this time.

**Proposals, Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 5—**
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department:  
A PROPOSAL
Making provisions for the Public Service Commission and necessary provision with respect thereto.

Read.

On motion of Delegate Stagg the Proposal was withdrawn from the files of the Convention.

**COMMITTEE PROPOSAL No. 32—**
Introduced by Delegates Asseff, Abraham, Alexander, Arnette, Gravel, and Stagg (A Substitute for Delegate Proposal No. 29):  
A PROPOSAL
Providing for the reorganization of the executive branch of state government.

Read.

On motion of Delegate Abraham the Proposal was returned to the Calendar, subject to call.

**COMMITTEE PROPOSAL No. 27—**
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government and Delegates Burson, Cannon, Chatelain, Comino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo and Zervigon:  
A PROPOSAL
Providing with respect to the donation, loan, or pledge of public funds, credit or property.

Read.

On motion of Delegate Kean the Proposal was withdrawn from the files of the Convention.

**DELEGATE PROPOSAL No. 27—**
Introduced by Delegate Dennery:  
A PROPOSAL
To establish state and city civil service.

Read.

On motion of Delegate Dennery the Proposal was withdrawn from the files of the Convention.

**DELEGATE PROPOSAL No. 65—**
Introduced by Delegate Roy:  
A PROPOSAL
Making provisions regarding civil service employment.

Read.

On motion of Delegate Graham the Proposal was returned to the Calendar, subject to call.

**DELEGATE PROPOSAL No. 54—**
Introduced by Delegates Juneau, Leithman and Corne:  
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.

Read.

On motion of Delegate Juneau, the Proposal was returned to the Calendar, subject to call.

**DELEGATE PROPOSAL No. 67—**
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.

Read.

On motion of Delegate Abraham, the Proposal was returned to the Calendar, subject to call.

**DELEGATE PROPOSAL No. 71—**
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.

Read.

On motion of Delegate Abraham, the Proposal was returned to the Calendar, subject to call.

**DELEGATE PROPOSAL No. 72—**
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the deletion of the attorney general from the Judicial Branch of state government.

Read.

On motion of Delegate Abraham, the Proposal was returned to the Calendar, subject to call.

**DELEGATE PROPOSAL No. 42—**
Introduced by Delegates J. Jackson, A. Jackson, Warren, Bay, Gravel, Stovall, Pugh and Gauthier:  
A PROPOSAL
Providing for juvenile courts having exclusive original jurisdiction with the exception for offenses of murder, aggravated kidnapping, armed robbery, or aggravated rape.

Read.

On motion of Delegate J. Jackson, the Proposal was returned to the Calendar, subject to call.

**DELEGATE PROPOSAL No. 22—**
Introduced by Delegates Comroy and Newton:  
A PROPOSAL
To provide for the prohibition of certain enumerated local and special laws.

Read.

On motion of Delegate Comroy the Proposal was returned to the Calendar, subject to call.

**DELEGATE PROPOSAL No. 42—**
Introduced by Delegates Dennery and Stovall:  
A PROPOSAL
Providing for the lieutenant governor as ombudsman.

Read.

On motion of Delegate Dennery the Proposal was returned to the Calendar, subject to call.
DELEGATE PROPOSAL No. 49—
Introduced by Delegate Brien:
A PROPOSAL
Providing with respect to consumer education and information councils.
Read.

On motion of Delegate Brien the Proposal was returned to the Calendar, subject to call.

DELEGATE PROPOSAL No. 16—
Introduced by Delegates Alario, Chehardy, Edwards, Mire, Rayburn, Nunez, Winchester, Mauberret, Slay and Planchar:
A PROPOSAL
Making provisions for homestead exemptions.
Read.

On motion of Delegate Alario the Proposal was returned to the Calendar, subject to call.

DELEGATE PROPOSAL No. 17—
Introduced by Delegate Planchar:
A PROPOSAL
Making provisions prohibiting lotteries.
Read.

On motion of Delegate Planchar the Proposal was returned to the Calendar, subject to call.

DELEGATE PROPOSAL No. 20—
Introduced by Delegate Jack:
A PROPOSAL
Limiting the number of proposed constitutional amendments that may be submitted to the voters at any one election.
Read.

On motion of Delegate Fulco the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 21—
Introduced by Delegate Jack:
A PROPOSAL
Making provisions for a deduction in state income taxes for federal income tax payments made during the same period.
Read.

On motion of Delegate Fulco the Proposal was withdrawn from the files of the Convention.

Motion

On motion of Delegate Conroy Delegate Proposal No. 22 was called from the Calendar.

DELEGATE PROPOSAL No. 22—
Introduced by Delegates Conroy and Newton:
A PROPOSAL
To provide for the prohibition of certain enumerated local and special laws.
Read.

Section 12. Except as otherwise provided in this constitution, the legislature shall not pass any local or special law: (1) For the holding and conducting of elections, or fixing or changing the place of voting.

(2) Changing the names of persons; authorizing the adoption or legitimation of children or the emancipation of minors; affecting the estates of minors or persons under disabilities; granting divorces; changing the law of descent or succession; giving effect to informal or invalid wills or deeds or to any illegal disposition of property.

(3) Concerning any civil or criminal actions, including changing the venue in civil or criminal cases, or regulating the practice or jurisdiction of any court, or changing the rules of evidence in any judicial proceeding or inquiry before courts, or providing or changing methods for the collection of debts or the enforcement of judgments, or prescribing the effects of judicial sales.

(4) Authorizing the laying out, opening, closing, altering, or maintaining of roads, highways, streets, or alleys; relating to ferries and bridges, or incorporating bridge or ferry companies, except for the erection of bridges crossing streams which form boundaries between this and any other state; authorizing the constructing of street passenger railroads in any incorporated town or city.

(5) Exempting property from taxation; extending the time for the assessment or collection of taxes; for the relief of any assessor or collector of taxes from the performance of his official duties or of his sureties from liability; remitting fines, penalties, and forfeitures; or refunding moneys legally paid into the treasury.

(6) Regulating labor, trade, manufacturing, or agriculture; fixing the rate of interest.

(7) Creating private corporations, or amending, renewing, extending, or explaining the charters thereof; granting to any private corporation, association, or individual any special or exclusive right, privilege, or immunity.

(8) Regulating the management of public schools, the building or repairing of schoolhouses and the raising of money for such purposes.

(9) Legalizing the unauthorized or invalid acts of any officer, employee, or agent of the state, its agencies, or political subdivisions.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Delegate Proposal No. 22 by Delegates Conroy and Newton.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 8 and 9 in their entirety and insert in lieu thereof the following:

"ARTICLE III. LEGISLATIVE BRANCH

Section 12. Prohibited Local and Special Laws"

On motion of Delegate Conroy the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Drew to Delegate Proposal No. 22 by Delegates Conroy and Newton.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, line 10, after "Section 12." and before the word "Except" insert "(A)"

AMENDMENT No. 2—
On page 2, between lines 19 and 20, add the following:

"(B) The legislature shall not indirectly enact special or local laws by the partial repeal or suspension of a general law.""

On motion of Delegate Drew the amendments were adopted.

Delegate Drew moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Arnette to Delegate Proposal No. 22 by Delegates Conroy and Newton.

Amend printed proposal as follows:
112th Days Proceedings—January 8, 1974

AMENDMENT No. 1—
On page 2, line 14, immediately after the word "of" and before the word "public" insert the following: "parish or city"

AMENDMENT No. 2—
On page 2, line 15, immediately after the word "of" and before the word "schoolhouses" insert the following: "parish or city"

On motion of Delegate Arnette the amendments were adopted.

Delegate Arnette moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Avant to Delegate Proposal No. 22 by Delegates Conroy and Newton.

Amend printed proposal as follows:

AMENDMENT No. 1—
On Page 2, between lines 19 and 20 and before Convention Floor Amendment No. 2 proposed by Delegate Drew and adopted by the Convention on January 8, 1974, add the following paragraph:

"(10) Defining any crime."

Delegate Avant moved the adoption of the amendment.

Delegate Conroy objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aertker
Alexander
Arnette
Avant
Bel
Bergeron
Burns
Burton
Cannon
Casey
Chehardy
Comar
Conino
D'Gerolamo
De Bileux
Dennery
Dennis
Derbes
Drew
Elkins
Flory
Fulco

Total—66.

Gauthier
Goldman
Gravel
Hornandez
Jackson, A.
Jackson, J.
Jenkins
Jones
Kilbourne
Killpatrick
Landrum
Leithman
Lowe
Mauberret
Maybuck
Miller
Morris
Monson
Nunez

O'Neill
Pugh
Riecke
Schmitt
Shannon
Singletary
Smith
Soniat
Stagg
Stovall
Sutherland
Tapper
Tate
Tobias
Toca
Velazquez
Vick
Warren
Watiginy
Willis
Wissham
Zervigon

NAYS

Delegates—
Abraham
Aertker
Alexander
Arnette
Asseff
Avant
Bel
Bergeron
Brien
Brown
Carmouche
Champagne
Chatelain
Conroy

Corne
Cowan
Duval
Grier
Guarisco
Hardee
Heine
Juneau
Landry, A.

LeBleau
McDaniel
Martin
Mire
Planchard
Platch
Roemer
Stephenson
Stinson
Toomy

Total—30.

Delegates—
Mr. Chairman
Alario
Anzalone
Blair
Deshotels
Dunlap
Edwards
Fayard
Fontenot
Fowler
Giarrusso
Ginn

Hayes
Jack
Kean
Kelly
Lambert
Leigh
Newton
Oursu
Perez
Perkins
Rayburn
Reeves

Total—36.

And the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Pugh and Vick to Delegate Proposal No. 22 by Delegates Conroy and Newton.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 19 and 20, in Floor Amendment No. 1 proposed by Delegate Avant and adopted by the convention on January 8, 1974, on line 1 of the text of the amendment, after the word and punctuation "crime," add the following:

"Nothing herein, however, shall be construed as authorizing the delegation by the legislature to any board, commission, department, or agency the power to define a crime."

Delegate Pugh moved the adoption of the amendment.

Delegate Lanier objected.

By a vote of 47 yeas and 48 nays the amendment was rejected.

Delegate Conroy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Tobias the rules were suspended in order to allow the required record vote on passage of the Section and the entire Proposal simultaneously.

Passage

Section 12 and the entire Proposal were read, as amended.

Delegate Conroy moved the final passage of Section 12 and the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Alario
Alexander
Arnette
Asseff
Avant
Bel
Bergeron
Brien
Brown
Carmouche
Champagne
Chatelain
Conroy

Corne
Cowan
D'Gerolamo
De Bileux
Dennery
Dennis
Derbes
Drew
Elkins
Flory
Fulco

Heine
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Jones
Juneau
Kilbourne
Killpatrick
Landrum
Leithman
Lowe
Mauberret
Maybucke
Miller
Mire
Munson

Total—1127
Delegate Denney sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Denney and Stovall to Delegate Proposal No. 42 by Delegates Denney and Stovall.

Amend printed Proposal as follows:

**AMENDMENT No. 1**

On page 1, delete lines 7 and 8, and in their entirety and insert in lieu thereof the following:

> "ARTICLE IV. EXECUTIVE BRANCH

> * * *

Section 24, Powers and Duties of the Lieutenant Governor"

**AMENDMENT No. 2**

On page 1, line 9, at the beginning of the line, strike out "Section .... and insert in lieu thereof "Section 24."

On motion of Delegate Denney the amendments were adopted.

Delegate Denney moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Denney and Stovall to Delegate Proposal No. 42 by Delegates Denney and Stovall.

Amend printed proposal as follows:

**AMENDMENT No. 1**

On page 1, delete line 4 in its entirety and insert in lieu thereof the following:

> "Providing for the duties of the lieutenant governor."

**AMENDMENT No. 2**

On page 1, line 9, immediately after the word "shall" delete the remainder of the line and on line 10, before the word "receive" delete the following:

> "man for the people of the state. He shall"

**AMENDMENT No. 3**

Add Delegate Jones as a co-author

On motion of Delegate Denney the amendments were adopted.

Delegate Denney moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendment proposed by Delegates Denney, Stovall and Jones to Delegate Proposal No. 42 by Delegates Denney and Stovall.

Amend printed proposal as follows:

**AMENDMENT No. 1**

On page 1, line 13, immediately after the word "procedures" insert a comma "," and delete the remainder of the line and insert in lieu thereof the following:

> "remedies and appropriate the funds necessary to"

Delegate Denney moved the adoption of the amendment.

Delegate Munson objected.

By a vote of 37 yeas and 54 nays the amendment was rejected.
Delegate Munson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Dennery and Stovall to Delegate Proposal No. 42 by Delegates Dennery and Stovall.

Amend printed proposal as follows:

**AMENDMENT No. 1—**
On page 1, line 9, immediately after "Section 24." and before the word "The" insert "(A)"

**AMENDMENT No. 2—**
On page 1, line 15, add the following:
"(B) The lieutenant governor shall direct the offices of commerce and industry, tourism, and parks and recreation."

Delegate Dennery moved the adoption of the amendments.

Delegate Duval objected.

By a vote of 37 yeas and 53 nays the amendments were rejected.

Delegate Duval moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Delegate Proposal No. 42, Section 1 was read, as amended.

Delegate Stovall moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>DELEGATES</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Dennis</td>
<td>Newton</td>
</tr>
<tr>
<td>Abraham</td>
<td>Elkins</td>
<td>Rachal</td>
</tr>
<tr>
<td>Aekters</td>
<td>Giarussos</td>
<td>Smith</td>
</tr>
<tr>
<td>Alexander</td>
<td>Goldman</td>
<td>Stagg</td>
</tr>
<tr>
<td>Arnette</td>
<td>Gravel</td>
<td>Stinson</td>
</tr>
<tr>
<td>Asseff</td>
<td>Glier</td>
<td>Stovall</td>
</tr>
<tr>
<td>Bell</td>
<td>Jackson, J.</td>
<td>Sutherland</td>
</tr>
<tr>
<td>Brien</td>
<td>Jones</td>
<td>Tobias</td>
</tr>
<tr>
<td>Casey</td>
<td>Landrum</td>
<td>Velazquez</td>
</tr>
<tr>
<td>Conroy</td>
<td>Lanier</td>
<td>Warren</td>
</tr>
<tr>
<td>Cowen</td>
<td>Mcdaniel</td>
<td>Zervigon</td>
</tr>
<tr>
<td>De Bieaux</td>
<td>Martin</td>
<td></td>
</tr>
<tr>
<td>Dennery</td>
<td>Miller</td>
<td></td>
</tr>
<tr>
<td><strong>Total—37.</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Delegates—**

| NOT VOTING |
|------------|-----|
| Avant | Kelly |
| Bollinger | Kilpatrick |
| Brown | Lambert |
| Cannon | Leigh |
| Deshotoes | Lowe |
| Edwards | Ourso |
| Fayard | Perkins |
| Graham | Pugh |
| Guarisco | Recke |
| Haynes | Roy |
| Jack | Sandoz |
| Jackson, A. | Schmitt |
| Kean | Slay |
| **Total—37.** |      |

And the Chair declared that the above Section failed to pass.

Delegate Duval moved to reconsider the vote by which the above Section failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Dennery Delegate Proposal No. 42 was withdrawn from the files of the Convention.

**Motion**

On motion of Delegate Brien Delegate Proposal No. 49 was called from the Calendar.

**DELEGATE PROPOSAL No. 49—**

Introduced by Delegate Brien:

A PROPOSAL

Providing with respect to consumer education and information councils.

Read.

Article ______, Section 1. Consumer Education and Information Councils

Section 1. The legislature shall create consumer education and information councils, which may provide consumer representation for the interest of consumers throughout the state in hearings before any board, commission, department, or agency of the state or any political subdivision thereof and which shall exercise such other powers and duties as are fixed by law.

Read.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Brien to Delegate Proposal No. 49 by Delegate Brien.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 1, delete lines 8 and 9 and insert in lieu thereof the following:
"ARTICLE XII. GENERAL PROVISIONS

Section 12. Consumer Education and Information Councils"

**AMENDMENT No. 2—**
On page 1, line 10, at the beginning of the line, delete "Section ______" and insert in lieu thereof "Section 12."

On motion of Delegate Brien the amendments were adopted.

Delegate Brien moved to reconsider the vote by which the amendments were adopted, and on her own motion, the motion to reconsider was laid on the table.

**Passage**

Delegate Proposal No. 49, Section 1 was read, as amended.

Delegate Brien moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**Total—38.**
112th Days Proceedings—January 8, 1974

Delegates—

YEAS

Alario
M. DuBuisson
Baudier
Bergeron
Bren
Burns
Carmouche
Casey
Chatelain
Chehardy
Conino
Corne
D’Gerolamo
Devieaux
Dennery
Dennis
Deres

Flory
Fulco
Gauthier
Giarrusso
Gravel
Hayes
Jackson, A.
Jackson, J.
Landrum
Landry, E. J.
Leithman
McDaniel
Maybuce
Miller
Nunez
Planchard
Racial

Reeves
Segura
Singletary
Soniat
Stagg
Stovall
Sutherland
Tobias
Toca
Toomy
Velazquez
Warren
Wattigny
Willis
Zervigon

NAYS

Abraham
Anzalone
Arnette
Asseff
Bel
Blair
Burson
Champagne
Conroy
Cox
Drew
Dunlap
Duval
Elkins
Fontenot

Fowler
Goldman
Grier
Hardee
Heine
Hernandez
Jenkins
Jones
Juneau
Kilbourne
Lambert
Landry, A.
Lanier
LeBlue
Martin

Maubernet
Mire
Morris
Munson
O’Neill
Perez
Rayburn
Riecke
Roemer
Shanahan
Smith
Stephenson
Stinson
Wisham

NOT VOTING

Haynes
Jack
Kean
Kelly
Kilpatrick
Leigh
Love
Newton
Ours
Perkins
Pugh
Roy
Sandoz

Schmitt
Slay
Taper
Tate
Thistlethwaite
Thompson
Ulo
Vesich
Vick
Wall
Weiss
Wichester
Womack

And the Chair declared that the above Section failed to pass.

Delegate Fontenot moved to reconsider the vote by which the above Section failed to pass and to lay the motion to reconsider on the table.

Delegate Brien objected to laying the motion to reconsider on the table.

By a vote of 55 yeas and 35 nays the motion to reconsider was tabled.

Motion

On motion of Delegate Brien the Proposition was withdrawn from the files of the Convention.

Motion

On motion of Delegate J. Jackson Delegate Proposal No. 43 was called from the Calendar.

DELEGATE PROPOSAL No. 43—

Introduced by Delegates J. Jackson, A. Jackson, Warren, Roy, Gravel, Stovall, Pugh and Gauthier.

A PROPOSAL

Providing for juvenile courts having exclusive original jurisdiction with the exception for offenses of murder, aggravated kidnapping, armed robbery, or aggravated rape.

Read.

Article ----, Section ---- Juvenile Courts; Jurisdiction

Section ----. Juvenile courts including district courts and parish and city courts when sitting as ex-officio juvenile courts, shall have exclusive original jurisdiction of all offenses committed by persons under the age of seventeen, except that the criminal district courts in the parish of Orleans and the several district courts in the other parishes of the state shall have exclusive original jurisdiction of persons who at the time of the commission of the offense are over the age of fifteen years and who have been indicted by a grand jury for the offenses of murder, aggravated kidnapping, armed robbery, or aggravated rape committed within their respective jurisdictions.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates J. Jackson, Warren, A. Jackson, Gauthier and Pugh to Delegate Proposal No. 43 by Delegate J. Jackson, et al.

Amend printed proposal as follows:

AMENDMENT No. 1——

On page 1, delete lines 12 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Section ----. There shall be a juvenile court for each parish. It shall have jurisdiction of cases of the State of Louisiana in the interest of children under seventeen years of age who are brought before it as delinquent or neglected children, as may be defined by law, except for capital crimes or crimes defining attempted aggravated rape, which are committed by children fifteen years of age or older. It also shall have jurisdiction over cases involving persons charged with the violation of any law for the protection of the physical, moral, or mental well-being of children under seventeen years of age not punishable by death or hard labor. It also shall have jurisdiction of cases of desertion or nonsupport of children by either parent, or nonsupport of a wife by her husband, and also of the adoption of children under seventeen years of age.

Courts serving as ex officio juvenile courts on the effective date of this constitution shall continue to serve in that capacity until such time as their jurisdiction is changed as provided herein.

Notwithstanding the provisions of Section 15 of Article V of this constitution to the contrary, the legislature may provide by law upon a favorable vote of at least two-thirds of the members elected to each house: (1) for merger of juvenile courts with other courts; (2) for abolition of juvenile courts; (3) for additional jurisdiction to juvenile courts; and (4) that a juvenile court may waive its jurisdiction over children fifteen years of age or older at the time of the commission of any offense, who may then be tried as adults."

Motion

Delegate Shannon moved that debate be limited to thirty minutes on the amendment.

Delegate J. Jackson objected.

By a vote of 33 yeas and 42 nays and the Convention refused to limit debate on the amendment to thirty minutes.

Delegate J. Jackson moved the adoption of the amendment.

Delegate Dennis objected.

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

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Party</th>
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</thead>
<tbody>
<tr>
<td>Glenn</td>
<td>Singletary</td>
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<td>Gravel</td>
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**NAYS**

<table>
<thead>
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<th>Party</th>
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<td>Miller</td>
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<td>Warife</td>
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Total—38.

**NOT VOTING**

<table>
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<tr>
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<tbody>
<tr>
<td>Jack</td>
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</table>

Total—33.

The amendment was rejected.

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Derbes to Delegate Proposal No. 43 by Delegate J. Jackson, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 12 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

> "Section _____ Juvenile Courts
> Section _____ (A) Jurisdiction. The juvenile courts shall have jurisdiction, except for capital crimes and crimes defined by any law defining attempted aggravated rape if committed by children fifteen years of age or older, or cases of the state of Louisiana in the interest of children under seventeen years of age, brought before said courts as delinquents or neglected children. However, by law enacted by vote of two-thirds of the elected members of each house, a procedure may be established whereby the juvenile court may waive its jurisdiction over children fifteen years of age or older at the time of the commission of any offense so that they may be tried as adults in the district court. They shall also have such other jurisdiction as is now or may hereafter be granted to them by law."

**AMENDMENT No. 2—**

On page 1, below the language of Floor Amendment No. 1 above, add the following:

> "(B) Merger and Abolition. Notwithstanding the provisions of Section 18 of this Article, the legislature may by law merge juvenile courts in districts or family courts; and may, by law enacted by vote of two-thirds of the elected members of each house, abolish juvenile courts."

On request of Delegate Tobias a division of the question was ordered.

Delegate Derbes moved the adoption of Amendment No. 1. Delegate Dennis objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<tr>
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<tbody>
<tr>
<td>Glenn</td>
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Total—46.

**NAYS**

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Total—33.

**NOT VOTING**

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</table>

NOT VOTING
And the amendment was rejected.

Delegate Dennis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

On motion of Delegate Derbes, and under a suspension of the rules, Amendment No. 2 was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Warren to Delegate Proposal No. 43 by Delegate J. Jackson, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 12 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 38. Jurisdiction of juvenile and family courts shall be as provided in Sections 52 and 53 of Article VII of the Constitution of 1921, as existing on the effective date of this constitution.”

**Motion**

Delegate Shannon moved the previous question on the entire subject matter.

Delegate Dennis objected.

By a vote of 45 yeas and 52 nays the Convention refused to order the previous question at this time.

Delegate Warren moved the adoption of the amendment.

Delegate Dennis objected.

By a vote of 24 yeas and 64 nays the amendment was rejected.

Delegate Dennis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennis to Delegate Proposal No. 43 by Delegate J. Jackson, et al.

Amend printed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 5 through 23, both inclusive, in their entirety

Delegate Dennis moved the adoption of the amendment.

Delegate J. Jackson objected.

By a vote of 53 yeas and 39 nays the amendment was adopted.

Delegate Dennis moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate J. Jackson moved that the Proposal be returned to the Calendar, subject to call.

Delegate Tobias objected.

By a vote of 46 yeas and 40 nays the Proposal was returned to the Calendar, subject to call.

**Motion**

On motion of Delegate Planchar, Delegate Proposal No. 17 was called from the Calendar.

**DELEGATE PROPOSAL No. 17—**

Introduced by Delegate Planchar:

A PROPOSAL

Making provisions prohibiting lotteries.

Read.

Article II, Section 14. Lotteries

Section 14. Neither the state nor any of its political subdivisions shall conduct a lottery.

Read.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Burns, Smith, Stovall, Jack, Fulco, Shannon, Slay, Landrum, Fowler, Stinson and Drew to Delegate Proposal No. 17 by Delegate Planchar.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 4, at the end of the line, delete the period ”;” and insert the following:

“and gambling.”

**AMENDMENT No. 2—**

On page 1, line 7, at the end of the line, add the following:

“; Gambling”

**AMENDMENT No. 3—**

On page 1, delete lines 8 and 9, in their entirety and insert in lieu thereof the following:

“Section 14. Gambling is a vice and the legislature shall pass laws to suppress it.”

**AMENDMENT No. 4—**

On page 1, line 10, add the following:

“Lotteries and the sale of lottery tickets are prohibited in this state.”

**Motion**

Delegate Champagne moved to limit debate on the amendment to 20 minutes.

Delegate Landrum objected.

By a vote of 40 yeas and 39 nays debate on the amendment was limited to 20 minutes.

**Point of Order**

Delegate Shannon suggested an absence of a quorum.

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

**ROLL CALL**

The roll was called with the following result:

**PRESENT**

Delegates—

<table>
<thead>
<tr>
<th>Mr. Chairman</th>
<th>Carmouche</th>
<th>Duval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
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<td>Cannon</td>
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112th Days Proceedings—January 8, 1974

Hernandez
Jackson, A.
Jackson, J.
Jenkins
Jones
Kilbourne
Kilpatirck
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Lowe
McDaniel
Martin
Mauberret
Maybux
Miller
Total—97.

ABSENT
Delegates—
Abraham
Aertker
Anzalone
Brown
Cowen
Deshotels
Dunlap
Edwards
Gravel
Hardee
Haynes
Heine
Total—35.

ON REQUEST of Delegate Burns, a division of the question was ordered.

Delegate Burns moved the adoption of amendments 1, 2 and 3.

Delegate Fayard objected.

YEAS
Delegates—
Mr. Chairman
Abraham
Alexander
Arnette
Asseff
Avant
Bergeron
Blair
Burns
Burson
Cannon
Champagne
Chatelain
Chehardy
Conino
D’Gerolamo
De Blieux
Dennis
Drew
Total—55.

NAVS
Delegates—
Badeaux
Bel
Bollinger
Brien
Carmouche
Casey
Comar
Conroy
Corne
Dennery
Derbes

NOT VOTING
Delegates—
Aertker
Alario
Anzalone
Brown
Conroy
Corne
Derbes
Dennery

Delegates—
Jack
Juneau
Kean
Kelly
Lambert
Lehigh
Leithman
Munson
Rachal
Roy
Sandoz

Of Vote
Delegate Pugh sent up the following explanation of vote to the amendments to Committee Proposal No. 11, proposed by Delegate Burns.

“I voted against amendments 1, 2 and 3 upon my belief that the subject matter therein is Legislative in nature.”

Delegate Burns moved the adoption of Amendment No. 4.

Delegate Duval objected.
Delegate Burns moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Smith moved that the Convention take up other orders of business at this time.

Delegate Schmitt objected.

By a vote of 31 yeas and 60 nays the Convention refused to take up other orders of business, at this time.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Velazquez to Delegate Proposal No. 17 by Delegate Planchard.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 8, in Floor Amendment No. 3 proposed by Delegate Burns, et al. and adopted by the convention on January 8, 1974, at the end of line 2 of the text of the amendment, after the word ""it"" change the period "." to a comma "", and add the following: ""if it does exist, it shall be taxed.""

**AMENDMENT No. 2—**

On page 1, line 10, in Floor Amendment No. 4 proposed by Delegate Burns, et al. and adopted by the convention on January 8, 1974, at the end of line 2 of the text of the amendment, after the word "state" change the period "." to a comma "", and add the following: ""if they do exist, they shall be taxed.""

Delegate Velazquez moved the adoption of the amendments.

Delegate Champagne objected.

By a vote of 59 yeas and 29 nays the amendments were adopted.

Delegate Velazquez moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Shannon moved that the Convention take up other orders of business at this time.

Delegate Jenkins objected.

By a vote of 49 yeas and 46 nays the Convention took up other orders of business.

**Reports of Committees**

The following reports of committees were received and read.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

**State of Louisiana**

**Constitutional Convention of 1973**

January 8, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

**COMMITTEE PROPOSAL No. 21—**

Introduced by Delegate Dennis, Chairman on behalf of the Committee on the Judiciary, and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ourso, Sandz, Tate and Vesich (A Substitute for Committee Proposal No. 6):

A PROPOSAL

Making provisions for the judiciary branch of government.

Reported with the following amendments.

**COMMITTEE AMENDMENTS**

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend first enrolled Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 17, after the word "power" and before the word "vested" delete the words "shall be" and insert in lieu thereof the word "is" and on line 19, at the end of the line, delete the word "constitution" and insert in lieu thereof the word "Article"

**AMENDMENT No. 2—**

On page 1, delete lines 20 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Habeas Corpus, Needful Writs, Orders and Process; Contempt"

"Section 2. A judge may issue writs of habeas corpus and all other needful writs, orders, and process in aid of the jurisdiction of his court. Exercise of this authority by a judge of the supreme court or of a court of appeal is subject to review by the whole court. The power to punish for contempt of court shall be limited by law."

**AMENDMENT No. 3—**

On page 1, line 22, after the word and punctuation "judgment" delete the remainder of the line and delete line 23 in its entirety and insert in lieu thereof the following:

"The term of a supreme court judge shall be ten years."

**AMENDMENT No. 4—**

On page 1, delete line 35 in its entirety and on page 2, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. The state shall be divided into at least six supreme court districts, and at least one judge shall be elected from each. The districts and the number of judges assigned to each on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature."

**AMENDMENT No. 5—**

On page 2, delete lines 6 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Supreme Court; Jurisdiction; Rule-Making Power; Assignment of Judges"

"Section 5. (A) Supervisory Jurisdiction; Rule-Making Power; Assignment of Judges. The supreme court has general supervisory jurisdiction over all other courts. It may establish procedural and administrative rules not in conflict with law and may assign a sitting or retired judge to any court."

"(B) Original Jurisdiction. The supreme court has exclusive original jurisdiction of disciplinary proceedings against a member of the bar."

"(C) Scope of Review. Except as otherwise provided by this constitution, the jurisdiction of the supreme court extends to both law and facts. In criminal matters, its appellate jurisdiction extends only to questions of law."

"(D) Appellate Jurisdiction. In addition to other appeals provided by this constitution, a case shall be appealable to the supreme court if (1) a law or ordinance has been declared unconstitutional; (2) the defendant has been convicted of a felony or a fine exceeding five hundred dollars or imprisonment exceeding six months actually has been imposed."

"(E) Other Criminal Cases; Review. In all criminal cases not provided in Paragraph (D) (2) of this Section, a defendant has a right of appeal or review, as provided by law."
AMENDMENT No. 6—
On page 2, delete lines 34 and 35 in their entirety and on page 3, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 6. Supreme Court; Chief Justice.

Section 6. The judge oldest in point of service on the supreme court shall be chief justice, He is the chief administrative officer of the judicial system of the state, subject to rules adopted by the court."

AMENDMENT No. 7—
On page 5, delete lines 6 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 7. Supreme Court; Personnel

Section 7. The supreme court may select a judicial administrator, his clerks, and other personnel and prescribe their duties."

AMENDMENT No. 8—
On page 3, delete lines 11 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 8. Courts of Appeal; Circuits; Panels; Judgments; Terms

Section 8. (A) Circuits; Panels. The state shall be divided into at least four circuits, with one court of appeal in each. Each court shall sit in panels of at least three judges selected according to rules adopted by the court.

(B) Judgments. A majority of the judges sitting in a case must concur to render judgment. However, when a judgment of a district court is to be modified or reversed and one judge dissents, the case shall be reconvened before a panel of at least five judges prior to rendition of judgment, and a majority must concur to render judgment.

(C) Terms. The term of a court of appeal judge shall be ten years."

AMENDMENT No. 9—
On page 3, delete lines 24 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. Each circuit shall be divided into at least three districts, and at least one judge shall be elected from each. After January 1, 1975, no judge shall be elected at large from within the circuit. The circuits and districts and the number of judges as elected in each circuit on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature."

AMENDMENT No. 10—
On page 3, delete lines 31 through 35, both inclusive, in their entirety and on page 4, delete lines 1 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 10. Courts of Appeal; Jurisdiction

Section 10. (A) Jurisdiction. Except in cases appealable to the supreme court and except as otherwise provided by this constitution, a court of appeal has appellate jurisdiction of all (1) civil matters decided within its circuit and (2) matters appealed from family and juvenile courts, except criminal prosecutions of persons other than juveniles. It has supervisory jurisdiction over cases in which an appeal would lie to it.

(B) Scope of Review. Except as limited to questions of law by this constitution, or as provided by law in the review of administrative agency determinations, appellate jurisdiction of a court of appeal extends to law and facts."

AMENDMENT No. 11—
On page 4, delete lines 9 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 11. Courts of Appeal; Certification

Section 11. A court of appeal may certify any question of law before it to the supreme court, and the supreme court then may give its binding instruction or decide the case upon the whole record."

AMENDMENT No. 12—
On page 4, delete lines 15 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 12. Courts of Appeal; Chief Judge

Section 12. The judge oldest in point of service on each court of appeal shall be chief judge of that court and shall administer the court subject to rules adopted by it."
AMENDMENT No. 20—
On page 6, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 20. Judges; Decrease in Terms and Compensation
Prohibited
Section 20. The term of office, retirement benefits, and compensation of a judge shall not be decreased during the term for which he is elected."

AMENDMENT No. 21—
On page 6, delete lines 10 through 31, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 21. Judges; Elections; Vacancy
section 21. (A) Election. Except as otherwise provided in this Section, all judges shall be elected. Election shall be at the regular congressional election.
(B) Vacancy. A newly-created judgeship or a vacancy in the office of a judge shall be filled by special election called by the governor and held within six months after the day on which the vacancy occurs or the judgeship is established, except when the vacancy occurs in the last six months of an existing term. Until the vacancy is filled, the supreme court shall appoint a person of its choosing to fill the vacancy, subject to approval by the legislature. The qualifications for the office, other than domicile, to serve at its pleasure. The appointee shall be ineligible as a candidate at the election to fill the vacancy or the newly-created judicial office. No person serving as an appointed judge, other than a retired judge, shall be eligible for retirement benefits provided for the elected judiciary.
(C) End of Term. A judge serving on the effective date of this constitution shall serve through December thirty-first of the year of the expiration of his term or, if the last year of his term is not in the year of a regular congressional election, through December thirty-first of the following year. The election for the next term shall be held in the year in which the term expires, as provided above."

AMENDMENT No. 22—
On page 7, delete lines 5 through 26, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 22. Judges; Retirement
Section 22. (A) Retirement System. Within two years after the effective date of this constitution, the legislature shall provide for a retirement system for judges which shall apply to a judge taking office after the effective date of this constitution, and in which a judge in office at that time may elect to become a member, with credit for all prior years of judicial service and without contribution therefor. The retirement benefits and judicial service rights of a judge in office on the effective date of this constitution shall not be diminished, nor shall the benefits to which a surviving spouse is entitled be reduced.
(B) Mandatory Retirement. Except as otherwise provided in this Section, a judge shall not remain in office beyond his seventieth birthday."

AMENDMENT No. 23—
On page 7, delete lines 21 through 29, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 23. Judges; Qualifications
Section 23. A judge of the supreme court, a court of appeal, district court, family court, parish court, or court having standing jurisdiction shall have been admitted to the practice of law in this state for at least five years prior to his election, and shall have been domiciled in the respective district, circuit, or parish for the two years preceding election. He shall not practice law."

AMENDMENT No. 24—
On page 7, delete lines 30 through 35, both inclusive, in their entirety and on page 8, delete lines 1 through 25, both inclusive, in their entirety and on page 8, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 24. Judiciary Commission
Section 24. (A) Composition. The judiciary commission shall consist of
(1) one court of appeal judge and two district court judges selected by the supreme court;
(2) two attorneys admitted to the practice of law for at least two years and one attorney admitted to the practice of law for at least three years but not more than ten years, selected by the Conference of Court of Appeal Judges or its successor. They shall not be judges, active or retired, or public officials other than notaries public; and
(3) three citizens, not lawyers, judges active or retired, or public officials, selected by the Louisiana District Judges' Association or its successor.
(B) Term. Vacancy. A member of the commission shall serve a four-year term and shall be ineligible to succeed himself. His term shall end upon the occurrence of any event which would have made him ineligible for appointment. When a vacancy occurs, a successor shall be appointed for a four-year term by the authority which appointed his predecessor.
(C) Powers. On recommendation of the judiciary commission, the supreme court may censure, suspend with or without salary, remove from office, or retire involuntarily any judge for willful misconduct relating to his official duties, willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, conduct in the office which would constitute a felony, or conviction of a felony. On recommendation of the judiciary commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during pendency of proceedings in the supreme court. On recommendation of the judiciary commission, the supreme court may retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is or is likely to become permanent. The supreme court shall make rules implementing this Section and providing for confidentiality and privilege of commission proceedings.
(D) Other Disciplinary Action. Action against a judge under this Section shall not preclude disciplinary action against him concerning his license to practice law."

AMENDMENT No. 25—
On page 8, delete lines 4 through 11, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 25. Department of Justice; Attorney General; Assistants
Section 25. There shall be a Department of Justice consisting of an attorney general, a first assistant attorney general, and other necessary assistants and staff. The attorney general shall be appointed by the governor in the general election. He shall appoint assistants to serve at his pleasure."

AMENDMENT No. 26—
On page 9, delete lines 12 through 27, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 26. Attorney General; Powers and Duties
Section 26. The attorney general shall be the chief legal officer of the state. As necessary for the assertion or protection of the rights and interests of the state, the attorney general may
(1) institute and prosecute or intervene in any civil action or proceeding;
(2) advise and assist, upon request of a district attorney, in the prosecution of a criminal case; and
(3) for cause, when authorized by the court of original jurisdiction in which any proceeding or affidavit is pending and subject to judicial review, supersede any attorney representing the state in any civil or criminal action.
He shall have other powers and perform other duties authorized by this constitution or provided by law."

AMENDMENT No. 27—
On page 9, delete lines 28 through 35, both inclusive, in their entirety and on page 10, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 27. District Attorneys
Section 27. (A) Election; Qualifications; Assistants. In each judicial district a district attorney shall be elected for a term of six years. He shall have been admitted to the practice of law in the state for at least five years prior to his election
and shall have resided in the district for the two years preceding election. A district attorney may select assistants as authorized by law, and other personnel.

(B) Powers. Except as otherwise provided by this constitution, a district attorney, or his designated assistant, shall have charge of every criminal prosecution by the state in his district, be the representative of the state before the grand jury in his district, and be the legal advisor to the grand jury. He shall perform other duties provided by law.

(C) Prohibition. No district attorney or assistant district attorney shall appear, plead, or in any way defend or assist in defending any criminal prosecution or charge. A violation of this Paragraph shall be cause for removal.

AMENDMENT No. 23—
On page 10, delete lines 7 through 15, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 25. Sheriffs
Section 28. In each parish a sheriff shall be elected for a term of four years. He shall be the chief law enforcement officer in the parish, except as otherwise provided by this constitution, and shall execute court orders and process. He shall be the collector of state and parish ad valorem taxes and such other taxes and license fees as provided by law. This Section shall not apply to Orleans Parish.”

AMENDMENT No. 29—
On page 10, delete lines 10 through 29, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 25. Clerks of Court
Section 29. (A) Powers and Duties; Deputies. In each parish a clerk of the district court shall be elected for a term of four years. He shall be ex officio notary public and parish recorder of conveyances, mortgages, and other acts and shall have other duties and powers provided by law. The clerk may appoint deputies with duties and powers provided by law and, with the approval of the district judges, he may appoint minute clerks with duties and powers provided by law.

(B) Office Hours. The legislature shall establish uniform statewide office hours for clerks of the district courts.”

AMENDMENT No. 30—
On page 10, delete lines 30 through 35, both inclusive, in their entirety and on page 11, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 30. Coroners
Section 30. In each parish a coroner shall be elected for a term of four years. He shall be a licensed physician and possess the other qualifications and perform the duties provided by law. The requirement that he be a licensed physician shall be inapplicable in any parish in which no licensed physician will accept the office.”

AMENDMENT No. 31—
On page 11, delete lines 4 through 14, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 31. Vacancies
Section 31. When a vacancy occurs in the following offices, the duties of the office, until it is filled by election as provided by law, shall be assumed by the persons herein designated: (1) sheriff, by the chief criminal deputy; (2) district attorney, by the first assistant; (3) clerk of a district court, by the chief deputy; (4) coroner, by the chief deputy. If there is no such person to assume the duties when the vacancy occurs, the governing authority or authorities of the parish or parishes concerned shall appoint a qualified person to assume the duties of the office until filled by election.”

AMENDMENT No. 32—
On page 11, delete lines 15 through 20, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 32. Hours and Benefits. The salary and retirement benefits of an attorney general, district attorney, sheriff, coroner, or clerk of the district court shall not be diminished during his term of office.”

AMENDMENT No. 33—
On page 11, delete lines 21 through 33, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 23. Orleans Parish Courts, Officials
Section 33. Exempt from provisions relating to terms of office as provided elsewhere in this Article, and notwithstanding any other contrary provisions of this constitution, the following courts and officers in Orleans Parish are continued, subject to change by law: the civil and criminal district courts; the city, municipal, traffic, and juvenile courts; the clerks of the civil and criminal district courts; the civil and criminal district courts; the court of appeals and the clerks of the first and second city courts; the register of conveyances; and the recorders of mortgages.”

AMENDMENT No. 34—
On page 11, delete lines 34 and 35 and on page 12, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 34. Jurors
Section 34. (A) Qualifications. A citizen of the state who has reached the age of majority is eligible to serve as a juror within the parish in which he is domiciled. The legislature may provide additional qualifications.

(B) Exemptions. The supreme court shall provide by rule for exemption of jurors.”

AMENDMENT No. 35—
On page 12, delete lines 7 through 20, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 35. Grand Jury
Section 35. (A) Grand Jury. There shall be a grand jury of the several parishes, whose qualifications, duties, and responsibilities shall be provided by law. The secrecy of the proceedings, including the identity of witnesses, shall be provided by law.

(B) Right to Counsel. A person testifying at any stage in grand jury proceedings shall have the right to the advice of counsel while testifying.”

AMENDMENT No. 36—
On page 12, delete lines 24 through 30, both inclusive, in their entirety and delete all amendments thereto and insert in lieu thereof the following:
“Section 36. Judges; Qualifications
Section 36. (A) Judges of the supreme court, a court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction shall have been admitted to the practice of law in this state for at least five years prior to his qualification as a candidate, and shall have been domiciled in the respective district, circuit, or parish for the two years preceding qualification. He shall not practice law.”

AMENDMENT No. 37—
On page 12, delete lines 21 through 29, both inclusive, in their entirety, and delete all amendments thereto and insert in lieu thereof the following:
“Section 23. Judges; Qualifications
Section 23. A judge of the supreme court, a court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction shall have been admitted to the practice of law in this state for at least five years prior to his qualification as a candidate, and shall have been domiciled in the respective district, circuit, or parish for the two years preceding qualification. He shall not practice law.”

AMENDMENT No. 39—
On page 12, delete lines 28 through 35, both inclusive, in their entirety and on page 10, delete line 1 and delete all amendments thereto and insert in lieu thereof the following:
“Section 27. District Attorneys
Section 27. (A) Election; Qualifications; Assistants. In each judicial district a district attorney shall be elected for a term of six years. He shall have been admitted to the practice of law in the state for at least five years prior to his qualification as a candidate and shall have resided in the district for two years preceding qualification. A district attorney may select assistants as authorized by law, and other personnel.”

COMMITTEE PROPOSAL No. 25—
Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2), by Delegate A. Jackson, Chairman, on behalf of
of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guirrero, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL
To provide a preamble and a declaration of rights to the constitution.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—
On page 1, at the beginning of line 18, delete the word "A"

AMENDMENT No. 2—
On page 1, at the end of line 35, delete the comma ";"

AMENDMENT No. 3—
On page 2, line 5, after the word "liberty" and before the word "or" insert a comma ","

AMENDMENT No. 4—
On page 2, delete lines 8 through 15, both inclusive, in their entirety and insert in lieu thereof the following:
"Every person shall be held equal protection of the laws. No law shall discriminate against a person because of race or religious ideas, beliefs, or affiliations. No law shall arbitrarily, capriciously, or unreasonably discriminate against a person because of birth, age, sex, culture, physical condition, or political ideas or affiliations. Slavery and involuntary servitude are prohibited, except in the latter case as punishment for crime."

AMENDMENT No. 5—
On page 2, delete lines 17 through 35, both inclusive, in their entirety and on page 3, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:
"Section 4. Every person has the right to acquire, own, control, use, enjoy, protect, and dispose of private property. This right is subject to reasonable statutory restrictions and the reasonable exercise of the police power.
Property shall not be taken or damaged by the state or its political subdivisions except for public purposes and with just compensation paid to the owner or into court for his benefit. Property shall not be taken or damaged by any private entity authorized by law to expropriate, except for a public and necessary purpose and with just compensation paid to the owner; in such proceedings, whether the purpose is public and necessary shall be a judicial question. In every expropriation, a party has the right to trial by jury to determine compensation, and the owner shall be compensated to the full extent of his loss. No business enterprise or any of its assets shall be taken for the purpose of operating that enterprise or an affiliated or related entity or held in competition with a government enterprise. However, a municipality may expropriate a utility within its jurisdiction. Personal effects, other than contraband, shall never be taken.
This section shall not apply to appropriation of property necessary for levee and levee drainage purposes."

AMENDMENT No. 6—
On page 3, delete lines 4 through 13, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 5. Every person shall be secure in his person, property, communications, houses, papers, and effects against unreasonable searches, seizures, or invasions of privacy. No warrant shall issue without probable cause supported by oath or affirmation, and particularly describing the place to be searched, the persons or things to be seized, and the lawful purpose or reason for the search. Any person adversely affected by a search or seizure conducted in violation of this Section shall have standing to raise its illegality in the appropriate court."

AMENDMENT No. 7—
On page 3, delete lines 17 through 22, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 9. Freedom of Expression
Section 9. No law shall curtail or restrain the freedom of speech or of the press. Every person may speak, write, and publish his sentiments on any subject, but is responsible for abuse of that freedom."

AMENDMENT No. 8—
On page 3, delete lines 26 through 29, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 11. Right of Assembly and Petition
Section 11. No law shall impair the right of any person to assemble peaceably or to petition government for a redress of grievances."

AMENDMENT No. 9—
On page 5, delete lines 33 through 35, both inclusive, in their entirety and on page 6, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:
"Section 19. Every citizen of the state, upon reaching eighteen years of age, shall have the right to register and vote, except that this right may be suspended while a person is interdicted and judicially declared mentally incompetent or is under an order of imprisonment for conviction of a felony."

AMENDMENT No. 10—
On page 6, delete line 24 in its entirety and insert in lieu thereof the following:
"and facilities, every person shall be free from"

AMENDMENT No. 11—
On page 6, delete line 31 in its entirety and insert in lieu thereof the following:
"and facilities, every person shall be free from"

AMENDMENT No. 12—
On page 6, delete lines 29 through 31, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 27. The right to a preliminary examination shall not be denied in felony cases except when the accused is indicted by a grand jury."

AMENDMENT No. 13—
On page 4, delete lines 16 through 22, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 13. Prosecution of a felony shall be initiated by indictment or information, but no person shall be held to answer for a capital crime or a crime punishable by life imprisonment except on indictment by a grand jury. No person shall be twice placed in jeopardy for the same offense, except on his application for a new trial, when a mistrial is declared, or when a motion in arrest of judgment is sustained."

AMENDMENT No. 14—
On page 4, delete lines 23 through 32, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 15. Right to a Fair Trial
Section 15. Every person charged with a crime is presumed innocent until proven guilty and is entitled to a speedy, public, and impartial trial in the parish where the offense or an element of the offense occurred, unless venue is changed in accordance with law. No person shall be com-
pel led to give evidence against himself. An accused is en-
titled to confront and cross-examine the witnesses against him,
to compel the attendance of witnesses, to present a de-
fhense, and to testify in his own behalf."

AMENDMENT No. 15—
On page 4, delete lines 33 through 35, both inclusive, in
their entirety and insert in lieu thereof the following:
"Section 16. Jury Trial in Criminal Cases
Section 16. A critical case in which the punishment may
be capital shall be tried before a jury of twelve persons, all
of whom must concour to render a verdict. A case in which
the punishment is necessarily confinement at hard labor shall
be tried before a jury of twelve persons, ten of whom must
concur to render a verdict. A case in which the punishment
may be confinement at hard labor or confinement without
hard labor for more than six months shall be tried before a
jury of six persons, five of whom must concur to render a
verdict. The accused shall have the right to full voir dire
examination of jurors, and to challenge jurors peremptorily.
The number of challenges shall be fixed by law. Except in capital cases, a defendant may knowingly
and intelligently waive his right to a trial by jury.

AMENDMENT No. 16—
On page 5, delete lines 15 through 26, both inclusive, in
their entirety and insert in lieu thereof the following:
"Section 17. Excessive bail shall not be required. Before
and during a trial, a person shall be bailable by sufficient
surety, except when he is charged with a capital offense and
the proof is evident and the presumption of guilt is great.
After conviction and before sentencing, a person shall be
bailable if the maximum sentence which may be imposed is
imprisonment for five years or less; and the judge may
grant bail if the maximum sentence which may be imposed is
imprisonment exceeding five years. After sentencing and until
final judgment, a person shall be bailable if the sentence
actually imposed is five years or less; and the judge may
grant bail if the sentence actually imposed exceeds imprison-
ment for five years."

AMENDMENT No. 17—
On page 5, delete lines 23 through 31, both inclusive, in
their entirety and insert in lieu thereof the following:
"Section 18. No law shall subject any person to euthanasia,
to torture, or to cruel, excessive, or unusual punishment. Full
rights of citizenship shall be restored upon termination of
state and federal supervision following conviction for any
offense."

AMENDMENT No. 18—
On page 6, line 13, immediately after the word “delay” and
before the word “for” insert a comma “,”

AMENDMENT No. 19—
On page 6, line 20, immediately after the word “not” and
before the words “deny or disparage” delete the words “be
construed to”

AMENDMENT No. 20—
Renumber the following sections and place in numerical
order as follows:

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<tr>
<th>Section Number as Enrolled</th>
<th>Renumbered As</th>
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<tr>
<td>Section 9</td>
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<tr>
<td>Section 25</td>
<td>Section 20</td>
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</tbody>
</table>

and on page 3, line 30, in Committee Amendment No. 11
adopted by the convention this date, between lines 13 and 14
of the text of the amendment insert: “Section 19. Right to
Judicial Review and on line 14 of the text of the amend-
ment, at the beginning of the line, insert “Section 19.” and
place in numerical order.

COMMITTEE PROPOSAL No. 32—
Introduced by Delegate A. Jackson, Chairman, Committee
on Bill of Rights and Elections (Substitute for Committee
Proposal No. 20, by Delegate A. Jackson, Chairman, on behalf
of the Committee on Bill of Rights and Elections, and Dele-
gate Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick,
Wall and Weiss):

A PROPOSAL

Making general provisions for elections.

Reported with the following amendments:

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting
to Committee Proposal No. 33 by Delegate A. Jackson,
et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 17 through 24, both inclusive, in
their entirety and insert in lieu thereof the following:
"Section 2. Election Code
Section 1. The legislature shall adopt an election code
which shall provide for permanent registration of voters
and for the conduct of all elections."

AMENDMENT No. 2—
On page 1, delete lines 25 through 33, both inclusive, in
their entirety and insert in lieu thereof the following:
"Section 2. Secret Ballot; Absentee Voting; Preservation
of Ballot
Section 2. In all elections by the people, voting shall be by
secret ballot. The legislature shall provide a method for ab-
sentee voting. Proxy voting is prohibited. Ballots shall be
placed publicly and preserved inviolate as provided by law
until all election contests have been settled. In all elections
by persons in a representative capacity, voting shall be
viva-voce."

AMENDMENT No. 3—
On page 1, delete lines 34 and 35 in their entirety and on
page 2, delete lines 1 through 3, both inclusive, in their
entirety and insert in lieu thereof the following:
"Section 3. Privilege from Arrest
Section 3. While going to and returning from voting and
while exercising the right to vote, an elector shall be privi-
elged from arrest, except for felony or breach of the peace."

AMENDMENT No. 4—
On page 2, between lines 3 and 4, insert the following:
"Section 4. Prohibited Use of Public Funds
Section 4. No public funds shall be used to urge any elec-
tor to vote for or against any presidential, or state, or local
candidate or political organization. This provision shall not
prohibit the use of public funds for disse-
mation of factual information relative to a proposition
appearing on an election ballot."

AMENDMENT No. 5—
On page 2, delete lines 13 through 19, both inclusive, in
their entirety.

AMENDMENT No. 6—
On page 2, delete lines 4 through 12, both inclusive, in their
entirety and insert in lieu thereof the following:
"Section 5. Registrar of Voters
Section 5. The governing authority of each parish shall
appoint a Registrar of Voters, whose compensation and
removal from office for cause, bond, powers, and functions shall
be provided by law. Upon qualifying as a candidate for other
public office, a registrar shall forfeit his office. No law shall
provide for the removal from office of a registrar by the
appointing authority."

Respectfully submitted,

ALBERT TATE,
Chairman.
And the above Proposal, together with the amendments proposed by the Committee on Style and Drafting, lies over under the Rules under Proposals on Calendar for Approval of Final Staying.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 8, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Delegate Proposal has been properly enrolled:

DELEGATE PROPOSAL No. 22—
Introduced by Delegates Conroy and Newton:
A PROPOSAL
To provide for the prohibition of certain enumerated local and special laws.
Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE III. LEGISLATIVE BRANCH

Section 12. Prohibited Local and Special Laws
Section 12. (A) Except as otherwise provided in this constitution, the legislature shall not pass any local or special law:
(1) For the holding and conducting of elections, or fixing or changing the place of voting.
(2) Changing the names of persons; authorizing the adoption or legitimation of children or the emancipation of minors; affording the estates of minors or persons under disabilities; granting divorces; changing the law of descent or succession; giving effect to informal or invalid wills or deeds or to any illegal disposition of property.
(3) Concerning any civil or criminal actions, including changing the venue in civil or criminal cases, or regulating the practice or jurisdiction of any court, or changing the rules of evidence in any judicial proceeding or inquiry before courts, or providing or changing methods for the collection of debts or the enforcement of judgments, or prescribing the effect of judicial sales.
(4) Authorizing the laying out, opening, closing, altering, or maintaining of roads, highways, streets, or alleys; relating to ferries and bridges, or incorporating bridge or ferry companies, except for the erection of bridges crossing streams which from boundaries between this and any other State; authorizing the constructing of street passenger railroads in any incorporated town or city.
(5) Exempting property from taxation; extending the time for the assessment or collection of taxes; for the relief of any assessor or collector of taxes from the performance of his official duties or of his sureties from liability; remitting fines, penalties, and forfeitures; or refunding monies legally paid into the treasury.
(6) Regulating labor, trade, manufacturing, or agriculture; fixing the rate of interest.
(7) Creating private corporations, or amending, renewing, extending, or explaining the charters thereof; granting to any private corporation, association, or individual any special or exclusive right, privilege, or immunity.
(8) Regulating the management of parish or city public schools, the building or repairing of parish or city schoolhouses and the raising of money for such purposes.
(9) Legalizing the unauthorized or invalid acts of any officer, employee, or agent of the state, its agencies, or political subdivisions.
(10) Defining any crime.

Respectfully submitted,
MOISE W. DENNERY
Secretary,

Under the Rules, referred to the Committee on Style and Drafting.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 8, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Delegate Proposals have been properly enrolled:

DELEGATE PROPOSAL No. 18—
Introduced by Delegates Casey, Alario, Denney, Gravel and Riecke:
A PROPOSAL
Providing for meeting of the legislature for the next two years following the adoption of this constitution.
Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XIV. SCHEDULE

Section 1. Legislative Sessions
Section 1. 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.

DELEGATE PROPOSAL No. 28—
Introduced by Delegate Denney:
A PROPOSAL
Relative to transition for members of the State Civil Service Commission.
Be it adopted by the Constitutional Convention of Louisiana of 1973:

Article XIV, Section 1. Transition; Civil Service Commission; State; Cities

Section 1. (A) State Commission. Each person who, on the effective date of this constitution, is a member of the State Civil Service Commission shall continue in such position for the remainder of the term to which he was appointed. Within thirty days after the effective date of this constitution, the president of Xavier University of Louisiana shall submit three names to the governor for appointment to the commission as provided in Article VII, Section 1, Paragraph (C). Within ninety days after the effective date of this constitution, one member of the commission shall be selected by the classified 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, on the effective date of this constitution, is a member of the New Orleans City Civil Service Commission shall continue in such position for the remainder of the term to which he was appointed. Within thirty days after the effective date of this constitution, the presidents of St. Mary's Dominican College and Xavier University of Louisiana 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.

Section 2. Transition; Civil Service Officers; Employees; State; Cities

Section 2. Upon the effective date of this constitution, all officers and employees of the state and of the cities 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 shall thereafter be subject to and
1974, the Rules of the house, at least ten days before the beginning of the session. An amendment to this constitution may be proposed at any extraordinary session of the legislature if it is within the objects of the call of the session and is introduced in the first five calendar days thereof. If two-thirds of the members elected to each house concur in the resolution, pursuant to all the procedures and formalities required for passage of a bill except submission to the governor, the secretary of state shall cause the proposed amendment to be published in the official journal of each parish once within not less than thirty nor more than sixty days preceding the election at which the proposed amendment is submitted to the electorate. Each joint resolution shall specify the state-wide election at which the proposed amendment shall be submitted. Special elections for submitting proposed amendments may be authorized by law.

(B) If a majority of the electors voting on the proposed amendment shall approve it, then it shall become part of this constitution, effective twenty days after the governor has proclaimed its adoption, unless the amendment otherwise provides. A proposed amendment directly affecting not more than five parishes or areas within not more than five parishes shall become part of this constitution only when approved by a majority of the electors voting therein in the state and also a majority of the electors voting thereon in each affected parish. However, a proposed amendment directly affecting not more than five municipalities, and only such municipalities, shall become part of a new constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each such municipality.

(C) When more than one amendment is submitted at the same election, each shall be submitted so as to enable the electors to vote on them separately. A proposed amendment shall be confined to one object and shall set forth the entire article, sections, or other subdivisions thereof as revised or only the article, sections, or other subdivisions which are to be added; provided that a section or other subdivision may be repealed by reference. However, the legislature may propose, as one amendment, a revision of an entire article of this constitution which revision may contain multiple ob-

jects or changes. The proposed amendment shall have a title containing a brief summary of the changes proposed.

Section 2. Convention Called by Legislature

Section 2. The legislature, by a two-thirds vote of the elected membership of each house, may provide by law for the calling of a constitutional convention. The convention may be called whenever the legislature considers it desirable to revise or propose a new constitution. The revision or the proposed constitution and any alternative propositions agreed upon by the convention shall be submitted to the people for their ratification or rejection. If the proposal is approved by a majority of the electors voting thereon, the governor shall proclaim it to be the Constitution of the State of Louisiana.

Section 4. Laws Effectuating Amendments

Section 4. Whenever the legislature shall submit amendments to this constitution, it may at the same session enact laws to carry them into effect, to become operative when the proposed amendments have been ratified.

Respectfully submitted,
MOISE W. DENNERY
Secretary

Under the Rules, referred to the Committee on Style and Drafting.

COMMITTEE PROPOSAL No. 36—

Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitutes for Committee Proposal No. 24, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall, and Weiss):

A PROPOSAL

Relative to constitutional revision.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XIII. CONSTITUTIONAL REVISION

Section 1. Amendments

Section 1. (A) An amendment to this constitution may be proposed by joint resolution at any regular session of the legislature, provided that such resolution has been prefixed, in accordance with the Rules of the houses of the legislature, at least ten days before the beginning of the session. An amendment to this constitution may be proposed at any extraordinary session of the legislature if it is within the objects of the call of the session and is introduced in the first five calendar days thereof. If two-thirds of the members elected to each house concur in the resolution, pursuant to all the procedures and formalities required for passage of a bill except submission to the governor, the secretary of state shall cause the proposed amendment to be published in the official journal of each parish once within not less than thirty nor more than sixty days preceding the election at which the proposed amendment is submitted to the electorate. Each joint resolution shall specify the state-wide election at which the proposed amendment shall be submitted. Special elections for submitting proposed amendments may be authorized by law.

(B) If a majority of the electors voting on the proposed amendment shall approve it, then it shall become part of this constitution, effective twenty days after the governor has proclaimed its adoption, unless the amendment otherwise provides. A proposed amendment directly affecting not more than five parishes or areas within not more than five parishes shall become part of this constitution only when approved by a majority of the electors voting therein in the state and also a majority of the electors voting thereon in each affected parish. However, a proposed amendment directly affecting not more than five municipalities, and only such municipalities, shall become part of a new constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each such municipality.

(C) When more than one amendment is submitted at the same election, each shall be submitted so as to enable the electors to vote on them separately. A proposed amendment shall be confined to one object and shall set forth the entire article, sections, or other subdivisions thereof as revised or only the article, sections, or other subdivisions which are to be added; provided that a section or other subdivision may be repealed by reference. However, the legislature may propose, as one amendment, a revision of an entire article of this constitution which revision may contain multiple ob-

jects or changes. The proposed amendment shall have a title containing a brief summary of the changes proposed.

Section 2. Convention Called by Legislature

Section 2. The legislature, by a two-thirds vote of the elected membership of each house, may provide by law for the calling of a constitutional convention. The convention may be called whenever the legislature considers it desirable to revise or propose a new constitution. The revision or the proposed constitution and any alternative propositions agreed upon by the convention shall be submitted to the people for their ratification or rejection. If the proposal is approved by a majority of the electors voting thereon, the governor shall proclaim it to be the Constitution of the State of Louisiana.

Section 4. Laws Effectuating Amendments

Section 4. Whenever the legislature shall submit amendments to this constitution, it may at the same session enact laws to carry them into effect, to become operative when the proposed amendments have been ratified.

Respectfully submitted,
MOISE W. DENNERY
Secretary

Under the Rules, referred to the Committee on Style and Drafting.

MOTION

On motion of Delegate Tate the rules were suspended for the purpose of calling a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Wednesday, January 9, 1974, at the noon recess in the Treaty Room and will consider the following agenda:

AGENDA

To continue preparation of Committee Reports.

Respectfully submitted,
ALBERT TATE,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Thursday, January 10, 1974, at 10:00 o'clock in the Convention Hall and will consider the following agenda:

AGENDA

To complete the Committee's Business.

Respectfully submitted,
CHALIN O. PEREZ,
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

LEAVES OF ABSENCE

Delegate Sandoz—1/2 day.
Delegate Thistlethwaite—1 day.

ADJOURNMENT

Delegate Abraham moved that the Convention do now adjourn until Wednesday, January 9, 1974, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, January 9, 1974, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

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

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

Wednesday, January 9, 1974, Baton Rouge, La.
The Convention was called to order at 9:00 o'clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

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

Delegates—    PRESENT
Mr. Chairman— Fontenot    Nunez
Abraham—      Powler    O'Neill
Aerkter—      Pulco    Ourso
Alario—       Gauthier    Perez
Alexander—    Girrusso    Perkins
Anzalone—     Gin    Planchard
Arnette—      Goldman    Pugh
Asseff—       Graham    Rayburn
Avant—        Grier    Reeves
Badeaux—      Grissom    Riecke
Bel—          Guarisco    Roemer
Bergeron—     Hardee    Roy
Blair—        Hayes    Sandoz
Bollinger—    Haynes    Schmitt
Brien—        Heine    Segura
Brown—        Hernandez    Shannon
Burns—        Jackson, A.    Singleterry
Burson—       Jackson, J.    Smith
Cannon—       Jenkins    Soniat
Carmouche—   Jones    Stagg
Casey—        Junecu    Stephenson
Champagne—    Kean    Stihon
Cheslain—     Kilbourne    Stovall
Comar—        Kilpatrick    Sutherland
Conino—       Landrum    Tapper
Conroy—       Landry, A.    Tate
Corne—        Landry, E. J.    Thistlethwaite
Cowan—       Lanier    Thompson
D'Geralamo—  LeBlanc    Tobias
De Bileux—    LeBlanc    Toca
Denner—       Lowe    Toomy
Dennis—       McDaniel    Ulo
Derbes—       Martin    Velazquez
Deshotels—    Maubertet    Vick
Drew—         Maybuck    Warren
Dunlap—       Miller    Wattigny
Duval—        Michele    Willis
Edwards—      Morris    Winchester
Elkins—       Munson    Wisham
Fayard—       Newton    Zervigon

Total—121.

Delegates—    ABSENT
Chehardy—     Leigh    Wall
Jack—         Rachal    Weiss
Kelly—        Slay    Womack
Lambert—      Velich
Total—11.

The Chairman announced that there were 121 members
present and a quorum.

Prayer
Prayer was offered by Delegate Abraham.

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

Reading of the Journal
On motion of Delegate Sandoz, the reading of the Journal
was dispensed with.
On motion of Delegate Sandoz, the Journal of yesterday
was adopted.

Morning Hour

Unfinished Business
The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Proposals, Delegates and Committee
The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

DELEGATE PROPOSAL No. 17—
Introduced by Delegate Planchar:
A PROPOSAL
Making provisions prohibiting lotteries.

Article II, Section 14. Lotteries
Section 14. Neither the state nor any of its political sub-
divisions shall conduct a lottery.

The Chairman announced that the Convention had under
consideration Delegate Proposal No. 17, Section 14, when it
adjourned on Tuesday, January 8, 1974, which was taken up
and acted upon as follows:

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

FLOOR AMENDMENT
Amendment proposed by Delegates Guarisco, Fayard and
Nunez to Delegate Proposal No. 17 by Delegate Planchar.
Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 7 through 10, in their entirety and
delete all floor amendments adopted thereto and insert in lieu
thereof the following:

"ARTICLE XII. GENERAL PROVISIONS

"Section 12. Gambling; Prohibited
Section 12. All forms of gambling, including, without limitation, lotteries, pari-mutual betting, pinball
machines, bowling cards, printing of point spreads, bingo, dice, card games and other games of chance
shall be prohibited in this state. The legislature shall define the crime of gambling and provide
criminal penalties therefor."

Delegate Guarisco moved the adoption of the amendment.
Delegate Burns objected.

A record vote was asked for and ordered by the Conven-
tion.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—    Blair    Guarisco    Giarrusso
              Ginn    Jackson, A.    Jenkins

1142
January 8, 1974, delete Floor Amendment No. 2 proposed by Delegate Velazquez and adopted by the convention on January 8, 1974, and at the end of line 2 of the text of the Burns amendment, after the word “state” delete the period “.”” and add the following:

“and the legislature shall provide penalties for the violation thereof.”

Delegate Chatelain moved the adoption of the amendment.
Delegate Shannon objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman  Dunlap  Morris
Abraham  Eikins  Munson
Aertker  Florcy  Planchard
Alexander  Fowler  Rayburn
Armee  Fuco  Reeves
Asseff  Ginn  Riecke
Avant  Grif  Roemer
Badeaux  Hardee  Sandoz
Bel  Heine  Shannon
Bollinger  Hernandez  Singleton
Burns  Kilbourne  Smith
Burson  Landrum  Stinson
Cannon  LeBlanc  Stovall
Casey  LeBoeuf  Sutherland
Chateiain  Landry, E. J.  Thompson
Comar  Lanier  Toa
Conino  LeBlanc  Toomy
Conroy  Lowe  Velazez
Corne  Maybucr  Wattigny
Cowan  McDaniel  Willis
De Bileux  Maubreer  Zervigon
Drew  Morris

Total—65.

Delegates—

Mr. Chairman  Hayes  Rachal
Anzalone  Haynes  Riecke
Arnette  Jackson  Roemer
Bergeron  Jackson, J.  Roy
Brien  Juneau  Schmitt
Brown  Kean  Segura
Carmonche  Kelly  Singletery
Chehardy  Lambert  Slay
D’Gerolamo  Landrum  Soniat
Denney  Leidi  Tapper
Dennis  Martin  Tate
Deshotels  Maybucr  Vesich
Duval  Mire  Vick
Edwards  Newton  Wall
Fayard  Ours  Weis
Gauthier  Perez  Wisham
Graham  Perkins  Womack

Total—81.

And the amendment was rejected.

Delegate Burns moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegates Chatelain, Drew and Conino to Delegate Proposal No. 17 by Delegate Planchard.

Amend printed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 8, in Floor Amendment No. 3 proposed by Delegate Burns, et al. and adopted by the convention on January 8, 1974, delete Floor Amendment No. 1 proposed by Delegate Velazquez and adopted by the convention on January 8, 1974, and at the end of line 2 of the text of the Burns amendment, after the word “it” delete the period “.” and add the following:

“and the legislature shall provide penalties for the violation thereof.”

AMENDMENT No. 2—

On page 1, line 10, in Floor Amendment No. 4 proposed by Delegate Burns, et al. and adopted by the convention on
1974, Delegates on the floor deleted the words "Lotteries and the" and inserted in lieu thereof the word "The" and after the word "tickets" on said line struck out the word "are" and inserted in lieu thereof "is"

Delegate Drew moved the adoption of the amendment.
Delegate Jenkins objected.

By a vote of 63 yeas and 23 nays the amendment was adopted.
Delegate Drew moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Velazquez to Delegate Proposal No. 17 by Delegate Planchard.

Amend printed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 10, in Floor Amendment No. 4 proposed by Delegate Burns, et al. and adopted by the convention on January 8, 1974, at the beginning of line 1 of the text of the amendment, delete the words "Lotteries and the" and insert in lieu thereof the word "The" and after the word "tickets" on said line strike out the word "are" and inserted in lieu thereof "is"

Delegate Drew moved the adoption of the amendment.
Delegate Jenkins objected.

By a vote of 63 yeas and 23 nays the amendment was adopted.
Delegate Drew moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Velazquez to Delegate Proposal No. 17 by Delegate Planchard.

Amend printed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 10, in Floor Amendment No. 4 proposed by Delegate Chatelain, et al. and adopted by the convention on January 8, 1974, at the beginning of line 1 of the text of the amendment, after the word "penalties" and before the word "for" insert the words "and special taxation"

Delegate Velazquez moved the adoption of the amendment.
Delegate Landrum objected.

By a vote of 23 yeas and 66 nays the amendment was rejected.
Delegate Smith moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Gravel, Lanier and Arnette to Delegate Proposal No. 17 by Delegate Planchard.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 8 through 10, both inclusive, in their entirety and delete all floor amendments adopted thereto and insert in lieu thereof the following:

"Section 14. Neither the state nor any of its political subdivisions shall conduct a lottery. Commercial gambling shall be defined by and prohibited by the legislature."

On motion of Delegate Gravel the amendment was withdrawn.
Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Gravel, Lanier and Arnette to Delegate Proposal No. 17 by Delegate Planchard.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 8 through 10, both inclusive, in their entirety and delete all floor amendments adopted thereto and insert in lieu thereof the following:

"Section 14. Neither the state nor any of its political sub-

<table>
<thead>
<tr>
<th>YEAS</th>
<th>Delegates</th>
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<td></td>
<td>Arnette</td>
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<td>Gravel</td>
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<td>Chechardy</td>
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<td>Haynes</td>
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<td></td>
<td>Jack</td>
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<td>Total-29</td>
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</tbody>
</table>

1974

Delegate Gravel moved the adoption of the amendment. Delegate Stinson objected.

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

**ROLL CALL**

The roll was called with the following result:

1144
113th Days Proceedings—January 9, 1974

in their entirety and insert in lieu thereof the following:  

"ARTICLE XII. GENERAL PROVISIONS  

Section 12. Lotteries; Gambling"

AMENDMENT No. 2—  
On page 1, in Convention Floor Amendment No. 1 proposed by Delegate Gravel and adopted by the convention on January 9, 1974, at the beginning of line 1 of the text thereof, strike out "Section 14." and insert in lieu thereof "Section 12."

Delegate Planchar moved the adoption of the amendments.  
Delegate Jenkins objected.

On motion of Delegate Planchar the amendments were adopted.

Delegate Planchar moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Nunez, Comar, Alario, Brien, Leithman and Lanier to Delegate Proposal No. 17 by Delegate Planchar.

Amend printed proposal as follows:

AMENDMENT No. 1—  
On page 1, immediately after the language added by Convention Floor Amendment No. 1 proposed by Mr. Gravel and adopted by the Convention on January 9, 1974, add the following Paragraph:

"Nothing in this Section shall be construed to prohibit any such activity, when engaged in by a charitable, benevolent, civic or religious organization."

Delegate Nunez moved the adoption of the amendment.

Delegate Jenkins objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—  
Alario  
Alexander  
Bel  
Bergeron  
Bollinger  
Brien  
Burson  
Carmouche  
Casey  
Comar  
Clemo  
D’Gerolamo  
Denney  
Total—39.

NAYS

Delegates—  
Abraham  
Aseff  
Avant  
Badeaux  
Blair  
Burns  
Cannon  
Champagne  
Chateaux  
Conroy  
Landrum  
Landry, E. J.  
LeBluu  
Lowe  
McDaniel  
Mire  
Morris  
Musson  
Newton  
Orsor  
Planchard  
Pugh  
Rayburn  
Riecke  
Roemer  
Roy  
Sandor  
Schmitt  
Shannon  
Smith  
Stagg  
Stephenson  
Stinson  
Stovall  
Sutherland  
Tate  
Thistlethwaite  
Thompson  
Ullo  
Wisham  
Page 4

NOT VOTING

Delegates—  
Mr. Chairman  
Aertker  
Anzalone  
Arnette  
Brown  
Charchady  
Corne  
Derbes  
Deshotels  
Duval  
Edwards  
Payard  
Graham  
Guarisco  
Haynes  
Jack  
Jones  
Kean  
Kelly  
Lambert  
Leigh  
Maybuce  
Perkins  
Raehal  
Singletary  
Slay  
Tobias  
Vesich  
Wall  
Warren  
Weiss  
Wicheseter  
Womack  

And the amendment was rejected.

Delegate Rayburn moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Casey to Delegate Proposal No. 17 by Delegate Planchar.

Amend printed proposal as follows:

AMENDMENT No. 1—  
On page 1, line 8, in Convention Floor Amendment No. 1 proposed by Delegate Gravel, et al. and adopted by the convention on January 9, 1974, on line 3, after the word “and” delete the remainder of the line and insert in lieu thereof the word "suppressed" and on line 4, delete the partial word "published".

Delegate Casey moved the adoption of the amendment.

Delegate Stovall objected.

By a vote of 68 yeas and 9 nays the amendment was adopted.

Delegate Casey moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Segura to Delegate Proposal No. 17 by Delegate Planchar.

Amend printed Proposal as follows:

AMENDMENT No. 1—  
On page 1, delete lines 8 through 10, both inclusive, in their entirety and delete all floor amendments adopted thereto and insert in lieu thereof the following:

"Section 14. Neither the state nor any of its political subdivisions shall conduct a lottery; however, the legislature may authorize the conducting of a lottery subject to approval by a majority vote of the electors of the state in an election which shall be called and held in the manner provided by law. Gambling shall be defined by and prohibited by the legislature."

On motion of Delegate Segura the amendment was withdrawn.

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

Amendment proposed by Delegate Segura to Delegate Proposal No. 17 by Delegate Planchar.

Amend printed Proposal as follows:

**AMENDMENT No. 1**—

On page 1, delete lines 8 through 10, both inclusive, in their entirety and delete all floor amendments adopted thereto and insert in lieu thereof the following:

"Section 14. Neither the state nor any of its political subdivisions shall conduct a lottery; however, the legislature may authorize the conducting of a lottery subject to approval by a majority vote of the electors of the state in an election which shall be held in the manner provided by law. Gambling shall be defined by and suppressed by the legislature."

Delegate Segura moved the adoption of the amendment.

Delegate Chatelain objected.

By a vote of 20 yeas and 66 nays the amendment was rejected.

Delegate Planchar moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Shannon, Smith, Grier and Chatelain to Delegate Proposal No. 17 by Delegate Planchar.

Amend printed Proposal as follows:

**AMENDMENT No. 1**—

On page 1, delete line 4 in its entirety, including all amendments adopted thereto and insert in lieu thereof the following:

"Making provisions relative to gambling and lotteries"

**AMENDMENT No. 2**—

On page 1, delete lines 7 through 10, both inclusive, in their entirety and delete all floor amendments adopted thereto and insert in lieu thereof the following:

"ARTICLE XII. GENERAL PROVISIONS

Section 12. Gambling and Lotteries
Section 12. Gambling is a vice and the legislature shall pass laws to suppress it. Lotteries and the sale of lottery tickets are prohibited in this state."

Motion

Delegate Smith moved the previous question on the amendment.

Delegate Tapper objected.

By a vote of 20 yeas and 60 nays the Convention refused to order the previous question at this time.

Point of Order

Delegate Shannon suggested the absence of a quorum.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Yeas</th>
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<tbody>
<tr>
<td>Abraham</td>
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<td>Aertker</td>
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<td>Anzalone</td>
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<td>Asseff</td>
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<td>Blair</td>
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<td>Burns</td>
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<td>Chatelain</td>
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<td>Conino</td>
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<td>Dennis</td>
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<td>Deshotels</td>
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<td>Drew</td>
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<td>Elkins</td>
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<td>Total—30.</td>
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</tbody>
</table>

The Chair announced that there were 102 delegates present and a quorum.

Delegate Shannon moved the adoption of the amendment.

Delegate Tapper objected.

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

**ROLL CALL**

The roll was called with the following result:

<table>
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<tr>
<th>Delegates—</th>
<th>Nays</th>
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<tbody>
<tr>
<td>Alario</td>
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<td>Alexander</td>
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<td>Arnette</td>
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<td>Avant</td>
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<td>Badeaux</td>
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<td>Bel</td>
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<td>Bergeron</td>
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<td>Bollinger</td>
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<td>Fulco</td>
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<td>Gauthier</td>
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<td>Girrruso</td>
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<td>Goldman</td>
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<td>Gravel</td>
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<td>Heine</td>
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<td>Jackson, A.</td>
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<td>Jackson, J.</td>
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<td>Jenkins</td>
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<td>Kean</td>
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<td>Lambert</td>
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<td>Mauberret</td>
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<td>Miller</td>
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<td>Newton</td>
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<td>Nunez</td>
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<td>Ourso</td>
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<td>Perez</td>
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<td>O'Neill</td>
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<td>Rachel</td>
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|   | 1146 |
131st Days Proceedings — January 9, 1974

Fayard
Gauthier
Goldman
Graham
Gravel
Hardee
Haynes
Heine
Jackson, A.
Jackson, J.
Jenkins
Kean
Landrum
Landry, A.
Landry, E. J.
Total — 69.

NOT VOTING

Delegates —
Mr. Chairman
Chehardy
Corne
Edwards
Fowler
Giarrusso
Ginn
Guarisco
Jack
Junoa

Total — 30.

And the amendment was rejected.
Delegate Planchar turned to the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Planchar moved the previous question on Delegate Proposal No. 17, Section 14.
Delegate Tapper objected.

By a vote of 54 yeas and 45 nays the previous question was ordered.

Passage

Delegate Proposal No. 17, Section 14 was read, as amended.
Delegate Planchar moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates —
Mr. Chairman
Abraham
Alexander
Anzalone
Arnette
Avant
Badeaux
Bergeron
Blair
Bollinger
Bren
Burns
Burson
Cannon
Champagne
Chatelain
Comar
Conino
Corne
Coven
Cowen
De Bileux
Dennis
Deshotels
Drew

Total — 78.

NAYS

Delegates —
Aerkik
Alario
Asseff
Bel
Brown
Carmouche
Casey
Conroy
D’Gerolamo
Dennery

Total — 29.

NAYS

Delegates —
Chehardy
Edwards
Ginn
Guarisco
Jack
Juneau
Kelly
Kilbourne
LeBlanc

Total — 25.

And the Chair declared that the above Section was finally passed.
Delegate Planchar moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Passage

The proposal was read, as amended.
Delegate Planchar moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates —
Mr. Chairman
Abraham
Alexander
Anzalone
Arnette
Avant
Badeaux
Bergeron
Blair
Bollinger
Bren
Burns
Burson
Cannon
Champagne
Chatelain
Comar
Conino
Corne
Coven
Cowen
De Bileux
Dennis
Deshotels
Drew

Total — 78.

NAYS

Delegates —
Aerkik
Alario
Asseff
Bel
Brown
Carmouche
Casey
Conroy
Dennery
De Bileux
Dennis
Deshotels
Drew

Total — 29.
113th Days Proceedings—January 9, 1974

Perkins
Segura
Soniat
Tapper

Tobias
Velasquez
Vick
Warren

Wattigny
Willis
Zervigon

Total—29.

Delegates—

Chehardy
Edwards
Ginn
Guarlisco
Jack
Juneau
Kelly

LeBleu
Leigh
Leithman
Maybou
Monson
O'Neill
Pugh
Rachal
Rayburn

Singleterry
Sly
Thistletawle
Vesich
Wall
Weiss
Whinster
Womack

NOT VOTING

And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

Explanations of Vote

Delegate Bollinger sent up the following explanation of his vote on Committee Proposal No. 17:

"The legalization of gambling is a moral question and should be decided only after much research and public input. I am opposed to a constitutional limitation on the question of allowing the legislature to deal with the issue of gambling. Because of the concern of the delegates in North Louisiana with respect to the passage of a constitution without a prohibition on gambling, I am casting my vote in favor of D. P. 17.

Motion

On motion of Delegate Tate, the Convention altered the Order of Business to take up proposals on Calendar for Approval of Final Styling at this time.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 21—

Introduced by Delegate Dennis, Chairman of the Committee on the Judiciary, and Delegates Avant, Bel, Burgeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ourso, Sandez, Tate and Vesich (A Substitute for Committee Proposal No. 8):

A PROPOSAL
Making provisions for the Judiciary branch of government.

Reported with the following amendments:

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—

On page 1, line 17, after the word "power" and before the word "vested" delete the words "shall be" and insert in lieu thereof the word "is" and on line 19, at the end of the line, delete the word "constitution" and insert in lieu thereof the word "Article"

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—

On page 1, delete lines 20 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Habeas Corpus, Needful Writs, Orders and Process; Contempt Section 2. A judge may issue writs of habeas corpus and all other needful writs, orders, and process in aid of the jurisdiction of his court. Exercise of this authority by a judge of the supreme court or of a court of appeal is subject to review by the whole court. The power to punish for contempt of court shall be limited by law."

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—

On page 1, line 32, after the word and punctuation "judgment," delete the remainder of the line and delete line 33 in its entirety and insert in lieu thereof the following:

"The term of a supreme court judge shall be ten years."

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 4—

On page 1, delete line 35 in its entirety and on page 2, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. The state shall be divided into at least six supreme court districts, and at least one judge shall be elected from each. The districts and the number of judges assigned to each on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature."

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—

On page 2, delete lines 6 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Supreme Court; Jurisdiction; Rule-Making Power; Assignment of Judges

Section 5. (A) Supervisory Jurisdiction; Rule-Making Power; Assignment of Judges. The supreme court has general supervisory jurisdiction over all other courts. It may establish procedural and administrative rules not in conflict with law and may assign a sitting or retired judge to any court.

(B) Original Jurisdiction. The supreme court has exclusive original jurisdiction of disciplinary proceedings against a member of the bar.

(C) Scope of Review. Except as otherwise provided by this constitution, the jurisdiction of the supreme court in civil cases extends to both law and fact. In criminal matters, its appellate jurisdiction extends only to questions of law.

(D) Appellate Jurisdiction. In addition to other appeals provided by this constitution, a case shall be appealable to the supreme court if (1) a law or ordinance has been declared unconstitutional; (2) the defendant has been convicted of a felony or a fine exceeding five hundred dollars or imprisonment exceeding six months actually has been imposed.

(E) Other Criminal Cases; Review. In all criminal cases not provided in Paragraph (D)(2) of this Section, a defendant has a right of appeal or review, as provided by law.

(F) Appellate Jurisdiction; Civil Cases; Extent. Subject to the provisions in Paragraph (C) the supreme court has appellate jurisdiction over all issues involved in a civil action properly before it."

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 6—

On page 2, delete lines 34 and 35 in their entirety and on page 3, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 6. Supreme Court; Chief Justice

Section 6. The judge oldest in point of service on the supreme court shall be chief justice. He is the chief administrative officer of the judicial system of the state, subject to rules adopted by the court."

Read.
113th Days Proceedings—January 9, 1974

On motion of Delegate Tate Amendment No. 6 was adopted.

AMENDMENT No. 7—
On page 3, delete lines 6 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 7. Supreme Court; Personnel

Section 7. The supreme court may select a judicial administrator, its clerks, and other personnel and prescribe their duties."

Read.

On motion of Delegate Tate Amendment No. 7 was adopted.

AMENDMENT No. 8—
On page 3, delete lines 11 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 8. Courts of Appeal; Circuits; Panels; Judgments; Terms

Section 8. (A) Circuits; Panels. The state shall be divided into at least four circuits, with one court of appeal in each. Each circuit shall sit in panels of at least three judges selected according to rules adopted by the court.

(B) Judgments. A majority of the judges sitting in a case must concur to render judgment. However, when a judgment of a district court is to be modified or reversed and one judge dissent, the case shall be reargued before a panel of at least five judges prior to rendition of judgment, and a majority must concur to render judgment.

(C) Terms. The term of a court of appeal judge shall be ten years."

Read.

On motion of Delegate Tate Amendment No. 8 was adopted.

AMENDMENT No. 9—
On page 3, delete lines 24 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. Each circuit shall be divided into at least three districts, and at least one judge shall be elected from each. After January 1, 1975, no judge shall be elected at large from within the circuit. The circuits and districts and the number of judges as elected in each circuit on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature."

Read.

On motion of Delegate Tate Amendment No. 9 was adopted.

AMENDMENT No. 10—
On page 3, delete lines 31 through 35, both inclusive, in their entirety and on page 4, delete lines 1 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 10. Courts of Appeal; Jurisdiction

Section 10. (A) Jurisdiction. Except in cases appealable to the supreme court and except as otherwise provided by this constitution, a court of appeal has appellate jurisdiction of all (1) civil matters decided within its circuit and (2) matters appealed from family and juvenile courts, except criminal prosecutions of persons other than juveniles. It has supervisory jurisdiction over cases in which an appeal would lie to it.

(B) Scope of Review. Except as limited to questions of law by this constitution, or as provided by law in the review of administrative agency determinations, appellate jurisdiction of a court of appeal extends to law and facts."

Read.

On motion of Delegate Tate Amendment No. 10 was adopted.

AMENDMENT No. 11—
On page 4, delete lines 9 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 11. Courts of Appeal; Certification

Section 11. A court of appeal may certify any question of law before it to the supreme court, and the supreme court may give its binding instruction or decide the case upon the whole record."

Read.

On motion of Delegate Tate Amendment No. 11 was adopted.

AMENDMENT No. 12—
On page 4, delete lines 15 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 12. Courts of Appeal; Chief Judge

Section 12. The judge oldest in point of service on each court of appeal shall be chief judge of that court and shall administer the court subject to rules adopted by it."

Read.

On motion of Delegate Tate Amendment No. 12 was adopted.

AMENDMENT No. 13—
On page 4, delete lines 20 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 13. Courts of Appeal; Personnel

Section 13. Each court of appeal may select its clerk and other personnel and prescribe their duties."

Read.

On motion of Delegate Tate Amendment No. 13 was adopted.

AMENDMENT No. 14—
On page 4, delete lines 24 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14. The state shall be divided into judicial districts, each composed of at least one parish and served by at least one district judge."

Read.

On motion of Delegate Tate Amendment No. 14 was adopted.

AMENDMENT No. 15—
On page 4, delete lines 27 through 35, both inclusive, in their entirety and on page 5, delete lines 1 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 15. Courts; Retention; Jurisdiction; Judicial District Changes; Terms

Section 15. (A) Court Retention; Trial Courts of Limited Jurisdiction. The district, family, juvenile, parish, city, and magistrate courts existing on the effective date of this constitution are retained. Subject to the limitations in Sections 16 and 20 of this Article, the legislature may abolish or merge trial courts of limited or specialized jurisdiction. The legislature may establish trial courts of limited jurisdiction with parishwide territorial jurisdiction and subject matter jurisdiction which shall be uniform throughout the state. The office of city marshal is continued until the city court he serves is abolished.

(B) Judicial Districts. The judicial districts existing on the effective date of this constitution are retained. Subject to the limitations in Section 20 of this Article, the legislature may establish, divide, or merge judicial districts with approval in a referendum in each district and parish affected.

(C) Term. The term of a district, parish, or city court judge shall be six years.

(D) Number of Judges. The legislature may change the number of judges in any judicial district by law enacted by two-thirds of the elected members of each house."

Read.

On motion of Delegate Tate Amendment No. 15 was adopted.

AMENDMENT No. 16—
On page 5, delete lines 17 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 16. District Courts; Jurisdiction

Section 16. (A) Original Jurisdiction. Except as otherwise authorized by this constitution, a district court shall have original jurisdiction of all civil and criminal matters. It shall have exclusive original jurisdiction of felony cases and of cases involving title to immovable property; the right to
office or other public position; civil or political rights; probate and succession matters; the state, a political corporation, or a succession, as a defendant; and the appointment of receivers or liquidators for corporations or partnerships.

(B) Appellate Jurisdiction. A district court shall have appellate jurisdiction as provided by law.*

Read.

On motion of Delegate Tate Amendment No. 16 was adopted.

AMENDMENT No. 17—

On page 5, delete lines 29 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 17. Each district court shall elect from its members a chief judge who shall exercise, for a term designated by the court, the administrative functions prescribed by rule of court."

Read.

On motion of Delegate Tate Amendment No. 17 was adopted.

AMENDMENT No. 18—

On page 5, delete lines 33 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 18. Notwithstanding any contrary provision of Section 16 of this Article, juvenile and family courts shall have jurisdiction as provided by law.*

Read.

Delegate Tate moved the adoption of Amendment No. 18.

Delegate Gauthier objected.

By a vote of 77 yeas and 6 nays the amendment was adopted.

AMENDMENT No. 19—

On page 6, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 19A. Mayors' Courts; Justice of the Peace Courts. Section 19A. Mayors' courts and justice of the peace courts existing on the effective date of this constitution are continued, subject to change by law."

Read.

On motion of Delegate Tate Amendment No. 19 was adopted.

AMENDMENT No. 20—

On page 6, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 20. Judges; Decrease in Terms and Compensation Prohibited. Section 20. The term of office, retirement benefits, and compensation of a judge shall not be decreased during the term for which he is elected.*

Read.

On motion of Delegate Tate Amendment No. 20 was adopted.

AMENDMENT No. 21—

On page 6, delete lines 10 through 31, both inclusive, in their entirety and on page 7, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 21. Judges; Election; Vacancy. Section 21. (A) Election. Except as otherwise provided in this Section, all judges shall be elected. Election shall be at the regular congressional election. (B) Vacancy. A newly-created judgeship or a vacancy in the office of a judge shall be filled by special election called by the governor and held within six months after the day on which the vacancy occurs or the judgeship is established, except when the vacancy occurs in the last six months of an existing term. Until the vacancy is filled, the supreme court shall appoint a person meeting the qualifications for the office, other than domicile, to serve at its pleasure. The appointee shall be ineligible as a candidate at the election to fill the vacancy or the newly-created judicial office. No person serving as an appointed judge, other than a retired judge, shall be eligible for retirement benefits provided for the elected judiciary. (C) End of Term. A judge serving on the effective date of this constitution shall serve through December thirty-first of the last year of his term or, if the last year of his term is not in the year of a regular congressional election, then through December thirty-first of the following year. The election for the next term shall be held in the year in which the term expires, as provided above."

Read.

On motion of Delegate Tate Amendment No. 21 was adopted.

AMENDMENT No. 22—

On page 7, delete lines 5 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 22. (A) Retirement System. Within two years after the effective date of this constitution, the legislature shall provide for a retirement system for judges which shall apply to a judge taking office after the effective date of the law enabling the system and in which a judge in office at that time may elect to become a member, with credit for all prior years of judicial service and without contribution therefor. The retirement benefits and judicial service rights of a judge in office at a time of retirement on the effective date of this constitution shall not be diminished, nor shall the benefits to which a surviving spouse is entitled be reduced. (B) Mandatory Retirement. Except as otherwise provided in this Section, a judge shall not remain in office beyond his seventieth birthday."

Read.

On motion of Delegate Tate Amendment No. 22 was adopted.

AMENDMENT No. 23—

On page 7, delete lines 21 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 23. Judges; Qualifications. Section 23. Judges. A judge of the supreme court, a court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction shall have been admitted to the practice oflaw in this state for at least five years prior to his election, and shall have been domiciled in the respective district, circuit, or parish for the two years preceding election. He shall not practice law."

Read.

On motion of Delegate Tate Amendment No. 23 was adopted.

AMENDMENT No. 24—

On page 7, delete lines 30 through 35, both inclusive, in their entirety and on page 8, delete lines 1 through 35, both inclusive, in their entirety and on page 9, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 24. Judiciary Commission. Section 24. (A) Composition. The judiciary commission shall consist of (1) one court of appeal judge and two district court judges selected by the supreme court; (2) two attorneys admitted to the practice of law for at least ten years and one attorney admitted to the practice of law for at least three years but not more than ten years, selected by the Conference of Court of Appeal Judges or its successor. They shall not be judges, active or retired, or public officials, other than notaries public; and (3) three citizens, not lawyers, judges active or retired, or public officials, selected by the Louisiana District Judges' Association or its successor. (B) Term; Vacancy. A member of the commission shall serve a four-year term and shall be ineligible to succeed himself. His term shall end upon the occurrence of any event which would have made him ineligible for appointment. When a vacancy occurs, a successor shall be appointed for a four-year term by the authority which appointed his predecessor."

1150
113th Days Proceedings—January 9, 1974

(C) Powers. On recommendation of the judiciary commission, the supreme court may censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, conduct while in office which would constitute a felony, or conviction of a felony. On recommendation of the judiciary commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during pendency of proceedings in the supreme court. On recommendation of the judiciary commission, the supreme court may retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is or is likely to become permanent. The supreme court shall make rules implementing this Section and providing for confidentiality and privilege of commission proceedings.

(D) Other Disciplinary Action. Action against a judge under this Section shall not preclude disciplinary action against him concerning his license to practice law.

Read.

On motion of Delegate Tate Amendment No. 24 was adopted.

AMENDMENT No. 25—

On page 9, delete lines 4 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 25. Department of Justice; Attorney General; Assistants Sec. 25. There shall be a Department of Justice consisting of an attorney general, a first assistant attorney general, and other necessary assistants and staff. The attorney general shall be the chief legal officer of the state. As necessary for the assertion or protection of the rights and interests of the state, the attorney general may

(1) institute and prosecute or intervene in any civil action or proceeding;

(2) advise and assist, upon request of a district attorney, in the prosecution of a criminal case; and

(3) for cause, when authorized by the court of original jurisdiction in which any proceeding or affidavit is pending and subject to judicial review, supersede any attorney representing the state in any civil or criminal action.

He shall have other powers and perform other duties authorized by this constitution or provided by law."

Read.

On motion of Delegate Tate Amendment No. 25 was adopted.

AMENDMENT No. 26—

On page 9, delete lines 12 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 26. Attorney General; Powers and Duties Sec. 26. The attorney general shall be the chief legal officer of the state. As necessary for the assertion or protection of the rights and interests of the state, the attorney general may

(1) institute and prosecute or intervene in any civil action or proceeding;

(2) advise and assist, upon request of a district attorney, in the prosecution of a criminal case; and

(3) for cause, when authorized by the court of original jurisdiction in which any proceeding or affidavit is pending and subject to judicial review, supersede any attorney representing the state in any civil or criminal action.

He shall have other powers and perform other duties authorized by this constitution or provided by law."

Read.

On motion of Delegate Tate Amendment No. 26 was adopted.

AMENDMENT No. 27—

On page 9, delete lines 28 through 35, both inclusive, in their entirety and on page 10, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 27. District Attorneys Sec. 27. (A) Election; Qualifications; Assistants. In each judicial district a district attorney shall be elected for a term of six years. He shall have been admitted to the practice of law in the state for at least five years prior to his election and shall have resided in the district for the two years preceding election. A district attorney may select assistants as authorized by law, and other personnel.

(B) Powers. Except as otherwise provided by this con-
stitution, a district attorney, or his designated assistant, shall have charge of every criminal prosecution by the state in his district, be the representative of the state before the grand jury in his district, and be the legal advisor to the grand jury. He shall perform other duties provided by law.

(C) Prohibition. No district attorney or assistant district attorney shall appear, plead, or in any way defend or assist in defending any criminal prosecution or charge. A violation of this Paragraph shall be cause for removal."

Read.

On motion of Delegate Tate Amendment No. 27 was adopted.

AMENDMENT No. 28—

On page 10, delete lines 7 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 28. Sheriffs Sec. 28. In each parish a sheriff shall be elected for a term of four years. He shall be the chief law enforcement officer in the parish, except as otherwise provided by this constitution, and shall execute court orders and process. He shall be the collector of state and parish ad valorem taxes and such other taxes and license fees as provided by law. This Section shall not apply to Orleans Parish."

Read.

On motion of Delegate Tate Amendment No. 28 was adopted.

AMENDMENT No. 29—

On page 10, delete lines 16 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 29. Clerks of Court Sec. 29. (A) Powers and Duties; Deputies. In each parish a clerk of the district court shall be elected for a term of four years. He shall be ex officio notary public and parish recorder of conveyances, mortgages, and other acts and shall have other duties and powers provided by law. The clerk may appoint deputies with duties and powers provided by law and, with the approval of the district judges, he may appoint minute clerks with duties and powers provided by law.

(B) Office Hours. The legislature shall establish uniform statewide office hours for clerks of the district courts."

Read.

On motion of Delegate Tate Amendment No. 29 was adopted.

AMENDMENT No. 30—

On page 10, delete lines 30 through 35, both inclusive, in their entirety and on page 11, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 30. Coroners Sec. 30. In each parish a coroner shall be elected for a term of four years. He shall be a licensed physician and possess the other qualifications and perform the duties provided by law. The requirement that he be a licensed physician shall be inapplicable in any parish in which no licensed physician will accept the office."

Read.

On motion of Delegate Tate Amendment No. 30 was adopted.

AMENDMENT No. 31—

On page 11, delete lines 4 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 31. Vacancies Sec. 31. When a vacancy occurs in the following offices, the duties of the office, until it is filled by election as provided by law, shall be assumed by the persons herein designated: (1) sheriff, by the chief criminal deputy; (2) district attorney, by the first assistant; (3) clerk of a district court, by the chief deputy; (4) coroner, by the chief deputy. If there is no such person to assume the duties when the vacancy occurs, the governing authority or authorities of the parish or parishes concerned shall appoint a qualified person to assume the duties of the office until filled by election."

Read.
113th Days Proceedings—January 9, 1974

On motion of Delegate Tate Amendment No. 31 was adopted.

AMENDMENT No. 32—
On page 11, delete lines 15 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 32. Reduction of Salaries and Benefits Prohibited Section 22. The salary and retirement benefits of an attorney general, district attorney, sheriff, coroner, or clerk of the district court shall not be diminished during his term of office."

Read.

On motion of Delegate Tate Amendment No. 32 was adopted.

AMENDMENT No. 33—
On page 11, delete lines 21 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 33. Orleans Parish Courts, Officials

Section 33. Except for provisions relating to terms of office as provided elsewhere in this Article, and notwithstanding any other contrary provision of this constitution, the following courts and officers in Orleans Parish are continued, subject to change by law: the civil and criminal district courts; the city, municipal, traffic, and juvenile courts; the clerks of the civil and criminal district courts; the civil and criminal sheriffs; the constables and the clerks of the first and second city courts; the register of conveyances; and the recorder of mortgages."

Read.

On motion of Delegate Tate Amendment No. 33 was adopted.

AMENDMENT No. 34—
On page 11, delete lines 34 and 35 and on page 12, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 34. Jurors

Section 34. (A) Qualifications. A citizen of the state who has reached the age of majority is eligible to serve as a juror within the parish in which he is domiciled. The legislature may provide additional qualifications.

(B) Exemptions. The supreme court shall provide by rule for exemption of jurors."

Read.

On motion of Delegate Tate Amendment No. 34 was adopted.

AMENDMENT No. 35—
On page 12, delete lines 7 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 35. Grand Jury

Section 35. (A) Grand Jury. There shall be a grand jury or grand juries in each parish, whose qualifications, duties, and responsibilities shall be provided by law. The secrecy of the proceedings, including the identity of witnesses, shall be provided by law.

(B) Right to Counsel. A person testifying at any stage in a grand jury proceedings shall have the right to the advice of counsel while testifying."

Read.

On motion of Delegate Tate Amendment No 35 was adopted.

AMENDMENT No. 36—
On page 3, delete lines 24 through 30, both inclusive, in their entirety and delete all amendments thereto and insert in lieu thereof the following:

"Section 9. Each circuit shall be divided into at least three districts, and at least one judge shall be elected from each. The circuits and districts and the number of judges as elected in each circuit on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature."

Read.

On motion of Delegate Tate Amendment No. 36 was adopted.

AMENDMENT No. 37—
On page 5, line 17, in Committee Amendment No. 16 proposed by the Committee on Style and Drafting and adopted by the convention on January 9, 1974, on line 10 of the text of the amendment, after the word and punctuation "corporation," and before the word "or" insert the words "or political subdivisions,"

Read.

On motion of Delegate Tate Amendment No. 37 was adopted.

AMENDMENT No. 38—
On page 7, delete lines 21 through 29, both inclusive, in their entirety, and delete all amendments thereto and insert in lieu thereof the following:

"Section 23. Judges: Qualifications

Section 23. A judge of the supreme court, a court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction shall have been admitted to the practice of law in this state for at least five years prior to his qualification as a candidate, and shall have been domiciled in the respective district, circuit, or parish for the two years preceding qualification. He shall not practice law."

Read.

Delegate Tate moved the adoption of Amendment No. 38. Delegate Kean objected.

Point of Order

Delegate Newton rose to a point of order, and asked a ruling from the Chair, that the Committee on Style and Drafting had exceeded its authority by submitting Amendment No. 38 in that the amendment contained a substantive change to the Proposal, and therefore the amendment was out of order at this time.

Ruling of the Chair

The Chair declined to rule and put the question to the Convention, under the rules.

The question was put to declare the amendment in order.

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

ROLL CALL

The roll was called with the following result:

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<th>NAYS</th>
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1152
13th Days Proceedings—January 9, 1974

Landry, E. J. Perkins Sutherland
Leithman Planchard Tapper
Lowe Pugh Thistlethwaite
McDaniel Roemer Thompson
Martin Roy Toca
Maybuche Sandac Toomy
Miller Segura Ulo
Morris Singletary Velazquez
Newton Soniat Vick
Nunez Stagg Warren
O'Neill Stephenson Wisham
Perez Stinson Zervigon

Total—81.

NOT VOTING
Delegates—
Mr. Chairman Jones Rayburn
Acker Juneau Reeves
Burns Kelly Riecke
Chehardy Kilbourne Schmitt
Corne Lambert Shannon
Cowen LeBlanc Slay
Durham Leight Tobias
Edwards Maubert Vesich
Ginn Mire Wall
Graham Munson Weiss
Guarisco Ourso Winchester
Jack Rachal Womack

Total—36.

And the Convention ruled the amendment out of order, at
this time.

Motion
Delegate Tate moved for a suspension of the rules to call
from the table the motion to reconsider the vote by which
Committee Proposal No. 21, Section 33 was passed.

Delegate Miller objected.

By a vote of 53 years and 35 nays the Convention refused
to suspend the rules.

Motion
On motion of Delegate Tate Amendment No. 38 was with-
drawn from the files of the Convention.

AMENDMENT No. 39—
On page 9, delete lines 28 through 35, both inclusive, in
their entirety and on page 10, delete line 1 and delete all
amendments thereto and insert in lieu thereof the following:
"Section 27. District Attorneys
Section 27. (A) Election; Qualifications; Assistants. In each
judicial district a district attorney shall be elected for a term
of six years. He shall have been admitted to the practice of
law in the state for at least five years prior to his qualifica-
tion as a candidate and shall have resided in the district for
the two years preceding qualification. A district attorney
may select assistants as authorized by law, and other per-
sonnel."

Read.

Motion
On motion of Delegate Tate the amendment was withdrawn
from the files of the Convention.

Motion
On motion of Delegate Perez, the Convention altered the
Order of Business to take up other Orders of Business at this
time.

Delegate Dennery, Secretary of the Constitutional Conven-
tion of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 9, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:
I submit the following report:

That the following Delegate Proposal has been properly
enrolled:

DELEGATE PROPOSAL No. 17—
Introduced by Delegate Planchard:

A PROPOSAL
Making provisions prohibiting lotteries and gambling.
Be it adopted by the Constitutional Convention of Louisiana
of 1973:

ARTICLE XII. GENERAL PROVISIONS
Section 12. Lotteries; Gambling
Section 12. Neither the state nor any of its political subdivi-
sions shall conduct a lottery. Gambling shall be defined by
and suppressed by the legislature.

Respectfully submitted,
MOISE W. DENNERY,
Secretary.

Under the Rules, referred to the Committee on Style and
Drafting.

Leave of Absence
Delegate Jack—1 day.
Delegate Weiss—1 day.

Adjournment
Delegate Duval moved that the Convention do now adjourn
until Thursday, January 10, 1974, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to
Thursday, January 10, 1974, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk

1158
Thursday, January 10, 1974, Baton Rouge, La.

The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

<table>
<thead>
<tr>
<th>Present</th>
<th>Absent</th>
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<td>Fowler</td>
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The Chairman announced that there were 128 members present and a quorum.

Prayer

Prayer was offered by Delegate Asseff.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Singletary, the Journal of yesterday was adopted.

Morning Hour

Motion

On motion of Delegate Tate, the Convention altered the Order of Business to take up proposals on Calendar for Approval of Final Styling at this time.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 25—

Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL

To provide a preamble and a declaration of rights to the constitution.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend first enrolled Proposal as follows:

AMENDMENT No. 1—

On page 1, at the beginning of line 18, delete the word “A”

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—

On page 1, at the end of line 35, delete the comma “,”

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—

On page 2, line 5, after the word “liberty” and before the word “or” insert a comma “,”

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 4—

On page 2, delete lines 9 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. No person shall be denied the equal protection of the laws. No law shall discriminate against a person because of race or religious ideas, beliefs, or affiliations. No law shall arbitarily, capriciously, or unreasonably discriminate against a person because of birth, age, sex, culture, physical condition, or political ideas or affiliations. Slavery and
Involuntary servitude are prohibited, except in the latter case as punishment for crime.”

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—
On page 2, delete lines 17 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 4. Every person has the right to acquire, own, control, use, enjoy, protect, and dispose of private property. This right is subject to reasonable statutory restrictions and the reasonable exercise of the police power.

Property shall not be taken or damaged by the state or its political subdivisions except for public purposes and with just compensation paid to the owner or into compensation for the benefit. Property shall not be taken or damaged by any private entity authorized by law to expropriate, except for a public and necessary purpose and with just compensation paid to the owner; in such proceedings, whether the purpose is published or not, the party in whose favor such action is taken shall have a judicial determination. In every proceeding, a party has the right to trial by jury to determine compensation, and the owner shall be compensated to the full extent of his loss. No business enterprise or any of its assets shall be taken for the purpose of operating that enterprise or halting competition with a government enterprise. However, a municipality may expropriate a utility within its jurisdiction. Personal effects, other than contraband, shall never be taken.

This Section shall not apply to appropriation of property necessary for levee and levee drainage purposes.”

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 6—
On page 3, delete lines 4 through 13, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 5. Every person shall be secure in his person, property, communications, houses, papers, and effects against unreasonable searches, seizures, or invasions of privacy. No warrant shall issue without probable cause supported by oath or affirmation, and particularly describing the place to be searched, the persons or things to be seized, and the lawful purpose or reason for the search. Any person adversely affected by a search or seizure conducted in violation of this Section shall have standing to raise its illegality in the appropriate court.”

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.

AMENDMENT No. 7—
On page 3, delete lines 17 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 9. Freedom of Expression

Section 9. No law shall curb or restrain the freedom of speech or of the press. Every person may speak, write, and publish his sentiments on any subject, but is responsible for abuse of that freedom.”

Read.

On motion of Delegate Tate Amendment No. 7 was adopted.

AMENDMENT No. 8—
On page 3, delete lines 26 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 11. Right of Assembly and Petition

Section 11. No law shall impair the right of any person to assemble peacefully or to petition government for a redress of grievances.”

Read.

On motion of Delegate Tate Amendment No. 8 was adopted.

AMENDMENT No. 9—
On page 5, delete lines 33 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 19. Every citizen of the state, upon reaching eighteen years of age, shall have the right to register and vote, except that this right may be suspended while a person is interdicted and judicially declared mentally incompetent or is under an order of imprisonment for conviction of a felony.”

Read.

On motion of Delegate Tate Amendment No. 9 was adopted.

AMENDMENT No. 10—
On page 6, delete line 24 in its entirety and insert in lieu thereof the following:

“and facilities, every person shall be free from”

Read.

On motion of Delegate Tate Amendment No. 10 was adopted.

AMENDMENT No. 11—
On page 5, delete lines 31 through 35, both inclusive, in their entirety and on page 4, delete lines 1 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 12. When any person has been arrested or detainted in connection with the investigation or determination of an offense, he shall be advised fully of the reason for his arrest or detention, his right to remain silent, his right against self incrimination, his right to the assistance of counsel and, if indigent, his right to court appointed counsel. In a criminal proceeding, an accused shall be informed of the nature and cause of the accusation against him. At each stage of the proceedings every person is entitled to assistance of counsel of his choice, or appointed by the court if he is indigent and charged with an offense punishable by imprisonment. The legislature shall provide for a uniform system for securing and compensating qualified counsel for indigents.

No person shall be subjected to imprisonment or forfeiture of rights or property without the right of judicial review based upon a complete record of all evidence upon which the judgment is based. This right may be intelligently waived. The cost of transcribing the record shall be paid as provided by law.”

Read.

On motion of Delegate Tate Amendment No. 11 was adopted.

AMENDMENT No. 12—
On page 6, delete lines 29 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 27. The right to a preliminary examination shall not be denied in felony cases except when the accused is indicted by a grand jury.”

Read.

On motion of Delegate Tate Amendment No. 12 was adopted.

AMENDMENT No. 13—
On page 4, delete lines 16 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 13. Prosecution of a felony shall be initiated by indictment or information, but no person shall be held to answer for a capital crime or a crime punishable by life imprisonment except on indictment by a grand jury. No person shall be twice placed in jeopardy for the same offense, except on his application for a new trial, when a mistrial is declared, or when a motion in arrest of judgment is sustained.”

Read.

On motion of Delegate Tate Amendment No. 13 was adopted.

AMENDMENT No. 14—
On page 4, delete lines 23 through 32, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 15. Right to a Fair Trial

Section 15. Every person charged with a crime is presumed innocent until proven guilty and is entitled to a speedy, public, and impartial trial in the parish where the offense or an element of the offense occurred, unless venue is changed in accordance with law. No person shall be compelled to give evidence against himself. An accused is entitled to confront and cross-examine the witnesses against him, to compel the attendance of witnesses, to present a defense, and to testify in his own behalf."

Read.

On motion of Delegate Tate Amendment No. 14 was adopted.

AMENDMENT No. 15—

On page 4, delete lines 33 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 16. Jury Trial in Criminal Cases

Section 16. A criminal case in which the punishment may be capital shall be tried before a jury of twelve persons, all of whom must concur to render a verdict. A case in which the punishment is necessarily confinement at hard labor shall be tried before a jury of twelve persons, ten of whom must concur to render a verdict. A case in which the punishment may be confinement at hard labor or confinement without hard labor for more than six months shall be tried before a jury of six persons, five of whom must concur to render a verdict. The accused shall have the right to full voir dire examination of prospective jurors and to challenge jurors peremptorily. The number of challenges shall be fixed by law. Except in capital cases, a defendant may knowingly and intelligently waive his right to a trial by jury."

Read.

On motion of Delegate Tate Amendment No. 15 was adopted.

AMENDMENT No. 16—

On page 5, delete lines 15 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 17. Excessive bail shall not be required. Before and during a trial, a person shall be bailable by sufficient surety, except when he is charged with a capital offense and the proof is evident and the presumption of guilt is great. After conviction and before sentencing, a person shall be bailable by sufficient surety, except when he is charged with a capital offense and the proof is evident and the presumption of guilt is great.

After conviction and before sentencing, a person shall be bailable by sufficient surety, except when he is charged with a capital offense and the proof is evident and the presumption of guilt is great. After conviction and before sentencing, a person shall be bailable by sufficient surety, except when he is charged with a capital offense and the proof is evident and the presumption of guilt is great.

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Read.

On motion of Delegate Tate Amendment No. 16 was adopted.

AMENDMENT No. 17—

On page 5, delete lines 28 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 18. No law shall subject any person to euthanasia, to torture, or to cruel, excessive, or unusual punishment. Full rights of citizenship shall be restored upon termination of state and federal supervision following conviction for any offense."

Read.

On motion of Delegate Tate Amendment No. 17 was adopted.

AMENDMENT No. 18—

On page 6, line 13, immediately after the word "delay" and before the word "for" insert a comma ":";

Read.

On motion of Delegate Tate Amendment No. 18 was adopted.

AMENDMENT No. 19—

On page 6, line 20, immediately after the word "not" and before the words "deny or disparage" delete the words "be construed to"

Read.

On motion of Delegate Tate Amendment No. 19 was adopted.

AMENDMENT No. 20—

Rerumber the following sections and place in numerical order as follows:

Section Number as Enrolled  Renumbered As

Section 9  Section 7
Section 10  Section 8
Section 11  Section 9
Section 19  Section 10
Section 20  Section 11
Section 26  Section 12
Section 12  Section 13
Section 27  Section 14
Section 13  Section 15
Section 15  Section 16
Section 16  Section 17
Section 17  Section 18
Section 18  Section 20
Section 25  Section 24

and on page 3, line 30, in Committee Amendment No. 11 adopted by the convention this date, between lines 13 and 14 of the text of the amendment insert: "Section 19. Right to Judicial Review" and on line 14 of the text of the amendment, at the beginning of the line, insert "Section 19," and place in numerical order.

Read.

On motion of Delegate Tate Amendment No. 20 was adopted.

COMMITTEE PROPOSAL No. 33—

Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 20, by Delegate A. Jackson, Chairman on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL

Making general provisions for elections.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 33 by Delegate A. Jackson, et al.

Amend first enrollment Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 17 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. Election Code

Section 1. The legislature shall adopt an election code which shall provide for permanent registration of voters and for the conduct of all elections."

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—

On page 1, delete lines 25 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Secret Ballot; Absentee Voting; Preservation of Ballot

Section 2. In all elections by the people, voting shall be by secret ballot. The legislature shall provide a method for absentee voting. Proxy voting is prohibited. Ballots shall be counted publicly and presented inviolate as provided by law until any election contests have been settled. In all elec-
PAGE 4

114th Days Proceedings—January 10, 1974

otions by persons in a representative capacity, voting shall be viva-voce.”

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—

On page 1, delete lines 34 and 35 in their entirety and on page 2, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 3. Privilege from Arrest

Section 3. While going to and returning from voting and while in the assembly in their capacity, legislators shall be privileged from arrest, except for felony or breach of the peace.”

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 4—

On page 2, between lines 3 and 4, insert the following:

“Section 4. Prohibited Use of Public Funds

Section 4. No public funds shall be used to urge any elector to vote for or against any candidate or proposition, or be appropriated to a candidate or political organization. This provision shall not prohibit the use of public funds for dissemination of factual information relative to a proposition appearing on an election ballot.”

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—

On page 2, delete lines 13 through 19, both inclusive, in their entirety.

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 6—

On page 2, delete lines 4 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 5. Registrar of Voters

Section 5. The governing authority of each parish shall appoint a registrar of voters, whose compensation, removal from office for cause, bond, powers, and functions shall be provided by law. Upon qualifying as a candidate for other public office, a registrar shall forfeit his office. No law shall provide for removal from office of a registrar by the appointing authority.”

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.

Motion

On motion of Delegate Miller the Convention resolved itself into a Committee of the Whole for two hours in order to allow the Hon. Edwin W. Edwards, Governor of the State of Louisiana, to address the Convention.

Address

Thank you very much for this opportunity. It hardly seems possible that it was a year ago that we met at the L.S.U. Center, and I had the opportunity then of talking to you—fresh from the victory of your election—anxious to get on with the job at hand; convinced that you had been charged with the holy and great opportunity to render public service; I’m certain, totally unaware of how agonizing the decisions would be from that day until this one; and as you find yourselves in the last days of your convention.

I come before you as a citizen of this state; as one who proudly accepts the credit and the responsibility—and, yes, even the criticism—for this convention; as one who says again, as I have said for many years, that the single greatest legacy we could leave our children, the people of the state when we have finished our terms and have served our capacity, is to provide Louisiana with a good, basic constitutional document.

I need to say some things to you this morning which will smack somewhat of braggadocio, will rob me of my dignity, I am sure, but not of my sincerity. I hope you are willing, possibly make you think that I’m really not all that sharp; and you may wonder sometimes whether I’ve taken leave of my senses. But, so that you will understand my heart and understand my sincerity and will feel that in your own thinking in the last few days of this convention, please know that however wrong you may think I may be about anything that I say, there is no doubt whatever in my mind about the correctness of everything that I will say to you. Necessarily, I will express opinions and, necessarily, I will be said to you things true to prove; but I simply want you to know that I honestly, sincerely state to you what I, today, feel is the political atmosphere and climate in Louisiana. These are situations and facts, attitudes toward the state and government, and one’s desire to put into your own thinking in the last few days of preparing a document to be submitted for approval to the people, because no matter what you do—how great and wonderful and perfect the document may be—it is meaningless and worth nothing and is a total effort in futility, if it isn’t adopted and put to use. Hence, we approach the problem between two extremes: on the one hand, my own preconceived, firm convictions of what a constitution is and should be; and, on the other, my own awareness, as a practical person in public life, that it is indeed difficult to draft such a constitution. Moreover, I have every reason to believe that the population of almost four million people with various degrees of desires and attitudes, feelings, sensitivities. Hence, between these two extremes, we must come together on what we believe will satisfy the Constitution, the Constitution to the public good and sufficient to allow for public acceptance.

Necessity, this morning, compels me to speak to you in what I believe to be true statements, rather than pleasing ones. I would like to point out that I prefer whatever your attitude may be towards me after I have finished—because, in saving you, I save myself and, in saving you, saving myself and saving this constitution, we save the people, and what higher calling could we render to the public good and sufficient to allow for public acceptance.

I will have to philosophize a little bit before getting into the meat of my appearance here—again, hopefully, to translate to you why I am taking some of the positions that I will take in the last moments of my appearance before you. Walter Lippmann, after nearly a half century of observing public figures and observing voters—the electorate—made a rather caustic and harsh judgment both of us as politicians and of the people as voters, which I’d like to read to you:

"[Lippmann’s quote about legislative corruption and the desire for a constitution that is not prone to the extremes of power and influence, and the need for a constitution that benefits the masses."

How harsh that is, but how well it applies to the efforts of certain special interest people to get in or out of this document—not what they or you consider to be in the public interest, but what they happen to consider, immediately, to be in their own interest. Now, I must suggest to you, in defense of myself and trying to understand the harshness of my furies, that I have in the document, and what problems have arisen in the field and the hustlings and bustlings of our state, arise, very candidly, from your failure to recognize that you were here to write a constitution, rather than to serve as legislators.

And you stopped your work after completion of the Bill of Rights and the three Articles on the Executive, the Legislature, and the Judiciary, a beautiful, fantastically well-engineered and prepared document would have been your work complete. I’m afraid you’ve taken the job of politics. You’ve begun to work, you’ve taken up the job of politics. Now you must go further; and it is when you got into these provisions which are really legislative, and not constitutional matters, that the problems began to develop, and the most serious obstacles began to show themselves in the streets and were reflected in the reports of your work. Everyone of the issues I will comment, later on, upon are matters which do not belong in the constitution at all. It matters not what side of the argument you are on, whether you are for or against the proposal, there would be legitimate, beautiful things to argue about as members of the legislature, or as a police juror, or as a
person in some legislative capacity—but, ladies and gentlemen, have no business at all in a constitution. I'm going to say that repeatedly during the time that I will be before you, but I want you to know that it applies generally to every item. I want you to know that I and people in the state are expressing concern about.

I want to also paraphrase the remarks made by a senator in the United States Senate one hundred and fifty years ago, because I want you to know that I feel for, and anticipate, the reactions you will have to what I am going to say. I know how disconcerting and discouraging it is that that vast group of people out there we call the public never takes time to listen, to study, to express an opinion, or to ask for assistance, but rather is content to wait until after you have done your best and then begin to criticize. But, it's part of the system and if I had been able to leave one message with you, when I spoke to you a year ago, it would simply have been that remember that each of you represents, basically, fifty thousand people. Two or three or four or five hundred thousand, descending on you. For a certain issue, cannot by any stretch of the imagination be construed to represent the will of the fifty thousand. They only represent the will of a vocal group, interested in a particular aspect, without regard to the total effects of the document.

I come to you today, not speaking for the farm bureau or organized labor or the lawyers or the judges and the bankers. Do they need one such as I to be their spokesmen? Have they not exhibited to you, far what the want was, to their own interests—as indeed they should, and I criticize them not for it. But, today I don't speak for them. Today I speak for the people. And, in a larger, broader sense, is that not in effect also speaking for them? Because are they not also members of the public-at-large? What have you done for the bankers? Or the lawyers? Or organized labor? Or for the Chamber of Commerce? Or for any one group? If you make it possible for them to succeed and be successful and to have what they want—and, the other side of the coin, make the opportunity of other people, in some other phase of life, to have an equal opportunity to succeed—how have we served any group if we don't make it impossible for the laborers to work for them? And have we served the farmers if the consumers cannot buy their products? and have we served ourselves if the people cannot tolerate what we have imposed upon them and they will not accept our judgment?

The senator said "a man becomes a public official, not able to dream in advance the ordeals to which he will be exposed. He has no way of knowing the courage that he must possess to resist the temptations that daily beset him. He knows, in the working of duty, the undetermined course that he will have to learn to control. He knows not, in advance, the ever-recurring contest between the natural desire for public approbation and a sense of public duty. How can he know in advance the load of injustice he must be content to bear, even from the time he is elected? He knows not, in advance the imputations of his motives, the sneers and sarcasms of the ignorant and the malicious? How can he know in advance all of the manifold injustices which particular individuals do exact?" And the answer, as I see it, is, because we are supposed to be ministers of the law, to carry out the law, to hold the protected head, as he seeks to do what he thinks to be his sworn duty? If we are to retain our integrity—those of us in public life—we must learn to bear, unmoved, and walk steadily onward in a path of duty, sustained by the realization that that type of justice, if not, then after all of our individual hopes and aspirations, and even our name among men, they should be of little account to those of us who serve in this life, when weighed in the balance for the constitution guardians and defenders. I pass that on to you, because you cannot expect instant popularity or instant approval for what you do. Hopefully, if we succeed in what we're doing, years from now people will look back upon us and say: In a day and age when it was more difficult and the cynics and the unimpassioned, those names whose emblems on this document were willing to stand the test; they did for us what others said could not be done, and we are the happy legatees of their work product.

Clerk, to the record, to have been read out—this is not alone the absolute dedication to one unfailling principle. Courage sometimes requires compromise, and sometimes more courageous to compromise if the end result is in the public interest. So, I come to you this morning as one willing to compromise.

I needn't tell you again that, in eighteen months of a long, tough, and expensive campaign, I talked till I was blue in the face about not electing large numbers of statewide elected officials. And fusing into the constitution a cabinet system of government—how dear to my heart and thinking that concept is. I don't insist upon it before you, as I didn't during the year that you deliberated. You know why? Because, although I am pleased that that is where the best interest of our state lies, I don't think it represents the interest of the people of this state. I'm going to continue that dialogue in a somewhat, hopefully, before my time comes—to convince people that that is the best way to run government, that it is simply and absolutely the public interest is the public interest. But, I will not, at the risk of jeopardizing this document or doing violence to you, come to you this morning and say, unless you impose into this document that form of government which I know is the best, that I will not support—every thought I strongly feel that way—because I don't think, in that regard, that I speak for the majority of the people of this state.

What I am going to talk to you about as these changes to the document near finally而又 an important, but I know, represent the majority view of the people of Louisiana. Let's be well aware of something that I also know, I know that you have already adopted these provisions and, therefore, they represent the majority opinion of this body. Hence, I am asking a majority of you to change your minds, but I do so in the assurance that the document will be better, in the belief that it is necessary to make these changes to get it ratified, and in the certainty that it is a better way to approach the problems that we have that are looking at us in the future, that we are facing. So, I go into these items, I want to say again: None of these should be in the constitution, no matter which side of you it's on. You're a Constitution, it is simply a basic document which serves for people, in an organized society, certain rights and privileges and liberties that we must have. We need a government—nothing more. We would be better off if we didn't have any of this that I now talk about in the constitution, but I also recognize from a practical standpoint that out there we must satisfy, to the extent that we can without doing violence to our obligations, the public because we have to get their support.

I therefore make these suggestions. Before I do them, I want you to know that I'm not without a heart, but, prick, the conscience and probably create the friendly and unyielding criticism of many people, sitting in the audience, whom I consider to be political and personal friends. I know my good friend Lawrence Chehedy, in spite of his weight, is going to throw in the face of these light bulbs when he jumps out of his seat. I hope Vic Bussie isn't in the audience. My friend Ed Stelmel is probably somewhere already deciding how he's going to react. The Farm Bureau, my friends at L.S.U., the suppliers, the lawyers, the bankers—those are my friends. And I wish this cup was passed from my lips. I don't need, at this stage in my political career, to take upon myself this burden. I could lead a long, happy life without saying the things I'm now going to say. I'm talking to you at a poll, day before yesterday, which indicated that eighty-four percent of the people so polled believed that I was doing a good job as governor. There's little likelihood that I could increase that percentage. There's every likelihood that I might go down after today. But, that after the adopted the, the overriding, serious, most important question is a new constitution. So, I come today not to please you and not to please
people whom I consider: personal and political friends, and I hope the political and personal friends of all. I truly believe that the spirit in which I make these recommendations you will know that—because many of you who have tried to talk to me in the last ten days, and many of these people have tried to talk to me in the last ten days when they found out that I was to address the convention, each one of them gives in several of the acts of their position and the wisdom of their ways—I have refused to talk to them and to you because, very candidly, I didn't want to be swayed. I wanted to get it over with and do what I thought to be in the public interest, here I give you my recommendations.

Tax exemptions relating to (teleemposromatic) institutions, educational institutions, or what industrial institutions, not belong in a constitution and should have been stripped. The legislation on a continuing basis, as circumstances dictate, should make those decisions. You have chosen, however, to leave in the constitution all exemptions except the industrial exemption. I, therefore, recommend to you that you either strip the constitution completely of such exemptions, or if you are going to leave them, then as a compromise, I would suggest that you also include the industrial exemptions and that you do so without the efforts of some to give local government veto power on the granting of the exemptions. Now, I can say to you as one who has something to do with industrial growth that more than ever we are going to have to emphasize and increase our industrial expansion. The great oil and gas reserves, that for so many decades attracted industry to Louisiana are capable of producing untold amounts of valuable raw materials, must emphasize, as I have, the importation of people-oriented industries. Every effort that we can make to make that possible should be done, and therefore, if you're going to leave exemptions in the constitution, you should leave that one, without it interfering with the industrial level. Not only will there be some—by local officials who want to be responsible for finding the land, or selling the insurance, or furnishing the employees, or building the building. They want to be able to move in devoid of having to address themselves to the whims and caprice of local officials. No police jury is ever going to refuse a legitimate industry in its parish, and if they did, I'm certain that the adjoining parish would be very glad to have it. The local objection feature, which some have sought to imbue into these exemptions, are not necessary; they give us no obligation to the operation of industry, and I urge you to leave that out. I don't think that you're being unfair to local government. I don't think you're going to find that any industry is going to want to do those things in the presence of the power of the parish indicate publicly or privately they do not want the industry. Hence, it only serves as a red flag and brings no good purpose.

You should delete—and I repeat again; I may say this too many times, but all of this should be left out of the constitution completely—all of these items, but since you're going to—I think it advisable that you have to be practical—recognize if you're going to want to say something about it in the constitution, I suggest that you delete from the provisions of the constitution that provision relating to automatic rate increases for public service applications. Even with bond and assurances, it doesn't belong in the constitution and should be handled on a legislative basis. I'm going to be frank enough to say that I don't join the hue and cry of some who are concerned about the effect that this provision can have. I think the fact that it is perfectly contested, and if it isn't put in the constitution—I would be perfectly content—to suggest to the legislature in May that a companion piece of legislation be adopted by the legislature in May because there's a great deal of merit for the people administering the parish government who don't belong in the constitution, and I ask you to take it out.

The constitution must give the attorney general of our state, subject to court approval, the independent right to institute and prosecute criminal proceedings. District attorneys who are violently opposed to this provision, in my judgment, have no real basis for opposing it. They do; I understand that; I do not challenge their position. I merely say that I think in the interest of what is good for government that the attorney general of our state should have this right.

The constitution should not, as you have provided, provide that all witnesses who appear before grand juries should have the right of counsel. That is a legislative matter which should be left to the legislature to be handled on a continuing basis. I just don't see any advantage to the witnesses, that would impede the orderly prosecution of criminals and those suspected of violations of the law. I do not believe it to be in the public interest, although I recognize that in some instances, grand juries do take advantage of witnesses, and I believe some situations may suffer because they do not have an attorney. I just think that is a price that we have to pay, living in a society such as ours. I suggest that you strip that from your document.

There are serious questions which have now been raised as to whether or not the Superboard of Revenue and Finance impairs the authority of the Superboard, HEAL, and some other state agencies to issue revenue bonds. On the advice of bond attorneys, whose opinions I respect, and in the knowledge that we may some day want to issue revenue bonds, I suggest that you clarify that language, and we will submit for your consideration a document for that purpose.

Other areas: multi-banking, a classic example of things that do not belong in a constitution. No one has said publicly, and I'll say it again, that as a governor of any state, or as a legislator, I would never support multi-banking unless and until the banking association of this state, whose interests are concerned, supported it. Today, they do not; although it's possible tomorrow. But, I want to take the opportunity to tell you that you can mark it down—before my term as governor ends, if I happen to get reelected, these same people who asked you to put this provision in this constitution are going to flood the legislature begging for a multi-banking provision in the statutes. They will do so because the national government is beginning to authorize multi-banking by national banks, and the fifty-four federal banks in this state will be in that business before long, and as a matter of self-survival, the state banks are going to require it. The Bankers' Association has enough strength and muscle with the legislature on a continuing basis to protect its interests. We don't want to put something in a constitution which may ultimately require us to go back to the people to have it amended in order to get something done that we do not now, maybe today, believe is going to come about, but five, six, or ten years from now, may be an absolute necessity. I predict—and I'll put my political career on the line—that before the next six years, the bankers of Louisiana are going to bring in this state. So, I suggest to you that this is not the proper place to consider that. The concept of multi-banking statutes is so complex and so difficult to understand that I really don't believe any of you, with the exception of who sit on bank boards or who are attorneys interested in these provisions, really know what it all is about. It's nothing but absolute, pure legislation, and I suggest to you that we remove it from this document with the assurance, that I now give you and the bankers, that no one is going to make any effort to provide for it until the bankers themselves want it.

Income tax schedules and the federal income tax deductions: In one afternoon this gracious, generous body delivered to the people of the state a hundred million dollars worth of benefit. The sales taxes, double sales taxes, or any other tax provisions, and you constitutionalized the federal income tax deductions as an exemption on state income tax. That's great! I'm for that. I was the governor who provided the money from other sources to restore the federal income tax deductibility. But, ladies and gentlemen, I don't know what the situation of this state is going to be eight years from now. The taxation and the revenue measures needed to fund the functions of government is a function of the legislature. Whether the people and the taxing power within the state want to hand the nation a tax deduction, or higher, or more than a six percent rate on income taxes in lieu of sales taxes, or property taxes, or other other, tax is a legislative matter. I ask you not to bind the hands of the current and future legislatures to a ceiling on the income taxes and constitutionalizing exemptions on income taxes and giving to people now what we can afford to give them because of the work that the legislature has done but which we may not be able to do in the years ahead. Now, let me say this. I am satisfied, based on projected revenues and expenditures, that during the term that I'm going to be
governor, we don't need to raise taxes. I'm not asking for anything for Edwin Edwards and sure it would be very popular for me to say, "Oh, you're right, man, put it in the constitution, man, we are going to give the people all these things." But, I have to concern myself with the problem and the future governors who have to respond to public demand for public functions and public services. It is wrong for this constitution to bind their hands to where they are limited in what they can do. Let the legislature amend this to get it right. I hope they'll mine what is the best way on a year-to-year basis to raise revenue. I suggest you remove that from this document. O.K.

The two tough ones, education and property taxes. A constitution by anybody's definition should do nothing more than to commit a government to providing an education for all people, at all levels in the highest way possible. How you do that is not a constitutional matter. I am appalled at the arguments made by my friends from L.S.U., and I'm an alumnus of L.S.U., about how we are going to erode the greatness of L.S.U. if we don't have a separate board for L.S.U. That is not right. It is wrong for county agents and people in the agricultural extension service to tell you that if we don't have a separate board for L.S.U., that we are going to lose the extension jobs. It is wrong for the experiment stations. It is wrong for L.S.U. to say that we are doing violence to L.S.U. if we don't have a single agency. It is wrong for L.S.U. to say that if we don't have in the constitution a Board of Supervisors for L.S.U., then they will not do what is right. I have heard the names of the 30's. Words, and papers, and constitutions, and statutes don't create fraud and do violence to obligations. It is people. Whether you have five, or four, or one, or three, or two boards, crooked people on five boards or crooked people on one board will do crooked things. You're talking about a system of government here, not what individuals will do yet unnamned in the next thirty years. How do they know that is necessary? How will we know ten years from now what is needed in the next thirty years? I don't think that for Concepts of today in less than five years are archaic, laughed upon, spit upon as new concepts become viable and people recognize there's a better way to do things. If we are tobottom all of this in our constitution, you are stamping it with a self-destruct stamp because every time we want to rise above the old way to do something new, we have to amend the constitution, and that is what has got us in the situation that we are in— the amendment of the constitution, seven hundred times in less than forty years. Every amendment passed to the constitution; it is what has caused the problem. Why stigmatize the constitution? Why stigmatize education with a constitutionally provided system by which it will be run? Even if you are positive today that you've got the answer, I wish you would have patience and understand for ten years that it needs done. Ten years, if we are to make a change, are we going to be archaically imposition upon the people of this state the need to digest and consider complicated amendments and give it to them in digesting amounts and say "amend, amend, amend, change, change, change, change, change" because back in 1974 we didn't have enough confidence in the future leaders and people of this state to give them the elasticity, and ability, the leeway to deal with the problems as they arose. You don't need anything more in a constitution than a constitutional commitment of government to furnish a good education at every level. "O.K., Edwin, that might be right." But, I'll admit to you that I don't care what the people want. I really believe that that's the best way to handle the problem; it's in their interest. But, I'll admit to you now that as strongly as I feel that way and as much as I think I know it's in the public interest, I'll admit to you that I have to make that minority interest or majority view. I hate to say it, but I think people want you to put in this constitution how the colleges and universities will be managed, not good constitutional provisions, not necessarily in the public interest, but I think reflects public opinion; they are scared; they want to know exactly what it is.

The other things that I have talked about I think are right, and I think they represent the public view; in this instance I think I am stepping with the public. I've heard that we have to change as the years change and as the mind of man engineers better ways of doing things. Okay? You don't think you can go that far, and you think I'm a little too radical, and, I know, a little bit too far out, so you have to have something in the constitution you can't do. According to me, the board for the colleges and institutions. I don't care how you provide for its membership. I think you ought to have some of them appointed so that we can always have a balance of appointments. I have heard and read commentary on our system that very few educators want to get in the political processes. Then, you should have another board for elementary and secondary education if you can't have one giant superboard for all education which could plan the education from the kindergarten to the doctor's degree, which if I were in the legislature, I would be arguing for that. Before the convention, I argued for nothing except a commitment to education, but if you're going to legislate on the subject—and that's what you're doing—my first thought, my first proposal suggestion, and the one that I think . . . Now, I don't think the public joins with me on the "no" provision, but I suggest to you in spite of the lobbying by my effective and good friends—and I know what lobbying is through the experiment station system; I'm not going to say it. I know. "How can you, a graduate of LSU, do this to our university." But, I suggest to you, if you're going to legislate, that one board for all education from the time a child starts school in the third grade and up, and coordinate it and plan it, take care of the vo-tech schools, the private schools to the extent that state government may be involved in books or in curricula—all of that one gamut should be in the hands of one group of people. In that group some of them should be appointed by a governor charged with the responsibility to select people whose educational experience, expertise, and dedication is in the field of education. If you can't go that far with me, then I suggest that you have the amendment and unqualified for twenty years to the rest of the educational system. I implore you to do that. The five board system you have is not as bad as I thought it was when I heard about it, but it doesn't respond; it isn't good; people don't understand it. They are opposed to it; it isn't popular; and it's going to defeat the constitution. I will not support it, and I don't think the people will either. I beg you to reconsider that, because past the Bill of Rights and these three articles on the government, this is, in my judgment, the most important amendment in the constitution. It needs done.

Property taxes: Oh, how happy I am to publicly state my position on property taxes. How popular it is going to make it to work with everybody. How anxious I was to get here and let you know what I think should be done about property taxes. That's what I have been doing. I wish you would have patience, and I hope, that fellows did a good job; that's enough." Okay, I believe you did a good job. I really do. I think to the extent that you can write—and again I want to say that it doesn't belong in the constitution. There should be nothing in this constitution except the right of state to levy taxes, the right of local government to levy taxes. How they do that should be done by the legislature and by police juries and school boards and city governments. I really mean that. There's no need to put in the constitution how to do it, how to levy taxes, but I know that out people there want it. I recognize that, and to that extent, I am again willing to compromise. I think that if you need to write something, that what you have written is the best way to do it. But, I want a provision that it should be a provision that should be done, maybe. But, it won't sell; it won't sell. You can't fight PAR. It has too much the attention of the business community, the good government people, and the majority of the people. I would commit to an interest in this document and who will decide to support or not. You can't sell to the editorial media. Now, look, with the exception of one of the papers in New Orleans, I've been fairly treated by the media, and the one paper in New Orleans hasn't hurt me at all. You can't do better than eighty-four percent in a poll. But, on an issue such as this, personalities are not concerned. People are not going to sit down and digest it for themselves. They're going to pick up an editorial, and in thirty seconds, jump to a conclusion that you've sold over for a year. One person sitting in an ivory tower somewhere, who won't sign an editorial, won't identify himself,
who poses as an expert on everything from tourism to high
finance in the stock market, is going to write an editorial,
and in five or six devastating lines—maybe unfair, maybe
untrue, maybe inaccurate—is going to point out how this
provision is going to drive Industry from Louisiana, and PAR
is going to make the writers and their editorial writers and
policy makers get through with you, you're going to jeop-
dize the passage of this document.

Now, consider the alternatives, for those of you who are
concerned, and for you, especially to you because I know of your concern for the property
situation. Consider the alternatives. What happens if we don't get a new constitution adopted? What happens if we don't
put a provision in the constitution which protects property
owners? Is that not your main concern—to protect them?
How have you protected them if you write the most beauti-
ful property tax provision in the world for their benefit, and
we can't get it passed? We've done nothing for them. Is it
not better to consider a compromise which does not do vio-
lence to them, which may be acceptable, and for which we
can get passed, to give us a new beginning to work towards
the ultimate good and total aims that we're trying to do for
property owners? Unlike some of the other people who have
criticized PAR, I think PAR is right. PAR is just saying that
property owners in Louisiana pay a smaller property tax than in
any other state in the nation. I don't think that's anything to
be ashamed of. I'm not gleeful when people say that it's
necessary to pass a provision for property taxes. I don't buy the argument
that some people say in Pennsylvania and New York that the taxes they used to pay for food
and drugs and giving them back their federal income tax
deduction. You don't hear very much of that. I only heard
it from one person, and that's a guy who had a girlfriend
here. He lived in Tennessee.

Now, get to this: I don't care whether you are a public
official now, you're never going to run again, you've never
run for anything, or whether you plan to run for the legisla-
ture or something even, that your words and what you do
can make. There is no compromise that you can make on
this or any other provision of this document which will help
pass it which is as important to you, means more to you, than
on this issue because there is where the meat of the con-
stitution lies. But, at this point, it is the provision that is
going to hurt you as much as being a signatory to a docu-
ment that goes down in dismal defeat. It is going to haunt
you for the rest of your political life if you have been party
to a three million dollar venture looking for the golden
coconut, and, after you have spent a year of your time and three mil-

iion dollars of the taxpayers' money, it gets badly defeated
at the polls. I don't care how strong you feel about anything
I've talked about; I don't care how strong you feel about
anything that you think you feel as if you are personally concerned, no vote
you can make in the next ten days, to compromise and to
adjust and to mold this document into an acceptable docu-
ment, is going to mean as much to you as what's going to
happen if you don't provide a document that we can sell and
get the public to accept. You remember that. You're inter-
ested in your career, and you're fighting for your people, you
think, and you've got to have it your way because you think
that that's what you're running on, or that's what you stand
for, or for whom you speak. We're talking about something
that's very important. I tell you right now, it's not going to do you nearly
as much good as being one of the authors of an acceptable
constitution.

To get this document passed, I suggest you're going to have
to make some compromises. Now, you can cut it down: the people who have been bombar
ded about this as much as I have since it came out. I have vacillated from one extreme to the other,
and I am willing, in an effort to get those people—I'm talking
about the editorial writers and the PAR and others who are
legitimately concerned about it. I don’t agree with their conclusions. I want you to understand that. I don't think we're
doing violence to industry, I don't think we're running
industry out of the state, and I don't think we're
making unfair to anybody and I think we're doing some-
thing good for property owners. But, after all I can be
wrong, and they may be right. They've studied it, I'm
anxious—say that publicly—I'm anxious to get their con-
clusions in this document. Hence, I am willing to go a step
further. I suggest that the fact that if we don't do something
and get it passed, we are leaving the people of this state burdened with court imposed obliga-
tions on the part of assessors to do what assessors have re-
sisted going for fifty years. We're left to reassess every-
body's property on an equal and uniform basis without any
cash value. Now, you can make all kinds of arguments about that's not
the law, and that's not going to be required, and that
ain't going to happen, and you can make all kinds of argu-
ments about that's not, well if they do, then the police jury
and the city councils can reduce the rate of tax, and that's true.
They can do that, but they don't have to. That is not
the law. You are leaving property owners exposed. I'll be the
first to admit I don't think the danger is real, but it is cer-
tain that they are exposed to very damaging possibil-
ities. I think it important that we try now, since we're going
to get into this business, to tie it down to where we protect
them as much as possible, consistent with our obligations to
local government and state government. If we don't have a consti-
tution, we're going to have to pass fifty statutes—listen to
this—fifty statutes and seven constitutional amendments to
straighten out the property tax mess. I hear that? Fifty
statutes and seven constitutional amendments are going to
have to be submitted to the people in one way or another,
the property tax mess and keep us from having a revolution
from the property owners. Hence, it is important that we pass a
document, and that we have some provision in here which
clears the property tax problem. Now, what I am going to
propose is not going to satisfy anybody, but there can be
taxed to the public, and I think it will be in the public
interest. I think it is going to give us a new base, hopefully,
to work from. You should have some specific, harsh, definite
provisions penalizing assessors who do not do their duty in
accordance with whatever is decided. That's very important.
We have to have an automatic triggering device which will
require the compliance with whatever decisions are made on
assessment practices. We can no longer tolerate the situation
where the house next door is assessed at one price, for
instance, and where property owners are left to the whim of
the assessors. You know I don't have a better group of friends
than the assessors. But, that's not good government. I must
say to the credit of the assessors that they are willing to ac-
tually do this work, and I think they are. But you cannot expect an assessor elected in 1974 to undo a
fifty-year pattern of his predecessors in property tax assess-
ments unless we give him the basis to do it and the mandate
to do it. I, therefore, suggest that when you finish your pro-
visions, you put it in there in such a way—and we'll suggest
the language—that those assessors who do not comply with
the law are subject to harsh penalties, suspension of salaries, the
possibility of being addressed out of office because we
must have there a public conscience. The state of Louisiana
is too important. I am content with the three thousand
dollar level of homestead exemption. Sure, we'd
all like it to be more. How sweet it is to tell people
that we've raised the assessment, but we, at the three thousand
dollars of local property, I think, have taken people with
us, and I think the people are willing to live with that
realistic protection. That narrow group from
three to five or three to six that would be hit by an assess-
ment practice will be only subject to a very small amount of
blame. I mean, I am not in a position at this time, and I suggest that you
stay with it. To get away from the most serious argument
made by those who opposed the provision, that is the dis-
parity between the assessment ratio for residences and land
and commercial establishments, I suggest that we fuse the
two, and instead of the thirty and fifteen and other
on the other, that we make it twelve and a half percent across
the board. No one can then say that we've been unfair to
business, or we're taxing business more than home, or that
we're jeopardizing anybody's right to own and hold a piece
of property or to own and hold any home. I think it is a pro-
vision that will be widely accepted. I think there will be a re-
response to the problem, and I think with the constitu-
tional mandate that assessors be required to follow it that
we can get it solid. In my judgment if you do not make these
changes, all of us together, with the tongues of ten thousand
angels, will sell this document and get it adopted. I stand with
these changes, and with these changes I would be will-
ing to spend my money and my time in the public interest,
in concert with you on an individual basis and as a group
to be as accessible to educated people on what we have
done, to tell them that, for all of its imperfections and for
all that it may not have and for all that it does have, it will
be by far a much, much, much better document than the one
we now have. I think you would be able to say to yourselves
and to those you represent that with tough, difficult, hard
decisions to make, you, in the long run, did respond to
the public interest. I speak to you as governor and as a citizen,
and I'll close by saying that I'm going to treat you just as I
have. I have an allegiance to the legislature. Not one of you can say that at any
time I have called or talked to you and said "You'd better
do this or you will lose my friendship or my support." I don't
do that today, and I'm not going to discuss this with any of
you again. I'm sincere in what I say, but the judgment must be
your judgment. I'm not a delegate; I don't vote here. But,
I express my opinion, and I reflect what I believe to be the
opinion of the people of the State of Louisiana. I don't think
I would have served in public life for twenty years if I
didn't have some ability to judge public opinion. I think
you have to set aside your own allegiances and your own obligations;
I ask you to set aside what commitments you may have made
to some people who, I think, will understand in the long run
that commitments made are always subject to the require-
ment to reevaluate. Whatever commitments you may to those
people to do something for them isn't going to be well served
if the document isn't passed. It doesn't matter how strong or
how hard you've argued for and put into the document some-
ting they wanted you to put, if they don't get it passed,
you haven't done anything for them. I'm going to tell you
right now we're not going to pass the document as it is, but
we can pass it with these effective changes. I implore you
to consider that this will be the last time, either as a group
or individually, I will talk to any of you about it. The Chair-
man, Mr. Gravel, Mr. Graham, and Mr. Pugh between now
and Monday will file in appropriate form amendments, docu-
ments, or what have you to implement the changes which I
have suggested. I recommend them to you because I think
that it's in the public interest that you recognize your atten-
tiveness and I appreciate your courtesy. I hope that no matter
how offended you may be by what I have said, or how much
you disagree with me, you will at least recognize that I'm
here because I thought I was going to promote myself,
or because I thought that you depended upon or
needed my sage advice to tell you what to do, and not be-
cause I really thought any of you were going to jump up and
clap and say, "Well, if the governor said do it, that's what
I'm going to do," because I'll tell you what. I've found out
different in the year you've been here. I like it that way.
If it's no good, I can say it's your document, If it's good, you
can say it's your document, and I'll say I helped. But, in any
event, I'm here today because I feel I have an obligation to
the people, just as any other citizen whom you've listened
to attentively and patiently during the past year, simply to
express to you my feelings. I value solid popularity, and I
value the esteem of good men for good action. I would not be
a public figure if I didn't subscribe to that sentiment. I
have no desire for and no basis for wanting the bubble
popularity that comes temporarily and that is won without
merit or because people believe you have done something for
them that, in fact, you have not, or because people believe
that something has occurred, or because you are able with
a slip of glib tongue to convince them that you have worked
in their interest when, in fact, you've not. I despise that kind
of popularity because, I'm going to tell you something: I
know it doesn't last long. It's a bubble, a bubble—popularity and ulti-
ately will pop. I intend to be here for yet a few more decades, and I am as concerned about what people will say
about and think about me thirty years from now as I am the
reaction that's going to be in the streets when the news
media report my suggestions this afternoon. I've been in
public life for twenty years, and I've sometimes had to act
against preconceived opinion and first impressions of my
constituents—those of you who come from the district I
served in Congress. I'm talking about—but I've always
done so with a full reliance; and I leave you with this thought: upon the intelligence of people to understand
me, and to do equity and to do me justice—I'm going to tell
you something—I've never been disappointed because in the
long run I find that the people are just as smart as I am.
Ultimately, they see as well as I do, and the same clarity,
some reasoning that I use, people ultimately get around
to using it when they begin to thinking. When the decision time
comes, those who for the past year have insulated themselves
from you and have not come to you and offered you advice
and counsel, they're going to begin to think. They'll think as
we stimulate their minds and as we help them to make their
opinions. I'm convinced that we together can convince the
people of this state that we will have done a good job for
them, and, consistent with all the conflicting philosophies and
obligations and rules and thoughts and partisans and
personalities, that we have for the best kind of
document the minds of men can confect in the political
climate which now exists. I could write a better constitution;
I have one written. But, I couldn't get it passed. You could
write a better constitution, but you couldn't get it passed
because there are certain accommodations that have to be
made and compromises. It's part of the course of com-
promise. I only ask that you consider it. I do so because I'm
concerned, because I want a new constitution, and because
I want you to succeed. Thank you.

The Committee rose.

CONVENTION BUSINESS RESUMED

MOTION

On motion of Delegate Tate the rules were suspended
for the purpose of calling a meeting of the Committee on
Style and Drafting without giving the required 24 hours
notice.

COMMITTEE NOTICE

Delegate Tate, chairman of the Committee on Style and
Drafting, sent up the following notice:
The Committee on Style and Drafting will meet on Thurs-
day, January 10, 1974, at 1:00 o'clock p.m. In the Treaty Room
and will consider the following agenda:

AGENDA

To continue preparation of Committee Reports.

Respectfully submitted,

ALBERT TATE,
Chairman of the Committee on
Style and Drafting

The above notice was read in open session and publicly
posted as provided by the Rules of Procedure of the Con-
vention.

MOTION

On motion of Delegate Perez the rules were suspended
for the purpose of calling a meeting of the Committee on
Local and Parochial Government without giving the required
24 hours notice.

COMMITTEE NOTICE

Delegate Perez, chairman of the Committee on Local
and Parochial Government, sent up the following notice:
The Committee on Local and Parochial Government
will meet on Thursday, January 10, 1974, at the noon recess in
the Convention Hall and will consider the following agenda:

AGENDA

To continue consideration of the Report by the Committee on
Style and Drafting.

Respectfully submitted,

CHALIN O. PEREZ,
Chairman of the Committee on
Local and Parochial Government
The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Tate, the Convention altered the Order of Business to take up Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973
January 10, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

COMMITTEE PROPOSAL No. 12—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL

Making provisions for human resources by prohibiting the leasing of convicts and the employment of convicts in competition with private enterprise and by providing for reimbursement to parishes for expenses incurred resulting from crimes committed in penal institutions.

Reported with the following amendments.

COMMITTEE AMENDMENT

Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 12 by Delegate Aertker, et al.

Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 19 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Welfare, Unemployment Compensation, and Health
Section 2. The legislature may establish a system of economic and social welfare, unemployment compensation, and public health."

COMMITTEE PROPOSAL No. 22—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Brien, Denney, Duval, Gravel, Stovall and Tapper: A PROPOSAL

Making provisions for a code of ethics and the Louisiana Board of Ethics.

Reported with the following amendments.

COMMITTEE AMENDMENT

Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 22 by Delegate Stagg, et al.

AMENDMENT No. 1—

On page 1, delete lines 15 through 25, both inclusive, in their entirety, and insert in lieu thereof the following:

"Article ....
Section 1. Code of Ethics
Section 1. The legislature shall enact a code of ethics for all officials and employees of the state and its political subdivisions. The code shall be administered by one or more boards created by the legislature with qualifications, terms of office, duties, and powers provided by law. Decisions of a board shall be appealable, and the legislature shall provide the method of appeal."

COMMITTEE PROPOSAL No. 23—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Arnette, Brien, Denney, Gravel, Stovall and Tapper: A PROPOSAL

Prohibiting dual employment and dual officeholding in state and local government.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 23 by Delegate Stagg, et al.

Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—

On page 1, line 18, after "Section ....", and before the word "The" delete the letter and punctuation "(A)"

AMENDMENT No. 2—

On page 1, line 20, after the word "regulating" and before the word "and" insert a comma ","

COMMITTEE PROPOSAL No. 31—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Azzeff, Brien, Denney, Duval, Gravel, Stovall and Tapper (A Substitute for Committee Proposal No. 19):

A PROPOSAL

Making provisions in the Schedule provisions of the constitution for mandatory reorganization of the executive branch of state government.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 31 by Delegate Stagg, et al.

Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—

On page 1, line 19, after "Section 1," and before the word "The" delete the letter and punctuation "(A)"
AMENDMENT No. 2—
On page 1, line 23, after the word and punctuation "consti-
tution," and before the word "allocation" delete the word "Such" and insert in lieu thereof the word "The" Respectfully submitted,
CHALIN O. FERREZ, Chairman.

Suspension of the Rules
On motion of Delegate Tate the rules were suspended in order to take up the Proposals Contained in the Report at this time.

Proposals on Calendar for Approval of Final Styling
The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 12—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for human resources by prohibiting the leasing of convicts and the employment of convicts in competition with private enterprise and by providing for reimbursement to parishes for expenses incurred resulting from crimes committed in penal institutions.

Reported with the following amendments.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 12 by Delegate Aertker, et al.
Amend first enrollment proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 21 through 26, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 1. State Penal Institutions; Reimbursement of Parish Expense.
Section 1. The state shall reimburse a parish in which a state penal institution is located for expenses the parish incurs arising from crime committed in the institution or by an inmate thereof."

Read.
Delegate Tate moved the adoption of Amendment No. 1.
Delegate Avant objected.
By a vote of 81 yea and 2 nays the amendment was adopted.

COMMITTEE PROPOSAL No. 14—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for human resources through a system of economic security, social welfare, unemployment compensation, and public health.

Reported with the following amendments.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 14 by Delegate Aertker, et al.
Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 19 through 23, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 2. Welfare, Unemployment Compensation, and Health
Section 2. The legislature may establish a system of economic and social welfare, unemployment compensation, and public health."

Read.
On motion of Delegate Tate Amendment No. 1 was adopted.

COMMITTEE PROPOSAL No. 22—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Brien, Denney, Duval, Gravel, Stovall, and Tapper:
A PROPOSAL
Making provisions for a code of ethics and the Louisiana Board of Ethics.

Reported with the following amendments.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 22 by Delegate Stagg, et al.
Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 15 through 25, both inclusive, in their entirety, and insert in lieu thereof the following:
"Article ... Section 1. Code of Ethics.
Section 1. The legislature shall enact a code of ethics for all officials and employees of the state and its political subdivisions. The code shall be administered by one or more boards created by the legislature with qualifications, terms of office, duties, and powers provided by law. Decisions of a board shall be appealable, and the legislature shall provide the method of appeal."

Read.
On motion of Delegate Tate Amendment No. 1 was adopted.

COMMITTEE PROPOSAL No. 23—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Arnette, Brien, Denney, Gravel, Stovall and Tapper:
A PROPOSAL
Prohibiting dual employment and dual officeholding in state and local government.

Reported with the following amendments:

COMMITTEE AMENDMENTS
Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 23 by Delegate Stagg, et al.
Amend first enrollment proposal as follows:

AMENDMENT No. 1—
On page 1, line 18, after "Section ...", and before the word "The" delete the letter and punctuation "(A)"

AMENDMENT No. 2—
On page 1, line 20, after the word "regulating" and before the word "and" insert a comma "."

Read.
On motion of Delegate Tate Amendment No. 1 and 2 was adopted.

COMMITTEE PROPOSAL No. 31—
Introduced by Delegate Stagg, Chairman, on behalf of the
Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Asseff, Brien, Denenny, Duval, Gravel, Stovall, and Tapper (A Substitute for Committee Proposal No. 19):

A PROPOSAL

Making provisions in the Schedule provisions of the constitution for mandatory reorganization of the executive branch of state government.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 31 by Delegate Stagg, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—

On page 1, line 19, after “Section 1.” and before the word “The” delete the letter and punctuation “(A)”

AMENDMENT No. 2—

On page 1, line 23, after the word and punctuation “constitution” and before the word “allocation” delete the word “Such” and insert in lieu thereof the word “The”

Read.

On motion of Delegate Tate Amendment No. 1 and 2 was adopted.

Motion

On motion of Delegate Alario, the Convention altered the Order of Business to take up Proposals on Third Reading and Final Passage at this time.

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

Motion

On motion of Delegate Alario Delegate Proposal No. 16 was called from the Calendar.

DELEGATE PROPOSAL No. 16—

Introduced by Delegates Alario, Chehardy, Edwards, Mire, Rayburn, Nunez, Winchester, Maubert, Slay and Plancheid:

Making provisions for homestead exemptions.

Read.

Section 1. Property Exempt; Valuation; Claim of Benefit

Section 1. There shall be exempt from seizure and sale by any process whatever, except as hereinafter provided, the homestead, bona fide, owned by the debtor and occupied by him, consisting of lands, not exceeding one hundred and sixty acres, buildings and appurtenances, whether rural or urban, of every head of a family, or person having a mother or father or a person or persons dependent on him or her for support to the total value of not more than fifteen thousand dollars.

Provided, that in case the homestead exceeds fifteen thousand dollars in value, the beneficiary shall be entitled to that amount in case of sale of the homestead under legal process realizes more than that sum; if the sale does not realize more than that sum, over and above all costs and expenses, said sale shall be null and void.

The benefit of this exemption may be claimed by the surviving spouse, or minor child or children, of a deceased beneficiary.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Newton to Delegate Proposal No. 16 by Delegate Alario, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 17, immediately after the word “than” and before the word “thousand” delete the word “fifteen” and insert in lieu thereof the word “ten” and on line 19, immediately after the word “exceeds” and before the partial word “fifteen” delete the word “fifteen” and insert in lieu thereof the word “ten”

Delegate Newton moved the adoption of the amendment.

Delegate Alario objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario

Abraham

Asseff

Avant

Badcaux

Bergeron

Blair

Brien

Burns

Burson

Carmouche

Champagne

Chataign

Chehardy

Conino

Corne

Deshotels

Edwards

Elkins

Flory

Fontenot

Fowler

Total—82.

NAYS

Delegates—

Fulco

Gauthier

Ginn

Goldman

Grier

Hardee

Hayes

Jackson, J.

Jenkins

Kilpatrick

Landry, A.

Landry, E.

Lanier

LeBleu

Leithman

Low

McDaniel

Martin

Maubert

Maybuck

Miller

Total—34.

NOT VOTING

Delegates—

Jones

Kelly

Kilbourne

Leigh

Morris

Monson

O'Neill

Ouzo

Perez

Perkins

Haynes

Jackson, A.

Total—34.

And the amendment was rejected.

Delegate Alario moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

1165
Delegate Dennery sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennery to Delegate Proposal No. 16 by Delegate Alario, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 1, delete lines 9 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. Exemptions from Seizure and Sale

Section 1. The legislature shall provide for exemptions from seizure and sale."

Delegate Dennery moved the adoption of the amendment.

Delegate Alario objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham
Alexander
Amlette
Ballinger
Casey
Champagne
Chateaalain
Conroy
Cowen
DeBleux
Dennery
Dennis
Derbes

Total—39.

Delegates—

Abraham
Deshots
Drew
Duval
Elkins
Fayard
Goldman
Jackson, A.
Jackson, J.
Jenkins
Kelly
Landrum
Martin
Newton
Perkins
Rachal
Roemer
Sandoz
Schmitt
Soniat
Sutherland
Tate
Thistlethwaite
Vick
Weiss
Wisdom
Zervigon

**NAYS**

Delegates—

Alario
Asseff
Avant
Badeaux
Belcher
Bergeron
Bair
Bren
Brown
Burns
Burson
Cannon
Carmouche
Chehardy
Conino
Corne
D'Herolamo
Edwards
Flory
Fontenot
Fowler
Fulco

Total—66.

Delegates—

Mr. Chairman
Acker
Anzalone
Comar
Dunlap
Gallaruso
Gravel
Haynes
Heine

Total—27.

And the amendment was rejected.

Delegate Alario moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Planchar moved up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Alario, Planchar, Mauberret and Toomy to Delegate Proposal No. 16 by Delegate Alario, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 1, line 15, immediately after the word and punctuation "urban," delete the remainder of the line and delete line 16 in its entirety and at the beginning of line 17, delete the word "support" and insert in lieu thereof the following: "owned and occupied by any person"

**AMENDMENT No. 2**

On page 1, delete lines 25, 26 and 27, in their entirety.

On motion of Delegate Planchar the amendment was withdrawn.

**Motion**

On motion of Delegate Alario the Proposal was returned to the Calendar, subject to call.

**Reports of Committees**

The following reports of committees were received and read:

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973

January 10, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

**COMMITTEE PROPOSAL No. 4**

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department:

A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read. Reported with the following amendments.

**COMMITTEE AMENDMENTS**

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend first enrolled Proposal as follows:

**AMENDMENT No. 1**

On page 1, delete lines 13 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. Composition; Number of Departments; Reorganization

Section 1. (A) Composition. The executive branch shall consist of the governor, lieutenant governor, secretary of state, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, commissioner of
elections, and all other executive offices, agencies, and instrumentalities of the state."

AMENDMENT No. 2—
On page 1, delete lines 19 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Number of Departments. Except for the offices of governor and lieutenant governor, all offices, agencies, and other instrumentalities of the executive branch and their functions, powers, duties, and responsibilities shall be allocated according to function within not more than twenty departments.”

AMENDMENT No. 3—
On page 1, between lines 23 and 24, insert the following:

“(C) Reorganization. Reallocation of the functions, powers, and duties of all departments, offices, agencies, and other instrumentalities of the executive branch, except those functions, powers, duties, and responsibilities allocated by this constitution, shall be as provided by law.”

AMENDMENT No. 4—
On page 1, delete lines 24 through 34, both inclusive, in their entirety, and on page 2, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

“Section 2. Qualifications.

Section 2. To be eligible for any statewide elective office, a person shall have attained the age of twenty-five years, be an elector, and have been a citizen of the United States and of this state for at least the preceding five years. In addition, the attorney general shall have served a minimum of five years preceding his election. During his tenure in office, a statewide elected official shall hold no other public office except by virtue of his elected office.”

AMENDMENT No. 5—
On page 2, delete lines 3 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 3. Election; Term

Section 3. (A) Election. The governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, and commissioner of elections each shall be elected for a term of four years by the electors of the state at the time and place of voting for members of the legislature. The term of each official shall begin at noon on the second Monday in March next following the election.

(B) Limitation on Governor. A person who has served as governor for more than one and one-half terms in two consecutive terms shall not be elected governor for the succeeding term.”

AMENDMENT No. 6—
On page 2, delete lines 16 and 17 in their entirety and insert in lieu thereof the following:

“(C) Additional Limitation. Except as provided by this constitution, no official shall be elected statewide.”

AMENDMENT No. 7—
On page 2, delete lines 18 through 21 both inclusive in their entirety and insert in lieu thereof the following:

“Section 4. Compensation

Section 4. Except as otherwise provided by this constitution, the compensation of each statewide elected official shall be provided by law.”

AMENDMENT No. 8—
On page 2, delete lines 22 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 5. Governor; Powers and Duties

Section 5. (A) Executive Authority. The governor shall be the chief executive officer of the state. He shall faithfully support the constitution and laws of the state and of the United States.”

AMENDMENT No. 9—
On page 2, delete lines 27 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Legislative Reports and Recommendations. The governor shall, at the beginning of each regular session, and may, at other times, make reports and recommendations and give information to the legislature concerning the affairs of state, including its complete financial condition.”

AMENDMENT No. 10—
On page 2, delete lines 33 through 35, both inclusive, in their entirety, and on page 3, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

“(C) Departmental Reports and Information. When requested by the governor, a department head shall provide him with reports and information, in writing or otherwise, on any subject relating to the department, except matters concerning investigations of the governor’s office.”

AMENDMENT No. 11—
On page 3, delete lines 7 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

“(E) Capital Budget. The governor shall submit to the legislature, at each regular session, a proposed five-year capital outlay program and shall request implementation of the first year of the program.”

AMENDMENT No. 12—
On page 3, delete lines 11 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

“(F) Pardon, Commutation, Reprieve, and Remission; Board of Pardons. (1) The governor may grant reprieves to persons convicted of offenses against the state and, upon recommendation of the Board of Pardons, may commute sentences, pardon those convicted of offenses against the state, and remit fines and forfeitures imposed for such offenses. However, a first offender never previously convicted of a felony shall be eligible automatically for pardon upon completion of his sentence without recommendation of the board.

(2) The Board of Pardons shall consist of five members appointed by the governor, subject to confirmation by the Senate. Each member of the board shall serve a term concurrent with that of the governor appointing him.”

AMENDMENT No. 13—
On page 3, delete lines 26 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

“(G) Receipt of Bills from the Legislature. The date and hour when a bill finally passed by the legislature is delivered to the governor shall be endorsed thereon.”

AMENDMENT No. 14—
On page 3, delete lines 29 through 35, both inclusive, in their entirety and on page 4, delete line 1 and insert in lieu thereof the following:

“(H) Veto. (1) Except as otherwise provided by this constitution, the governor may veto any line item in an appropriation bill. Any item vetoed shall be void unless the veto is overridden as prescribed for the passage of a bill over a veto.

(2) The governor shall veto line items or use means provided in the bill so that total appropriations for the year shall not exceed anticipated revenues for that year.”

AMENDMENT No. 15—
On page 4, delete lines 2 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

“(I) Appointments. (1) The governor shall appoint, subject to confirmation by the Senate, the head of each department in the executive branch whose election or appointment is not otherwise provided for by this constitution and the members of each board and commission in the executive branch whose election or appointment is not otherwise provided for by this constitution or by law.

(2) If the legislature is in session, the governor shall submit for confirmation by the Senate the name of an appointee within forty-eight hours after the appointment is made. Failure of the Senate to confirm the appointment, prior to the adjournment of the session shall constitute rejection.

(3) If the legislature is not in session, the governor may make interim appointments, which shall expire at the end of the next session, unless submitted to and confirmed by the Senate during that session.

(4) A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature.”

AMENDMENT No. 16—
On page 4, delete lines 22 through 24, both inclusive, in their entirety and insert in lieu thereof the following:
114th Days Proceedings—January 10, 1974

“(J) Removal Power. The governor may remove from office a person he appoints, except a person appointed for a term fixed by this constitution or by law.”

AMENDMENT No. 17—
On page 4, line 28, after the words “call out” and before the words “to preserve” delete the words “the armed forces of the state” and insert in lieu thereof the words “these forces”

AMENDMENT No. 18—
On page 4, delete lines 31 through 33, both inclusive, in their entirety and insert in lieu thereof the following:
“(L) Other Powers and Duties. The governor shall have other powers and perform other duties authorized by this constitution or provided by law.”

AMENDMENT No. 19—
On page 4, delete lines 34 and 35 and on page 5, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 6. Lieutenant Governor; Powers and Duties
Section 6. The lieutenant governor shall serve ex officio as presiding officer of each committee, board, or commission on which the governor serves. He shall exercise the powers delegated to him by the governor and shall have other powers and perform other duties in the executive branch authorized by this constitution or provided by law.”

AMENDMENT No. 20—
On page 5, delete lines 6 through 21, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 7. Secretary of State; Powers and Duties
Section 7. There shall be a Department of State. The secretary of state shall head the department and shall be the chief election officer of the state. He shall prepare and certify the ballots and voting machines and register all elections and administer the election laws, except those relating to voter registration and custody of voting machines. He shall administer the state corporation and trademark laws; serve as keeper of the Great Seal of the State of Louisiana and attest therewith all official laws, documents, proclamations, and commissions; administer and preserve the official archives of the state; promulgate and publish all laws enacted by the legislature and retain the originals thereof; and countersign all laws. He shall keep an official registry of all commissions. He may administer oaths, and shall have other powers and perform other duties authorized by this constitution or provided by law.”

AMENDMENT No. 21—
On page 5, delete lines 22 through 24, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 8. Attorney General; Powers and Duties
Section 8. There shall be a Department of Justice. The attorney general shall head the department and shall be the chief legal officer of the state.”

AMENDMENT No. 22—
On page 5, delete lines 25 through 34, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 9. Treasurer; Powers and Duties
Section 9. There shall be a Department of the Treasury. The treasurer shall head the department and shall be responsible for the custody, investment, and disbursement of the public funds of the state, except as otherwise provided by this constitution. He shall report annually to the governor and to the legislature at least one month before each regular session on the financial condition of the state, and shall have other powers and perform other duties authorized by this constitution or provided by law.”

AMENDMENT No. 23—
On page 5, delete line 35 in its entirety, and on page 6, delete lines 1 through 10, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 10. Commissioner of Agriculture; Powers and Duties
Section 10. There shall be a Department of Agriculture. The commissioner of agriculture shall head the department and shall exercise all functions of the state relating to the promotion, protection, and advancement of agriculture, except research and educational functions expressly allocated by this constitution or by law to other state agencies. The department shall exercise such functions and the commissioner or shall have other powers and perform other duties authorized by this constitution or provided by law.”

AMENDMENT No. 24—
On page 6, delete lines 11 through 17, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 11. Commissioner of Insurance; Powers and Duties
Section 11. There shall be a Department of Insurance, headed by the commissioner of insurance. The department shall exercise such functions and the commissioner shall have powers and perform duties authorized by this constitution or provided by law.”

AMENDMENT No. 25—
On page 6, delete lines 18 through 24, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 12. Commissioner of Elections; Powers and Duties
Section 12. There shall be a Department of Elections and Registration. The commissioner of elections shall head the department and shall administer the laws relating to custody of voting machines and voter registration. He shall have other powers and perform other duties authorized by this constitution or provided by law.”

AMENDMENT No. 26—
On page 6, delete lines 25 through 35, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 13. First Assistants; Appointment
Section 13. Each state elected official except the governor and lieutenant governor shall appoint a first assistant, subject to public confirmation by the Senate, and may remove him at his pleasure. The official shall submit the appointment to the Senate in the manner and subject to the procedures and limitations applicable to appointments submitted by the governor. The first assistant shall possess the qualifications required for election to the office.”

AMENDMENT No. 27—
On page 7, delete lines 1 through 9, both inclusive, in their entirety, and insert in lieu thereof the following:
“Section 14. Vacancy in Office of Governor
Section 14. When a vacancy occurs in the office of governor, the order of succession shall be (1) the elected lieutenant governor, (2) the elected secretary of state, (3) the elected attorney general, (4) the elected treasurer, (5) the presiding officer of the House of Representatives, and then (7) as provided by law. The successor shall serve the remainder of the term for which the governor was elected.”

AMENDMENT No. 28—
On page 7, delete lines 10 through 15 both inclusive in their entirety, and insert in lieu thereof the following:
“Section 15. Vacancy in Office of Lieutenant Governor
Section 15. Should a vacancy occur in the office of lieutenant governor, the governor shall nominate a lieutenant governor, who shall take office upon confirmation by a majority vote of the elected members of each house of the legislature.”

AMENDMENT No. 29—
On page 7, delete lines 16 through 24, both inclusive, in their entirety, and insert in lieu thereof the following:
“Section 16. Vacancies in Other Statewide Elective Offices
Section 16. A vacancy in a statewide elective office other than that of governor or lieutenant governor shall be filled by the first assistant. If the unexpired term exceeds one year, the office shall be filled by election at the next regularly scheduled congressional or statewide election, and the first assistant shall serve only until the person then elected takes office.”

AMENDMENT No. 30—
On page 7, delete lines 25 through 35, both inclusive, in their entirety, and on page 8, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 17. Other Vacancies
Section 17. (A) Gubernatorial Appointment; Election. If no other provision therefor is made by this constitution, by
statute, by local government charter, by home rule charter or plan of government, or by ordinance, the governor may fill a vacancy occurring in any elective office. When a vacancy occurs in the office and the unexpired portion of the term exceeds one year, the vacancy shall be filled at an election, as provided by law, and the appointment shall be effective only until a successor takes office.

(B) Qualifications. Nothing in this Section shall change the qualifications for any office, and every appointee must be otherwise eligible to hold the office to which appointed.

AMENDMENT No. 31—
On page 8, delete lines 5 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 19. Declaration of Inability by Statewide Elected Officials.

Section 19. When a statewide elected official transmits to the presiding officers of the Senate and House of Representatives a written declaration of his inability to discharge the powers and duties of his office, he shall transmit to them a written declaration to the contrary, the person who would succeed to the office when a vacancy occurs shall assume the powers and duties of the office as acting official."

AMENDMENT No. 32—
On page 8, delete lines 9 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 19. Declaration of Inability by Statewide Elected Officials.

Section 19. When a statewide elected official transmits to the presiding officers of the Senate and House of Representatives a written declaration of his inability to discharge the powers and duties of his office, he shall transmit to them a written declaration to the contrary, the person who would succeed to the office when a vacancy occurs shall assume the powers and duties of the office as acting official."

AMENDMENT No. 33—
On page 8, delete lines 19 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 20. Determination of Inability of Statewide Elected Official.

Section 20. (A) Declaration and Counter-Declaration. When a majority of the statewide elected officials determine that any other such official is unable to discharge the powers and duties of his office, they shall transmit a written declaration to this effect to the presiding officer of each house and to the official, and shall file a copy of the declaration in the office of the secretary of state. Thereafter, the constitutional successor shall assume the office as acting official unless, within forty-eight hours after the declaration is filed in the office of the secretary of state, the elected official files in that office and transmits to the presiding officer of each house his written counter-declaration of his ability to exercise the powers and perform the duties of his office."

AMENDMENT No. 34—
On page 8, delete lines 34 and 35 in their entirety, and on page 9, line 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Determination by the Legislature. The legislature shall convene at noon on the third calendar day after the filing of any counter-declaration, which may be filed by the official at any time. Should two-thirds of the elected members of each house fail to adopt a resolution within seventy-two hours declaring probable justification for the determination that inability exists, the official shall continue in or resume office."

AMENDMENT No. 35—
On page 9, delete lines 7 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Assumption of Office by Constitutional Successor. If two-thirds of the elected members of each house adopt a resolution declaring that probable justification exists for the declaration of inability, the constitutional successor shall assume the powers and duties of the office and a copy of the resolution shall be transmitted forthwith to the supreme court."

AMENDMENT No. 36—
On page 9, delete lines 13 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Determination by Supreme Court. By preference and with priority over all other matters, the supreme court shall determine the issue of inability after due notice and hearing, by a majority vote of members elected to the court, under such rules as it may adopt."

AMENDMENT No. 37—
On page 9, delete lines 17 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 20. Determination of Inability of Statewide Elected Officials.

Section 20. (A) Declaration and Counter-Declaration. When a majority of the statewide elected officials determine that any other such official is unable to discharge the powers and duties of his office, he shall transmit to them a written declaration to the contrary, the person who would succeed to the office when a vacancy occurs shall assume the powers and duties of the office as acting official."

AMENDMENT No. 38—
On page 9, delete lines 25 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 21. Temporary Absences.

Section 21. When the governor is temporarily absent from the state, the lieutenant governor shall act as governor. When any other statewide elected official is temporarily absent from the state, the appointed first assistant shall act in his absence."

AMENDMENT No. 39—
On page 9, delete lines 34 through 35, both inclusive, in their entirety and on page 10, delete line 1 in its entirety.

AMENDMENT No. 40—
On page 10, delete lines 2 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 21. Temporary Absences.

Section 21. When the governor is temporarily absent from the state, the lieutenant governor shall act as governor. When any other statewide elected official is temporarily absent from the state, the appointed first assistant shall act in his absence."

AMENDMENT No. 41—
On page 1, line 24, in the text of Committee Amendment No. 4 adopted by the Committee on Style and Drafting and adopted by the convention this date, on line 10 of the text of the amendment, after the word "preceding" and before the period ".", delete the word "election" and insert in lieu thereof the words "qualification as a candidate".

AMENDMENT No. 42—
On page 1, line 11, in Committee Amendment No. 12 proposed by the Committee on Style and Drafting and adopted by the convention this date, on line 8 of the text of the amendment, after the word and punctuation "offenses" delete the remainder of the line, and delete lines 9 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

However, a first offender never previously convicted of a felony shall be pardoned automatically upon completion of his sentence, without a recommendation of the Board of Pardons and without action by the governor.

AMENDMENT No. 43—
On page 4, line 2, in Committee Amendment No. 15 proposed by the Committee on Style and Drafting and adopted by the convention this date, on line 2 of the text of the amendment, after the word "to" and before the word "confirmation" insert the word "public".

AMENDMENT No. 44—
On page 4, line 2, in Committee Amendment No. 15 proposed by the Committee on Style and Drafting and adopted by the convention this date, delete lines 9 through 19 both inclusive in their entirety and insert in lieu thereof the following:

"(2) Should the legislature be in regular session, the gov-
error shall submit for confirmation by the Senate the name of an appointee within forty-eight hours after the appointment is made. Failure of the Senate to confirm the appointment, prior to the end of the session, shall constitute rejection.

(3) If the legislature is not in regular session, the governor may make interim appointments, which shall expire at the end of the next regular session, unless submitted to and confirmed by the Senate during that session."

AMENDMENT No. 45—
On page 10, line 2, in Committee Amendment No. 40 proposed by the Committee on Style and Drafting and adopted by the convention this date, in line 2 of the text of the amendment delete the word “adoption” and insert in lieu thereof the words “the effective date”

AMENDMENT No. 46—
Delete Amendments Nos. 4, 5, 6, 7, and 21 proposed by the Committee on Style and Drafting and adopted by the convention on this date and reinsert the text of amendments Nos. 4, 5, 6, and 7 at the end of CP No. 35 and renumber Sections 2, 3, and 4 contained in amendments Nos. 4, 5, 6, and 7 as follows:

Section 2  Section 12
Section 3  Section 13
Section 4  Section 14

AMENDMENT No. 47—
On page 1, line 13, delete Committee Amendment No. 1 proposed by the Committee on Style and Drafting and adopted by the convention this date, and insert in lieu thereof the following:

“Section 1. Composition; Number of Departments; Reorganization

Section 1. (A) Composition. The executive branch shall consist of the governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, commissioner of elections, and all other executive offices, agencies, and instrumentalities of the state.”

COMMITTEE AMENDMENT
Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend final enrolled proposal as follows:

AMENDMENT No. 1—
On page 8, delete Section 25 in its entirety and insert in lieu thereof the following:

“Section 25. Department of Justice; Attorney General: Assistants

Section 25. There shall be a Department of Justice consisting of an attorney general, a first assistant attorney general, and other necessary assistants and staff. The attorney general shall be elected for a term of four years at the state general election, and he shall head the department. He shall appoint assistants to serve at his pleasure.”

Respectfully submitted,

ALBERT TATE,
Chairman.

Vice Chairman Casey in the Chair

Suspension of the Rules

On motion of Delegate Tate the rules were suspended in order to take up Proposals on Calendar for Approval of Final Styling at this time.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

COMMITTEE AMENDMENT
Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 13 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 1. Composition; Number of Departments; Reorganization

Section 1. (A) Composition. The executive branch shall consist of the governor, lieutenant governor, secretary of state, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, commissioner of elections, and all other executive offices, agencies, and instrumentalities of the state.”

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—
On page 1, delete lines 19 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Number of Departments. Except for the offices of governor and lieutenant governor, all offices, agencies, and other instrumentalities of the executive branch and their functions, powers, duties, and responsibilities shall be allocated according to function within not more than twenty departments.”

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—
On page 1, between lines 23 and 24, insert the following:

“(C) Reorganization. Reallocation of the functions, powers, and duties of all departments, offices, agencies, and other instrumentalities of the executive branch, except those functions, powers, duties, and responsibilities allocated by this constitution, shall be as provided by law.”

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 4—
On page 1, delete lines 24 through 34, both inclusive, in their entirety, and on page 2, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

“Section 2. Qualifications.

Section 2. To be eligible for any statewide elective office, a person, by the date of his qualification as a candidate, shall have attained the age of twenty-five years, be an elector, and have been a citizen of the United States and of this state for at least the preceding five years. In addition, the attorney general shall have been admitted to the practice of law in the state for at least the five years preceding his election. During his tenure in office, a statewide elected official shall hold no other public office except by virtue of his elected office.”

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—
On page 2, delete lines 3 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 3. Election; Term

Section 3. (A) Election. The governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, and commissioner of elections each shall be elected for a term of four years by the electors of the state at the time and place of voting for members of the legislature. The term of each official shall begin at noon on the second Monday in March next following the election.

(B) Limitation on Governor. A person who has served as governor for more than one and one-half terms in two conse-
On motion of Delegate Tate Amendment No. 11 was adopted.

AMENDMENT No. 12—

On page 3, delete lines 11 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

“(F) Pardon, Commutation, Reprieve, and Remission; Board of Pardons. (1) The governor may grant reprieves to persons convicted of offenses against the state and, upon recommendation of the Board of Pardons, may commute sentences, pardon those convicted of offenses against the state, and remit fines and forfeitures imposed for such offenses. However, a first offender never previously convicted of a felony shall be eligible automatically or pardon upon completion of his sentence without recommendation of the board.

(2) The Board of Pardons shall consist of five appointees appointed by the governor, subject to confirmation by the Senate. Each member of the board shall serve a term concurrent with that of the governor appointing him.”

Read.

On motion of Delegate Tate Amendment No. 12 was adopted.

AMENDMENT No. 13—

On page 3, delete lines 26 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

“(G) Receipt of Bills from the Legislature. The date and hour when a bill finally passed by the legislature is delivered to the governor shall be endorsed thereon.”

Read.

On motion of Delegate Tate Amendment No. 13 was adopted.

AMENDMENT No. 14—

On page 3, delete lines 29 through 35, both inclusive, in their entirety and on page 4, delete line 1 and insert in lieu thereof the following:

“(H) Item Veto. (1) Except as otherwise provided by this constitution, the governor may veto any line item in an appropriation bill. Any item vetoed shall be void unless the veto is overridden as prescribed for the passage of a bill over a veto.

(2) The governor shall veto line items or use means provided in the bill so that total appropriations for the year shall not exceed anticipated revenues for that year.”

Read.

On motion of Delegate Tate Amendment No. 14 was adopted.

AMENDMENT No. 15—

On page 4, delete lines 2 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

“(1) Appointments. (1) The governor shall appoint, subject to confirmation by the Senate, the head of each department in the executive branch whose election or appointment is not provided by this constitution and the members of each board and commission in the executive branch whose election or appointment is not provided by this constitution or by law.

(2) Should the legislature be in session, the governor shall submit for confirmation by the Senate the name of an appointee within forty-eight hours after the appointment is made. Failure of the Senate to confirm the appointment, prior to the end of the session, shall constitute rejection.

(3) If the legislature is not in session, the governor may make interim appointments, which shall expire at the end of the next session, unless submitted to and confirmed by the Senate during that session.

(4) A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature.”

Read.

On motion of Delegate Tate Amendment No. 15 was adopted.

AMENDMENT No. 16—

On page 4, delete lines 22 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

“(J) Removal Power. The governor may remove from
office a person he appoints, except a person appointed for a term fixed by this constitution or by law.'"

Read.

On motion of Delegate Tate Amendment No. 16 was adopted.

AMENDMENT No. 17—
On page 4, line 28, after the words "call out" and before the words "to preserve" delete the words "the armed forces of the state" and insert in lieu thereof the words "these forces"

Read.

On motion of Delegate Tate Amendment No. 17 was adopted.

AMENDMENT No. 18—
On page 4, delete lines 31 through 33, both inclusive, in their entirety and insert in lieu thereof the following: "(L) Other Powers and Duties. The governor shall have other powers and perform other duties authorized by this constitution or provided by law."

Read.

On motion of Delegate Tate Amendment No. 18 was adopted.

AMENDMENT No. 19—
On page 4, delete lines 34 and 35 and on page 5, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following: "Section 6. Lieutenant Governor; Powers and Duties Section 6. The lieutenant governor shall serve ex officio as a member of each committee, board, and commission on which the governor serves. He shall exercise the powers delegated to him by the governor and shall have other powers and perform other duties in the executive branch authorized by this constitution or provided by law."

Read.

On motion of Delegate Tate Amendment No. 19 was adopted.

AMENDMENT No. 20—
On page 5, delete lines 6 through 21, both inclusive, in their entirety and insert in lieu thereof the following: "Section 7. Secretary of State; Powers and Duties Section 7. There shall be a Department of State. The secretary of state shall head the department and shall be the chief election officer of the state. He shall prepare and certify the ballots for all elections, promulgate all election returns, and administer the election laws, except those relating to voter registration and custody of voting machines. He shall administer the state corporation and trademark laws; serve as keeper of the Great Seal of the State of Louisiana and attest therewith all official laws, documents, proclamations, and commissions; administer and preserve the official archives of the state; promulgate and publish all laws enacted thereof; and countersign and keep an official registry of all by the legislature and retain the originals thereof; and countersign and keep an official registry of all commissions. He may administer oaths, and shall have other powers and perform other duties authorized by this constitution or provided by law."

Read.

On motion of Delegate Tate Amendment No. 20 was adopted.

AMENDMENT No. 21—
On page 5, delete lines 22 through 24, both inclusive, in their entirety and insert in lieu thereof the following: "Section 8. Attorney General; Powers and Duties Section 8. There shall be a Department of Justice. The attorney general shall head the department and shall be the chief legal officer of the state."

Read.

On motion of Delegate Tate Amendment No. 21 was adopted.

AMENDMENT No. 22—
On page 5, delete lines 25 through 34, both inclusive, in their entirety and insert in lieu thereof the following: "Section 9. Treasurer; Powers and Duties Section 9. There shall be a Department of the Treasury. The treasurer shall head the department and shall be responsible for the custody, investment, and disbursement of the public funds of the state, except as otherwise provided by this constitution. He shall report annually to the governor and to the legislature at least one month before each regular session on the financial condition of the state, and shall have other powers and perform other duties authorized by this constitution or provided by law."

Read.

On motion of Delegate Tate Amendment No. 22 was adopted.

AMENDMENT No. 23—
On page 5, delete line 35 in its entirety, and on page 6, delete lines 1 through 10, both inclusive, in their entirety and insert in lieu thereof the following: "Section 10. Commissioner of Agriculture; Powers and Duties Section 10. There shall be a Department of Agriculture. The commissioner of agriculture shall head the department and shall exercise all functions of the state relating to the promotion, protection, and advancement of agriculture, except research and educational functions expressly allocated by this constitution or by law to other state agencies. The department shall exercise such functions and the commissioner shall have other powers and perform other duties authorized by this constitution or provided by law."

Read.

On motion of Delegate Tate Amendment No. 23 was adopted.

AMENDMENT No. 24—
On page 6, delete lines 11 through 17, both inclusive, in their entirety and insert in lieu thereof the following: "Section 11. Commissioner of Insurance; Powers and Duties Section 11. There shall be a Department of Insurance, headed by the commissioner of insurance. The department shall exercise such functions and the commissioner shall have other powers and perform other duties authorized by this constitution or provided by law."

Read.

On motion of Delegate Tate Amendment No. 24 was adopted.

AMENDMENT No. 25—
On page 6, delete lines 18 through 24, both inclusive, in their entirety and insert in lieu thereof the following: "Section 12. Commissioner of Elections; Powers and Duties Section 12. There shall be a Department of Elections and Registration. The commissioner of elections shall head the department and shall administer the laws relating to custody of voting machines and voter registration. He shall have other powers and perform other duties authorized by this constitution or provided by law."

Read.

On motion of Delegate Tate Amendment No. 25 was adopted.

AMENDMENT No. 26—
On page 6, delete lines 25 through 35, both inclusive, in their entirety and insert in lieu thereof the following: "Section 13. First Assistants; Appointment Section 13. Each statewide elected official except the governor and lieutenant governor shall appoint a first assistant, subject to public confirmation by the Senate, and may remove him at his pleasure. The official shall submit the appointment to the Senate in the manner and subject to the procedures and limitations applicable to appointments submitted by the governor. The first assistant shall possess the qualifications required for election to the office."

Read.
On motion of Delegate Tate Amendment No. 26 was adopted.

AMENDMENT No. 27—

On page 7, delete lines 1 through 9, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 14. Vacancy in Office of Governor

Section 14. When a vacancy occurs in the office of governor, the order of succession shall be: (1) the elected lieutenant governor, (2) the elected secretary of state, (3) the elected attorney general, (4) the elected treasurer, (5) the presiding officer of the Senate, (6) the presiding officer of the House of Representatives, and then (7) as provided by law. The successor shall serve the remainder of the term for which the governor was elected."

Read.

On motion of Delegate Tate Amendment No. 27 was adopted.

AMENDMENT No. 28—

On page 7, delete lines 10 through 15 both inclusive in their entirety and insert in lieu thereof the following:

"Section 15. Vacancy in Office of Lieutenant Governor

Section 15. Should a vacancy occur in the office of lieutenant governor, the governor shall nominate a lieutenant governor. Qualifications. Nothing shall be written upon confirmation by a majority vote of the elected members of each house of the legislature."

Read.

On motion of Delegate Tate Amendment No. 28 was adopted.

AMENDMENT No. 29—

On page 7, delete lines 16 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 16. Vacancies in Other Statewide Elective Offices

Section 16. A vacancy in a statewide elective office other than that of governor or lieutenant governor shall be filled by the first assistant. If the unexpired term exceeds one year, the office shall be filled by election at the next regularly scheduled congressional or statewide election, and the first assistant shall serve only until the person then elected takes office."

Read.

On motion of Delegate Tate Amendment No. 29 was adopted.

AMENDMENT No. 30—

On page 7, delete lines 25 through 35, both inclusive, in their entirety, and on page 8, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 17. Other Vacancies

Section 17. (A) Gubernatorial Appointment; Election. If no other provision thereof is made by this constitution, by statute, by local government charter, by home rule charter or plan of government, or by ordinance, the governor may fill a vacancy occurring in any elective office. When a vacancy occurs in the office and the unexpired portion of the term exceeds one year, the vacancy shall be filled at an election, as provided by law, and the appointment shall be effective only until a successor takes office.

(B) Qualifications. Nothing contained in this Section shall change the qualifications for any office and every appointee must be otherwise eligible to hold the office to which appointed."

Read.

On motion of Delegate Tate Amendment No. 30 was adopted.

AMENDMENT No. 31—

On page 8, delete lines 5 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 18. Definition of Vacancy

Section 18. A vacancy, as used in this Article, shall occur in the event of death, resignation, removal by any means, or failure to take office for any reason."

Read.

On motion of Delegate Tate Amendment No. 31 was adopted.

AMENDMENT No. 32—

On page 8, delete lines 9 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 19. Declaration of Inability by Statewide Elected Officials

Section 19. When a statewide elected official transmits to the presiding officers of the Senate and House of Representatives a written declaration of his inability to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, the person who would succeed to the office when a vacancy occurs shall assume the powers and duties of the office as acting official."

Read.

On motion of Delegate Tate Amendment No. 32 was adopted.

AMENDMENT No. 33—

On page 8, delete lines 19 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 20. Determination of Inability of Statewide Elected Officials

Section 20. (A) Declaration and Counter-Declaration. When a majority of the statewide elected officials determine that any other such official is unable to discharge the powers and duties of his office, they shall transmit a written declaration to this effect to the presiding officer of each house and to the official, and shall file a copy of the declaration in the office of the secretary of state. Thereafter, the constitutional successor shall assume the office as acting official unless, within forty-eight hours after the declaration is filed in the office of the secretary of state, the elected official files in that office and transmits to the presiding officer of each house his written counter-declaration of his ability to exercise the powers and perform the duties of his office."

Read.

On motion of Delegate Tate Amendment No. 33 was adopted.

AMENDMENT No. 34—

On page 8, delete lines 34 and 35 in their entirety, and on page 9, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Determination by the Legislature. The legislature shall convene at noon on the third calendar day after the filing of any counter-declaration, which may be filed by the official at any time. Should two-thirds of the elected members of each house fail to adopt a resolution declaring probable justification for the determination that inability exists, the official shall continue in or resume office."

Read.

On motion of Delegate Tate Amendment No. 34 was adopted.

AMENDMENT No. 35—

On page 9, delete lines 7 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Assumption of Office by Constitutional Successor. If two-thirds of the elected members of each house adopt a resolution declaring that probable justification exists for the declaration of inability, the constitutional successor shall assume the powers and duties of the office and a copy of the resolution shall be transmitted forthwith to the supreme court."

Read.

On motion of Delegate Tate Amendment No. 35 was adopted.

AMENDMENT No. 36—

On page 9, delete lines 13 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Determination by Supreme Court. By preference and
with priority over all other matters, the supreme court shall determine the issue of inability after due notice and hearing, by a majority vote of members elected to the court, under such rules as it may adopt."

Read.

On motion of Delegate Tate Amendment No. 36 was adopted.

AMENDMENT No. 37—
On page 9, delete lines 17 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Reconsideration by Supreme Court. A judgment of the supreme court affirming inability may be reconsidered by the court, after due notice and hearing, either upon its own motion or upon the application of the official. Upon proper showing and by majority vote of its elected members, the court may determine that no inability then exists, whereupon the official shall immediately resume the powers and duties of his office."

Read.

On motion of Delegate Tate Amendment No. 37 was adopted.

AMENDMENT No. 38—
On page 9, delete lines 25 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 21. Temporary Absences
Section 21. When the governor is temporarily absent from the state, the lieutenant governor shall act as governor. When any other statewide elected official is temporarily absent from the state, the appointed first assistant shall act in his absence."

Read.

On motion of Delegate Tate Amendment No. 38 was adopted.

AMENDMENT No. 39—
On page 9, delete lines 31 through 35, both inclusive, in their entirety and on page 10, delete line 1 in its entirety.

Read.

On motion of Delegate Tate Amendment No. 39 was adopted.

AMENDMENT No. 40—
On page 10, delete lines 2 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 22. Appointment of Officials; Merger, Consolidation of Offices and Departments
Section 22. After the first election of state officials following adoption of this constitution, the legislature may provide, by law enacted by two-thirds of the elected members of each house, for appointment, in lieu of election, of the commissioner of agriculture, the commissioner of insurance, the superintendent of education, the commissioner of elections, or any of them. In that event, the legislature shall prescribe qualifications and method of appointment and by similar vote, may provide by law for the merger or consolidation of any such office, its department, and functions with any other office or department in the executive branch. No action of the legislature pursuant hereto shall reduce the term or compensation of any incumbent elected official. By law enacted by two-thirds of the elected members of each house, the legislature may reestablish any such office as elective and, in that event, shall prescribe qualifications."

Read.

On motion of Delegate Tate Amendment No. 40 was adopted.

AMENDMENT No. 41—
On page 1, line 24, in the text of Committee Amendment No. 4 proposed by the Committee on Style and Drafting and adopted by the convention this date, on line 10 of the text of the amendment, after the word "preceding" and before the period", delete the word "election" and insert in lieu thereof the words "qualification as a candidate"

On motion of Delegate Tate the amendment was withdrawn.

AMENDMENT No. 42—
On page 3, line 11, in Committee Amendment No. 12 proposed by the Committee on Style and Drafting and adopted by the convention this date, on line 8 of the text of the amendment, after the word and punctuation "offenses," delete the remainder of the line, and delete lines 9 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

"However, a first offender never previously convicted of a felony shall be pardoned automatically upon completion of his sentence, without a recommendation of the Board of Par- dons and without action by the governor."

Read.

Point of Order

Delegate Conroy rose to a point of order, and asked a ruling from the Chair, that the Committee on Style and Drafting had exceeded its authority by submitting Amendment No. 42 in that the amendment contained a substantive change to the Proposal, and therefore the amendment was out of order at this time.

Ruling of the Chair

The Chair declined to rule and put the question to the Convention, under the rules.

The question was put to declare the amendment in order.

By a vote of 57 yeas and 39 nays the Convention declared the amendment in order.

Delegate Tate moved the adoption of Amendment No. 42.

Delegate Conroy objected.

By a vote of 77 yeas and 19 nays the amendment was adopted.

AMENDMENT No. 43—
On page 4, line 2, in Committee Amendment No. 15 proposed by the Committee on Style and Drafting and adopted by the convention this date, on line 2 of the text of the amendment, after the word "to" and before the word "Confirmation" insert the word "public"

Read.

Point of Order

Delegate Dennery rose to a point of order, and asked a ruling from the Chair, that the Committee on Style and Drafting had exceeded its authority by submitting Amendment No. 43 in that the amendment contained a substantive change to the Proposal, and therefore the amendment was out of order at this time.

Ruling of the Chair

The Chair declined to rule and put the question to the Convention, under the rules.

The question was put to declare the amendment in order.

By a vote of 11 yeas and 73 nays the Convention declared the amendment out of order.

Motion

Delegate Tobias moved for a suspension of the rules in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 4, Section 5, was passed, for the limited purpose of offering Amendment No. 43 proposed by the Committee on Style and Drafting.

Delegate Duval objected.

By a vote of 37 yeas and 52 nays the Convention refused to suspend the rules.

On motion of Delegate Tate the amendment was withdrawn.
AMENDMENT No. 44—

On page 4, line 2, in Committee Amendment No. 15 proposed by the Committee on Style and Drafting and adopted by the convention this date, delete lines 9 through 19 both inclusive in their entirety and insert in lieu thereof the following:

"(2) Should the legislature be in regular session, the governor shall submit for confirmation by the Senate the name of an appointee within forty-eight hours after the appointment is made. Failure of the Senate to confirm the appointment, prior to the end of the session, shall constitute rejection.

(3) If the legislature is not in regular session, the governor may make interim appointments, which shall expire at the end of the next regular session, unless submitted to and confirmed by the Senate during that session."

Read.

Delegate Tate moved the adoption of Amendment No. 44. Delegate Brown objected.

By a vote of 71 yeas and 9 nays the amendment was adopted.

AMENDMENT No. 45—

On page 10, line 2, in Committee Amendment No. 40 proposed by the Committee on Style and Drafting and adopted by the convention this date, in line 2 of the text of the amendment delete the word "adoption" and insert in lieu thereof the words "the effective date."

Read.

On motion of Delegate Tate Amendment No. 45 was adopted.

AMENDMENT No. 46—

Delete Amendments Nos. 4, 5, 6, 7, and 21 proposed by the Committee on Style and Drafting and adopted by the convention on this date and reinsert the text of amendments Nos. 4, 5, 6, and 7 at the end of CP No. 35 and renumber Sections 2, 3, and 4 contained in amendments Nos. 4, 5, 6, and 7 as follows:

Section 2 Section 12
Section 3 Section 13
Section 4 Section 14

On motion of Delegate Perez action on Amendment No. 46 was deferred.

AMENDMENT No. 47—

On page 1, line 13, delete Committee Amendment No. 1 proposed by the Committee on Style and Drafting and adopted by the convention this date, and insert in lieu thereof the following:

"Section 1. Composition; Number of Departments; Reorganization.

Section 1. (A) Composition. The executive branch shall consist of the governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, commissioner of elections, and all other executive offices, agencies, and instrumentalities of the state."

On motion of Delegate Perez action on Amendment No. 47 was deferred.

Motion

On motion of Delegate De Blieux the Proposal was returned to the Calendar, subject to call.

Motion

On motion of Delegate Alario, the Convention altered the Order of Business to take up Proposals on Third Reading and Final Passage at this time.

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

Motion

On motion of Delegate Alario Delegate Proposal No. 16 was called from the Calendar.

DELEGATE PROPOSAL No. 16—

Introduced by Delegates Alario, Chehardy, Edwards, Mire, Rayburn, Nunez, Winchester, Mauberret, Slay and Planchard:

A PROPOSAL

Making provisions for homestead exemptions.

Read.

ARTICLE XI. HOMESTEAD EXEMPTIONS

Section 1. Property Exempt; Valuation; Claim of Benefit

Section 1. There shall be exempt from seizure and sale by any process whatever, except as hereinafter provided, the homestead, bona fide, owned by the debtor and occupied by him, consisting of lands, not exceeding one hundred and sixty acres, buildings and appurtenances, whether rural or urban, of every head of a family, or person having a mother or father or a person or persons dependent on him or her for support to the total value of not more than fifteen thousand dollars.

Provided, that in case the homestead exceeds fifteen thousand dollars in value, the beneficiary shall be entitled to that amount in case of a sale of the homestead under legal process realizes more than that sum; if the sale does not realize more than that sum, over and above all costs and expenses, said sale shall be null and void.

The benefit of this exemption may be claimed by the surviving spouse, or minor child or children, of a deceased beneficiary.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Kelly and Nunez to Delegate Proposal No. 16 by Delegate Alario, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 17, immediately after the word "not" and before the word "than" delete the word "more" and insert in lieu thereof the word "less"

Delegate Kelly moved the adoption of the amendment.

Delegate Abraham objected.

By a vote of 32 yeas and 50 nays the amendment was rejected.

Delegate Abraham moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Delegate Proposal No. 16 by Delegate Alario, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 9 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. Exemptions From Seizure and Sale

Section 1. The legislature shall provide by law for exemptions from seizure and sale, as well as waivers of and exclusions from such exemptions. The exemption shall extend to at least fifteen thousand dollars in value of a homestead, as provided by law."

Delegate Conroy moved the adoption of the amendment.

Delegate Fontenot objected.

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

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Gravel</td>
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<tr>
<td>Alario</td>
<td>Grier</td>
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<tr>
<td>Alexander</td>
<td>Hayes</td>
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<tr>
<td>Asseff</td>
<td>Hernandez</td>
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<tr>
<td>Avant</td>
<td>Jackson</td>
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<tr>
<td>Bergeron</td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>Blair</td>
<td>Juneau</td>
</tr>
<tr>
<td>Burns</td>
<td>Kelly</td>
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<tr>
<td>Burson</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Champagne</td>
<td>Landrum</td>
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<tr>
<td>Chatelain</td>
<td>Landry, A.</td>
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<tr>
<td>Chedevry</td>
<td>Landry, E. J.</td>
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<tr>
<td>Comar</td>
<td>Lanier</td>
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<tr>
<td>Conino</td>
<td>LeBluie</td>
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<tr>
<td>Conroy</td>
<td>LeBluie</td>
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<tr>
<td>Corne</td>
<td>LeBluie</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Lowe</td>
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<tr>
<td>De Blieux</td>
<td>McDaniel</td>
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<tr>
<td>Dennyer</td>
<td>Martin</td>
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<tr>
<td>Dennis</td>
<td>Maubert</td>
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<td>Deshotelas</td>
<td>Maybuse</td>
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<td>Elkis</td>
<td>Mire</td>
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<td>Fayard</td>
<td>Morris</td>
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<td>Flory</td>
<td>Nunes</td>
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<td>Fulco</td>
<td>Planchard</td>
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<td>Gauthier</td>
<td>Pugh</td>
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<td>Gin</td>
<td>Rachel</td>
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<tr>
<td>Goldman</td>
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Total—83.

**NAYS**

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<tbody>
<tr>
<td>Badeaux</td>
<td>Duval</td>
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<tr>
<td>Bollinger</td>
<td>Fontenot</td>
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<td>Brien</td>
<td>Graham</td>
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<td>Cannon</td>
<td>Guirico</td>
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<tr>
<td>Casey</td>
<td>Hine</td>
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<tr>
<td>Cowen</td>
<td>Jenkins</td>
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</table>

Total—18.

**NOT VOTING**

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<tr>
<th>Delegate</th>
<th></th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
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<tr>
<td>Aertker</td>
<td>Giarusso</td>
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<td>Anzalone</td>
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<td>Arnette</td>
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<td>Bel</td>
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<td>Brown</td>
<td>Kilbourne</td>
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<td>Carmouche</td>
<td>Lambert</td>
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<td>Derbes</td>
<td>Leigh</td>
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<td>Drew</td>
<td>Miller</td>
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<td>Dunlap</td>
<td>Munson</td>
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<tr>
<td>Edwards</td>
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</table>

Total—31.

And the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Delegate Proposal No. 16, Section 1 was read, as amended.
Delegate Alario moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
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<tbody>
<tr>
<td>Conino</td>
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<td>Conroy</td>
<td>Grier</td>
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<td>Hayes</td>
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<td>D'Gerolamo</td>
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<td>Dennery</td>
<td>Jack</td>
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<td>Dennis</td>
<td>Jackson, A.</td>
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<td>Deshotels</td>
<td>Jackson, J.</td>
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<td>Elkis</td>
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<td>Fayard</td>
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<td>Flory</td>
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<td>Glenn</td>
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<td>Grier</td>
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<td>Hernandez</td>
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Total—81.

**NAYS**

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Total—17.

**NOT VOTING**

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<td>Drew</td>
<td>Miller</td>
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<tr>
<td>Dunlap</td>
<td>Munson</td>
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<tr>
<td>Edwards</td>
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</table>

Total—34.

And the Chair declared that the above Section was finally passed.

Delegate Alario moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 2. Debts Excluded From Exemption**

Section 2. A homestead exemption shall not apply to the following debts:

1. For the purchase price of property or any part of such purchase price.
2. For labor, money, and material furnished for building, repairing, or improving homesteads.
3. For liabilities incurred by any public officer, fiduciary, or attorney at law, for money collected or received on deposits.
4. For taxes or assessments.
5. For rent which bears a privilege upon the homestead.
6. For the amount due a homestead or building and loan association for a loan secured by the homestead.
7. For the amount due for money advanced on the security of a mortgage on the homestead.

**Passage**

Delegate Proposal No. 16, Section 2 was read.
Delegate Alario moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
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<tr>
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<tbody>
<tr>
<td>Hayes</td>
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</table>

Delegates—

<table>
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<tr>
<th>Delegate</th>
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</thead>
<tbody>
<tr>
<td>Stinson</td>
<td>Warren</td>
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</tbody>
</table>

Total—2.

1176
Delegate Alario moved to reconsider the vote by which the above Section failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Section 4. Registration of Homestead

Section 4. Homestead exemptions must be registered only in cities having a population of two hundred and fifty thousand or more and shall be recorded or provided by law.

Passage

Delegate Proposal No. 16, Section 4 was read.
Delegate Alario moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Total—0.

NAYS

Total—0.
And the Chair declared that the above Section failed to pass.

Delegate Alario moved to reconsider the vote by which the above Section failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

**Passage**

The Proposal was read, as amended.

Delegate Alario moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>Planchar</th>
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<th>Ullo</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Pugh</td>
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<td>Stagg</td>
<td>Vick</td>
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<td>Riecke</td>
<td>Stephenson</td>
<td>Warren</td>
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<tr>
<td></td>
<td>Roemer</td>
<td>Sutherland</td>
<td>Wattigney</td>
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<td>Sandoz</td>
<td>Tate</td>
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<td>Schmitt</td>
<td>Thistlethwaite</td>
<td>Willis</td>
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<td>Segura</td>
<td>Thompson</td>
<td>Winchester</td>
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<td>Shannon</td>
<td>Toca</td>
<td>Wisham</td>
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<td>Womack</td>
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<td>Total—87.</td>
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**NOT VOTING**

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Delegates—

<table>
<thead>
<tr>
<th>Badeaux</th>
<th>Duval</th>
<th>Newton</th>
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</thead>
<tbody>
<tr>
<td>Bergeron</td>
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<td>Stinson</td>
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<tr>
<td>Bollinger</td>
<td>Fontenot</td>
<td>Tobias</td>
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<tr>
<td>De Blieux</td>
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</table>

Total—11.

**NOT VOTING**

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Delegates—

<table>
<thead>
<tr>
<th>Mr. Chairman</th>
<th>Girrussos</th>
<th>Munson</th>
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</thead>
<tbody>
<tr>
<td>Aertker</td>
<td>Graham</td>
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<td>Hayes</td>
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<td>Dunlap</td>
<td>Leigg</td>
<td>Tapper</td>
</tr>
<tr>
<td>Edwards</td>
<td>Miller</td>
<td>Wall</td>
</tr>
<tr>
<td>Fowler</td>
<td>Total—31.</td>
<td></td>
</tr>
</tbody>
</table>

And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

**Motion**

On motion of Delegate Tate the rules were suspended for the purpose of calling a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

**Committee Notice**

Judge Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Friday, January 11, 1974 at 9:00 o'clock A.M. in the Ante Room and will consider the following agenda:

**AGENDA**

Continue consideration of committee proposals.

Respectfully submitted,

Judge ALBERT TATE, JR., Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Motion**

On motion of Delegate A. Jackson the rules were suspended for the purpose of calling a meeting of the Committee on Bill of Rights and Elections without giving the required 24 hours notice.
delegate A. Jack, chairman of the Committee on Bill of Rights and Elections, sent up the following notice:

The Committee on Bill of Rights and Elections will meet on Friday, January 11, 1974, at 10-20 o’clock a.m. in the Convention Hall and will consider the following agenda:

AGENDA
To complete the business of the Committee.

Respectfully submitted,

ALPHONSE JACKSON, JR.,
Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

PROPOSALS
Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 10, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:
I submit the following report:

That the following Committee Proposals have been properly enrolled in final form:

COMMITTEE PROPOSAL No. 25—
Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guey, Jenkins, Hoy, Soniat, Simson, Vick, Wall and Weiss):

A PROPOSAL
To provide a preamble and a declaration of rights to the constitution:
Be it adopted by the Constitutional Convention of Louisiana of 1973:

PREAMBLE
We, the people of Louisiana, grateful to Almighty God for the civil, political, economic and religious liberties we enjoy, and desiring to protect individual rights to life, liberty, and property; afford opportunity for the fullest development of the individual; assure equality of rights; promote 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.

ARTICLE I. DECLARATION OF RIGHTS
Section 1. Origin and Purpose of Government
Section 1. All government, of right, originates with the people, is founded on their will alone, and is instituted to protect the rights of the individual and for the good of the whole. Its only legitimate ends are to secure justice for all, preserve the peace, protect the rights, and promote the happiness and general welfare of the people. The rights enumerated in this Article are inherent in all law and shall be preserved inviolate by the state.
Section 2. Law
Section 2. No person shall be deprived of life, liberty, or property, except by due process of law.
Section 3. Right to Individual Dignity
Section 3. No person shall be denied the equal protection of the laws. No law shall discriminate against a person because of race or religious ideas, beliefs, or affiliations. No law shall arbitrarily, capriciously, or unreasonably discriminate against a person because of birth, age, sex, culture, physical condition, or political ideas or affiliations, Slavery and involuntary servitude are prohibited, except in the latter case as punishment for crime.
Section 4. Right to Property
Section 4. Every person has the right to acquire, own, control, use, enjoy, protect, and dispose of private property. This right is subject to reasonable statutory restrictions and the reasonable exercise of the police power.
Property shall not be taken or damaged by the state or its political subdivisions except for public purposes and with just compensation paid to the owner or into court for his benefit. Property shall not be taken or damaged by any private entity authorized by law to expropriate, except for a public and necessary purpose and with just compensation paid to the owner; in such proceedings, whether the purpose is public and necessary shall be a judicial question. In every expropriation, any party has the right to trial by jury to determine the full extent of his loss. No business enterprise or any of its assets shall be taken for the purpose of operating that enterprise or halting competition with a government enterprise. However, a municipality may expropriate a utility within its jurisdiction. Personal effects, other than a contraband shall never be taken.

This Section shall not apply to appropriation of property necessary for levee and levee drainage purposes.
Section 5. Right to Privacy
Section 5. Every person shall be secure in his person, property, communications, houses, papers, and effects against unreasonable searches, seizures, or invasions of privacy. No warrant shall issue without probable cause supported by oath or affirmation, and particularly describing the place to be searched, the persons or things to be seized, and the lawful purpose or reason for the search. Any person adversely affected by a search or seizure conducted in violation of this Section shall have standing to raise its illegality in the appropriate court.
Section 6. Freedom from Intrusion
Section 6. No person shall be quartered in any house without the consent of the owner or lawful occupant.
Section 7. Freedom of Expression
Section 7. No law shall curtail or restrain the freedom of speech or of the press. Every person may speak, write, and publish his sentiments on any subject, but is responsible for abuse of that freedom.
Section 8. Freedom of Religion
Section 8. No law shall be enacted respecting an establishment of religion or prohibiting the free exercise thereof.
Section 9. Right of Assembly and Petition
Section 9. No law shall impair the right of any person to assemble peaceably or to petition government for a redress of grievances.
Section 10. Right to Vote
Section 10. Every citizen of the state, upon reaching eighteen years of age, shall have the right to register and vote, except that this right may be suspended while a person is in the armed forces of the United States or is incompetent or is under an order of imprisonment for conviction of a felony.
Section 11. Right to Keep and Bear Arms
Section 11. The right of each citizen to keep and bear arms shall not be abridged, but this provision shall not prevent the passage of laws to prohibit the carrying of weapons concealed on the person.
Section 12. Freedom from Discrimination
Section 12. In access to public areas, accommodations, and facilities, every person shall be free from discrimination based on race, religion, or national ancestry and from arbitrary, capricious, or unreasonable discrimination based on age, sex, or physical condition.
Section 13. Rights of the Accused
Section 13. When any person has been arrested or detained in connection with the investigation or commission of any offense, he shall be advised fully of the reason for his arrest or detention, his right to remain silent, his right against self incrimination, his right to the assistance of counsel and, if indigent, to have an appointed counsel. In a criminal prosecution, an accused shall be informed of the nature and cause of the accusation against him. At each stage of the proceedings, every person is entitled to assistance of counsel of his choice, or appointed by the court if he is indigent and the proceeding involves a penalty punishable by imprisonment. The legislature shall provide for a uniform system for securing and compensating qualified counsel for indigents.
Section 14. Right to Preliminary Examination
Section 14. The right to a preliminary examination shall not
be denied in felony cases except when the accused is indicted by a grand jury.

Section 15. Initiation of Prosecution
Section 16. Prosecution of a felony shall be initiated by indictment or information, but no person shall be held to answer for a capital crime or a crime punishable by life imprisonment except on indictment by a grand jury. No person shall be twice placed in jeopardy for the same offense, except on his application for a new trial, when a mistrial is declared, or when a motion in arrest of judgment is sustained.

Section 16. Right to a Fair Trial
Section 16. Every person charged with a crime is presumed innocent until proven guilty and is entitled to a speedy, public, and impartial trial in the parish where the offense or an element of the offense occurred, unless venue is changed in accordance with law. No person shall be compelled to give evidence against himself. An accused is entitled to confront and cross-examine the witnesses against him, to compel the attendance of witnesses, to present a defense, and to testify in his own behalf.

Section 17. Jury Trial in Criminal Cases
Section 17. A criminal case in which the punishment may be capital shall be tried before a jury of twelve persons, all of whom must concur to render a verdict. A case in which the punishment is necessarily confinement at hard labor shall be tried before a jury of twelve persons, ten of whom must concur to render a verdict. A case in which the punishment is not more than five years in confinement at hard labor or confinement without hard labor for more than six months shall be tried before a jury of six persons, five of whom must concur to render a verdict. The accused shall have the right to full voir dire examination of prospective jurors and to challenge jurors temporarily. The number of challenges shall be fixed by law. Except in capital cases, a defendant may knowingly and intelligently waive his right to a trial by jury.

Section 18. Right to Bail
Section 18. Excessive bail shall not be required. Before and during a trial, a person shall be bailable by sufficient surety, except when he is charged with a capital offense and the proof is evident and the presumption of guilt is great. After conviction and before sentencing, a person shall be bailable if the maximum sentence which may be imposed is imprisonment for five years or less; and the judge may grant bail if the maximum sentence which may be imposed is imprisonment exceeding five years. After sentencing and until final judgment, a person shall be bailable if the sentence actually imposed is five years or less; and the judge may grant bail if the sentence actually imposed exceeds imprisonment for five years.

Section 19. Right to Judicial Review
Section 19. No person shall be subjected to imprisonment or forfeiture of his or her property without the right of judicial review based upon a complete record of all evidence upon which the judgment is based. This right may be intelligently waived. The cost of transcribing the record shall be paid as provided by law.

Section 20. Right to Humane Treatment
Section 20. No law shall subject any person to euthanasia, to torture, or to cruel, excessive, or unusual punishment. Full rights of citizenship shall be restored upon termination of state and federal supervision following conviction for any offense.

Section 21. Writ of Habeas Corpus
Section 21. The writ of habeas corpus shall not be suspended.

Section 22. Access to Courts
Section 22. All courts shall be open, and every person shall have an adequate remedy by due process of law and justice, administered without denial, partiality, or unreasonable delay, for injury to him in his person, property, reputation, or other rights.

Section 23. Prohibited Laws
Section 23. No law of attaint, ex post facto law, or law impairing the obligation of contracts shall be enacted.

Section 24. Unenumerated Rights
Section 24. No law shall be made impairing the obligation of contracts or the constitution of this state shall not deny or disparage other rights retained by the individual citizens of the state.

COMMITTEE PROPOSAL No. 33—
Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 20, by Delegate A. Jackson, Chairman on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL
Making general provisions for elections.
Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE X. ELECTIONS
Section 1. Election Code
Section 1. The legislature shall adopt an election code which shall provide for permanent registration of voters and for the conduct of all elections.

Section 2. Secret Ballot; Absentee Voting; Preservation of Ballot
Section 2. In all elections by the people, voting shall be by secret ballot. The legislature shall provide a method for absentee voting. Proxy voting is prohibited. Ballots shall be counted publicly and preserved inviolate as provided by law until any election contests have been settled. In all elections by persons in a representative capacity, voting shall be viva voce.

Section 3. Privilege from Arrest
Section 3. While going to and returning from voting and while exercising the right to vote, an elector shall be privileged from arrest, except for felony or breach of the peace.

ARTICLE X. ELECTIONS
Section 4. Prohibited Use of Public Funds
Section 4. No public funds shall be used to urge any elector to vote for or against any candidate or proposition, or on any subject, political or economic organization. This provision shall prohibit the use of public funds for dissemination of factual information relative to a proposition appearing on an election ballot.

Section 5. Registrar of Voters
Section 5. The governing authority of each parish shall appoint a registrar of voters, whose compensation, removal from office for cause, bond, powers, and functions shall be provided by law. Upon qualifying as a candidate for other public office, a registrar shall forfeit his office. No law shall provide for the removal from office of a registrar by the appointing authority.

Respectfully submitted,
MOISE W. DENNERY
Secretary

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 10, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled in final form:

COMMITTEE PROPOSAL No. 21—
Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary, and Delegates Avant, Bel, Bergeron, Burns, Deshotel, Drew, Gauthier, Kelly, Killbourne, Landry, Martin, Ousso, Sandoz, Tate, and Veshch (A Substitute for Committee Proposal No. 9): A PROPOSAL
Making provisions for the judiciary branch of government and necessary provisions with respect thereto.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE V. JUDICIAL BRANCH
Section 1. Judicial Power
Section 1. The judicial power is vested in a supreme court, courts of appeal, district courts, and other courts authorized by this Article.

Section 2. Habeas Corpus, Needful Writs, Orders and Process; Contempt
Section 2. Habeas Corpus, Needful Writs, Orders and all other needful writs, orders, and process in aid of the jurisdiction of his court. Exercise of this authority by a judge of the supreme court or of a court of appeal is subject to review by the court. The power to punish for contempt of court shall be limited by law.

Section 3. Supreme Court; Composition; Judgments; Terms
Section 3. The supreme court shall be composed of a chief justice and six associate justices, four of whom must concur to render judgment. The term of a supreme court judge shall be ten years.

Section 4. Supreme Court; Districts
Section 4. The state shall be divided into at least six supreme court districts, and at least one judge shall be elected from each. The districts and the number of judges assigned to each on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

Section 5. (A) Supervisory Jurisdiction; Rule-Making Power; Assignment of Judges
Section 5. (A) Supervisory jurisdiction over all other courts. It may establish procedures for the administration of justice, rule making, and may appoint a sitting or retired judge to any court.

Section 6. Supreme Court; Chief Justice
Section 6. The judge oldest in point of service on the supreme court shall be chief justice. He is the chief administrative officer of the judicial system of the state, subject to rules adopted by the court.

Section 7. Supreme Court; Personnel
Section 7. The supreme court shall select a judicial administrator, its clerks, and other personnel and prescribe their duties.

Section 8. Courts of Appeal; Circuits; Panels; Judgments; Terms
Section 8. (A) Courts; Panels. The state shall be divided into at least four circuits, with one court of appeal in each. Each court shall sit in panels of at least three judges selected according to rules adopted by the court.

Section 9. Court of Appeal; Circuits and Districts
Section 9. Each circuit shall be divided into at least three districts, and at least one judge shall be elected from each. The circuits and districts and the number of judges as elected in each circuit on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

Section 10. (A) Jurisdiction. Except in cases appealable to the supreme court and except as otherwise provided by this constitution, a court of appeal has appellate jurisdiction of all (1) civil matters decided within its circuit and (2) matters appealed from family and juvenile courts, except criminal proceedings involving persons other than juveniles. It has supervisory jurisdiction over cases in which an appeal would lie to it.

Section 11. Scope of Review. Except as limited to questions of law, or of constitutional or administrative agency determination, appellate jurisdiction of a court of appeal extends to laws and facts.

Section 12. Courts of Appeal; Certification
Section 12. A. Court of appeal may certify any question of law to the supreme court, and the supreme court then may give its binding instruction or decide the case upon the whole record.

Section 13. Courts of Appeal; Personnel
Section 13. Each court of appeal may select its clerk and other personnel and prescribe their duties.

Section 14. District Courts; Judicial Districts
Section 14. The state shall be divided into judicial districts, each composed of at least one parish and served by at least one district judge.

Section 15. Courts; Retention; Jurisdiction; Judicial District Changes; Terms
Section 15. (A) Court Retention; Trial Courts of Limited Jurisdiction. The district, family, juvenile, parish, city, and municipal courts have exclusive original jurisdiction of any cases and the appellate jurisdiction over cases is subject to the limitations in Sections 16 and 20 of this Article, the legislature may abolish or merge trial courts of limited or specialized jurisdiction. The legislature may establish trial courts of limited jurisdiction which shall be uniform throughout the state. The office of city marshal is continued until the city court serves is abolished.

Section 16. District Courts; Jurisdiction
Section 16. (A) Original Jurisdiction. Except as otherwise authorized by this constitution, a district court shall have original jurisdiction of all civil and criminal matters. It shall have exclusive original jurisdiction of felony cases and all cases involving title to immovable property: the right to office or other public position; civil or political rights; probate and succession matters; the state, a political corporation, political subdivisions, or a succession, as a defendant; and the appointment of receivers or liquidators for corporations or partnerships.

Section 17. Appellate Jurisdiction. A district court shall have appellate jurisdiction as provided by law.

Section 18. Juvenile Courts; Jurisdiction
Section 18. Notwithstanding any contrary provision of this Article 16 of this Article, juvenile and family courts shall have jurisdiction as provided by law.

Section 19. Mayor's Courts; Justice of the Peace Courts
Section 19. Mayors' courts and justice of the peace courts existing on the effective date of this constitution are continued, subject to change by law.

Section 20. Judges; Decrease in Terms and Compensation
Section 20. The terms of office, retirement benefits, and compensation of judges shall not be decreased during the term for which he is elected.

Section 21. Judges; Election; Vacancy
Section 21. (A) Election. Except as otherwise provided in this Article, all judges shall be elected. Election shall be at the regular congressional election.

(B) Vacancy. A newly-created judgeship or a vacancy in the office of a judge shall be filled by special election called
by the governor and held within six months after the day on which the vacancy occurs or the judgeship is established, except when the vacancy occurs in the last six months of an existing term. Until the vacancy is filled, the supreme court shall appoint a person meeting the qualifications for the judgeship of the district wherein the judicial district of the vacancy is located or that of the circuit court wherein the judicial district of which he is a member, at its pleasure. The appointee shall be ineligible as a candidate at the election to fill the vacancy or the newly-created judicial office. No person serving as an appointed judge, other than a retired judge, shall be eligible for retirement benefits provided for the retired judiciary.

(C) End of Term. A judge serving on the effective date of this constitution shall serve through December thirty-first of the last year of his term or, if the last year of his term is not in the year of a regular congressional election, then through December thirty-first of the following year. The election for the next term shall be held in the year in which the term expires, as provided above.

Section 22. Judges; Retirement

Section 22. (A) Retirement System. Within two years after the effective date of this constitution, the legislature shall provide for a retirement system for judges which shall apply to a judge taking office after the effective date of the law enacting the system and in which a judge in office at that time may elect to become a member, with credit for all service in judicial service and without contribution therefor. The retirement benefits and judicial service rights of a judge in office or retired on the effective date of this constitution shall not be diminished, nor shall the benefits to which a surviving spouse is entitled be reduced.

(B) Mandatory Retirement. Except as otherwise provided in this Section, a judge shall not remain in office beyond his seventieth birthday.

Section 23. Judges; Qualifications

Section 23. A judge of the supreme court, a court of appeal, district court, parish court, or court having solely juvenile jurisdiction shall have been admitted to the practice of law in this state for at least five years prior to his election, and shall have been domiciled in the respective district, circuit, or parish for the two years preceding election. He shall not practice law.

Section 24. Judiciary Commission

Section 24. (A) Composition. The judiciary commission shall consist of

1. one court of appeal judge and two district court judges selected by the supreme court;
2. five attorneys admitted to the practice of law for at least ten years and two attorneys admitted to the practice of law for at least three years but not more than ten years, selected by the Conference of Court of Appeal Judges or its successor. They shall not be judges, active or retired, or public officials, other than notaries public; and
3. three citizens, not lawyers, judges active or retired, or public officials, selected by the Louisiana District Judges’ Association or its successor.

(B) Term; Vacancy. A member of the commission shall serve a four-year term and shall be ineligible to succeed himself. His term shall end upon the occurrence of any event which would have made him ineligible for appointment. When a vacancy occurs, a successor shall be appointed for a four-year term by the authority which appointed his predecessor.

(C) Powers. On recommendation of the judiciary commission, the supreme court may censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and willful neglect of his duty, prejudicial to the administration of justice which brings the judicial office into disrepute, conduct while in office which would constitute a felony, or conviction of a felony. On recommendation of the judiciary commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during pendency of proceedings in the supreme court. On recommendation of the judiciary commission, the supreme court may retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is or is likely to become permanent. The supreme court shall make rules implementing this Section and providing for confidentiality and privilege of commission proceedings.

Section 25. Department of Justice; Attorney General; Assistants

Section 25. There shall be a Department of Justice consisting of an attorney general, a first assistant attorney general, and other necessary assistants and staff. The attorney general shall be elected for a term of four years at the state general election. He shall appoint assistants to serve at his pleasure.

Section 26. Attorney General; Powers and Duties

Section 26. The attorney general shall be the chief legal officer of the state. As necessary for the assertion or protection of the rights and interests of the state, the attorney general may

1. institute and prosecute or intervene in any civil action or proceeding;
2. advise and assist, upon request of district attorney, in the prosecution of a criminal case; and
3. for cause, when authorized by the court of original jurisdiction in which any proceeding or affidavit is pending and subject to judicial review, supersede any attorney representative of the state in any such action or proceeding.

He shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 27. District Attorneys

Section 27. (A) Election; Qualifications; Assistants.

In each parish, the district attorney shall be elected for a term of six years. He shall have been admitted to the practice of law in this state for at least five years prior to his election and shall have resided in the district for the two years preceding election. A district attorney may select assistants as authorized by law, and other personnel.

(B) Powers. Except as otherwise provided by this constitution, a district attorney, of his designated assistant, shall have charge of the criminal prosecution by the state in his district, and may, with the concurrence of the grand jury in his district, and be the legal advisor as to the grand jury. He shall perform other duties provided by law.

(C) Prohibition. No district attorney or assistant district attorney shall appear, plead, or in any way defend or assist in defending any criminal prosecution or charge. A violation of this Paragraph shall be cause for removal.

Section 28. Sheriffs

Section 28. In each parish a sheriff shall be elected for a term of four years from the first day of January in the fourth year. He shall be the chief law enforcement officer in the parish, except as otherwise provided by this constitution, and shall execute court orders and process. He shall be the collector of state and parish ad valorem taxes and such other taxes and license fees as provided by law. This Section shall not apply to Orleans Parish.

Section 29. Clerks of Court

Section 29. (A) Powers and Duties; Deputies. In each parish a clerk of the district court shall be elected for a term of four years. He shall be the ex officio notary public and parish recorder of conveyances, mortgages, and other acts and shall have other duties and powers provided by law. The clerk may appoint deputies with duties and powers provided by law and, with the approval of the district judges, he may appoint minute clerks with duties and powers provided by law.

(B) Office Hours. The legislature shall establish uniform statewide office hours for clerks of the district courts.

Section 30. Coroner

Section 30. In each parish a coroner shall be elected for a term of four years. He shall be a licensed physician and possess the other qualifications and perform the duties provided by law. The requirement that he be a licensed physician shall be inapplicable in any parish in which no licensed physician will accept the office.

Section 31. Vacancies

Section 31. When a vacancy occurs in the following offices, the vacancies of the officers of the parish shall be filled by election as provided by law, shall be assumed by the persons herein designated: (1) sheriff, by the chief criminal deputy; (2) district attorney, by the first assistant; (3) clerk of a district court, by the chief civil deputy; and (4) coroner, by the medical examiner. If there is no such person to assume the duties when the vacancy occurs, the governing authority or authorities of the parish or parishes concerned shall appoint a qualified person to assume the duties of the office until filled by election.
Section 32. Reduction of Salaries and Benefits Prohibited

Section 32. The salary and retirement benefits of an attorney general, district attorney, sheriff, coroner, or clerk of the district court shall not be diminished during his term of office.

Section 33. Orleans Parish Courts, Officials

Section 33. Except for provisions relating to terms of office as provided elsewhere in this Article, and not withstanding any other contrary provision of this constitution, the following courts and officers in Orleans Parish are continued, subject to change by law: the civil and criminal district courts; the city, municipal, traffic, and juvenile courts; the clerks of the civil and criminal district courts; the civil and criminal sheriffs; the constables and the clerks of the first and second city courts; the register of conveyances; and the recorder of mortgages.

Section 34. Jurors

Section 34. (A) Qualifications. A citizen of the state who has reached the age of majority is eligible to serve as a juror within the parish in which he is domiciled. The legislature may provide additional qualifications.

(B) Exemptions. The supreme court shall provide by rule for exemption of jurors.

Section 35. Grand Jury

Section 35. (A) Grand Jury. There shall be a grand jury or grand juries in each parish, whose qualifications, duties, and responsibilities shall be provided by law. The secrecy of the proceedings, including the identity of witnesses, shall be provided by law.

(B) Right to Counsel. A person testifying at any stage in grand jury proceedings shall have the right to the advice of counsel while testifying.

Respectfully submitted,

MOISE DENNERY
Secretary.

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

January 10, 1974 Baton Rouge, La.

To the Chairman and Delegates of the Convention:

That the following Committee Proposals have been properly enrolled in final form:

COMMITTEE PROPOSAL No. 12—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toea, and Wisham:

A PROPOSAL

Making provisions for human resources through a system of economic security, social welfare, unemployment compensation, and public health.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VII, HUMAN RESOURCES

Section 2. Welfare, Unemployment Compensation, and Health

Section 1. The legislature may establish a system of economic and social welfare, unemployment compensation, and public health.

COMMITTEE PROPOSAL No. 14—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toea, and Wisham:

A PROPOSAL

Making provisions for human resources through a system of economic security, social welfare, unemployment compensation, and public health.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VII, HUMAN RESOURCES

Section 2. Welfare, Unemployment Compensation, and Health

Section 1. The legislature may establish a system of economic and social welfare, unemployment compensation, and public health.

COMMITTEE PROPOSAL No. 22—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnete, Brien, Denney, Duval, Gravel, Stovall, and Tapper (A Substitute for Committee Proposal No. 191):

A PROPOSAL

Defining and regulating dual employment and defining, regulating and prohibiting dual officeholding in state and local government.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XI, Section 2. Dual Employment and Dual Officeholding.

Section. The legislature shall enact laws defining and regulating dual employment and defining, regulating, and prohibiting dual officeholding in state and local government.

COMMITTEE PROPOSAL No. 31—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnete, Aseff, Brien, Denney, Duval, Gravel, Stovall, and Tapper (A Substitute for Committee Proposal No. 191):

A PROPOSAL

Making provisions in the Schedule provisions of the constitution for mandatory reorganization of the executive branch of state government.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XIV, SCHEDULE

Section 1. Mandatory Reorganization of State Government

Section 1. 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.

Respectfully submitted,

MOISE DENNERY
Secretary.

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.
Motion

On motion of Delegate Lowe, the Convention altered the Order of Business to take up Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

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

Motion

On motion of Delegate Lowe a report was ordered inserted in the Official Journal as follows:

CONSTITUTIONAL CONVENTION 1973

COMPARISON OF BUDGETED AND ACTUAL EXPENSES

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<th>DECEMBER 1973</th>
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Employer's Fringe Benefit Share:

|                                    |                 |                |                |                |                |
|                                    | Teachers' Retirement | 255.00 | 288.38 | 33.38 | 149.05  | 2,680.05 | 2,680.05 | .02 |
|                                    | State Retirement  | 5,690.00 | 3,230.04 | 2,459.96 | 41,260.10 | 33,186.44 | 8,073.66 |
|                                    | P.I.C.A.         | 250.00 | 266.18 | 16.18 | 1,755.07 | 1,469.96 | 285.12 |
|                                    | Group Hospitalization | 326.00 | 284.66 | 41.34 | 8,096.32 | 2,705.84 | 5,390.48 |
|                                    | Group Life       | 125.00 | 90.24  | 34.76 | 1,044.65 | 823.53  | 221.12 |
|                                    | Workmen's Compensation | 416.00 | 370.50 | 45.50 | 2,600.00 | 1,482.00 | 1,118.00 |
| **Total:**                        | 6,571.00 | 4,826.88 | 16.18 | 2,290.05 | 42,939.07 | 42,653.77 | 10,285.30 |

Other Expenses:

|                                    |                 |                |                |                |                |
|                                    | Wages—Per Diem  | 20,000.00 | 16,638.00 | 3,362.00 | 132,000.00 | 131,638.00 | 462.00 |
|                                    | Delegate—Per Diem | 133,800.00 | 87,900.00 | 45,900.00 | 970,800.00 | 763,664.00 | 207,136.00 |
|                                    | Meeting Expenses | 25,000.00 | 6,000.00 | 19,000.00 | 176,990.05 | 61,910.44 | 115,079.61 |
|                                    | Postage         | 900.00 | 593.67  | 306.33 | 9,622.30 | 6,380.57 | 3,241.73 |
|                                    | Printing        | 1,690.00 | 106.00  | 1,584.00 | 9,135.93 | 7,770.66 | 1,365.27 |
|                                    | Daily Journal   | 70,000.00 | 9,153.48 | 60,846.52 | 420,800.00 | 110,565.16 | 310,234.84 |
|                                    | Equipment Rental | 16,000.00 | 13,170.33 | 2,829.67 | 102,640.73 | 84,641.26 | 18,000.47 |
|                                    | Telephone       | 1,590.00 | 1,327.27 | 262.73 | 12,384.49 | 17,683.37 | 4,298.88 |
|                                    | Staff Travel    | 2,000.00 | 76.54   | 1,923.46 | 15,147.29 | 3,083.93 | 12,063.36 |
|                                    | Office Supplies | 8,000.00 | 1,567.01 | 6,432.99 | 68,745.53 | 51,901.57 | 16,843.92 |
|                                    | Equipment Purchase | 1,038.23 | 1,038.23 | 1,038.23 | 11,799.00 | 11,799.00 | 0.00 |
|                                    | LSU Renovation  | 1,000.00 | 1,000.00 | 0.00 | 5,606.99 | 5,606.99 | 0.00 |
| **Total:**                        | 277,700.00 | 138,887.60 | 138,812.40 | 1,933,190.40 | 1,157,289.87 | 775,900.52 |

**GRAND TOTAL**

|                                    | 837,728.50 | 204,398.47 | 143.85 | 1,973,491.98 | 2,726,126.19 | 1,849,702.76 |
|                                    |            |            |        |              |              | 6,079.39 | 882,401.82 |

Respectfully submitted by

HERMAN "MONDAY" LOWE
Treasurer
Constitutional Convention 1973

With kindest regards and best wishes to you and all the delegates, I am,

Sincerely yours,

WALTER B. HAMLIN
Hon. Wendell H. Gauthier, Atty.

Adjournment

Delegate Shannon moved that the Convention do now adjourn until Friday, January 11, 1974, at 1:00 o'clock p.m.

Which motion was agreed to.

And Vice-Chairman Casey declared the Convention adjourned to Friday, January 11, 1974, at 1:00 o'clock p.m.

MOISE W. DENNERY
Secretary
DAVID R. POYINTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

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

Friday, January 11, 1974, Baton Rouge, La.

The Convention was called to order at 1:00 o'clock p.m.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—
Mr. Chairman—
Abraham
Aertker
Alario
Alexander
Anneke
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Carnouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D'Gerolamo
De Blieux
Dennery
Dennis
Derbes
Deshotel
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot

PRESENT

Perez
Perkins
Pianchard
Pugh
Rachal
Reeves
Riecke
Roemer
Roy
Sandoz
Schmit
Segura
Shannon
Singletary
Slay
Smith
Soniat
Siagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Ulo
Velazquez
Velasich
Vick
Warren
Wattigny
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

Delegates—
Anzalone
Fowler
Kilbourne

ABSENT

Lambert
Munson
O'Neill

Total—125.

The Chairman announced that there were 125 members
present and a quorum.

Prayer

Prayer was offered by Delegate De Blieux.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Bel, the Journal of yesterday was
adopted.

Morning Hour

Reports of Committees

The following reports of committees were received and read:

Delegate A. Jackson, chairman on behalf of the Committee
on Bill of Rights and Elections, submitted the following re-
port:

State of Louisiana
Constitutional Convention
of 1973

January 11, 1974, Baton Rouge, La.

I am directed by your Committee on Bill of Rights and
Elections to submit the following report:

DELEGATE PROPOSAL No. 2—
Intended by Dr. Asseff:

A PROPOSAL

To protect the sources of information of news reporters.

Reported unfavorably.

DELEGATE PROPOSAL No. 5—
Intended by Delegate Weiss:

A PROPOSAL

To provide a guarantee of the right to life and to provide
exceptions thereto.

Reported unfavorably.

DELEGATE PROPOSAL No. 25—
Intended by Delegate Asseff:

A PROPOSAL

To prohibit favoritism in the law towards women.

Reported unfavorably.

DELEGATE PROPOSAL No. 31—
Intended by Delegate Denney:

A PROPOSAL

Providing for trust; forced heirship.

Reported unfavorably.

DELEGATE PROPOSAL No. 47—
Intended by Delegate Drew and Singletary:

A PROPOSAL

Providing with respect to the expropriation of private prop-
erty for public purposes.

Reported unfavorably.

DELEGATE PROPOSAL No. 48—
Intended by Delegates Singletary and Drew:

A PROPOSAL

Making provisions for equal protection of the laws, pro-
hibiting discrimination, slavery and involuntary servi-
tude.

Reported unfavorably.

DELEGATE PROPOSAL No. 50—
Intended by Delegate Thistlethwaite:

A PROPOSAL

To provide a preamble and a declaration of rights to the
constitution.

Reported unfavorably.
DELEGATE PROPOSAL No. 75—
Introduced by Delegate Burson:
A PROPOSAL
Providing with respect to trial by jury in criminal cases.
Reported unfavorably.

DELEGATE PROPOSAL No. 76—
Introduced by Delegate Burson:
A PROPOSAL
For initiation of the prosecution of felonies.
Reported unfavorably.

DELEGATE PROPOSAL No. 78—
Introduced by Delegate Robinson:
A PROPOSAL
Making provisions to prohibit religious discrimination and to prohibit the direct or indirect appropriation of money from the public treasury for sectarian, private, charitable or benevolent purposes, except for designated state charities.
Reported unfavorably.

DELEGATE PROPOSAL No. 79—
Introduced by Delegate Deshotels:
A PROPOSAL
Providing for a right to privacy.
Reported unfavorably.

DELEGATE PROPOSAL No. 93—
Introduced by Delegate Burson:
A PROPOSAL
Providing with respect to grand jury proceedings.
Reported unfavorably.

Respectfully submitted,
APALONESE JACKSON, JR.,
Chairman.

Suspension of the Rules
On motion of Delegate A. Jackson the rules were suspended in order to take up Proposals contained in the Committee Report at this time.

Reports of Committees Lying Over
Delegate and Committee Proposals on Second Reading Reported by Committees
The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

DELEGATE PROPOSAL No. 2—
Introduced by Dr. Assiff:
A PROPOSAL
To protect the sources of information of news reporters.
Read.
Reported unfavorably by the Committee on Bill of Rights and Elections.
On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 5—
Introduced by Delegate Weiss:
A PROPOSAL
To provide a guarantee of the right to life and to provide exceptions thereto.
Read.
Reported unfavorably by the Committee on Bill of Rights and Elections.
On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 15—
Introduced by Delegate Assiff:
A PROPOSAL
To prohibit favoritism in the law towards women.
Read.
Reported unfavorably by the Committee on Bill of Rights and Elections.
On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 21—
Introduced by Delegate Dennery:
A PROPOSAL
Providing for trust; forced heirship.
Read.
Reported unfavorably by the Committee on Bill of Rights and Elections.
On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 47—
Introduced by Delegates Drew and Singletary:
A PROPOSAL
Providing with respect to the expropriation of private property for public purposes.
Read.
Reported unfavorably by the Committee on Bill of Rights and Elections.
On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 48—
Introduced by Delegates Singletary and Drew:
A PROPOSAL
Making provisions for equal protection of the laws, prohibiting discrimination, slavery and involuntary servitude.
Read.
Reported unfavorably by the Committee on Bill of Rights and Elections.
On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 50—
Introduced by Delegate Thistlethwaite:
A PROPOSAL
To provide a preamble and a declaration of rights to the constitution.
Read.
Reported unfavorably by the Committee on Bill of Rights and Elections.
On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 75—
Introduced by Delegate Burson:
A PROPOSAL
Providing with respect to trial by jury in criminal cases.
Read.
Reported unfavorably by the Committee on Bill of Rights and Elections.
On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 76—
Introduced by Delegate Burson:
A PROPOSAL
For initiation of the prosecution of felonies.
Read.
Reported unfavorably by the Committee on Bill of Rights and Elections.
On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

**DELEGATE PROPOSAL No. 78—**
Introduced by Delegate Robinson:  
A PROPOSAL  
Prohibiting religious discrimination and to prohibit the direct or indirect appropriation of money from the public treasury for sectarian, private, charitable or benevolent purposes, except for designated state charities.

Read.  
Reported unfavorably by the Committee on Bill of Rights and Elections.

On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

**DELEGATE PROPOSAL No. 79—**
Introduced by Delegate Deshotels:  
A PROPOSAL  
Provisions to prohibit religious discrimination and to prohibit the direct or indirect appropriation of money from the public treasury for sectarian, private, charitable or benevolent purposes, except for designated state charities.

Read.  
Reported unfavorably by the Committee on Bill of Rights and Elections.

On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

**DELEGATE PROPOSAL No. 93—**
Introduced by Delegate Burson:  
A PROPOSAL  
Provisions to prohibit religious discrimination and to prohibit the direct or indirect appropriation of money from the public treasury for sectarian, private, charitable or benevolent purposes, except for designated state charities.

Read.  
Reported unfavorably by the Committee on Bill of Rights and Elections.

On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

**Motion**
On motion of Delegate Tate, the Convention altered the Order of Business to take up Reports of Committees at this time.

**Reports of Committees**
The following reports of committees were received and read:

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana Constitutional Convention of 1973

January 11, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

**COMMITTEE PROPOSAL No. 7—**
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Armentier, Carmouche, Corne, Cowen, Floy, Grifer, Haynes, Hernandez, Landry, Leithman, Leroux, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toce and Wisham:  
A PROPOSAL  
Making provisions for education and necessary provisions with respect thereto.

Reported with the following amendments.

**COMMITTEE AMENDMENTS**
Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend First Enrollment Proposal as follows:

**AMENDMENT No. 1—**
On page 1, delete lines 17 through 23, both inclusive, in their entirety and insert in lieu thereof the following:  
"Preamble  
The goal of the public educational system is to provide learning environments and experiences, at all stages of human development, that are humane, just, and designed to promote excellence in order that every individual may be afforded an equal opportunity to develop to his full potential."

**AMENDMENT No. 2—**
On page 1, line 24, change the word and punctuation "Section 2." to the word and punctuation "Section 1."

**AMENDMENT No. 3—**
On page 1, delete lines 26 through 35, both inclusive, in their entirety and insert in lieu thereof the following:  
"Section 2. State Superintendent of Education  
There shall be a superintendent of education for public elementary and secondary education who, subject to provisions for appointment in lieu of election set forth in Article IV, Section 22, of this constitution, shall be elected for a term of four years. If the office is made appointive, the State Board of Elementary and Secondary Education shall make the appointment. He shall be the administrative head of the Department of Education and shall implement the policies of the State Board of Elementary and Secondary Education and the laws affecting schools under its jurisdiction. The qualifications and other powers, functions, duties, and responsibilities of the superintendent shall be provided by law."

**AMENDMENT No. 4—**
On page 2, delete lines 6 through 22, both inclusive, in their entirety and insert in lieu thereof the following:  
"Section 3. State Board of Elementary and Secondary Education  
Section 3. (A) Creation; Functions. The State Board of Elementary and Secondary Education is created as a body corporate. It shall supervise and control the public elementary and secondary schools and special schools under its jurisdiction and shall have budgetary responsibility for all funds appropriated or allocated by the state for those schools, all as provided by law. The board shall have other powers, duties, and responsibilities as provided by this constitution or by law, but shall have no control over the business affairs of a parish or city school board or the selection or removal of its officers and employees."

**AMENDMENT No. 5—**
On page 2, delete lines 23 through 29, both inclusive, in their entirety and insert in lieu thereof the following:  
"(B) Membership; Terms.  
The board shall consist of eight members elected from single-member districts which shall be determined by law and three members appointed by the governor from the state at large, with consent of the Senate. Members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law."

**AMENDMENT No. 6—**
On page 2, delete lines 30 through 35, both inclusive, in their entirety and on page 3 delete lines 1 and 2, both inclusive, in their entirety and insert in lieu thereof the following:  
"(C) Vacancy. A vacancy in the office of an elected member, if the remaining portion of the term is more than one year, shall be filled for the remainder of the term by election, as provided by law. Other vacancies shall be filled for the remainder of the term by appointment by the governor."

**AMENDMENT No. 7—**
On page 3, delete lines 3 through 10, both inclusive, in their entirety and insert in lieu thereof the following:  
"Section 4. Approval of Private Schools  
Section 4. Upon application by a private elementary, secondary, or proprietary school with a sustained curriculum or
specialized course of study of quality at least equal to that prescribed for similar public schools, the State Board of Elementary and Secondary Education shall approve the private school. A certificate issued by an approved private school shall carry the same privileges as one issued by a state public school."

AMENDMENT No. 8—
On page 3, delete lines 11 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Board of Regents
Section 5. (A) Creation; Functions. The Board of Regents is created as a body corporate. It shall plan, coordinate, and have budgetary responsibility for all public higher education and shall have other powers, duties, and responsibilities provided in this Section or by law."

AMENDMENT No. 9—
On page 3, delete lines 18 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Membership; Terms. The board shall consist of fifteen electors appointed by the governor, with consent of the Senate, or a term of six years, from the following initial terms which shall be fixed by law. At least one member, but no more than two members, shall be appointed from each congressional district."

AMENDMENT No. 10—
On page 3, delete lines 31 through 34, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate."

AMENDMENT No. 11—
On page 3, delete line 35, and on page 4, delete lines 1 through 35, both inclusive, in their entirety and on page 5, delete lines 1 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Powers. The Board of Regents shall meet with the State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elementary, secondary, vocational-technical, career, and higher education. The Board of Regents shall have the following powers, duties, and responsibilities relating to public institutions of higher education and post-secondary vocational-technical training, and of career education:
(1) To revise or eliminate an existing degree program, department of instruction, division, or similar subdivision.
(2) To approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.
(3) To study the need for and feasibility of any new institution of post-secondary education, including branches of institutions and conversion of two-year institutions to institutions offering longer courses of study. If the creation of a new institution, the addition of another management board, or the transfer of an existing institution from one board to another is proposed, the Board of Regents shall report its written findings and recommendations to the legislature within one year. Only after the report has been filed, or after one year if no report is filed, may the legislature take affirmative action on such a proposal and then only by law enacted by two-thirds of the elected members of each house.
(4) To formulate and make timely revision of a master plan for higher education and post-secondary vocational-technical training and career education. As a minimum, the plan shall include a formula for equitable distribution of funds to the institutions of higher education.
(5) To require that every higher education board submit to it at a time it specifies an annual budget proposal for operational needs and for capital needs of each institution under the control of each board. The Board of Regents shall submit its budget recommendations for all institution of higher education and post-secondary vocational-technical training and career education in the state. It shall recommend priorities for capital construction and improvements."

AMENDMENT No. 12—
On page 5, delete lines 9 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Powers Not Vested. Powers of management over public institutions of higher education and post-secondary vocational-technical training and career education not specifically vested by this Section in the Board of Regents are reserved to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities, and any other such board created pursuant to this Article, as to the institutions under the control of each."

AMENDMENT No. 13—
On page 5, delete lines 18 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 6. Board of Trustees for State Colleges and Universities
Section 6. (A) Creation; Functions. The Board of Trustees for State Colleges and Universities is created as a body corporate. Subject to powers vested by this Article in the Board of Regents, it shall have supervision and management of:
(1) state colleges and universities not managed by a higher education board created by or under this Article; and
(2) unless the legislature provides otherwise, public institutions of vocational-technical training and of career education at post-secondary levels."

AMENDMENT No. 14—
On page 5, delete lines 34 and 35 and on page 6, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Membership; Terms. The board shall be composed of two members from each congressional district and one member from the state at large, appointed by the governor with consent of the Senate. The members shall serve overlapping terms of six years, following initial terms fixed by law."

AMENDMENT No. 15—
On page 6, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate."

AMENDMENT No. 16—
On page 6, delete lines 10 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 7. Board of Supervisors of Louisiana State University, Agricultural and Mechanical College; Board of Supervisors of Southern University and Agricultural and Mechanical College.
Section 7. (A) Creation; Powers. The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the Board of Supervisors of Southern University and Agricultural and Mechanical College are created as bodies corporate. Subject to powers vested in the Board of Regents, each shall supervise and manage the institutions, statewide agricultural programs, and other programs administered through its system."

AMENDMENT No. 17—
On page 6, delete lines 25 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Membership; Terms. Each board shall be composed of two members from each congressional district and one member from the state at large, appointed by the governor with consent of the Senate. The members shall serve overlapping terms of six years, following initial terms fixed by law."

AMENDMENT No. 18—
On page 6, delete line 32 and on page 7, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate."

AMENDMENT No. 19—
On page 7, delete lines 4 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

1188
"Section 8. Boards; Membership; Compensation. Section 8. (A) Dual Membership. No person shall be eligible to serve simultaneously on more than one board created by or pursuant to this Article."

AMENDMENT No. 20—
On page 7, delete lines 9 through 18, both inclusive, in their entirety and insert in lieu thereof the following:
"(B) Student Membership. The legislature may provide for the membership of one student on the boards created by Sections 6 and 7 of this Article. The term of a student member shall not exceed one year, and no student member shall be eligible to succeed himself. A student member shall have all of the privileges and rights of other board members except the right to vote."

AMENDMENT No. 21—
On page 3, delete lines 24 through 30, both inclusive, in their entirety.

AMENDMENT No. 22—
On page 7, between lines 18 and 19, insert the following:
"(C) Compensation. A member of a board created by or pursuant to this Article shall serve without pay, but per diem and expenses may be provided by law."

AMENDMENT No. 23—
On page 7, delete lines 19 through 22, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 9. Parish School Boards; Parish Superintendents Section 9. (A) Boards. The legislature shall create parish school boards and provide for the election of their members."

AMENDMENT No. 24—
On page 7, delete lines 23 through 27, both inclusive, in their entirety and insert in lieu thereof the following:
"(B) Superintendents. Each parish board shall elect a superintendent of parish schools. The State Board of Elementary and Secondary Education shall fix the qualifications and prescribe the duties of the parish superintendent. He need not be a resident of the parish in which he serves."

AMENDMENT No. 25—
On page 7, delete lines 28 through 35, both inclusive, in their entirety and on page 8, delete lines 1 and 2, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 9. Existing Boards and Systems Recognized; Consolidation Section 10. (A) Recognition. Parish and city school board systems in existence on the effective date of this constitution are recognized and supervision by the State Board of Elementary and Secondary Education and the power of the legislature to enact laws affecting them."

AMENDMENT No. 26—
On page 8, delete lines 3 through 20, both inclusive, in their entirety and insert in lieu thereof the following:
"(B) Ouachita Parish and Monroe City School Systems; Board Membership. Only persons residing within the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Monroe City School Board. Only persons residing in that portion of Ouachita Parish outside the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Ouachita Parish School Board. The position of a member of either board shall be vacated when he no longer satisfies the requirements of this Paragraph. This Paragraph shall become operative upon the election of members to the Ouachita Parish School Board taking office in 1977 or upon the first reapportionment affecting the Ouachita Parish School Board, whichever occurs earlier. The provisions of this Paragraph shall be operative notwithstanding anything in this constitution to the contrary."

AMENDMENT No. 27—
On page 8, delete lines 21 through 25, both inclusive, in their entirety and insert in lieu thereof the following:
"(C) Consolidation. Subject to approval by a majority of the electors voting, in each system affected, in an election held for that purpose, any two or more school systems may be consolidated as provided by law."

AMENDMENT No. 28—
On page 8, delete lines 26 through 29, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 11. Appropriation of State Boards Section 11. The legislature shall appropriate funds for the operating and administrative expenses of the state boards created by or pursuant to this Article."

AMENDMENT No. 29—
On page 8, delete lines 30 through 35, both inclusive, in their entirety and on page 9, delete line 1 and insert in lieu thereof the following:
"Section 12. Appropriations; Higher Education Section 12. Appropriations for the institutions of higher education and post-secondary vocational-technical training and career education shall be made to their managing boards. The funds appropriated shall be administered by the managing boards and used solely as provided by law."

AMENDMENT No. 30—
On page 9, delete lines 2 through 6, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 13. Funding; Apportionment Section 13. (A) Free School Books. The legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of this state at the elementary and secondary levels."

AMENDMENT No. 31—
On page 9, delete lines 9 through 16, both inclusive, in their entirety and insert in lieu thereof the following:
"(B) Minimum Foundation Program. The legislature shall appropriate funds sufficient to insure a minimum foundation program of education in all public elementary and secondary schools. The funds appropriated shall be equitably allocated to parishes and city school systems according to formulas adopted by the State Board of Elementary and Secondary Education and approved by the legislature prior to making the appropriation."

AMENDMENT No. 32—
On page 9, delete lines 17 through 35, both inclusive, in their entirety and on page 10, delete lines 1 through 9, both inclusive, in their entirety and insert in lieu thereof the following:
"(C) Local Funds. Local funds for the support of elementary and secondary schools shall be derived from the following sources:
First: Each parish school board, Orleans Parish excepted, and each municipality or city school board actually operating, maintaining, or supporting a separate system of public schools shall levy annually an ad valorem maintenance tax on property subject to such taxation within the parish or city, respectively.
Second: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar of the assessed valuation of property within the city of New Orleans assessed for city taxation, and shall certify the amount of the tax to the governing authority of the city. The governing authority shall have the tax entered on the city tax rolls. The amount collected shall be used in the manner, under the conditions, and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.
Third: For giving additional support to public elementary and secondary schools, any parish, school district, or subdistrict, or any municipality or city school board which supports a separate city system of public schools may levy an ad valorem tax for a specific purpose, when authorized by a majority of the electors voting in the parish, municipality, school district, or subdistrict, in an election held for that purpose. The amount, duration, and purpose of the tax shall be in accord with any limitation imposed by the legislature."

AMENDMENT No. 33—
On page 10, delete lines 10 through 14, both inclusive, in their entirety and insert in lieu thereof the following:
"(D) Municipal School Systems. For the effects and purposes of this Section, the municipalities of Monroe in Ouachita Parish, and Bogalusa in Washington Parish, and no others,
shall be regarded and treated as parishes and shall have the authority granted parishes."

AMENDMENT No. 34—
On page 10, delete lines 15 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14. Tulane University
Section 14. The Tulane University of Louisiana in New Orleans is recognized as created and to be developed in accordance with Act No. 48 approved July 5, 1884."

AMENDMENT No. 35—
On page 6, line 10, delete the language added by Committee Amendment No. 16 proposed by the Committee on Style and Drafting adopted this date and insert in lieu thereof the following:

"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
Section 7. (A) Creation; Powers. The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the Board of Supervisors of Southern University and Agricultural and Mechanical College are created as bodies corporate. Subject to powers vested by this Article in the Board of Regents, each shall supervise and manage the institutions, statewide agricultural programs, and other programs administered through its system."

AMENDMENT No. 36—
On page 6, line 10, delete the language added by Committee Amendment No. 26 proposed by the Committee on Style and Drafting and adopted this date, and insert in lieu thereof the following:

"(B) Ouachita Parish and Monroe City School Systems; Board of Supervision. Only persons residing within the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Monroe City School Board. Only persons residing in that portion of Ouachita Parish outside the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Ouachita Parish School Board. The position of a member of either board shall be vacated when he no longer satisfies the requirements of this Paragraph. Notwithstanding any contrary provision of this Constitution, this Paragraph shall become operative upon the election of members to the Ouachita Parish School Board taking office in 1977 or upon the first reapportionment affecting the Ouachita Parish School Board, whichever occurs earlier."

COMMITTEE PROPOSAL No. 11—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riceke, Robinson, Segura, Silverberg, Sutherland, Thistlthwaite, Toea and Wisham:

A PROPOSAL
Making provisions for human resources by providing for retirement and survivor’s benefits.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend First enrollment Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 17 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. Retirement and Survivor’s Benefits
Section 1. (A) Public School Employees. The legislature shall provide for retirement of teachers and other employees of the public educational system through establishment of one or more retirement systems. Membership in such a retirement system shall be a contractual relationship between employee and employer, and the state shall guarantee benefits payable to a member at retirement or to his lawful beneficiary upon the member’s death."

AMENDMENT No. 2—
On page 1, delete lines 26 through 35, both inclusive, in their entirety and on page 2 delete line 1, and insert in lieu thereof the following:

"(B) Other Officers and Employees. The legislature shall enact laws providing for retirement of officers and employees of the state, its agencies, and its political subdivisions, including persons employed jointly by state and federal agencies other than those in military service, through the establishment of one or more retirement systems. Membership in any retirement system of the state or of a political subdivision thereof shall be a contractual relationship between employer and employee, and the state shall guarantee benefits payable to a member at retirement or to his lawful beneficiary upon the member’s death."

AMENDMENT No. 3—
On page 2, delete lines 2 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Retirement Systems; Change; Notice. No proposal to effect any change in existing laws or constitutional provisions relating to any retirement system shall be introduced in the legislature unless notice of intention to introduce the proposal has been published, without cost to the state, in the official state journal on two separate days. The last day of publication shall be at least thirty days before introduction of the bill. The notice shall state the substance of the contemplated law or proposal, and the bill shall contain a recital that the notice has been given."

AMENDMENT No. 4—
On page 2, delete lines 12 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Compensation for Survivors of Law Enforcement Officers and Firemen. The legislature shall establish a system, including the expenditure of public funds, for compensating the surviving spouses and dependent children of law enforcement officers, firemen, and personnel, as defined herein, who die, or who died after June 30, 1972, as a result of injury sustained in the performance of official duties or in the protection of life or property while on or off duty."

AMENDMENT No. 5—
On page 1, line 23, in Committee Amendment No. 2 by the Committee on Style and Drafting adopted this date, on line 10 of the text of that amendment, after the word “member” at the end of the line, insert the words “of a state retirement system”

AMENDMENT No. 6—
On page 2, line 2, in Committee Amendment No. 3 by the Committee on Style and Drafting adopted this date, on line 4 in the text of that amendment, after the word “system” and before the word “shall” insert the words “for public employees”

Respectfully submitted,
ALBERT TATE,
Chairman.

Suspension of the Rules

On motion of Delegate Tate the rules were suspended in order to take up the Proposals contained in the Report at this time.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 7—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Cowen, Flory, Hernandez, Landry, Segura, Silverberg, Thistlthwaite, Toea and Wisham:

A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.

Read.
Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 7 by Delegate Aertker, et al.

AMENDMENT No. 1—
On page 1, delete lines 17 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Preamble
The goal of the public educational system is to provide learning environment and experiences, at all stages of human development, that are humane, just, and designed to promote excellence in order that every individual may be afforded an equal opportunity to develop to his full potential."

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—
On page 1, line 24, change the word and punctuation "Section 2." to the word and punctuation "Section 1." and, on line 25, change the word and punctuation "Section 2." to the word and punctuation "Section 1."

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—
On page 1, delete lines 28 through 35, both inclusive, in their entirety and on page 2, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. State Superintendent of Education
Section 2. There shall be a superintendent of education for public elementary and secondary education who, subject to provisions for appointment in lieu of election set forth in Article IV, Section 22, of this constitution, shall be elected for a term of four years. If the office is made appointive, the State Board of Elementary and Secondary Education shall make the appointment. He shall be the administrative head of the Department of Education and shall implement the policies of the State Board of Elementary and Secondary Education and the laws affecting schools under its jurisdiction. The qualifications and other powers, functions, duties, and responsibilities of the superintendent shall be provided by law."

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 4—
On page 2, delete lines 6 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. State Board of Elementary and Secondary Education
Section 3. (A) Creation; Functions. The State Board of Elementary and Secondary Education is created as a body corporate. It shall supervise and control the public elementary and secondary schools and special schools under its jurisdiction and shall have budgetary responsibility for all funds appropriated or allocated by the state for those schools, all as provided by law. The board shall have other powers, duties, and responsibilities as provided by this constitution or by law, but shall have no control over the business affairs of a parish or city school board or the selection or removal of its officers and employees."

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—
On page 2, delete lines 23 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Membership; Terms.

"The board shall consist of eight members elected from single-member districts which shall be determined by law and three members appointed by the governor from the state at large, with consent of the Senate. Members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law."

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 6—
On page 2, delete lines 30 through 35, both inclusive, in their entirety and on page 3, delete lines 1 and 2, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Vacancy. A vacancy in the office of an elected member, if the remaining portion of the term is more than one year, shall be filled for the remainder of the term by election, five other members shall be filled by law. Other vacancies shall be filled for the remainder of the term by appointment by the governor."

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.

AMENDMENT No. 7—
On page 3, delete lines 3 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. Approval of Private Schools
Section 4. Upon application by a private elementary, secondary, or proprietary school with a sustained curriculum or specialized course of study of quality at least equal to that prescribed for similar public schools, the State Board of Elementary and Secondary Education shall approve the private school. A certificate issued by an approved private school shall carry the same privileges as one issued by a state public school."

Read.

On motion of Delegate Tate Amendment No. 7 was adopted.

AMENDMENT No. 8—
On page 3, delete lines 11 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Board of Regents
Section 5. (A) Creation; Functions. The Board of Regents is created as a body corporate. It shall plan, coordinate, and have budgetary responsibility for all public higher education and shall have other powers, duties, and responsibilities provided in this Section or by law."

Read.

On motion of Delegate Tate Amendment No. 8 was adopted.

AMENDMENT No. 9—
On page 3, delete lines 18 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Membership; Terms. The board shall consist of fifteen members appointed by the governor, with consent of the Senate, for overlapping terms of six years, following initial terms which shall be fixed by law. At least one member, but no more than two members, shall be appointed from each congressional district."

Read.

On motion of Delegate Tate Amendment No. 9 was adopted.

AMENDMENT No. 10—
On page 3, delete lines 31 through 34, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate."

Read.

On motion of Delegate Tate Amendment No. 10 was adopted.

AMENDMENT No. 11—
On page 3, delete line 35, and on page 4, delete lines 1 through 35, both inclusive, in their entirety and on page 5, delete lines 1 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Powers. The Board of Regents shall meet with the
115th Days Proceedings—January 11, 1974

State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elementary, secondary, vocational-technical, career, and higher education. The Board of Regents shall have the following powers, duties, and responsibilities relating to public institutions of higher education, post-secondary vocational-technical training, and of career education:

1. To revise or eliminate an existing degree program, department of instruction, division, or similar subdivision.
2. To approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.
3. To study the need for and feasibility of any new institution of post-secondary education, including branches of institutions and conversion of two-year institutions to institutions offering longer courses of study. If the creation of a new institution, the addition of another management board, or the transfer of an existing institution from one board to another is proposed, the Board of Regents shall report its written findings and recommendations to the legislature within one year. Only after the report has been filed, or, after one year if no report is filed, may the legislature take affirmative action on such a proposal and then only by law enacted by two-thirds of the elected members of each house.
4. To formulate and make timely revision of a master plan for higher education and post-secondary vocational-technical training and career education. As a minimum, the plan shall include a formula for equitable distribution of funds to the institutions of higher education.
5. To require that every higher education board submit to it, at a time it specifies, an annual budget proposal for operational needs and for capital needs of each institution under the control of each board. The Board of Regents shall submit its budget recommendations for all institutions of higher education and post-secondary vocational-technical training and career education in the state. It shall recommend priorities for capital construction and improvements.

On motion of Delegate Tate Amendment No. 11 was adopted.

AMENDMENT No. 12—
On page 5, delete lines 9 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Powers Not Vested. Powers of management over public institutions of higher education and post-secondary voca-
tional-technical training and career education not specifically vested by this Section in the Board of Regents are reserved to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities, and any other such board created pursuant to this Article, as to the institutions under the control of each.”

On motion of Delegate Tate Amendment No. 12 was adopted.

AMENDMENT No. 13—
On page 5, delete lines 18 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 6. Board of Trustees for State Colleges and Universities

Section 6, (A) Creation; Functions. The Board of Trustees for State Colleges and Universities is created as a body corporated with powers vested by this Article in the Board of Regents, shall have supervision and management of:

1. State colleges and universities not managed by a higher education board created by or under this Article; and
2. Unless the legislature provides otherwise, public institutions of vocational-technical training and of career education at post-secondary levels.

On motion of Delegate Tate Amendment No. 13 was adopted.

On motion of Delegate Tate Amendment No. 14 was adopted.

AMENDMENT No. 15—
On page 6, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate."

On motion of Delegate Tate Amendment No. 15 was adopted.

AMENDMENT No. 16—
On page 6, delete lines 10 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 7. Board of Supervisors of Southern University and Agricultural and Mechanical College

For the purposes set forth in the preceding Section, the Board of Supervisors of Southern University and Agricultural and Mechanical College is created as a body corporate. Subject to powers vested in the Board of Regents, each shall supervise and manage the institutions, statewide agricultural programs, and other programs administered through its system.”

On motion of Delegate Tate Amendment No. 16 was adopted.

AMENDMENT No. 17—
On page 6, delete lines 25 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Membership; Terms. Each board shall be composed of two members from each congressional district and one member from the state at large, appointed by the governor with consent of the Senate."

On motion of Delegate Tate Amendment No. 17 was adopted.

AMENDMENT No. 18—
On page 6, delete line 32 and on page 7, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.”

On motion of Delegate Tate Amendment No. 18 was adopted.

AMENDMENT No. 19—
On page 7, delete lines 4 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 8. Boards; Membership; Compensation.

Sections 8, (A) Dual Membership. No person shall be eligible to serve simultaneously on more than one board created by or pursuant to this Article.”
On motion of Delegate Tate Amendment No. 19 was adopted.

**AMENDMENT No. 20—**
On page 7, delete lines 9 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Student Membership. The legislature may provide for the membership of one student on the boards created by Sections 6 and 7 of this Article. The term of a student member shall not exceed one year, and no student member shall be eligible to succeed himself. A student member shall have all of the privileges and rights of other board members except the right to vote."

Read.

On motion of Delegate Tate Amendment No. 20 was adopted.

**AMENDMENT No. 21—**
On page 3, delete lines 24 through 30, both inclusive, in their entirety.

Read.

On motion of Delegate Tate Amendment No. 21 was adopted.

**AMENDMENT No. 22—**
On page 7, between lines 18 and 19, insert the following:

"(C) Compensation. A member of a board created by or pursuant to this Article shall serve without pay, but per diem and expenses may be provided by law."

Read.

On motion of Delegate Tate Amendment No. 22 was adopted.

**AMENDMENT No. 23—**
On page 7, delete lines 19 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. Parish School Boards; Parish Superintendents
Section 9. (A) Boards. The legislature shall create parish school boards and provide for the election of their members."

Read.

On motion of Delegate Tate Amendment No. 23 was adopted.

**AMENDMENT No. 24—**
On page 7, delete lines 23 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Superintendents. Each parish board shall elect a superintendent of parish schools. The State Board of Elementary and Secondary Education shall fix the qualifications and prescribe the duties of the parish superintendent. He need not be a resident of the parish in which he serves."

Read.

On motion of Delegate Tate Amendment No. 24 was adopted.

**AMENDMENT No. 25—**
On page 7, delete lines 28 through 35, both inclusive, in their entirety and on page 8, delete lines 1 and 2, both inclusive in their entirety and insert in lieu thereof the following:

"Section 10. Existing Boards and Systems Recognized; Consolidation
Section 10. (A) Recognition. Parish and city school board systems in existence on the effective date of this constitution are recognized, subject to control and supervision by the State Board of Elementary and Secondary Education and the power of the legislature to enact laws affecting them."

Read.

On motion of Delegate Tate Amendment No. 25 was adopted.

**AMENDMENT No. 26—**
On page 8, delete lines 3 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Consolidation. Subject to approval by a majority of the electors voting in each system affected, in an election held for that purpose, any two or more school systems may be consolidated as provided by law."

Read.

On motion of Delegate Tate Amendment No. 26 was adopted.

**AMENDMENT No. 27—**
On page 8, delete lines 21 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Consolidation. Subject to approval by a majority of the electors voting in each system affected, in an election held for that purpose, any two or more school systems may be consolidated as provided by law."

Read.

On motion of Delegate Tate Amendment No. 27 was adopted.

**AMENDMENT No. 28—**
On page 8, delete lines 26 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 11. Appropriations; State Boards
Section 11. The legislature shall appropriate funds for the operating and administrative expenses of the state boards created by or pursuant to this Article."

Read.

On motion of Delegate Tate Amendment No. 28 was adopted.

**AMENDMENT No. 29—**
On page 8, delete lines 30 through 35, both inclusive, in their entirety and on page 9, delete line 1 and insert in lieu thereof the following:

"Section 12. Appropriations; Higher Education
Section 12. Appropriations for the institutions of higher education and post-secondary vocational-technical training and career education shall be made to their managing boards. The funds appropriated shall be administered by the managing boards and used solely as provided by law."

Read.

On motion of Delegate Tate Amendment No. 29 was adopted.

**AMENDMENT No. 30—**
On page 9, delete lines 2 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 13. Funding; Apportionment
Section 13. (A) Free School Books. The legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of this state at the elementary and secondary levels."

Read.

On motion of Delegate Tate Amendment No. 30 was adopted.

**AMENDMENT No. 31—**
On page 9, delete lines 9 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Minimum Foundation Program. The legislature shall appropriate funds sufficient to insure a minimum foundation program of education in all public elementary and secondary
schools. The funds appropriated shall be equitably allocated to parish and city school systems according to formulas adopted by the State Board of Elementary and Secondary Education and approved by the legislature prior to making the appropriation."

Read.

On motion of Delegate Tate Amendment No. 31 was adopted.

AMENDMENT No. 32—

On page 9, delete lines 17 through 35, both inclusive, in their entirety and on page 10, delete lines 1 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Local Funds. Local funds for the support of elementary and secondary schools shall be derived from the following sources:

First: Each parish school board, Orleans Parish excepted, and each municipality or city school board actually operating, maintaining, or supporting a separate system of public schools, shall levy annually an ad valorem maintenance tax not to exceed five mills on the dollar of assessed valuation on property subject to such taxation within the parish or city, respectively.

Second: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar of the assessed valuation of property within the city of New Orleans assessed for city taxation, and shall certify the amount of the tax to the governing authority of the city. The governing authority shall have the tax entered on city tax rolls. The tax shall be collected in the manner, under the conditions, and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

Third: For giving additional support to public elementary and secondary schools, any parish, school district, or subdistrict, or any municipality or city school board which supports a separate city system of public schools may levy an ad valorem tax for a specific purpose, when authorized by a majority of the electors voting in the parish, municipality, district, or subdistrict in an election held for that purpose. The amount, duration, and purpose of the tax shall be in accord with any limitation imposed by the legislature."

Read.

On motion of Delegate Tate Amendment No. 32 was adopted.

AMENDMENT No. 33—

On page 10, delete lines 10 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Municipal School Systems. For the effects and purposes of this Section, the municipalities of Monroe in Ouachita Parish, and Bogalusa in Washington Parish, and no others, shall be regarded and treated as parishes and shall have the authority granted parishes."

Read.

On motion of Delegate Tate Amendment No. 33 was adopted.

AMENDMENT No. 34—

On page 10, delete lines 15 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14. The Tulane University Section 14. The Tulane University of Louisiana in New Orleans is recognized as created and to be developed in accordance with Act No. 43 approved July 5, 1864."

Read.

On motion of Delegate Tate Amendment No. 34 was adopted.

AMENDMENT No. 35—

On page 6, line 10, delete the language added by Committee Amendment No. 16 proposed by the Committee on Style and Drafting adopted this date and insert in lieu thereof the following:

"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

Section 7, (A) Creation; Powers. The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the Board of Supervisors of Southern University and Agricultural and Mechanical College are created as bodies corporate. Subject to powers vested by this Article in the Board of Regents, each shall supervise and manage the institutions, statewide agricultural programs, and other programs administered through its system."

Read.

On motion of Delegate Tate Amendment No. 35 was adopted.

AMENDMENT No. 36—

On page 8, line 3, delete the language added by Committee Amendment No. 26 proposed by the Committee on Style and Drafting and adopted this date, and insert in lieu thereof the following:

"(B) Ouachita Parish and Monroe City School Systems; Board Membership. Only persons residing within the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Monroe City School Board. Only persons residing in that portion of Ouachita Parish outside the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Ouachita Parish School Board. The position of a member of either board shall be vacated when he no longer satisfies the requirements of this Paragraph. Notwithstanding any contrary provision of this constitution, this Paragraph shall become operative upon the election of members to the Ouachita Parish School Board taking office in 1977 or upon the first reapportionment affecting the Ouachita Parish School Board, whichever occurs earlier."

Read.

On motion of Delegate Tate Amendment No. 36 was adopted.

COMMITTEE PROPOSAL No. 11—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Corne, Cowen, Flory, Graham, Grier, Haynes, Hendrnan, E. Landry, Leithman, Morris, Rachal, Recke, Segura, Sutherland, Thistithwaite, Toca, Wattigny and Wisham: A PROPOSAL

Making provisions for human resources by providing for retirement and survivors' benefits.

Read.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend First enrollment Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 17 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. Retirement and Survivors' Benefits

Section 1. (A) Public School Employees. The legislature shall provide for retirement of teachers and other employees of the public educational system through establishment of one or more retirement systems. Membership in such a retirement system shall be a contractual relationship between employee and employer, and the state shall guarantee benefits payable to a member at retirement or to his lawful beneficiary upon the member's death."

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—

On page 1, delete lines 26 through 35, both inclusive, in their entirety and on page 2 delete line 1, and insert in lieu thereof the following:

"(B) Other Officers and Employees. The legislature shall
enact laws providing for retirement of officers and employees of the state, its agencies, and its political subdivisions, including persons employed jointly by state and federal agencies other than those in military service, through the establishment of one or more retirement systems. Membership in any retirement system of the state or of a political subdivision thereof shall be a contractual relationship between employee and employer, and the state shall guarantee benefits payable to a member at retirement or to his lawful beneficiary upon the member’s death.”

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—
On page 2, delete lines 2 through 11, both inclusive, in their entirety and insert in lieu thereof the following:
“(C) Retirement Systems; Change; Notice. No proposal to effect any change in existing laws or constitutional provisions relating to any retirement system shall be introduced in the legislature unless notice of intention to introduce the proposal has been published, without cost to the state, in the official state journal on two separate days. The last day of publication shall be at least thirty days before introduction of the bill. The notice shall state the substance of the contemplated law or proposal, and the bill shall contain a recital that the notice has been given.”

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 4—
On page 2, delete lines 12 through 23, both inclusive, in their entirety and insert in lieu thereof the following:
“(D) Compensation for Surviving Spouses and Children of Law Enforcement Officers and Firemen. The legislature shall establish a system, including the expenditure of public funds, for compensating the surviving spouses and dependent children of law enforcement officers, firemen, and personnel, as defined by law, who die, or who died after June 30, 1972, as a result of injury sustained in the performance of official duties or in the protection of life or property while on or off duty.”

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—
On page 1, line 26, in Committee Amendment No. 2 by the Committee on Style and Drafting adopted this date, on line 10 of the text of that amendment, after the word “member” at the end of the line, insert the words “of a state retirement system.”

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 6—
On page 2, line 2, in Committee Amendment No. 3 by the Committee on Style and Drafting adopted this date, on line 4 in the text of that amendment, after the word “system,” and before the word “shall” insert the words “for public employees”

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.

Motion
On motion of Delegate Burson the rules were suspended in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 11, Section 1, was passed for the limited purpose of offering an amendment proposed by Delegate Womack.

Reconsideration
On motion of Delegate Burson the vote by which Committee Proposal No. 11, Section 1, was passed, was reconsidered.

COMMITTEE PROPOSAL No. 11—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Carmouche, Corne, Cowen, Flory, Graham, Grier, Haynes, Hernandez, E. Landry, Leithman, Morris, Rachal, Riecke, Segura, Sutherland, Thistlewaite, Tooe, Wattigny and Williams:

A PROPOSAL
Making provisions for human resources by providing for retirement and survivors' benefits.

Read.

Section 1. Retirement and Survivor’s Benefits
Section 1. (A) Retirement System; Public School Employees. The legislature shall provide for the retirement of teachers and other employees of the public educational system through the establishment of a retirement system or systems for employees of the public educational system. Membership in such retirement system or systems shall be a contractual relationship between the employee and employer, and the state guarantees all benefits payable to a member of the system or to his lawful beneficiary at his death or retirement.

(B) Retirement System; State Officers and Employees. The legislature shall enact laws providing for the retirement of officers and employees of the State of Louisiana, its agencies and political subdivisions, including persons employed jointly by state and federal agencies other than the military service, through the establishment of a retirement system or systems. Membership in any retirement system of the state political subdivision thereof shall be a contractual relationship between the employee and employer, and the state shall guarantee any benefits payable to a member of the system or to his lawful beneficiary at his death or retirement.

(C) Compensation for Surviving Spouses and Children of Law Enforcement Officers and Firemen. The legislature shall establish a system, including the expenditure of public funds, for compensating the surviving spouses and dependent children of law enforcement officers, firemen, and personnel, as defined by law, who die, or who died after June 30, 1972, as a result of injury sustained in the performance of official duties or in the protection of life or property while on or off duty.

(D) Retirement Systems; Notice of Intention to Propose Amendments or Change; Publication. No proposal to amend or effect any change in existing laws or provisions of the constitution relating to any retirement system in this state shall be introduced into the legislature unless notice of intention to introduce such proposal shall have been published, without cost to the state, in the official state journal on two separate days, the last day of which is at least thirty days prior to the introduction of such a bill into the legislature. The notice shall state the substance of the contemplated law or proposal to amend the constitution. Every such bill shall contain a recital that the notice has been given.

Read.

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

FLOOR AMENDMENTS
Amendments proposed by Delegate Womack to Committee Proposal No. 11 by Delegate Aertker, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—
On page 1, in Style and Drafting Committee Amendment No. 1 adopted by the Convention on January 11, 1974, on line 9 of the text of said amendment, immediately after the word “member” strike out the words “at retirement” and insert in lieu thereof “or retiree” and on line 10, immediately after the word “upon” strike out the words “the member’s” and insert in lieu thereof “his”.

AMENDMENT No. 2—
On page 1, in Style and Drafting Committee Amendment No. 2 adopted by the Convention on January 11, 1974, strike out line 11 of the text of said amendment in its entirety and insert in lieu thereof the following:
“or retiree or to his lawful beneficiary upon his”
Delegate Burson moved the adoption of the amendments.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
<td></td>
</tr>
<tr>
<td>Abraham</td>
<td>Gauthier</td>
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<td>Alario</td>
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<td>Alexander</td>
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<td>Guarisco</td>
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<td>Badeaux</td>
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<td>Bel</td>
<td>Heine</td>
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<tr>
<td>Bergeron</td>
<td>Hernandez</td>
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<tr>
<td>Bollinger</td>
<td>Jack</td>
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<tr>
<td>Brien</td>
<td>Jackson, A.</td>
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<tr>
<td>Burns</td>
<td>Jackson, J.</td>
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<tr>
<td>Burson</td>
<td>Jones</td>
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<td>Cannon</td>
<td>Juneau</td>
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<td>Carmouche</td>
<td>Kern</td>
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<td>Casey</td>
<td>Kelly</td>
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<tr>
<td>Chateau</td>
<td>Kilpatrick</td>
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<tr>
<td>Chehardt</td>
<td>Landry, A.</td>
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<tr>
<td>Comar</td>
<td>Landry, E. J.</td>
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<td>Conino</td>
<td>Lanier</td>
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<tr>
<td>Corne</td>
<td>Leigh</td>
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<td>Cowen</td>
<td>Leithman</td>
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<td>D'Gerolamo</td>
<td>Lowe</td>
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<td>De Bieux</td>
<td>Mcdaniel</td>
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<td>Derbes</td>
<td>Martin</td>
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<td>Deshotels</td>
<td>Mauberret</td>
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<td>Drew</td>
<td>Maybeuse</td>
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<td>Duval</td>
<td>Miller</td>
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<td>Edwards</td>
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<td>Elkins</td>
<td>Morris</td>
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<td>Eloy</td>
<td>Newton</td>
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<tr>
<td>Fontenot</td>
<td>O'Neill</td>
</tr>
<tr>
<td>Fuico</td>
<td>Ours</td>
</tr>
</tbody>
</table>

**Total—100.**

**NOT VOTING**

| Delegates— | 
| Mr. Chairman | Garrusso | Perez | 
| Aertker | Graham | Rayburn | 
| Anzalone | Haynes | Reeves | 
| Blair | Gravel | Roy | 
| Brown | Haynes | Thistlewhaitt | 
| Champagne | Jenkins | Velsich | 
| Conroy | Kilbourne | Vick | 
| Denmary | Lambert | Wak | 
| Dennis | Landrum | Winchester | 
| Dunlap | LeBleue | Womack | 
| Fowler | Munson | | 
| Total—32. | 

And the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 11, Section 1 was read, as amended.

Delegate Burson moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
<td></td>
</tr>
<tr>
<td>Abraham</td>
<td>Avant</td>
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<td>Cannon</td>
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<tr>
<td>Carmouche</td>
<td>Jack</td>
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<tr>
<td>Casey</td>
<td>Jackson, A.</td>
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<tr>
<td>Champagne</td>
<td>Jackson, J.</td>
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<td>Chateau</td>
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<td>Chehardt</td>
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<td>Conroy</td>
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<td>Corne</td>
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<td>Cowen</td>
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<td>Derbes</td>
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<td>Goldman</td>
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<td>Graham</td>
<td>Ours</td>
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<td>Grier</td>
<td>Perkins</td>
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<tr>
<td>Guarisco</td>
<td>Perkins</td>
</tr>
<tr>
<td>Hardee</td>
<td>Planchard</td>
</tr>
</tbody>
</table>

**Total—100.**

**NOT VOTING**

| Delegates— | 
| Mr. Chairman | Garrusso | Perez | 
| Aertker | Graham | Rayburn | 
| Anzalone | Haynes | Reeves | 
| Blair | Gravel | Roy | 
| Brown | Haynes | Thistlewhaitt | 
| Champagne | Jenkins | Velsich | 
| Conroy | Kilbourne | Vick | 
| Denmary | Lambert | Wak | 
| Dennis | Landrum | Winchester | 
| Dunlap | LeBleue | Womack | 
| Fowler | Munson | | 
| Total—32. | 

And the Chair declared that the above Section was finally passed.

Delegate Burson moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Stagg, the Convention altered the Order of Business to take up Special Order of the Day at this time.

**Special Order of the Day**

**Resolutions, Delegate and Committee**

The following entitled Delegate and Committee Resolutions were taken up on their third reading and final passage:

**COMMITTEE RESOLUTION No. 13**

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics (Substitute for Committee Resolution No. 3, by Delegate Stovall, et al.):

A RESOLUTION

To amend the Standing Rules of the Constitutional Convention to add a new Rule 37.1, to provide expressly for submission of alternative provisions.

Read.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Stagg to Committee Resolution No. 13 by Delegate Stovall, et al.
Amend printed Resolution as follows:

AMENDMENT No. 1—
On page 1, line 31, at the beginning of the line delete the word “alternatives” and insert in lieu thereof the word “alternative”

AMENDMENT No. 2—
On page 2, line 6, at the beginning of the line delete the number “5” and insert in lieu thereof the number “15”

On motion of Delegate Stagg the amendments were adopted.

Delegate Stagg moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Stagg to Committee Resolution No. 13 by Delegate Stovall, et al.

Amend printed resolution as follows:

AMENDMENT No. 1—
On page 2, delete lines 7 through 9, both inclusive in their entirety

Point of Order

Delegate Juneau suggested the absence of a quorum

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

ROLL CALL

The roll was called with the following result:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aetker
Alexander
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelet
Chedardy
Comar
Conino
Conroy
Corne
Cowen
D'Gerolamo
De Blieux
Dennis
Derbes
Deshotels
Drew
Duval
Eikins
Fayard
Flory
Fontenot
Perez
Perkins
Planchar
Pugh
Reeves
Riecke
Rieker
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Singletary
Slay
Smith
Sosait
Stagg
Stinson
Stovall
Sutherland
Tate
Thistleswaite
Tobias
Toca
Toomy
Ullo
Velasquez
Vick
Wattigny
Weiss
Wills
Wommack
York
Zervigon

NAYs

Delegates—
Aetker
Asseff
Avant
Blair
Cannon
Carmouche
Champagne
Chedardy
Comar
Cowen
D'Gerolamo
Total—33.

NOT VOTING

Delegates—
Alario
Anzalone
Brown
Dunlap
Edwards
Fowler
Gaynes
Kilbourne
Lambert
Maybuckle
Morris
Munson
Outre
Rayburn
Stephenson
Thompson
Vesich
Wall
Warren
Wommack

Total—21.

And the amendments were adopted.

Delegate Stagg moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Stagg sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Stagg to Committee Resolution No. 13 by Delegate Stovall, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 10 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"C. All proposals setting forth proposed alternatives shall lie over for convention action on January 16, 1974. On that day, there shall be put to the convention the question of the final passage of each such proposal. Debate on the question on each proposal shall be limited to two hours with the time equally divided between proponents and opponents. Each proposal shall be adopted and shall be referred to the Committee on Style and Drafting."

Delegate Stagg moved the adoption of the amendment.

Delegate Flory objected.

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

ROLL CALL

The roll was called with the following result:

YEAS
Delegates—
Mr. Chairman
Abraham
Alexander
Arnette
Badeaux
Bergeron
Bollinger
Brien
Burns
Burson
Casey
Chatelein
Conroy
Corne
De Blieux
Dennery
Dennis
Derbes
Deshotels
Drew
Duval
Fayard
Gauthier
Glarrusso

Total—70.

NAYS
Delegates—
Aertker
Asseff
Avant
Blair
Cannon
Carmouche
Champagne
Chehardy
Comar
Conino
Cowen
D’Gerolamo
Edwards
Ellkins
Flory

Total—43.

NOT VOTING
Delegates—
Alario
Auzalome
Bel
Brown
Dunlap
Fontenot
Fowler

Haynes
Kilbourne
Lambert
Maybucce
Morris
Munson

Ourso
Bayburn
Vescih
Vick
Wall
Womack

And the amendment was adopted.

Delegate Stagg moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Kean to Committee Resolution No. 13 by Delegate Stovall, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 10, delete Floor Amendment No. 1 proposed by Delegate Stagg and adopted by the convention on January 11, 1974, and insert in lieu thereof the following:

"C. Every proposal setting forth a proposed alternative shall upon introduction be immediately referred to the appropriate substantive committee, and shall be reported by that committee to the floor of the convention not later than January 16, 1974. On that date the convention shall proceed to consider each proposal. Debate on the question on each proposal shall be limited to one hour, with the time equally divided between proponents and opponents. Each proposal receiving a favorable vote of sixty-seven delegates shall be referred to the Committee on Style and Drafting. Any proposal failing to receive such a majority vote shall be deemed withdrawn from the files of the convention.

In the event the substantive committee does not report a proposal on or before January 16, 1974, the convention by a majority vote may proceed to consider the proposal to the same extent as if a report has been made.

The Committee on Style and Drafting shall report not later than January 17, 1974."

Delegate Kean moved the adoption of the amendment.

Delegate Flory objected.

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

ROLL CALL

The roll was called with the following result:

YEAS
Delegates—
Aertker
Asseff
Avant
Bel
Blair
Burns
Cannon
Carmouche
Champagne
Chehardy
Comar
Conino
Cowen
D’Gerolamo
Edwards
Ellkins
Flory

Mire
Nunez
Perez
Perkins
Perkins
Planchard
Planchard
Roemer
Slay
Stinson
Sutherland
Tocca
Tocca
Vescih
Warren
Witchester

Dep
Drew
Duval
Edwards
Fayard
Glarrusso

NAYS
Delegates—
Mr. Chairman
Abraham
Alexander
Arnette
Badeaux
Bergeron
Bollinger

Brien
Burson
Casey
Chatelein
Conroy
Corne
Do Blieux

1198
115th Days Proceedings—January 11, 1974

Gauthier
Giairrusso
Ginn
Goldman
Graham
Gravel
Guarisco
Jack
Jackson, A.
Jackson, J.
Jackson, J.
Juneau
Kelly
Kgilpatrick
Landry, A.
Lanier
Total—68.

LeBlanc
Leithman
Martin
Miller
Newton
O'Neill
O'Neill
Pugh
Reeves
Riecke
Roemer
Roy
Sanzo
Schmitt
Segura
Shannon
Singletary
Siay
Smith
Sotait
Stagg
Stephenson
Stovall
Tapper
Tate
Toomy
Ulie
Velasquez
Wattigny
Weiss
Wills
Zervigon

NOT VOTING

Delegates—
Alario
Anzalone
Brown
Denney
Dunlap
Fowler
Haynes
Total—20.

Kilbourne
Lambert
Landrum
Maybuce
Morris
Munson
Ouour

Rayburn
Thompson
Tobias
Vick
Wall
Womack

Amend printed Resolution as follows:

Amendment proposed by Delegate Flory to Committee Resolution No. 13 by Delegate Stovall, et al.

Amend printed Resolution as follows:

AMENDMENT No. 1—
On page 2, line 10, in Floor Amendment No. 1 proposed by Delegate Stagg and adopted by the convention on January 11, 1974, on line 5 of the text of the amendment, immediately after the word and punctuation “proposa1,” delete the remainder of the line and delete line 6 in its entirety and on line 7, delete the words and punctuation “equally divided between proponents and opponents.”

Delegate Flory moved the adoption of the amendment.

Delegate Stagg objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aeriker
Asseff
Avant
Badeaux
Blair
Cannon
Chapman
Chehardy
Comar
Cown
D'Gerolamo
Deshotsels
Duval
Elkins
Fayard
Total—45.

Flory
Fontenot
Fuloe
Grier
Hardee
Hayes
Heine
Hernandez
Jenkins
Landry, E. J.
Leigh
Love
McDaniel
Mauberret
Mire

Nunez
O'Neill
Perez
Perkins
Pianchard
Rachal
Slat
Soniat
Stimson
Sutherland
Toca
Velasquez
Warren
Winchester
Wisham

NAYS

Delegates—
Mr. Chairman
Arberon
Arness
Bollinger
Bright
Burns
Burson
Carmouche
Casey
Chatelain
Conin
Contoy
Cone
De Bliueux
Denney
Dennis
Derris
Edwards
Gauthier
Giairrusso
Total—64.

Ginn
Goldman
Graham
Gravel
Guarisco
Jack
Jackson, A.
Jones
Juneau
Kelly
Kgilpatrick
Landry, A.
Lanier
LeBlanc
Leithman
Martin
Miller
Newton
Pugh
Reeves
Riecke
Roemer
Roy
Stovall
Tapper
Tate
Thistlethwaite
Tobias
Toomy
Ulie
Wattigny
Weiss
Wills
Zervigon

Not Voting

Delegates—
Alario
Anzalone
Brown
Dunlap
Fowler
Haynes
Total—23.

Jackson, J.
Kean
Kilbourne
Lambert
Landrum
Maybuce
Munson

Oursa
Rayburn
Stovall
Stephenson
Vick
Wall
Womack

Amend printed Resolution as follows:

Amendment proposed by Delegate Stagg to Committee Resolution No. 13 by Delegate Stovall, et al.

Amend printed Resolution as follows:

AMENDMENT No. 1—
On page 2, delete lines 23 through 26, both inclusive in their entirety and insert in lieu thereof the following:

“D. Not later than 12:00 Noon, January 17, 1974, the Committee on Style and Drafting shall report each proposal referred to it to the convention.”

Delegate Stagg moved the adoption of the amendment.

Delegate Avant objected.

By a vote of 79 yeas and 26 nays the amendment was adopted.

Delegate Stagg moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Stagg to Committee Resolution No. 13 by Delegate Stovall, et al.

Amend printed Resolution as follows:

AMENDMENT No. 1—
On page 2, delete lines 1 and 2 in their entirety.

Delegate Stagg moved the adoption of the amendment.

Delegate Stovall objected.

By a vote of 69 yeas and 36 nays the amendment was adopted.
Delegate Stagg moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Kean to Committee Resolution No. 13 by Delegate Stovall, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

In Floor Amendment No. 1 affecting page 2, lines 10 through 22, proposed by Delegate Stagg, et al. and adopted by the convention on January 11, 1974, at the end of the text of the amendment, add the following:

"Every proposal shall be subject to floor amendment."

Delegate Kean moved the adoption of the amendment.

Delegate Juneau objected.

By a vote of 59 yeas and 47 nays the amendment was adopted.

Delegate Kean moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Avant to Committee Resolution No. 13 by Delegate Stovall, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 1, insert the following:

"F. No alternative proposal shall be considered by the convention until all other business has been disposed of by the convention."

Delegate Avant moved the adoption of the amendment.

Delegate Juneau objected.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1200
Delegates—

NOT VOTING

Haynes
Jones
Lambert
Morris
Monson
Ours
Rayburn
Thompson
Vick
Wall
Warren
Womack

Total—20.

And the Resolution was adopted.

And the Chair declared that the above Resolution was adopted.

Delegate Stagg moved to reconsider the vote by which the Resolution was adopted, and, on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Burson moved for a suspension of the rules in order to discharge Committee Proposal No. 21 from the Committee on Style and Drafting.

Delegate Tapper objected.

By a vote of 74 yeas and 10 nays the rules were suspended.

Reconsideration

Delegate Burson moved to reconsider the vote by which Committee Proposal No. 21 was passed.

Delegate Tapper objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Meeks
Flory
Fulco
Gauthier
Ginn
Graham
Gravel
Grier
Guarisco
Hayes
Hayes
Jackson, A.
Jenkins
Juneau
Kelly
Kippatrick
Landry, A.
Landry, E. J.
Landry
LeBlanc
Lehman
Lowe
McDaniel
Martin
Maubret
Maybuche
Miller
Mire
Newton
O'Neill
Perez
Perkins
Planchard
Pugh
Reeves
Riecke
Sandos
Schmitt
Segura
Shannon
Sigaret
Sky
Smith
Soniat
Stagg
Stephenson
Sutherland
Tate
Thistlewaite
Tobias
Toce
Toomy
Ullo
Warren
Watigny
Weiss
Willis
Winchester
Winham
Zervigon

Total—94.

Delegates—

NOT VOTING

Haynes
Jones
Lambert
Morris
Monson
Ours
Rayburn
Thompson
Vick
Wall
Warren
Womack

Total—27.

And the vote by which Committee Proposal No. 21 was passed, was reconsidered.

Motion

On motion of Delegate Burson the rules were suspended in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 21, Section 35, was passed for the limited purpose of offering an amendment thereon.

Reconsideration

On motion of Delegate Burson the vote by which Committee Proposal No. 21, Section 33, was passed, was reconsidered.

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 21—

Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ours, Sandoz, Tate and Vesich (A Substitute for Committee Proposal No. 6):

A PROPOSAL

Making provisions for the judiciary branch of government and necessary provisions with respect thereto.

Read.

Section 35. Orleans Parish Courts, Officials; Continued

Section 33. Except for provisions relating to terms of office as provided elsewhere in this Article, and notwithstanding any other contrary provision of this constitution, the following courts and officers in Orleans Parish are continued, subject to change by law:

the civil and criminal district courts; the city, municipal, traffic, and juvenile courts; the clerks of the civil and criminal district courts; the civil and criminal sheriffs; the constables and the clerks of the first and second city courts; the register of conveyances; and the recorder of mortgages.

read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Henry, Gravel, Pugh, Graham, A. Jackson and Burson to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend Final Enrolled Proposal as follows:

AMENDMENT No. 1—

On page 11, delete lines 24 through 26, both inclusive, in their entirety, being the entirety of Paragraph (B) of Section 35, and insert in lieu thereof the following:

"(B) Right to Counsel. The legislature may establish by law terms and conditions under which a witness may have the right to the advice of counsel while testifying before the grand jury."

Delegate Burson moved the adoption of the amendment.

Delegate Stinson objected.

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

1201
ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
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<td>Wall</td>
<td>Womack</td>
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<tr>
<td>Kilbourne</td>
<td>Wall</td>
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</tbody>
</table>

And the amendment was adopted.

Delegate Bursen moved to reconsider the vote by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 21, Section 33 was read, as amended.

Delegate Burson moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

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<td>Arnette</td>
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<td>Roemer</td>
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<td>Wall</td>
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</table>

The Proposal was read, as amended.

Delegate Dennis moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

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<th>YEAS</th>
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<td>Arnette</td>
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</tbody>
</table>
Landrum, A. Landry, E. J. Lanier LeBlanc Leithman lew McDaniels Martin Mauberte Maybuce Miller Miles Newton Nunez O'Neill Perez Total—104.

Delegates

Roemer

Total—2.

Delegates

Akerker Alarco Anzalone Brown Burns Carmouche Comar Dunlap Edwards

Total—26.

And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

Motion

Delegate Roy moved for a suspension of the rules in order to discharge Committee Proposal No. 35 from the Committee on Style and Drafting.

Delegate Bollinger objected.

By a vote of 83 ayes and 7 nays the rules were suspended.

Reconsideration

Delegate Roy moved to reconsider the vote by which Committee Proposal No. 35 was passed.

Delegate Bollinger objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates

Mr. Chairman Abraham Alexander Arnette Asseff Avant Badeaux Bergeron Blair Brown Burson Cannon Casey Champagne Chetlain Chehardy Conin Conroy Corne Cowen De Blieux Dennis Derbes Fayard Flory Fulco Ginn Goldman Graham Gravel Hayes Haynes Jack Jackson, A. Jackson, J. Jenkins Jones Juneau Kelly Kilpatrick

Total—78.


Delegates

Akerker Bollinger D'Gorolamo Deshotelts Drew Duval Elkins Gauthier Giarrusso

Total—24.

NAYS

Perkins Total—2.

Delegates—

Anzalone Belt Brown Burns Carmouche Dunlap Edwards

Total—26.

And the vote by which Committee Proposal No. 35 was passed was reconsidered.

Motion

Delegate Roy moved for a suspension of the rules and the rules were suspended in order to reconsider the vote by which Committee Proposal No. 35, Section 9, was passed, was passed for the limited purpose of offering an amendment thereto.

Delegate Winchester objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates

Mr. Chairman Abraham Alexander Arnette Asseff Avant Badeaux Bergeron Blair Brown Burson Cannon Casey Champagne Chetlain Chehardy Conin Conroy Corne Cowen De Blieux Dennis Derbes Fayard Flory Fulco Ginn

Total—78.


Delegates—

Akerker Bollinger D'Gorolamo Hardee Hernandez Keen Lowe McDaniel Mire

Total—26.

NAYS

Perkins Total—2.

Delegates—

Anzalone Belt Brown Burns Carmouche Dunlap Edwards

Total—26.

And the vote by which Committee Proposal No. 35 was passed was reconsidered.

Motion

Delegate Roy moved for a suspension of the rules and the rules were suspended in order to reconsider the vote by which Committee Proposal No. 35, Section 9, was passed, was passed for the limited purpose of offering an amendment thereto.

Delegate Winchester objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates

Mr. Chairman Abraham Alexander Arnette Asseff Avant Badeaux Bergeron Blair Brown Burson Cannon Casey Champagne Chetlain Chehardy Conin Conroy Corne Cowen De Blieux Dennis Derbes Fayard Flory Fulco Ginn

Total—78.


Delegates—

Akerker Bollinger D'Gorolamo Hardee Hernandez Keen Lowe McDaniel Mire

Total—26.

NAYS

Perkins

Total—2.

Delegates—

Anzalone Belt Brown Burns Carmouche Dunlap Edwards

Total—26.

And the vote by which Committee Proposal No. 35 was passed was reconsidered.

Motion

Delegate Roy moved for a suspension of the rules and the rules were suspended in order to reconsider the vote by which Committee Proposal No. 35, Section 9, was passed, was passed for the limited purpose of offering an amendment thereto.

Delegate Winchester objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates

Mr. Chairman Abraham Alexander Arnette Asseff Avant Badeaux Bergeron Blair Brown Burson Cannon Casey Champagne Chetlain Chehardy Conin Conroy Corne Cowen De Blieux Dennis Derbes Fayard Flory Fulco Ginn

Total—78.


Delegates—

Akerker Bollinger D'Gorolamo Hardee Hernandez Keen Lowe McDaniel Mire

Total—26.
115th Days Proceedings—January 11, 1974

NAYS

Delegates—
Aertker
Bollinger
Comar
Cowen
D’Gerolamo
Dehotels
Drew
Duval
Elkins
Fulco
Total—30.

Gauthier
Glarussi
Goldman
Grier
Hardee
Hernandez
Kean
Lowe
McDaniel
Mire
Nunez
Perez
Planchard
Riecke
Roemer
Shannon
Smith
Stinson
Winchester

NAYS

Delegates—
Alario
Aznalone
Bel
Brown
Burns
Carmouche
Dunlap
Edwards
Total—24.

Fontenot
Fowler
Kilbourne
Lambert
Leigh
Morris
Munson
Ousso
Rachal
Rayburn
Stephenson
Stovall
Thompson
Vesich
Wall
Womack

And the rules were suspended.

Reconsideration

On motion of Delegate Roy the vote by which Committee Proposal No. 35, Section 9, was passed was reconsidered.

COMMITTEE PROPOSAL No. 35—
Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 1, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Roy, Soniat, Stinson, Vick and Wail).

A PROPOSAL
Providing for general governmental provisions.

Read.

Section 9. Limitations of Banking

Section 9. No law shall permit foreign or domestic multi-bank holding companies or multi-parish branch banking, unless enacted by two-thirds of the elected members of each house of the legislature. This Section shall not prohibit multi-parish banks which were lawfully operating as such prior to January 1, 1974; however, no such bank may extend its operations to any parish in which it was not operating prior to said date unless authorized to do so by a general law enacted by two-thirds of the elected members of each house.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Henry, Gravel, Pugh, Graham and A. Jackson to Committee Proposal No. 35 by Delegate A. Jackson, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 17 through 26, both inclusive, in their entirety.

Delegate Roy moved the adoption of the amendment.

Delegate Bollinger objected.

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

ROLL CALL

The roll was called with the following result:
115th Days Proceedings—January 11, 1974

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<th>Delegate</th>
<th>LeBleu</th>
<th>Singletry</th>
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<td>Shannon</td>
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Delegates—

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<td>Bollinger</td>
<td>Hernandez</td>
<td>Stinson</td>
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<td>Deshotel</td>
<td>Howe</td>
<td>Winchester</td>
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NAYS—

NOT VOTING—

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<td>Stephenson</td>
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<td>Dunlap</td>
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<td>Total—24.</td>
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</table>

And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

Motion

On motion of Delegate O'Neill, the Convention altered the Order of Business to take up other Orders of Business at this time.

Reports of Committees

The following reports of committees were received and read:

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention
of 1972

January 11, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

COMMITTEE PROPOSAL No. 35—

Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 1), by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Roy, Soniat, Stinson, Vick and Wally:

A PROPOSAL

Providing for general governmental provisions.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 35 by Delegate A. Jackson, et al.

AMENDMENT No. 1—

On page 1, delete lines 18 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. The powers of government of the state are divided into three separate branches: legislative, executive, and judicial."

AMENDMENT No. 2—

On page 1, delete lines 21 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Limitations on Each Branch

Section 3. Except as otherwise provided by this constitution, no one of these branches, nor any person holding office in one of them, shall exercise power belonging to either of the others."

AMENDMENT No. 3—

On page 1, line 28, change “Section 3.” to “Section 1.” and on line 29 change “Section 3.” to “Section 1.”

AMENDMENT No. 4—

On page 1, line 31, change “Section 4.” to “Section 2.” and on line 33, change “Section 4.” to “Section 2.”

AMENDMENT No. 5—

On page 1, delete lines 35 and on page 2, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Oath of Office

Section 3. Every official shall take the following oath or affirmation: "I, .............., do solemnly swear (or affirm) that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as .............., according to the best of my ability and understanding, so help me God."

AMENDMENT No. 6—

On page 2, line 8, change “Section 6.” to “Section 4.” and on line 9, change “Section 6.” to “Section 4.”

AMENDMENT No. 7—

On page 2, line 11, change “Section 7.” to “Section 5.” and on line 12, change “Section 7.” to “Section 5.” and on line 15, after the words “authorized by law” and before the words "and a" insert a comma ";"

AMENDMENT No. 8—

On page 2, line 17, change “Section 9.” to “Section 6.” and on line 18, change “Section 9.” to “Section 6.” and on line 23, after the words "extend its" and before the words "to" any" delete the word "operations" and insert in lieu thereof the word "branches"

AMENDMENT No. 9—

On page 2, line 27, change “Section 10.” to “Section 7.” and on line 28, change “Section 10.” to “Section 7.” and also on line 28, after the word "regulations" and before the word "and" insert a comma "," and on line 30, after the word "boards" and before the word "and" insert a comma ";"

AMENDMENT No. 10—

On page 2, delete lines 32 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 8. Preservation of Linguistic and Cultural Origins

Section 8. The right of the people to preserve, foster, and promote their respective historic linguistic and cultural origins is recognized."

Respectfully submitted,

ALBERT TATE,
Chairman.
Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana Constitutional Convention of 1973

January 11, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Moubon, Mire, Nunez, Planchar and Slay: A PROPOSAL

Making provisions for property taxation.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 26 by Delegate Rayburn et al.

Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 15 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. Ad Valorem Taxes

Section 1. (A) Assessments. Property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation, which, except as provided in Paragraph (C), shall be a percentage of its fair market value. The percentage of fair market value shall be uniform throughout the state upon the same class of property."

AMENDMENT No. 2—

On page 1, delete lines 24 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Classification. The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each classification for the purpose of determining assessed valuation are as follows:

Classifications | Percentages
---|---
1. Land | 10% 
2. Improvements for residential purposes | 10% 
3. Other property | 15%

AMENDMENT No. 3—

On page 1, between lines 31 and 32, insert the following:

"(C) Use Value. Bona fide agricultural, horticultural, maricultural, and timber lands, as defined by general law, shall be assessed for tax purposes at ten percent of use value rather than fair market value. The legislature may provide similarly for buildings of historic architectural importance."

AMENDMENT No. 4—

On page 2, delete lines 9 through 13, both inclusive, in their entirety.

AMENDMENT No. 5—

On page 1, delete lines 32 through 35, both inclusive, in their entirety and on page 2, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Valuation. Each assessor shall determine the fair market value of all property subject to taxation within his respective parish or district except public service properties, which shall be valued at fair market value by the Louisiana Tax Commission or its successor, Fair market value and use value of property shall be determined in accordance with criteria which shall be established by law and which shall apply uniformly throughout the state."

AMENDMENT No. 6—

On page 2, delete lines 5 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Review. The correctness of assessments by the assessor shall be subject to review first by the parish governing authority, then by the Louisiana Tax Commission or its successor, and finally by the courts, all in accordance with procedures established by law."

AMENDMENT No. 7—

On page 2, between lines 13 and 14, insert the following:

"(F) Reappraisal. All property subject to taxation shall be reappraised and valued in accordance with this Section, at intervals of not more than four years."

AMENDMENT No. 8—

On page 3, delete lines 11 through 13, both inclusive, in their entirety.

AMENDMENT No. 9—

On page 2, between lines 13 and 14 and after Committee Amendment No. 7 proposed by the Committee on Style and Drafting and adopted this date by the convention, insert the following:

"Section 2. State Property Taxation; Rate Limitation

Section 2. Taxation on property for all purposes shall not exceed an annual rate of five and three-quarter mills on the dollar of assessed valuation;"

AMENDMENT No. 10—

On page 3, delete lines 22 through 25, both inclusive, in their entirety.

AMENDMENT No. 11—

On page 2, delete lines 14 through 35, both inclusive, in their entirety and on page 3, delete lines 1 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Homestead Exemption

Section 3. (A) Homeowners.

(1) The bona fide homestead, consisting of a tract of land or two or more tracts of land with a residence on one tract and a field, pasture, or garden on the other tract(s), not exceeding one hundred sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by any person, shall be exempt from state, parish, and special ad valorem taxes to the extent of three thousand dollars of the assessed valuation.

(2) By law enacted by two-thirds of the elected members of each house, the legislature may increase this homestead exemption to an amount which shall not exceed five thousand dollars of the assessed valuation.

The homestead exemption of veterans of the armed forces of the United States, honorably discharged or separated from such services or other persons who served in said armed forces, as defined by general law, and of persons sixty-five years of age or older shall be five thousand dollars of the assessed valuation.

(4) The homestead exemption shall extend to the surviving spouse or minor children of a deceased owner and shall apply when the homestead is occupied as such and title to it is either husband or wife but not to more than one homestead owned by the husband or wife.

(5) This exemption shall not extend to municipal taxes. However, the exemption shall apply (a) in Orleans Parish, to state, general city, school, levee, and levee district taxes and (b) to any municipal taxes levied for school purposes.

(B) Residential Lessees. Notwithstanding any contrary provision in this constitution, the legislature may provide for tax relief to residential lessees in the form of credits or rebates in order to provide equitable tax relief similar to that granted to homeowners through homestead exemptions."

AMENDMENT No. 12—

On page 3, delete lines 26 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. Other Property Exemptions

Section 4. In addition to the homestead exemption provided for in Section 3 of this Article, the following property and no other shall be exempt from ad valorem taxation:

(a) Public lands; other public property used for public purposes."

AMENDMENT No. 13—

On page 3, delete lines 32 through 35, both inclusive, in
115th Days Proceedings—January 11, 1974

their entirety and on page 4 delete lines 1 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) (1) Property owned by a nonprofit corporation or association organized and operated exclusively for religious, educational, charitable, health, welfare, fraternal, or educational purposes, no part of the net earnings of which inure to the benefit of any private shareholder or member thereof and which is declared to be exempt from local or state income tax:

(2) property of a bona fide labor organization representing its members or affiliates in collective bargaining efforts;

(3) property of an organization such as a lodge or club organized for charitable and fraternal purposes and practicing the same, and property of a nonprofit corporation devoted to promoting trade, travel, and commerce, and also property of a trade, business, industry or professional society or association, if that property is owned by a nonprofit corporation or association organized under the laws of this state for such purposes.

None of the property listed in Paragraph (B) shall be exempt if owned, operated, leased, or used for commercial purposes unrelated to the exempt purposes of the corporation or association.

AMENDMENT No. 14—

On page 4, delete lines 15 through 55, both inclusive, in their entirety and on page 5 delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) (1) Cash on hand or deposit:

(2) stocks and bonds, except bank stocks, the tax on which shall be paid by the banking institution;

(3) obligations secured by mortgage on property located in Louisiana and notes or other evidence thereof;

(4) loans by life insurance companies to policyholders, if secured solely by their policies;

(5) the legal reserve of domestic life insurance companies;

(6) loans by a homestead or building and loan association to its members, if secured solely by stock of the association;

(7) debts due for merchandise or other articles of commerce or for services rendered;

(8) obligations of the state or its political subdivisions;

(9) personal property used in the home or on loan in a public place;

(10) agricultural products while owned by the producer, agricultural machinery and other implements used exclusively for agricultural purposes, animals on the farm, and property bond or agricultural fair association;

(11) property used for cultural, Mardi Gras carnival, or civic activities and not operated for profit to the owners;

(12) rights-of-way granted to the State Department of Highways;

(13) boats using gasoline as motor fuel;

(14) commercial vessels used for gathering seafood for human consumption; and

(15) ships and oceangoing tugs, towboats, and barges engaged in international trade and domiciled in Louisiana ports. However, this exemption shall not apply to harbor, wharf, shed, and other port dues or to any vessel operated in the coastal trade of the continental United States.

AMENDMENT No. 15—

On page 5, between lines 4 and 5 insert the following:

"(D) (1) Raw materials, goods, commodities, and articles imported into this state from outside the continental United States:

(a) so long as the imports remain on the public property of the port authority or docks of the common carrier where they first entered this state;

(b) imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages, and raw materials held in bulk as all or a part of the new material inventory of manufacturers or processors, solely for manufacturing or processing;

(c) so long as the imports are held by an importer in any public or private storage in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages and agricultural products in bulk. This exemption shall not apply to these imports when held by a retail merchant as part of his stock-in-trade for sale at retail.

(2) Raw materials, goods, commodities, and other articles held on the public property of a port authority, on docks of any common carrier, or in a warehouse, grain elevator, dock, wharf, or public storage facility in this state for export to a point outside the continental United States.

(3) (a) Goods, commodities, and personal property in public or private storage while in transit through this state which are moving in interstate commerce through or over the territory of the state or which are in public or private storage within Louisiana, having been shipped from outside Louisiana for storage in transit to a final destination outside Louisiana, whether such destination was specified when transported or begun or during transportation.

(b) Property described in Paragraph (D), whether or not entitled to exemption, shall be reported to the proper taxing authority on the forms required by law.

AMENDMENT No. 16—

On page 5, delete lines 23 through 35, both inclusive, in their entirety and on page 6, delete lines 1 through 24, both inclusive, in their entirety.

AMENDMENT No. 17—

On page 5, delete lines 5 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Motor vehicles used on the public highways of this state, from state, parish, and special ad valorem taxes. This exemption shall not extend to any general or special tax levied by a municipal governing authority, or by a district created by it, unless the governing authority thereof provides for the exemption by ordinance or resolution."

AMENDMENT No. 18—

On page 5, delete lines 12 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"(F) Notwithstanding any contrary provision of this Section, the legislature by law may authorize the State Board of Commerce and Industry or its successor, under such terms and conditions and with such approval as the legislature may specify, to provide for the exemption from property taxation of a new manufacturing establishment or an addition to a manufacturing establishment existing in the state. No exemption granted under the authority of laws enacted under this Paragraph shall extend for a longer initial period than five calendar years, or be renewable for a period exceeding five additional calendar years."

AMENDMENT No. 19—

On page 6, delete line 25 in its entirety.

AMENDMENT No. 20—

On page 6, delete lines 26 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. No. Impairment of Existing Taxes or Obligations.

Section 5. This Article shall not be applied in a manner which will (a) invalidate taxes authorized and imposed prior to the effective date of this constitution or (b) impair the obligations, validity, or security of any bonds or other obligations authorized prior to the effective date of this constitution."

AMENDMENT No. 21—

On page 6, delete lines 33 through 35, both inclusive, in their entirety and on page 7, delete lines 1 through 35, both inclusive in their entirety, and insert in lieu thereof the following:

"Section 6. Adjustment of ad Valorem Tax Millages

Section 6. Prior to the end of the third year after the effective date of this constitution, the assessors and the Louisiana Tax Commission or its successor shall complete determination of the fair market value or the use value of property subject to taxation within six months of the date of adoption of this Article. Except as provided in this Paragraph, the total amount of ad valorem taxes collected by any taxing authority in the year in which Sections 1 and 3 of this Article are implemented shall not be increased above the amount of taxes collected in the year preceding implementation. To accomplish this result, it shall be mandatory for each affected taxing authority, in
the year in which Sections 1 and 3 of this Article are imple- 
menced, to adjust millages upwards or downwards without
regard to millage limitations contained in this constitution, 
and the maximum authorized millages shall be increased 
or decreased, without further voter approval, in proportion 
to the amount of the adjustment upward or downward.

Thereafter, such millages shall remain in effect unless
changed as permitted by this constitution. Nothing herein
shall prohibit a taxing authority from collecting, in the
year in which Sections 1 and 3 of this Article are imple-
menced or in the following subsequently, a larger dollar amount
of ad valorem taxes by (a) levying additional or increased
millages as provided by law; (b) placing additional prop-
erty on the tax rolls; or (c) increases in the fair market
valuation or use value of property. After the first determination
that value to implement this Article. This Section shall not
apply to millages required to be levied for the payment of
general obligation bonds.

AMENDMENT No. 22—
On page 8, delete lines 1 through 4, both inclusive, in
their entirety and insert in lieu thereof the following:

"Section 7. (A) Creation of Fund. The Revenue Sharing
Fund is created as a special fund in the state treasury."

AMENDMENT No. 23—
On page 8, delete lines 5 through 8, both inclusive, in
their entirety and insert in lieu thereof the following:

"(B) Annual Allocation. The sum of ninety million dollars
is allocated each year from the state general fund to this 
Revenue sharing Fund. The legislature may appropriate ad-
ditional sums to the fund."

AMENDMENT No. 24—
On page 8, delete lines 9 through 14, both inclusive, in
their entirety and insert in lieu thereof the following:

"(C) Distribution Formula. The revenue sharing fund shall
be distributed annually as provided by law solely on the
basis of population and number of homesteads throughout the state.
Unless otherwise provided by law, population statistics of the last federal decennial census
shall be utilized for this purpose. After deductions in each
parish for retirement systems and commissions as authorized
by law, the remaining funds, to the extent available, shall
be distributed by first priority to the taxing recipient bodies
within the parish, as defined by law, to offset current
long-term debt and homestead exemptions within the
parish. Any balance remaining in a parish distribution shall
be allocated to the municipalities and tax recipient bodies
within each parish as provided by law."

AMENDMENT No. 25—
On page 8, delete lines 15 through 29, both inclusive, in
their entirety and insert in lieu thereof the following:

"(D) Distributing Officer. The funds distributed to each
parish as provided in Paragraph (C) shall be distributed in
Orleans Parish by the city treasurer of New Orleans and
in all other parishes by the parish tax collector. The funds
allocated to the Monroe City School Board or its successor shall be distributed by and to the city treasurer of Monroe."

AMENDMENT No. 26—
On page 8, delete lines 30 through 35, both inclusive, in
their entirety and on page 9, delete lines 1 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Bonded Debt. A political subdivision, as defined by
Article VI of this constitution, may incur debt by issuing
negotiable bonds, the proceeds derived from which can be
pledged for the payment of all or part of the principal of such bonds. The proceeds derived or to be derived from that portion of the funds received by it from the revenue sharing fund, to offset current
interests caused by homestead exemptions granted by this
law, and other costs incurred by law, no moneys allocated within any parish from the balance remaining in its distribution may be pledged to the payment of the principal or interest of any bonds. Bonds issued under this Paragraph shall be issued and sold as provided by law, and
shall require approval of the State Bond Commission or its
successor prior to issuance and sale."

AMENDMENT No. 27—
On page 9, delete lines 10 through 15, both inclusive, in
their entirety and insert in lieu thereof the following:

Section 8. Tax Assessor. Term. A tax assessor shall be
elected by the voters of each parish, Orleans Parish excepted. His term of office shall be four years. His election,
duties, and compensation shall be as provided by law."

AMENDMENT No. 28—
On page 9, delete lines 16 through 23, both inclusive, in
their entirety and insert in lieu thereof the following:

"(B) Orleans Parish. There shall be seven assessors in
New Orleans, who shall compose the Board of Assessors for
Orleans Parish. One shall be elected from each municipal
district of New Orleans, and each shall be a resident of
New Orleans, from which he is elected, and shall be
elected at the same time as the municipal officers of New
Orleans, for terms of four years each. Their duties and
compensation shall be as provided by law."

AMENDMENT No. 29—
On page 9, delete lines 24 through 29, both inclusive, in
their entirety and insert in lieu thereof the following:

"Section 9. Tax Sales
Section 8. (A) Tax Sales. There shall be no forfeiture of
property for nonpayment of taxes. However, at the ex-
piration of the year in which the taxes are due, the collector,
without suit, and after giving notice to the delinquent in
the manner provided by law, shall advertise for sale the
property on which the taxes are due. The advertisement
shall be published in the official journal of the parish or
municipality, or, if there is no official journal, as provided
by law for sheriffs' sales, in the manner provided for ju-
dicial sales. On the day of sale, the collector shall sell the
property on which the taxes are due. If the debtor points out
that the debtor does not point out sufficient property, the collector
shall sell immediately the least quantity of property
which any bidder will buy for the amount of the taxes, interest,
penalty, and cost paid at the sale. The sale shall be without appraisement. A tax
deed by a tax collector shall be prima facie evidence that a valid sale was made.

(B) Redemption. The property sold shall be redeemable
for three years after the date of recordation of the tax
deed, and for the price given, in lieu of foreclosure and
penalty thereon, and interest at the rate of one percent
per month until redemption.

(C) Annullment. No sale of property for taxes shall be set
aside for any cause, except on proof of payment of the taxes
prior to the date of sale, unless the proceeding to an-
nul is instituted within six months after service of notice
of sale. A notice of sale shall not be served until the final
day for redemption has ended. It must be served within
five years after the date of recordation of the tax
deed if no notice is given. The fact that taxes were paid on
a part of the property sold prior to the sale thereof, or that
a part of the property was not subject to taxation, shall
not be cause for annulling the sale of any part thereof on
which the taxes for which it was sold were due and un-
paid. No judgment annulling a tax sale shall have effect
until the price and all taxes and costs are paid, and until
ten percent per annum interest on the amount of the price
and costs is paid in the manner provided by law. The price
paid to the purchaser; however, this shall not apply to sales an-
nulled because the taxes were paid prior to the date of
sale.

(D) Quieting Tax Title. The manner of notice and form
of proceeding to quiet tax titles shall be provided by law.

(E) Movables; Tax Sales. When taxes on movables are
delinquent, the tax collector shall seize and sell sufficient
movable property of the delinquent taxpayer to pay the tax,
whether or not the property seized is the property which was assessed. Sale of the property shall be at public auction, without appraisement, after ten days advertisement, published within ten days after date of seizure. It shall be absolute without redemption.

If the tax collector can find no corporeal movables of the delinquent to seize, he may levy on incorporeal rights, by notifying the debtor thereof, or he may proceed by summary rule in the courts to compel the delinquent to deliver for sale property in his possession or under his control.

(F) Postponement of Taxes. The legislature may postpone the payment of taxes, but only in cases of overflow, general conflagration, general crop destruction, or other public calamity, and may provide for the levying, assessing, and collecting of such postponed taxes. In such case, the legislature may authorize the borrowing of money by the state on its faith and credit, by bond issue or otherwise, and may levy taxes, or apply taxes already levied and not appropriated, to secure payment thereof, in order to create a fund from which loans may be made through the Interim Emergency Board to the governing authority of the parish where the calamity occurs. The money loaned shall be applied to and shall not exceed the deficiency in revenue of the parish on a political subdivision therein or of which the parish is a part, caused by postponement of taxes. No loan shall be made to a parish governing authority without the approval of the Interim Emergency Board."

AMENDMENT No. 31—
On page 9, line 30, after Committee Amendment No. 30 proposed by the Committee on Style and Drafting and adopted this date, insert the following:

"Section 10. Effective Date
Section 10. Section 1 and Section 3 of this Article shall become effective January 1 of the year following the end of three years after the effective date of this constitution. Until that date, the provisions of the Constitution of 1961 governing matters covered by those Sections shall continue to apply, notwithstanding any contrary expiration date stated in any provision thereof concerning the veterans' homestead exemption."

AMENDMENT No. 32—
On page 3, delete lines 14 through 21, both inclusive, in their entirety.

AMENDMENT No. 33—
On page 1, line 32, in Committee Amendment No. 5 proposed by the Committee on Style and Drafting and adopted by the convention this date, in line 5 of the text of the amendment, after the words "primary," and before the word "Fair," insert the following:

"Each assessor shall determine the use value of property which is to be so assessed under the provisions of Paragraph (C)."

AMENDMENT No. 34—
On page 4, line 15, in Committee Amendment No. 14 proposed by the Committee on Style and Drafting and adopted by the convention this date, between lines 19 and 20 of the text of the amendment insert the following:

"(10) irrevocably dedicated places of burial held by individuals for purposes of burial of themselves or members of their families.
and on line 20, change (10) to (11)
and on line 24, change (11) to (12)
and on line 27, change (12) to (13)
and on line 29, change (13) to (14)
and on line 32, change (15) to (16)"

AMENDMENT No. 35—
On page 4, line 15, in Committee Amendment No. 14 proposed by the Committee on Style and Drafting and adopted by the convention this date, in line 36 of the text of the amendment, after the words "trade of the," and before the words and punctuation "United States," delete the word "continental" and insert in lieu thereof the words "states of the"

AMENDMENT No. 36—
On page 3, between lines 4 and 5, in Committee Amendment No. 15 proposed by the Committee on Style and Drafting and adopted by the convention this date, in line 3 of the text of the amendment, after the word "the," and before the word "United" delete the word "continental" and insert in lieu thereof the words "states of the"

AMENDMENT No. 37—
On page 3, between lines 4 and 5, in Committee Amendment No. 15 proposed by the Committee on Style and Drafting and adopted by the convention this date, in line 20 of the text of the amendment, after the word "the," and before the word "United" delete the word "continental" and insert in lieu thereof the words "states of the"

Respectfully submitted,

ALBERT TATE,
Chairman.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

January 11, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:
I submit the following report:

That the following Delegate Proposal has been properly enrolled:

DELEGATE PROPOSAL No. 16—
Introduced by Delegates Alario, Chehardy, Edwards, Mire, Rayburn, Nunez, Winchester, Maubert, Slay and Planchard:
A PROPOSAL
Making provisions for homestead exemptions. Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XI. HOMESTEAD EXEMPTIONS
Section 1. Exemptions From Seizure and Sale
Section 1. The legislature shall provide by law for exemptions from seizure and sale, as well as waivers of and exclusions from such exemptions. The exemption shall extend to at least fifteen thousand dollars in value of a homestead, as provided by law.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

Under the Rules, referred to the Committee on Style and Drafting.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

January 11, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:
I submit the following report:

That the following Committee Proposals have been properly enrolled in final form:

COMMITTEE PROPOSAL No. 7—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Cowen, Flory, Hernandez, Landry, Segura, Silverberg, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto. Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE IX. EDUCATION
Preamble
The goal of the public educational system is to provide learning environments and experiences, at all stages of human development, that are human, just, and designed to promote excellence in order that every individual may be af-
The lieu (A) shall no more a term to private term higher formula created the budget cognition by dietion. Elementary school. Members corporate. shall public congressional as year, duties, of school, shall have duties, and responsibilities as provided by this constitution or as shall have no overlapping terms over the board of a parish or city school board or the selection or removal of his officers and employees.

(B) Membership; Terms. The board shall consist of eight members elected from single-member districts which shall be determined by law and three members appointed by the governor from the state at large, with consent of the Senate. Members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law.

(C) Vacancy. A vacancy in the office of an elected member, if the remaining portion of the term is more than one year, shall be filled for the remainder of the term by election, as provided by law. Other vacancies shall be filled for the remainder of the term by appointment by the governor.

Section 4. Upon application by a private elementary, secondary, or proprietary school with a sustained curriculum or specialized course of study of at least equal to that prescribed for similar public schools, the State Board of Education and Secondary Education shall approve the private school. A certificate issued by an approved private school shall carry the same privileges as one issued by a state public school.

Section 5. Board of Regents

Section 5. (A) Creation; Functions. The Board of Regents is created as a body corporate. It shall plan, coordinate, and have budgetary responsibility for all public higher education and shall have other powers, duties, and responsibilities provided in this Section or by law.

(B) Membership; Terms. The board shall consist of fifteen members appointed by the governor, with consent of the Senate, for overlapping terms of six years, following initial terms which shall be fixed by law. At least one member, but no more than two members, shall be appointed from each congressional district.

(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.

(D) Powers. The Board of Regents shall meet with the State Board of Elementary and Secondary Education at least twice a year, coordinate programs of public elementary, secondary, vocational-technical, career, and higher education. The Board of Regents shall have the following powers, duties, and responsibilities relating to public institutions of higher education: (1) appointment of post-secondary vocational-technical training, and of career education:

(1) To approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.

(2) To approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.

(3) To study the need for and feasibility of any new institution of post-secondary education, including branches of institutions, and coordinate its plans with institutions offering longer courses of study. If the creation of a new institution, the addition of another management board, or the transfer of an existing institution from one board to another is proposed, the Board of Regents shall report its written considerations and recommendations to the legislature within one year. Only after the report has been filed, or, after one year if no report is filed, may the legislature take affirmative action on such a proposal and then only by law enacted by two-thirds of the elected members of each house.

(4) To formulate and make timely revision of a master plan for higher education and post-secondary vocational-technical training and career education. As a minimum, the plan shall include a formula for equitable distribution of funds to the institutions of higher education.

(5) To require that every higher education board submit to it, at a time it specifies, an annual budget proposal for operational needs and for capital needs of each institution under the control of each board. The Board of Regents shall submit its budget recommendations for all institutions of higher education and post-secondary vocational-technical training and career education in the state. It shall recommend priorities for capital construction and improvements.

(C) Powers Not Violated. The Board of Regents shall have no power over public institutions of higher education and post-secondary vocational-technical training and career education not specifically vested by this Section in the Board of Regents are reserved to the Board of Supervisors of Louisiana State University and Agricultural College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities, and any other such board created pursuant to this Article, as to the institutions under the control of each.

Section 6. Board of Trustees for State Colleges and Universities

Section 6. (A) Creation; Functions. The Board of Trustees for State Colleges and Universities is created as a body corporate. Subject to powers vested by this Article in the Board of Regents, it shall have supervision and management of:

1. state colleges and universities not managed by a higher education board created by or under this Article; and
2. unless the legislature provides otherwise, public institutions of vocational-technical training and of career education at post-secondary levels.

(B) Membership; Terms. Each board shall be composed of two members from each congressional district and one member from the state at large, appointed by the governor with consent of the Senate. The members shall serve overlapping terms of six years, following initial terms fixed by law.

(C) Vacancy. A vacant position, or the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.

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

Section 7. (A) Creation; Powers. The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the Board of Supervisors of Southern University and Agricultural and Mechanical College are created as bodies corporate. Subject to powers vested by this Article in the Board of Regents, each shall supervise and manage the institutions, statewide agricultural programs, and other programs administered through its system.

(B) Membership; Terms. Each board shall be composed of two members from each congressional district and one member from the state at large, appointed by the governor with consent of the Senate. The members shall serve overlapping terms of six years, following initial terms fixed by law.

(C) Vacancy. A vacant position, or the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.

Section 8. Boards; Membership; Compensation

Section 8. (A) Dual Membership. No person shall be eligible to serve simultaneously on more than one board created by or pursuant to this Article.
Second: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar of the assessed valuation of property within the city of New Orleans assessed for city taxation, and shall certify the amount of the tax to the governing authority of the city. The governing authority shall have the tax entered on city tax rolls. The tax shall be collected in the manner, under the conditions, and with the interest and penalties prescribed by law. The monies so collected shall be paid daily to the Orleans Parish School Board.

Third: For giving additional support to public elementary and secondary schools, any parish, school district, or sub-school district, or any municipality or city school board shall approve a separate city system of public school may levy an ad valorem tax for a specific purpose, when authorized by a majority of the electors voting in the parish, municipality, district, or subdistrict in an election held for that purpose for this tax shall be in accord with contract, relationship between employee and employer, and the state shall guarantee benefits payable to a member or retiree or to his lawful beneficiary upon his death.

(B) Other Officers and Employees. The legislature shall provide for retirement of schools and other employees of the public educational system through establishment of one or more retirement systems. Membership in such a retirement system shall be a contractual relationship between employee and employer, and the state shall guarantee benefits payable to a member of a state retirement system or retiree or to his lawful beneficiary upon his death.

(C) Retirement Systems; Change; Notice. No proposal to effect or change in existing laws or constitutional provisions relating to any retirement system for public employees shall be introduced in the legislature unless notice of intention to introduce the proposal has been published, without notice to the state, in the official state journal on two separate days. The last day of publication shall be at least thirty days before introduction of the bill. The notice shall state the substance of the contemplated law or proposal, and the bill shall contain a recital that the notice has been given.

(D) Compensation for Survivors of Law Enforcement Officers and Firemen. The legislature shall establish a system, including the expenditure of public funds, for computing among the surviving spouses and dependent children of law enforcement officers, firemen, and personnel, as defined by law, who shall have died after June 30, 1972, as a result of injury sustained in the performance of official duties or in the protection of life or property while on or off duty.

Respectfully submitted,

MOISE W. DENNERY
Secretary,
The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Motion

On motion of Delegate Singletary the rules were suspended for the purpose of calling a meeting of the Committee on Natural Resources and Environment without giving the required 24 hours notice.

Committee Notice

Delegate Singletary, Vice-Chairman of the Committee on Natural Resources, sent up the following notice:

The Committee on Natural Resources will meet on Saturday, January 12, 1974, at 8 o’clock a.m. on the floor of the Convention Hall and will consider the following agenda:

Agenda

To consider suggested recommendations by Committee on Style and Drafting.

Respectfully submitted,

ALVIN SINGLETARY,
Vice-Chairman of the Committee on Natural Resources

The above notice was read in open session and publicly posted by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Aertker the rules were suspended for the purpose of calling a meeting of the Committee on Education and Welfare without giving the required 24 hours notice.

Committee Notice

Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Saturday, January 12, 1974, at 8:00 o’clock A.M. in Ante Room and will consider the following agenda:

Agenda

To discuss Style and Drafting changes to Committee Proposals 9 and 10.

Respectfully submitted,

ROBERT J. AERTKER,
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Planchar the rules were suspended for the purpose of calling a meeting of the Committee on Revenue, Finance and Taxation without giving the required 24 hours notice.

Committee Notice

Delegate Planchar, chairman of the Subcommittee on Style and Drafting of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Subcommittee on Style and Drafting of the Committee on Revenue, Finance and Taxation will meet on Saturday, January 12, 1974, at 8:00 o’clock a.m. in Treaty Room—White House Inn and will consider the following agenda:

Agenda

Consider Style and Drafting and Transitional Matters.

Respectfully submitted,

A. J. PLANCHAR,
Chairman of the Sub-committee on Style and Drafting of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Adjournment

Delegate O’Neill moved that the Convention do now adjourn until Saturday, January 12, 1974, at 9:30 o’clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Saturday, January 12, 1974, at 9:30 o’clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
ONE HUNDRED SIXTEENTH DAY’S PROCEEDINGS

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

Saturday, January 12, 1974, Baton Rouge, La.

The Convention was called to order at 9:30 o’clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—
Mr. Chairman
Abraham
Aetker
Alario
Alexander
Arnette
Assieff
Avant
Badeaux
Bel
Bergeron
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chateleain
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D’Gerolamo
De Bileux
Denney
Dennis
Derbes
Deshotels
Drew
Duval
Edwards
Elkins
Fayard
Flory
Nunez

O’Neill
Ourso
Perez
Planchard
Pugh
Reeves
Riecke
Roemer
Roy
Sandor
Schmitt
Segura
Shannon
Singlely
Slay
Smith
Soniat
Stagg
Stinson
Stovall
Sutherland
Tapper
Tate
Thistlethwaite
Tobias
Toca
Tommy
Ullo
Velazquez
Vick
Warren
Wattigny
Weiss
Willis
Winchester
Witham
Zervigon

ABSENT

Delegates—
Anzalone
Blair
Dunlap
Fowler
Ginn
Kilbourne

Lambert
LeBleu
Munson
Perkins
Rachel
Rayburn

Stephenson
Thompson
Vesich
Wall
Womack

The Chairman announced that there were 115 members
present and a quorum.

Prayer

Prayer was offered by Delegate Burns.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Singletary, the Journal of yesterday
was adopted.

Regular Order

Vice Chairman Casey in the Chair

Proposals on Calendar for Approval
of Final Styling

The following Proposals returned from the Committee on
Style and Drafting for approval of final styling were taken
up and acted upon as follows:

Motion

On motion of Delegate Tate Committee Proposal No. 35,
was taken up out of its regular order and acted upon as follows:

COMMITTEE PROPOSAL No. 35—
Introduced by Delegate A. Jackson, Chairman, on behalf of
the Committee on Bill of Rights and Elections (Substitute
Committee Proposal No. 1, by Delegate A. Jackson, Chairman,
on behalf of the Committee on Bill of Rights and
Elections, and Delegates Dunlap, Guarisco, Roy, Soniat,
Stinson, Vick and Wall):

A PROPOSAL
Providing for general governmental provisions.

Read.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting
to Committee Proposal No. 35 by Delegate A. Jackson, et al.
Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 18 through 20, both inclusive, in
their entirety and insert in lieu thereof the following:
"Section 1. The powers of government of the state are divided
into three separate branches: legislative, executive, and
judicial."

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—
On page 1, delete lines 21 through 25, both inclusive, in
their entirety and insert in lieu thereof the following:
"Section 2. Except as otherwise provided by this constitution,
no one of these branches, nor any person holding office in one
of them, shall exercise power belonging to either of the others."

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—
On page 1, line 28, change “Section 3,” to “Section 1,” and
on line 29, change “Section 3,” to “Section 1.”

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.
AMENDMENT No. 4—
On page 1, line 31, change “Section 4.” to “Section 2.” and on line 32, change “Section 4.” to “Section 2.”

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—
On page 1, delete line 35 and on page 2, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 3. Oath of Office
Section 3. Every official shall take the following oath or affirmation: “I, ______________, do solemnly swear (or affirm) that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ______________, according to the best of my ability and understanding, so help me God.””

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 6—
On page 2, line 8, change “Section 6.” to “Section 4.” and on line 9, change “Section 6.” to “Section 4.”

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.

AMENDMENT No. 7—
On page 2, line 11, change “Section 7.” to “Section 5.” and on line 12, change “Section 7.” to “Section 5.” and on line 15, after the words “authorized by law” and before the words “and a” insert a comma “,”

Read.

On motion of Delegate Tate Amendment No. 7 was adopted.

AMENDMENT No. 8—
On page 2, line 17, change “Section 9.” to “Section 6.” and on line 18, change “Section 9.” to “Section 6.” and on line 23, after the words “extend its” and before the words “to any” delete the word “operations” and insert in lieu thereof the word “branches”

Read.

On motion of Delegate Tate the amendment was withdrawn.

AMENDMENT No. 9—
On page 2, line 27, change “Section 10.” to “Section 7.” and on line 28, change “Section 10.” to “Section 7.” and also on line 28, after the word “regulations” and before the word “and” insert a comma “,” and on line 30, after the word “boards” and before the word “and” insert a comma “,”

Read.

On motion of Delegate Tate Amendment No. 9 was adopted.

AMENDMENT No. 10—
On page 2, delete lines 32 through 35, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 8. Preservation of Linguistic and Cultural Origins
Section 8. The right of the people to preserve, foster, and promote their respective historic linguistic and cultural origins is recognized.”

Read.

On motion of Delegate Tate Amendment No. 10 was adopted.

COMMITTEE PROPOSAL No. 26—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegate Alario, Brown, Chehardy, Edwards, Goldman, Mau- berret, Mire, Nunez, Planchar, Slay and Winchester: A PROPOSAL
Making provisions for property taxation.

Read.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 15 through 23, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 1. Ad Valorem Taxes
Section 1. (A) Assessments. Property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation, which, except as provided in Paragraph (C), shall be a percentage of its fair market value. The percentage of fair market value shall be uniform throughout the state upon the same class of property.”

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—
On page 1, delete lines 24 through 31, both inclusive, in their entirety and insert in lieu thereof the following:
“(B) Classification. The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each classification for the purpose of determining assessed valuation are as follows:
Classifications
Percentages
1. Land
10%
2. Improvements for residential purposes
10%
3. Other property
15%

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—
On page 1, between lines 31 and 32, insert the following:
“(C) Use Value. Bona fide agricultural, horticultural, marsh, and timber lands, as defined by general law, shall be assessed for tax purposes at ten percent of use value rather than fair market value. The legislature may provide similarly for buildings of historic architectural importance.”

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 4—
On page 2, delete lines 9 through 13, both inclusive, in their entirety.

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—
On page 1, delete lines 32 through 35, both inclusive, in their entirety and on page 2, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:
“(D) Valuation. Each assessor shall determine the fair market value of all property subject to taxation within his respective parish or district except public service properties, which shall be valued at fair market value by the Louisiana Tax Commission or its successor. Fair market value and the value of property shall be determined in accordance with criteria which shall be established by law and which shall apply uniformly throughout the state.”

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 6—
On page 2, delete lines 5 through 8, both inclusive, in their entirety and insert in lieu thereof the following:
“(E) Review. The correctness of assessments by the assessor shall be subject to review first by the parish gov-
ERING AUTHORITY, THEN BY THE LOUISIANA TAX COMMISSION OR ITS SUCCESSOR, AND FINALLY BY THE COURTS, ALL IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY LAW."

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.

AMENDMENT No. 7—
On page 2, between lines 13 and 14, insert the following:

"(F) Reappraisal. All property subject to taxation shall be reappraised and valued in accordance with this Section, at intervals of not more than four years."

Read.

On motion of Delegate Tate Amendment No. 7 was adopted.

AMENDMENT No. 8—
On page 3, delete lines 11 through 13, both inclusive, in their entirety.

Read.

On motion of Delegate Tate Amendment No. 8 was adopted.

AMENDMENT No. 9—
On page 2, between lines 13 and 14 and after Committee Amendment No. 7 proposed by the Committee on Style and Drafting and adopted this date by the convention, insert the following:

"Section 2. State Property Taxation; Rate Limitation
Section 2. State taxation on property for all purposes shall not exceed an annual rate of five and three-quarter mills on the dollar of assessed valuation."

AMENDMENT No. 10—
On page 3, delete lines 22 through 25, both inclusive, in their entirety.

Read.

On motion of Delegate Tate Amendments Nos. 9 and 10 were adopted.

AMENDMENT No. 11—
On page 2, delete lines 14 through 35, both inclusive, in their entirety and on page 3, delete lines 1 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Homestead Exemption
Section 3. (A) Homeowners.
(1) The bona fide homestead, consisting of a tract of land or two or more tracts of land with a residence on one tract and a field, pasture, or garden on the other tract or tracts, not exceeding one hundred sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by any person, shall be exempt from state, parish, and special ad valorem taxes to the extent of three thousand dollars of the assessed valuation.
(2) By law enacted by two-thirds of the elected members of each house, the legislature may increase this homestead exemption to an amount which shall not exceed five thousand dollars of the assessed valuation.
(3) The homestead exemption of veterans of the armed forces of the United States, honorably discharged or separated from such services or other persons who served in said armed forces, as defined by general law, and of persons sixty-five years of age or older shall be five thousand dollars of the assessed valuation.
(4) The homestead exemption shall extend to the surviving spouse or minor children of a deceased owner and shall apply when the homestead is occupied as such and title to it is in either husband or wife but not to more than one homestead owned by the husband or wife.
(5) This exemption shall not extend to municipal taxes. However, the exemption shall apply (a) in Orleans Parish, to state, general city, school, levee, and levee district taxes and (b) to property taxes levied for school purposes.
(B) Residential Leesees. Notwithstanding any contrary provision in this constitution, the legislature may provide for tax relief to residential leesees in the form of credits or rebates in order to provide equitable tax relief similar to that granted to homeowners through homestead exemptions."

Read.

On motion of Delegate Tate Amendment No. 11 was adopted.

AMENDMENT No. 12—
On page 3, delete lines 26 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. Other Property Exemptions
Section 4. In addition to the homestead exemption provided for in Section 3 of this Article, the following property and no other shall be exempt from ad valorem taxation:
(A) Public lands; other public property used for public purposes."

Read.

On motion of Delegate Tate Amendment No. 12 was adopted.

AMENDMENT No. 13—
On page 3, delete lines 32 through 35, both inclusive, in their entirety and on page 4 delete lines 1 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) (1) Property owned by a nonprofit corporation or association organized and operated exclusively for religious, dedicated places of burial, charitable, health, welfare, fraternal, or educational purposes, not part of the net earnings of which inuring to the benefit of any private shareholder or member thereof and which is declared to be exempt from federal or state income tax;
(2) property of a bona fide labor organization representing its members or affiliates in collective bargaining efforts; and
(3) property of an organization such as a lodge or club organized for charitable and fraternal purposes and practicing the same, and property of a nonprofit corporation devoted to promoting trade, travel, and commerce, and also property of a trade, business, industry or professional society or association, if that property is owned by a nonprofit corporation or association organized under the laws of this state for such purposes.
None of the property listed in Paragraph (B) shall be exempt if owned, operated, leased, or used for commercial purposes unrelated to the exempt purposes of the corporation or association."

Read.

On motion of Delegate Tate Amendment No. 13 was adopted.

AMENDMENT No. 14—
On page 4, delete lines 15 through 35, both inclusive, in their entirety and on page 5 delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) (1) Cash on hand or deposit;
(2) stocks and bonds, except bank stocks, the tax on which shall be paid by the banking institution;
(3) obligations secured by mortgage on property located in Louisiana and the notes or other evidence thereof;
(4) loans by life insurance companies to policyholders, if secured solely by their policies;
(5) the legal reserve of domestic life insurance companies;
(6) loans by a homestead or building and loan association to its members, if secured solely by stock of the association;
(7) debts due for merchandise or other articles of commercial or service value;
(8) obligations of the state or its political subdivisions;
(9) personal property used in the home or on loan in a public place;
(10) agricultural products while owned by the producer, agricultural machinery and other implements used exclusively for agricultural purposes, animals on the farm, and property belonging to an agricultural fair association;
(11) property used for cultural, Mardi Gras carnival, or civic festivals and not operated for profit to the owners;
(12) rights-of-way granted to the State Department of Highways;
(13) boats using gasoline as motor fuel;
AMENDMENT No. 18—

On page 5, delete lines 12 through 22, both inclusive, in their entirety and insert in lieu thereof the following: "(F) Notwithstanding any contrary provision of this Section, the legislature by law may authorize the State Board of Commerce and Industry or its successor, under such terms and conditions and with such approval as the legislature specifies, to provide for the exemption from property taxation of a new manufacturing establishment or an addition to a manufacturing establishment existing in the State. No exemption granted under the authority of laws enacted under this Paragraph shall extend for a longer initial period than five calendar years, or be renewable for a period exceeding five additional calendar years." Read.

On motion of Delegate Tate Amendment No. 18 was adopted.

AMENDMENT No. 19—

On page 6, delete line 25 in its entirety. Read.

On motion of Delegate Tate Amendment No. 19 was adopted.

AMENDMENT No. 20—

On page 6, delete lines 26 through 32, both inclusive, in their entirety and insert in lieu thereof the following: "Section 5. No Impairment of Existing Taxes or Obligations.

Section 5. This Article shall not be applied in a manner which will (a) invalidate taxes authorized and imposed on the effective date of this constitution or (b) impair the obligations, validity, or security of any bonds or other debt obligations authorized prior to the effective date of this constitution." Read.

On motion of Delegate Tate Amendment No. 20 was adopted.

AMENDMENT No. 21—

On page 6, delete lines 33 through 35, both inclusive, in their entirety and on page 7, delete lines 1 through 35, both inclusive in their entirety, and insert in lieu thereof the following: "Section 6. Adjustment of Ad Valorem Tax Millages.

Section 6. Prior to the end of the third year after the effective date of this constitution, the assessors and the Commission on Tax Authority shall complete the determination of the fair market value or the use value of all property subject to taxation within each parish for use in implementing this Article. Except as provided in this Paragraph, the total amount of ad valorem taxes collected by any taxing authority in the year in which Sections 1 and 3 of this Article are implemented shall not be increased or decreased, because of their provisions, above or below ad valorem taxes collected by that taxing authority in the year preceding implementation. To accomplish this result, it shall be mandatory for each affected taxing authority, in the year in which Sections 1 and 3 of this Article are implemented, to adjust millages upwards or downwards without regard to millage limits contained in this constitution, and the maximum authorized millages shall be increased or decreased, without further voter approval, in proportion to the amount of the adjustment upward or downward. Thereafter, such millages shall remain in effect unless changed as permitted by this constitution. Nothing herein shall prohibit a taxing authority from collecting, in the year in which Sections 1 and 3 of this Article are implemented, or in any subsequent year, a larger dollar amount of ad valorem taxes by (a) levying additional or increased millages as provided by law; (b) placing additional property on the tax rolls; or (c) increases in the fair market or use value of property after the first determination of that value to implement this Article. This Section shall not apply to millages required to be levied for the payment of general obligation bonds." Read.

On motion of Delegate Tate Amendment No. 21 was adopted.
AMENDMENT No. 22—
On page 8, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 7. Revenue Sharing Fund. The Revenue Sharing Fund is created as a special fund in the state treasury."

Read.

On motion of Delegate Tate Amendment No. 22 was adopted.

AMENDMENT No. 23—
On page 8, delete lines 5 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Annual Allocation. The sum of ninety million dollars is allocated annually from the state general fund to the revenue sharing fund. The legislature may appropriate additional sums to the fund."

Read.

On motion of Delegate Tate Amendment No. 23 was adopted.

AMENDMENT No. 24—
On page 8, delete lines 9 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Distribution Formula. The revenue sharing fund shall be distributed annually and partly by law solely on the basis of population and number of homesteads in each parish in proportion to population and the number of homesteads throughout the state. Unless otherwise provided by law, population statistics of the last federal decennial census shall be utilized for this purpose. After deductions in each parish for retirement systems and commissions as authorized by law, the remaining funds, to the extent available, shall be distributed by first priority to the tax recipient bodies within the parish, as defined by law, to offset current losses because of homestead exemptions granted in this Article. Any balance remaining in a parish distribution shall be allocated to the municipalities and tax recipient bodies within each parish as provided by law."

Read.

On motion of Delegate Tate Amendment No. 24 was adopted.

AMENDMENT No. 25—
On page 8, delete lines 15 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Distributing Officers. The funds distributed to each parish as provided in Paragraph (C) shall be distributed in Orleans Parish by the city treasurer of New Orleans and in all other parishes by the parish tax collector. The funds allocated to the Monroe City School Board or its successor shall be distributed to and by the city treasurer of Monroe."

Read.

On motion of Delegate Tate Amendment No. 25 was adopted.

AMENDMENT No. 26—
On page 8, delete lines 30 through 35, both inclusive, in their entirety and on page 9, delete lines 1 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Bonded Debt. A political subdivision, as defined by Article 2, of this constitution, may incur debt by issuing negotiable bonds and may pledge for the payment of all or part of the principal and interest of such bonds the proceeds derived or to be derived from that portion of the funds received by it from the revenue sharing fund, to offset current losses caused by homestead exemptions granted by this Article. Unless otherwise provided by law, no moneys allocated within any parish from the balance remaining in its distribution may be pledged to the payment of the principal or interest of any bonds. Bonds issued under the Paragraph shall be issued and sold as provided by law, and shall require approval of the State Bond Commission or its successor prior to issuance and sale."

Read.

On motion of Delegate Tate Amendment No. 26 was adopted.

AMENDMENT No. 27—
On page 9, delete lines 10 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 8. Tax Assessors.

Section 8. (A) Election; Term. A tax assessor shall be elected by the electors of each parish, Orleans Parish excepted. His term of office shall be four years. His election, duties, and compensation shall be as provided by law."

Read.

On motion of Delegate Tate Amendment No. 27 was adopted.

AMENDMENT No. 28—
On page 9, delete lines 16 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Orleans Parish. There shall be seven assessors in New Orleans who shall compose the Board of Assessors for Orleans Parish. One shall be elected from each municipal district of New Orleans, and each shall be a resident of the district from which he is elected. The assessors shall be elected at the same time as the municipal officers of New Orleans, for terms of four years each. Their duties and compensation shall be as provided by law."

Read.

On motion of Delegate Tate Amendment No. 28 was adopted.

AMENDMENT No. 29—
On page 9, delete lines 24 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. Vacancy. When a vacancy occurs in the office of tax assessor, the duties of the office, until filled by election as provided by law, shall be assumed by the chief deputy assessor, except in Orleans Parish where the Board of Assessors shall appoint an interim assessor."

Read.

On motion of Delegate Tate Amendment No. 29 was adopted.

AMENDMENT No. 30—
On page 9, delete lines 30 through 35, both inclusive, in their entirety, and on page 10, delete lines 1 through 35, both inclusive, in their entirety, and on page 11, delete lines 1 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. Tax Sales. There shall be no forfeiture of property for nonpayment of taxes. However, at the expiration of the year in which the taxes are due, the collector, without suit, and after giving notice to the delinquent in the manner provided by law, shall advertise for sale the property on which the taxes are due. The advertisement shall be published in the official journal of the parish or municipality, or, if there is no official journal, as provided by law for sheriff's sales, in the manner provided for judicial sales. On the day of sale, the collector shall sell the portion of the property which the debtor points out. If the debtor does not point out sufficient property, the collector shall sell immediately the least quantity of property which any bidder will buy for the amount of the taxes, interest, and costs. The sale shall be without appraisement. A tax deed by a tax collector shall be prima facie evidence that a valid sale was made.

(C) Annulment. No sale of property for taxes shall be set aside for any cause, except on proof of payment of the taxes prior to the date of the sale, unless the proceedings to annul is instituted within six months after service of notice of sale. A notice of sale shall not be served until the final day for redemption has ended. It must be served within
five years after the date of the recordation of the tax deed if no notice is given. The fact that taxes were paid on a part of the property sold prior to the sale thereof, or that a part of the property was not subject to taxation, shall not be cause for annulling the sale of any part thereof on which the taxes for which it was sold were due and unpaid. No judgment annulling a tax sale shall have effect until the price and all taxes and costs are paid, and within ten percent per annum interest on the amount of the price and taxes paid from date of respective payments are paid to the purchaser; however, this shall not apply to sales annulled because the taxes were paid prior to the date of sale.

(D) Quieting Tax Title. The manner of notice and form of proceeding to quiet tax titles shall be provided by law.

(E) Movables; Tax Sales. When taxes on movables are delinquent, the tax collector shall seize and sell sufficient movables of the delinquent taxpayer to pay the tax, whether or not the property seized is the property which was assessed. Sale of the property shall be at public auction, without appraisement, after ten days advertisement, published within ten days after date of seizure. It shall be absolute and without redemption.

If the tax collector can find no corporeal movables of the delinquent to seize, he may levy on incorporeal rights, by notifying the debtor thereof, or he may proceed by summary process in the courts to compel the delinquent to deliver for sale property in his possession or under his control.

(F) Postponement of Taxes. The legislature may postpone the payment of taxes, but only in cases of overflow, general conflagration, general crop destruction, or other public calamity, and may provide for the levying, assessing, and collecting of such postponed taxes. In such case, the legislature may authorize the borrowing of money by the state on its faith and credit, by bond issue or otherwise, and may levy taxes, or apply taxes already levied and not appropriated, to secure payment thereof, in order to create a fund from which loans may be made through the Interim Emergency Board to the governing authority of the parish where the calamity occurs. The money loaned shall be applied to and shall not exceed the deficiency in revenue of the parish or a political subdivision therein or of which the parish is a part, caused by postponement of taxes. No loan shall be made to a parish governing authority without the approval of the Interim Emergency Board.

Read.

On motion of Delegate Tate Amendment No. 30 was adopted.

AMENDMENT No. 31—

On page 9, line 30, after Committee Amendment No. 30 proposed by the Committee on Style and Drafting and adopted this date, insert the following:

"Section 10, Effective Date
Section 10. Section 1 and Section 3 of this Article shall become effective January 1 of the year following the end of three years after the effective date of this constitution. Until that date, the provisions of the Constitution of 1921 governing matters covered by those Sections shall continue to apply, notwithstanding any contrary expiration date stated in any provision thereof concerning the veterans' homestead exemption."

Read.

Delegate Tate moved the adoption of Amendment No. 31.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Arnette</th>
<th>Badeaux</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aëtiker</td>
<td>Assef</td>
<td>Bel</td>
</tr>
<tr>
<td>Alexander</td>
<td>Avant</td>
<td>Bergeron</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Hardee</th>
<th>Pugh</th>
</tr>
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<tbody>
<tr>
<td>Burson</td>
<td>Hayes</td>
<td>Riecke</td>
</tr>
<tr>
<td>Cannon</td>
<td>Heine</td>
<td>Roeber</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Hernandez</td>
<td>Roy</td>
</tr>
<tr>
<td>Casey</td>
<td>Jackson</td>
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<tr>
<td>Champagne</td>
<td>Jackson</td>
<td>Segura</td>
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<td>Chatelain</td>
<td>Jenkins</td>
<td>Shannon</td>
</tr>
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<td>Chehardy</td>
<td>Conine</td>
<td>Singletary</td>
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<td>Conroy</td>
<td>Conroy</td>
<td>Stagge</td>
</tr>
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<td>Cowne</td>
<td>De Geralamo</td>
<td>Sutherland</td>
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<tr>
<td>De Blieux</td>
<td>Denney</td>
<td>Stinson</td>
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<tr>
<td>Derbes</td>
<td>Deshotes</td>
<td>Tate</td>
</tr>
<tr>
<td>Drew</td>
<td>Duval</td>
<td>Thistlethwaite</td>
</tr>
<tr>
<td>Edwards</td>
<td>Edwards</td>
<td>Tobias</td>
</tr>
<tr>
<td>Elkins</td>
<td>Flory</td>
<td>Tooma</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Fulco</td>
<td>Ullo</td>
</tr>
<tr>
<td>Glarrusso</td>
<td>Goldman</td>
<td>Velazquez</td>
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<tr>
<td>Gravel</td>
<td>Grier</td>
<td>Warren</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total—97</td>
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</tr>
</tbody>
</table>

NAYS

Delegates—

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Graham</th>
<th>Not Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Guarisco</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Kilbourne</td>
<td>Reeves</td>
</tr>
<tr>
<td>Blair</td>
<td>Lambert</td>
<td>Schmitt</td>
</tr>
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<td>Brown</td>
<td>LeBleu</td>
<td>Stephenson</td>
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<tr>
<td>Burns</td>
<td>Leigh</td>
<td>Stovall</td>
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<tr>
<td>Dennis</td>
<td>Jones</td>
<td>Tapper</td>
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<td>Dunlap</td>
<td>Love</td>
<td>Thompson</td>
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<td>Fayard</td>
<td>Manson</td>
<td>Veitch</td>
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<tr>
<td>Fowler</td>
<td>Oursou</td>
<td>Vick</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Perez</td>
<td>Wall</td>
</tr>
<tr>
<td>Glin</td>
<td>Rachal</td>
<td>Woman</td>
</tr>
</tbody>
</table>

Total—35.

And the amendment was adopted.

Delegate Tate moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

AMENDMENT No. 32—

On page 3, delete lines 14 through 21, both inclusive, in their entirety

Read.

On motion of Delegate Tate Amendment No. 32 was adopted.

Motion

On motion of Delegate Tate the rules were suspended in order to take from the table the motion to reconsider the vote by which Committee Proposal No. 26, Section 1, was passed for the limited purpose of offering an amendment proposed by Delegate Avant.

Reconsideration

On motion of Delegate Tate the vote by which Committee Proposal No. 26, Section 1, was passed was reconsidered.

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegate Alario, Brown, Chehardy, Edwards, Goldman, Mauberret, Mire, Nunez, Pianchard, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.
Section 1. Assessment of Property; Classification; Assessors; Right of Taxpayer; Exemptions from Ad Valorem Property Taxation

Section 1. (A) All property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation which shall be a percentage of its fair market value; such percentage of fair market value shall be uniform throughout the state upon the same class of property.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend First enrolled proposal as follows:

AMENDMENT No. 1—

On page 1, between lines 31 and 32, in Committee Amendment No. 3 proposed by the Committee on Style and Drafting and adopted by the convention on January 12, 1974, on line 4, in the text of Amendment No. 3, after the word "provide" and before the word "similarly" insert the words "by law"

On motion of Delegate Avant the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 26, Section 1 was read, as amended.

Delegate Tate moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham—Flory

Aertker—Fontenot

Alexander—Furko

Arnette—Grussos

Asseff—Goldman

Avant—Gravel

Badeau—Grier

Bel—Hardee

Bergeron—Hayes

Bollinger—Hynes

Brien—Heime

Burns—Hernandez

Burson—Jack

Cannon—Jackson, A.

Carmouche—Jackson, J.

Casey—Juneau

Champagne—Keen

Chatelain—Kelly

Chehardy—Kilpatrick

Comar—Landry, E. J.

Conroy—Lanier

Corne—LeBleu

De Bileux—Leigh

D’Gerolamo—Leithman

Cowen—McDaniel

Dennery—Martin

Drew—Mauberret

Duval—Maybuex

Edwards—Miller

Elkins—Total—91.

Total—0.

NAYS

Delegates—

Mr. Chairman—Guirasso

Alario—Jenkins

Anzalone—Jones

Blair—Kilbourne

Brown—Lambert

Dennis—Landry, A.

Derbes—Lowe

Deshots—Munson

Dunlap—Oursou

Perez—Perry

Fowler—Perkins

Gauthier—Rachal

Ginn—Rayburn

Graham—Reeves

Total—41.

And the Chair declared that the above Section was finally passed.

Delegate Tate moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

AMENDMENT No. 33—

On page 1, line 32, in Committee Amendment No. 5 proposed by the Committee on Style and Drafting and adopted by the convention this date, in line 5 of the text of the amendment, after the word and punctuation "successor," and before the word "Fair" insert the following:

"Each assessor shall determine the use value of property which is to be so assessed under the provisions of Paragraph (C)."

Read.

On motion of Delegate Tate Amendment No. 33 was adopted.

AMENDMENT No. 34—

On page 4, line 15, in Committee Amendment No. 14 proposed by the Committee on Style and Drafting and adopted by the convention this date, between lines 19 and 20 of the text of the amendment insert the following:

"(10) irrevocably dedicated places of burial held by individuals for purposes of burial of themselves or members of their families;"

and on line 20, change (10) to (11) and on line 24, change (11) to (12) and on line 27, change (12) to (13) and on line 29, change (13) to (14) and on line 30, change (14) to (15) and on line 22, change (15) to (16)

Read.

On motion of Delegate Tate Amendment No. 34 was adopted.

Motion

Delegate Jenkins moved for a suspension of the rules in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 26, Section 4, was passed, for the limited purpose of offering an amendment proposed by Delegate Jenkins.

Delegate Schmitt objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham—Casey

Aertker—Chatelain

Alexander—Chehardy

Arnette—Conino

Asseff—Corne

Brien—Coven

Bergeron—D’Gerolamo

Burson—Dennery

Cannon—Fayard

Carmouche—Fontenot

Edwards—Keen

Elkins—Vezin

Total—91.

Total—0.
### Motion

On motion of Delegate Pugh the rules were suspended in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 15, Section 7, was passed, for the limited purpose of offering an amendment proposed by Delegate Pugh, et al.

### Reconsideration

On motion of Delegate Pugh the vote by which Committee Proposal No. 15, Section 7, was passed, was reconsidered.

#### COMMITTEE PROPOSAL No. 15—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, De neurons, Edwards, Fontenot, Lowe, McDaniel, Maubert, Mire, Newton, Nunex, Planchard, Roemer, Schmitt, Slay, Smith, Triche and Winchester; A PROPOSAL

Relative to the tax structure of the state and to public finance.

Read.

### Section 7. State Debt: Full Faith and Credit Obligations

Section 7. (A) Unless otherwise authorized by this constitution, the state shall have no power, directly or indirectly, or through any state board, agency, commission or otherwise, to incur debt or to issue bonds except upon the affirmative vote of two-thirds of the members elected to each house of the legislature, and then only if the funds are to be used to repel invasion; suppress insurrection; provide relief from natural catastrophes; refund outstanding indebtedness at the same or at a lower effective rate of interest; or make capital improvements, but only in accordance with a comprehensive capital budget, which the legislature shall adopt. Legislative approval may be obtained only during open session except as otherwise provided in this constitution.

Read

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

#### FLOOR AMENDMENT

Amendment proposed by Delegates Henry, Pugh, Conroy, Graham, A. Jackson, Gravel, Keen and Jones to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend First Enrolled Proposal as follows:

#### AMENDMENT No. 1—

On page 4, at the end of line 2, add the following:

"However, any state board, agency, or commission heretofore or hereafter authorized by law to issue bonds may, in the manner so authorized, and with the approval of the State Bond Commission or its successor, issue bonds which are payable from fees, rates, rentals, tolls, charges, grants or other receipts or income derived by or in connection with an undertaking, facility or facilities, project or projects or any combination thereof without a pledge of the full faith and credit of the state. Such type bonds may but are not required to be issued in accordance with the provisions of Section 7(A) and (B) hereof and if issued without a pledge of the full faith and credit of the state the issuance of the bonds shall not constitute the incurring of state debt under this constitution."

On motion of Delegate Pugh the amendment was withdrawn.

### Passage

Committee Proposal No. 15, Section 7 was read.

Delegate Gravel moved the final passage of the Section.

### ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
</tr>
<tr>
<td>Aertker</td>
</tr>
<tr>
<td>Alario</td>
</tr>
<tr>
<td>Avant</td>
</tr>
<tr>
<td>Bel</td>
</tr>
</tbody>
</table>

1220
PAGE 9
116th Days Proceedings—January 12, 1974

Bergeron
Blair
Brien
Burns
Burson
Cannon
Carmouche
Cassy
Champlagne
Chatelain
Chehardt
Comar
Conino
Corray
Corne
Cowan
D'Gerolamo
De Bieulex
Denner
Dennis
Derbes
Deshotels
Drew
Edwards
Elkins
Fayard
Flory
Fontenot
Fulco
Gauthier
Giarrusso
Goldman
Gravel

Total—108.

NAYS

Total—0.

NOT VOTING

Delegates—
Mr. Chairman
Anzalone
Bollinger
Brown
Dunlap
Duval
Elkins
Fowler
Ginn

Total—24.

And the Chair declared that the above Section was finally passed.

Delegate Gravel moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Passage

The Proposal was read, as amended.

Delegate Gravel moved the final passage of the Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Alario
Alexander
Arnette
Assess
Avant
Badeaux
Bel
Bergeron
Blair
Brien
Burns
Burson
Cannon

Deshotels
Drew
Edwards
Fayard
Flory
Fontenot
Fulco
Gauthier
Giarrusso
Goldman
Gravel
Grier
Hardee
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Jones
Juneau
Kean
Kelly
Kean
Kean
Kilpatrick
Landrum
Landry, A.
Landry, E. J.

Total—99.

NAYS

Total—0.

NOT VOTING

Delegates—
Mr. Chairman
Anzalone
Bollinger
Brown
Dunlap
Duval
Elkins
Fowler
Ginn

Total—33.

And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

Motion

On motion of Delegate Gravel, the Convention altered the Order of Business to take up other Orders of Business at this time.

Delegate Denner, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 12, 1974, Baton Rouge La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled.

COMMITTEE PROPOSAL No. 35—

Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 1, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Hay, Soniat, Stinson, Vick and Wall):

A PROPOSAL

Providing for general governmental provisions.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE II. DISTRIBUTION OF POWERS

Section 1. Three Branches

Section 2. The powers of government of the State of Louisiana are divided into three distinct branches—legislative, executive, and judicial.

Section 3. Limitations of Each Branch

Section 4. No one of these branches, nor any person holding office in one of them, shall exercise power belonging to either of the others, except as otherwise provided in this constitution.

ARTICLE XII. GENERAL PROVISIONS

Section 3. Civilian-Military Relations

Section 4. The military shall be subordinate to the civil power.
Section 3. Oath of Office
Section 3. Every official shall take the following oath or affirmation: "I, __________, do solemnly swear (or affirm) that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as __________, according to the best of my ability and understanding, so help me God."

Section 4. State Capital
Section 4. The capital of Louisiana is the city of Baton Rouge.

Section 5. Forced Heirship and Trusts
Section 5. No law shall abolish forced heirship. The determination of forced heirs, the amount of the forced portion, and the grounds for disinheritance shall be provided by law. Trusts may be authorized by law and a forced portion may be placed in trust.

Section 6. State Capital
Section 6. The capital of Louisiana is the city of Baton Rouge.

Section 7. Forced Heirship and Trusts
Section 7. No law shall abolish forced heirship. The determination of forced heirs, the amount of the forced portion, and the grounds for disinheritance shall be provided by law. Trusts may be authorized by law and a forced portion may be placed in trust.

Section 8. Preservation of Linguistic and Cultural Origin
Section 8. The right of the people to preserve, foster, and promote their respective historic linguistic and cultural origin is recognized.

Respectfully submitted,

MOISE W. DENNERY
Secretary

Under the Rules, referred to the Committee on Style and Drafting.

Delegate Dennerly, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 12, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled in final form:

COMMITTEE PROPOSAL No. 21—
Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary, and Delegates Avant, Bell, Bergeron, Burns, Deshotels, Dew, Gauthier, Kelly, Kilbourne, Landry, Martin, Oruso, Sandor, Tarte, and Vesich (A Substitute for Committee Proposal No. 6):

A PROPOSAL
Making provisions for the judiciary branch of government and necessary provisions with respect thereto.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE V. JUDICIAL BRANCH

Section 1. The judicial power is vested in a supreme court, courts of appeal, district courts, and other courts authorized by this Article.

Section 2. Habeas Corpus, Needful Writs, Orders and Process; Contempt
Section 2. A judge may issue writs of habeas corpus and all other needful writs, orders, and process in aid of the jurisdiction of his court. Exercise of this authority by a judge of the supreme court or of a court of appeal is subject to review by the whole court. The power to punish for contempt of court shall be limited by law.

Section 3. Supreme Court; Composition; Judgments; Terms
Section 3. The supreme court shall be composed of a chief justice and six associate justices, four of whom must concur to render judgment. The term of a supreme court judge shall be ten years.

Section 4. Supreme Court; Districts
Section 4. The state shall be divided into at least six supreme court districts, and at least one judge shall be elected from each. The districts and the number of judges assigned to each on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

ARTICLE XII. GENERAL PROVISIONS

116th Days Proceedings—January 12, 1974

Section 4. Right to Direct Participation
Section 4. No person shall be denied the right to observe the deliberations of public bodies and examine public documents, except in cases established by law.

Section 5. Oath of Office
Section 5. All officers shall take the following oath or affirmation: "I, (A B), do solemnly swear (or affirm) that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as __________, according to the best of my ability and understanding, so help me God."

Section 6. State Capital
Section 6. The capital of Louisiana is the city of Baton Rouge.

Section 7. Forced Heirship and Trusts
Section 7. No law shall abolish forced heirship. The determination of forced heirs, the amount of the forced portion, and the grounds for disinheritance shall be provided by law. Trusts may be authorized by law and a forced portion may be placed in trust.

Section 8. Preservation of Linguistic and Cultural Origin
Section 8. The right of the people to preserve, foster, and promote their respective historic linguistic and cultural origin is recognized.

Respectfully submitted,

MOISE W. DENNERY
Secretary

The Proposal contained in the report was signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Dennerly, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 12, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly re-enrolled in final form:

COMMITTEE PROPOSAL No. 35—
Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 1, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Roy, Soniat, Stinson, Vick and Wal):
Section 5. Supreme Court; Jurisdiction; Rule-Making
Power; Assignment of Judges

Section 5. (A) Supervisory Jurisdiction: Rule-Making
Power; Assignment of Judges. The supreme court has general supervisory authority over all lower courts. It may establish procedural and administrative rules not in conflict with law and may assign a sitting or retired judge to any court.

(B) Original Jurisdiction. The supreme court has exclusive original jurisdiction of disciplinary proceedings against a member of the bar.

(C) Scope of Review. Except as otherwise provided by this constitution, the jurisdiction of the supreme court in civil cases extends to both law and fact. In criminal matters, its appellate jurisdiction extends only to questions of law.

(D) Appellate Jurisdiction. In addition to other powers provided by this constitution, a case shall be appealable to the supreme court if (1) a law or ordinance has been declared unconstitutional; (2) the defendant has been convicted of a felony or a fine exceeding five hundred dollars or imprisonment exceeding six months actually has been imposed.

(E) Other Criminal Cases; Review. In all criminal cases not provided in Paragraph (D) of this Section, a defendant has a right of appeal or review, as provided by law.

(F) Civil Cases; Except as provided in the provisions in Paragraph (C), the supreme court has appellate jurisdiction over all issues involved in a civil action properly before it.

Section 6. Supreme Court; Chief Justice

Section 6. The judge oldest in point of service on the supreme court shall be chief justice. He is the chief administrative officer of the judicial system of the state, subject to rules adopted by the court.

Section 7. Supreme Court; Personnel

Section 7. The supreme court may select a judicial administrator, its clerks, and other personnel and prescribe their duties.

Section 8. Courts of Appeal; Circuits; Panels; Judgments; Terms

Section 8. (A) Circuits; Panels. The state shall be divided into at least four circuits, with one court of appeal in each. Each court shall sit in panels of at least three judges selected according to rules adopted by the court.

(B) Judgments. A majority of the judges sitting in a case must concur to render judgment. However, when a judgment of a district court is to be modified or reversed and one judge dissents, the case shall be reargued before a panel of at least five judges prior to rendition of judgment, and a three-judge majority must concur to render judgment.

(C) Terms. The term of a court or panel of judges shall be ten years.

Section 9. Courts of Appeal; Circuits and Districts

Section 9. Each circuit shall be divided into at least three districts, and at least one judge shall be elected from each district. The circuits and districts and the number of judges as elected in each circuit on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

Section 10. Courts of Appeal; Jurisdiction

Section 10. (A) Jurisdiction. Except in cases appealable to the supreme court and except as otherwise provided by this constitution, the court of appeal has appellate jurisdiction of all (1) civil matters decided within its circuit and (2) matters appealed from family and juvenile courts, except criminal prosecutions of persons other than juveniles. It has supervisory jurisdiction over cases in which an appeal would lie to it.

(B) Scope of Review. Except as limited to questions of law by this constitution, or as provided by law, the review of administrative agency determinations, appellate jurisdiction of a court of appeal, and other services shall be exercised at the discretion and convenience of the court.

Section 11. Courts of Appeal; Certification

Section 11. A court of appeal may certify any question of law before it to the supreme court, and the supreme court then may give its binding instruction or decide the case upon the whole record.

Section 12. Courts of Appeal; Chief Judge

Section 12. The judge oldest in point of service on each court of appeal shall be chief judge of that court and shall administer the court subject to rules adopted by it.

Section 13. Courts of Appeal; Personnel

Section 13. Each court of appeal may select its clerk and other personnel and prescribe their duties.

Section 14. District Courts; Judicial Districts

Section 14. The state shall be divided into judicial districts, each composed of at least one parish and served by at least one district judge.

Section 15. Courts; Retention; Jurisdiction; Judicial District Changes; Terms

Section 15. (A) Court Retention; Trial Courts of Limited Jurisdiction. The district, family, juvenile, parish, city, and other courts of limited jurisdiction having the powers and duties of such courts at the effective date of this constitution are retained. Subject to the limitations in Sections 16 and 20 of this Article, the legislature may abolish or merge trial courts of limited or specialized jurisdiction. The legislature may establish trial courts of limited jurisdiction with exclusive original jurisdiction and subject matter jurisdiction which shall be uniform throughout the state. The office of city marshal is continued until the city court serves is abolished.

(B) Judicial Districts. The judicial districts existing on the effective date of this constitution are retained. Subject to the limitations in Section 20 of this Article, the legislature may establish, divide, or merge judicial districts with approval in a referendum in each district and parish affected.

Section 16. The term of a district, parish, or city court judge shall be six years.

(D) Number of Judges. The legislature may change the number of judges in any judicial district by law enacted by two-thirds of the elected members of each house.

Section 16. (A) Original Jurisdiction. Except as otherwise authorized by this constitution, a district court shall have original jurisdiction of all civil and criminal matters. It shall have exclusive original jurisdiction of felony cases and of cases involving title to immovable property; the right to office or public position; civil or political rights; probate and succession matters; the state, a public corporation, or political subdivisions, or a succession, as a defendant; and the appointment of receivers or liquidators for corporations or partnerships.

(B) Appellate Jurisdiction. A district court shall have appellate jurisdiction as provided by law.

Section 17. District Courts; Chief Judge

Section 17. Each district court shall elect from its members a chief judge who shall exercise, for a term designated by the court, the administrative functions prescribed by rule of court.

Section 18. Juvenile Courts; Jurisdiction

Section 18. Notwithstanding any contrary provision of Section 16 of this Article, juvenile and family courts shall have jurisdiction as provided by law.

Section 19. Mayors' Courts; Justice of the Peace Courts

Section 19. Mayors' courts and justice of the peace courts existing on the effective date of this constitution are continued, subject to change by law.

Section 20. Judges; Decrease in Terms and Compensation Prohibited

Section 20. The term of office, retirement benefits, and compensation of a judge shall not be decreased during the term for which he is elected.

Section 21. Judges; Election; Vacancy

Section 21. (A) Election. Except as otherwise provided in this Section, all judges shall be elected. Election shall be at the regular congressional election.

(B) Vacancy. A newly-created judgeship or a vacancy in the office of a judge shall be filled by special election called by the governor and held within six months after the day on which the vacancy occurred. The appointee shall be ineligible as a candidate at the next general election to fill the vacancy or the newly-created judicial office. No person serving as an appointed judge, other than a retired judge, shall be eligible for retirement benefits provided for the retired judiciary.

(C) End of Term. A judge serving on the effective date of this constitution shall serve through December thirty-first of the last year of his term or, if the last year of his term is not in the year of a regular congressional election, then through December thirty-first of the following year. The
election for the next term shall be held in the year in which the term expires, as provided above.

Section 22. Judges; Retirement

Section 22. (A) Retirement System. Within two years after the effective date of this constitution, the legislature shall provide for a retirement system for judges which shall apply to a judge taking office after the effective date of the law enacting the system and in which a judge in office at that time may elect to become a member, with credit for all prior years of judicial service and without contribution therefor. The retirement benefits and judicial service rights of a judge in office or retired on the effective date of this constitution shall not be diminished, nor shall the benefits to which a surviving spouse is entitled be reduced.

(B) Mandatory Retirement. Except as otherwise provided in this Section, a judge shall not remain in office beyond his seventieth birthday.

Section 23. Judges; Qualifications

Section 23. A judge of the supreme court, a court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction shall have been admitted to the practice of law in this state for at least five years prior to his election, and shall have been domiciled in the respective district, circuit, or parish for the two years preceding election. He shall practice law.

Section 24. Judicial Commission

Section 24. (A) Composition. The judiciary commission shall consist of:

(1) one court of appeal judge and two district court judges selected by the supreme court;

(2) two attorneys admitted to the practice of law for at least ten years and one attorney admitted to the practice of law for at least three years but not more than ten years, selected by the Conference Court of Appeal Judges as his successor. They shall not be judges, active or retired, or public officials, other than notaries public; and

(3) three citizens, not lawyers, judges active or retired, or public officials, selected by the Louisiana District Judges' Association or its successor.

(B) Term; Vacancy. A member of the commission shall serve a four-year term and shall be ineligible to succeed himself. His term shall end upon the occurrence of any event which would have made him ineligible for appointment. When a vacancy occurs, a successor shall be appointed for a four-year term by the authority which appointed his predecessor.

(C) Powers. On recommendation of the judiciary commission, the supreme court may censure, suspend with or without salary, disbar, or retire a judge involuntarily a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public conduct pre-judicial to the administration of justice that brings the judicial office into disrepute, conduct while in office which would constitute a felony, or conviction of a felony. On recommendation of the judiciary commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during pendency of proceedings in the supreme court. On recommendation of the judiciary commission, the supreme court may retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is or is likely to become permanent. The supreme court shall make rules implementing this Section and protect against unauthorized disclosure and prejudice of commission proceedings.

(D) Other Disciplinary Action. Action against a judge under this Section shall not preclude disciplinary action against him by the respective boards, -councils, or organizations,酝酿 any other proceeding, or any other proceeding, or any other proceeding, or any other proceeding.

Section 25. Department of Justice; Attorney General; Assistants

Section 25. There shall be a Department of Justice consisting of an attorney general, a first assistant attorney general, and other necessary assistants and staff. The attorney general shall be elected for a term of four years at the state general election. He shall appoint assistants to serve at his pleasure.

Section 26. Attorney General; Powers and Duties

Section 26. The attorney general shall be the chief legal officer of the state. As necessary for the assertion or protection of the rights and interests of the state, the attorney general may:

(1) institute and prosecute or intervene in any civil action or proceeding;

(2) advise and assist, upon request of a district attorney, in the prosecution of a criminal case; and

(3) for cause, when authorized by the court of original jurisdiction in which any proceeding or affidavit is pending relating to judicial review, supervise the attorney representing the state in any civil or criminal action.

He shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 27. District Attorneys

Section 27. (A) Election and Qualifications; Assistants. In each judicial district a district attorney shall be elected for a term of six years. He shall have been admitted to the practice of law in the state for at least five years prior to his election and shall have resided in the district for the two years preceding election. A district attorney may select assistants as authorized by law, and other personnel.

(B) Powers. Except as otherwise provided by this constitution, a district attorney, or his designated assistant, shall have charge of every criminal prosecution by the state in his district, be the representative of the state before the grand jury in his district, and be the legal advisor to the grand jury. He shall perform other duties provided by law.

(C) Prohibition. No district attorney or assistant district attorney shall appear, or in any way assist in defending any criminal prosecution or charge. A violation of this Paragraph shall be cause for removal.

Section 28. Sheriffs

Section 28. In each parish a sheriff shall be elected for a term of four years. He shall be the chief law enforcement officer in the parish, except as otherwise provided by this constitution, and shall execute court orders and process. He shall be the collector of state and parish ad valorem taxes and such other taxes and license fees as provided by law.

This Section shall not apply to Orleans Parish.

Section 29. Clerks of Court

Section 29. (A) Powers and Duties; Deputies. In each parish a clerk of the district court shall be elected for a term of four years. He shall be ex officio notary public and parish clerk of conveyances, mortgages, and other acts and shall have all the duties and powers provided by law. The clerk may appoint deputies with duties and powers provided by law and, with the approval of the district judges, he may appoint deputy clerks with duties and powers provided by law.

(B) Office Hours. The legislature shall establish uniform statewide office hours for clerks of the district courts.

Section 30. Coroners

Section 30. In each parish a coroner shall be elected for a term of four years. He shall be a licensed physician and practice his profession and perform the duties provided by law. The requirement that he be a licensed physician shall be inapplicable in any parish in which no licensed physician will accept the office.

Section 31. Vacancies

Section 31. When a vacancy occurs in the following offices, the duties of the office, until it is filled by election as provided by law, shall be assumed by the persons herein designated: (1) sheriff, by the chief criminal deputy; (2) district attorney, by the first assistant; (3) clerk of a district court, by the chief deputy or coroner, by the chief deputy. If there is no such person to assume the duties when the vacancy occurs, the governing authority or authorities of the parish or parishes concerned shall appoint a qualified person to assume the duties of the office until filled by election.

Section 32. Reduction of Salaries and Benefits Prohibited

Section 32. The salary and retirement benefits of an attorney general, district attorney, sheriff, coroner, or clerk of the district court shall not be diminished during his term of office by any law.

Section 33. Orleans Parish Courts, Official

Section 33. Except for provisions relating to terms of office as provided elsewhere in this Article, and notwithstanding any other contrary provision of this constitution, the following courts and officers in Orleans Parish are continued, subject to the powers, rights and duties vested by law in the district courts; the city, municipal, traffic, and juvenile courts; the clerks of the civil and criminal district courts; the civil and criminal sheriffs; the constables and the clerks of the first and second city courts; the register of conveyances; and the recorder of mortgages.
The Resolutions contained in the report was signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

COMMITTEE NOTICE

Delegate Zervigon, chairman of the Committee on Legislative Liaison and Transitional Measures, sent up the following notice:

The Committee on Legislative Liaison and Transitional Measures will meet on Monday, January 14, 1974, at 8:00 o’clock a.m. in the Treaty Room and will consider the following agenda:

AGENDA

To prepare transitional Measures to be submitted to the Convention.

Respectfully submitted,

MARY ZERVIGON
Chairman of the Committee on Legislative Liaison and Transitional Measures

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Roemer the rules were suspended for the purpose of calling a meeting of the Committee on Revenue, Finance and Taxation without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Edwards, Vice-chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Saturday, January 12, 1974, after adjournment in Assembly Room—White House Inn, 8th Floor and will consider the following agenda:

AGENDA

Consideration of Style and Drafting material CP 15.

Respectfully submitted,

FRANK EDWARDS, JR.
Vice-chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence

Delegate Vesich—1 day.
Delegate Thompson—1 day.
### Adjournment

Delegate Miller moved that the Convention do now adjourn until Monday, January 14, 1974, at 1:00 P.M.

As a substitute, Delegate Abraham moved that the Convention do now adjourn until Monday, January 14, 1974 at 9:30 A.M.

Delegate Miller objected.

The vote occurred on the longest period of adjournment first.

By a vote of 34 yeas and 60 nays the Convention refused to adjourn until Monday, January 14, 1974, at 1:00 P.M.

As a further substitute, Delegate Fulco moved that the Convention do now adjourn until Monday, January 14, 1974, at 10:00 o'clock A.M.

The vote recurred on the substitute.

Delegate Abraham objected.

By a vote of 72 yeas and 18 nays the Convention adjourned until Monday, January 14, 1974, at 10:00 A.M.

And Vice-chairman Casey declared the Convention adjourned to Monday, January 14, 1974, at 10:00 A.M.

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MOISE W. DENNERY  
Secretary

DAVID R. POYNTER  
Chief Clerk

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The Convention was called to order at 10:00 o'clock a.m., by Hon. Thomas Casey, Vice-Chairman of the Convention.

ROLL CALL

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

PRESENT

Delegates—
Mr. Chairman
Abraham
Aetker
Alario
Alexander
Anzalone
Arnette
Aseeff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chataillan
Chehardy
Conho
Conroy
Corne
Cowan
D’Gerolamo
De Bleux
Denner
Dennis
Derbes
Drew
Duval
Edwards
Eikins
Fayard
Flory
Total—120.

ABSENT

Delegates—
Deshotels
Dunlap
Kelly
Kilbourne
Total—12.

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

Prayer

Prayer was offered by Delegate Wisham.

Pledge of Allegiance

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

Reading of the Journal

On motion of Delegate O’Neill, the reading of the Journal was dispensed with.

On motion ofDelegate O’Neill, the Journal of yesterday was adopted.

Morning Hour

Introduction of Resolutions, Delegate and Committee Resolutions

The following delegates and Chairman on behalf of their committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 50—

Introduced by Delegate O’Neill:

A RESOLUTION

To amend the Standing Rules of the Constitutional Convention to add a new Rule 47.1, to provide for the printing of an attestation clause for the proposed draft of the constitution and for the distribution of copies of the proposed draft and to urge and request the governor to take the necessary steps to see that a copy of the Louisiana Constitution of 1974 is exhibited permanently in the state capitol.

BE IT RESOLVED that Rule 47.1 of the Standing Rules of the Constitutional Convention is hereby adopted to read as follows:

Rule No. 47.1. Attestation Clause and Distribution of Copies
An attestation clause for the proposed draft of the constitution with spaces provided for each delegate to the convention to sign shall be printed and returned to the convention for signatures prior to January 19, 1974. One hundred thirty-five copies shall be printed. After the signatures of the delegates are affixed to the one hundred thirty-five documents, the documents shall be returned to the printer to be attached to one hundred thirty-five printed copies of the entire proposed draft of the constitution, and a copy thereof shall be transmitted to each person who is a delegate to the convention on January 19, 1974.

BE IT FURTHER RESOLVED, that the Governor of Louisiana is hereby urged and requested to take the necessary steps to see that a certified copy of the Louisiana Constitution of 1974, as finally ratified by the people of Louisiana, is permanently exhibited in a prominent place on the first floor of the State Capitol.

Read.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973

January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

DELEGATE PROPOSAL No. 16—

Introduced by Delegates Alario, Chehardy, Edwards, Mire,
A PROPOSAL

Making provisions for homestead exemptions.

Reported without amendments.

DELEGATE PROPOSAL No. 17—

Introduced by Delegate Planchar:—

A PROPOSAL

Making provisions prohibiting lotteries.

Reported without amendments.

DELEGATE PROPOSAL No. 18—

Introduced by Delegates Casey, Alario, Denney and Gravel:—

A PROPOSAL

Providing for meeting of the legislature for the next three years following the adoption of this constitution.

Reported without amendments.

DELEGATE PROPOSAL No. 28—

Introduced by Delegate Denney:—

A PROPOSAL

Relative to transition for members of the State Civil Service Commission.

Reported without amendments.

Respectfully submitted,

ALBERT TATE
Chairman.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention of 1973
January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelan, Conino, D’Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ulo and Zervigon:—

A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 17 by Delegate Perez, et al.

Amend First Enrolled Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 20 through 55, both inclusive, in their entirety and insert in lieu thereof the following:

"PART I. GENERAL PROVISIONS
Section 1. Parishes

Section 1. (A) Parishes and Boundaries Ratified. Parishes and their boundaries as established under existing law are recognized and ratified.

(B) Creation; Dissolution; Merger; Boundaries. The legislature by law may establish and organize new parishes, dissolve and merge parishes, and change parish boundaries if approved by two-thirds of the electors in each parish affected voting thereon at an election held for that purpose.

(C) Change of Parish Seat. The governing authority of a parish may call an election on the question of changing the parish seat. The parish seat shall be changed if approved by two-thirds of the electors voting thereon.

AMENDMENT No. 2—

On page 2, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Adjustment of Assets and Liabilities. When a parish is enlarged or established from contiguous territory, it shall be entitled to a just proportion of the property and assets and shall be liable for a just proportion of the existing debts and liabilities of the parish or parishes from which the territory is taken."

AMENDMENT No. 3—

On page 2, delete lines 8 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Municipalities
Section 2. The legislature shall provide by general law for the incorporation, consolidation, merger, and government of municipalities. No local or special law shall create a municipal corporation or amend, modify, or repeal a municipal charter. However, an existing special legislative charter may be amended, modified, or repealed by local or special law."

AMENDMENT No. 4—

On page 2, delete lines 18 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Classification
Section 3. The legislature may classify parishes or municipalities according to population or on any other reasonable basis related to the purpose of the classification. Legislation may be limited in its effect to any of such class or classes."

AMENDMENT No. 5—

On page 2, delete lines 24 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. Existing Home Rule Charters and Plans of Government
Section 4. Every home rule charter or plan of government existing or adopted when this constitution is adopted shall remain in effect and may be amended, modified, or repealed as provided therein. Except as inconsistent with this constitution, each local governmental subdivision which has adopted such a home rule charter or plan of government shall retain the powers, functions, and duties in effect when this constitution is adopted. If its charter permits, each of them also shall have the right to powers and functions granted to other local governmental subdivisions."

AMENDMENT No. 6—

On page 3, delete lines 1 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Home Rule Charter
Section 5. (A) Authority to Adopt; Commission. Subject to and not inconsistent with this constitution, any local governmental subdivision may draft, adopt, or amend a home rule charter in accordance with this Section. The governing authority of a local governmental subdivision may appoint a commission to prepare and propose a charter or an alternate charter, or it may call an election to elect such a commission."

AMENDMENT No. 7—

On page 3, delete lines 10 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Petition to Elect Commission. The governing authority shall call an election to elect such a commission when presented with a petition signed by not less than ten percent of the electors or ten thousand electors, whichever is fewer, who live within the boundaries of the affected subdivision, as certified by the registrar of voters."

AMENDMENT No. 8—

On page 3, delete lines 17 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Adoption; Amendment; Repeal. A home rule charter shall be adopted, amended, or repealed when approved by a majority of the electors voting thereon at an election held for that purpose."

AMENDMENT No. 9—

On page 3, delete lines 20 through 34, both inclusive, in their entirety and insert in lieu thereof the following:
"(D) Adoption by Two or More Local Governmental Subdivisions. Two or more local governmental subdivisions within the boundaries of any school district may adopt a home rule charter under this Section if approved by a majority of the electorate in each affected local governmental subdivision voting thereon in an election held for that purpose. The legislature shall provide by law the method of appointment or election of the charter commission and propose a charter consistent with Paragraph (A) of this Section and the method by which the electorate may petition for an election consistent with Paragraph (B) of this Section. However, at least one member of the commission shall be elected or appointed from each affected local governmental subdivision."

AMENDMENT No. 10—

(1) On page 4, delete lines 35 and on page 4, delete lines 1 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

"(F) Structure and Organization; Powers; Functions. A home rule charter adopted under this Section shall provide the structure and organization, powers, and functions of the government of the local governmental subdivision, which may include the exercise of any power and performance of any function necessary, requisite, or proper for the management of its affairs, not denied by general law or inconsistent with this constitution."

AMENDMENT No. 11—

(2) On page 4, delete lines 13 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"(G) Additional Powers and Functions. Except as prohibited by its charter, a local governmental subdivision adopting a home rule charter under this Section shall have the additional powers and functions granted to local governmental subdivisions by other provisions of this constitution."

AMENDMENT No. 12—

(3) On page 4, delete lines 19 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

"(H) Parishes. Home Rule Charters or Plan of Government; Appointment by Legislature Prohibited

Section 6. The legislature shall enact no law the effect of which changes or affects the structure and organization or the particular distribution and redistribution of the powers and functions of any local governmental subdivision which operates under a home rule charter."

AMENDMENT No. 13—

(4) On page 4, delete lines 25 through 27, both inclusive, in their entirety

AMENDMENT No. 14—

(5) On page 4, between lines 27 and 28, insert the following:

"Section 7. Powers of Other Local Governmental Subdivisions

Section 7. (A) Powers and Functions. Subject to and not inconsistent with this constitution, the governing authority of a local governmental subdivision which has no home rule charter or plan of government may 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, if a majority of the electorate voting in an election held for that purpose vote in favor of the proposition that the governing authority may exercise such general powers. Otherwise, the local governmental subdivision shall have the powers authorized by this constitution or by law."

AMENDMENT No. 16—

(6) On page 4, delete lines 7 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Parish Officials and School Boards Not Affected. Nothing in this Section shall affect the power and functions of a school board or the officer of district attorney, sheriff, assessor, clerk of a district court, or coroner."

AMENDMENT No. 17—

(7) On page 4, delete lines 11 through 14, both inclusive, in their entirety

AMENDMENT No. 18—

(8) On page 5, delete lines 15 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 8. Home Rule Parish; Incorporation of Cities, Towns, and Villages

Section 8. No parish plan of government or home rule charter shall prohibit the incorporation of a city, town, or village as provided by general law."

AMENDMENT No. 19—

(9) On page 5, delete lines 20 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. Limitations of Local Governmental Subdivisions

Section 9. (A) Limitations. No local governmental subdivision shall (1) define and provide for the punishment of a felony; or (2) except as provided by law, enact an ordinance governing private or civil relationships."

AMENDMENT No. 20—

(10) On page 5, delete lines 26 and 27, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Police Power Not Abridged. Notwithstanding any provision of this Article, the police power of the state shall never be abridged."

AMENDMENT No. 21—

(11) On page 5, delete lines 28 through 35, both inclusive, in their entirety and on page 6, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Home Rule Not Abridged. Nothing herein shall be construed to prohibit the election of the members from single-member districts."

AMENDMENT No. 22—

(12) On page 6, delete lines 5 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 11. Local Officials

Section 11. The elected officials of each local governmental subdivision shall have the exclusive right to elect their governing authority. Nothing herein shall be construed to prohibit the election of the members from single-member districts."

AMENDMENT No. 23—

(13) On page 6, delete lines 11 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 12. Local Officials; Compensation

Section 12. The compensation or method of fixing the compensation of an elected official of any local governmental subdivision which operates under a home rule charter or plan of government, as provided in Sections 4 and 5 of this Law, shall be provided for in its charter. The compensation or method of fixing the compensation of an elected official of any other local governmental subdivision shall be provided by law. Compensation of a local official shall not be reduced during the term for which he is elected."

AMENDMENT No. 24—

(14) On page 6, delete lines 21 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 13. Vacancies

Section 13. (A) Vacancy; Appointment. Except as otherwise provided by this constitution, a vacancy in any local office filled by election or appointment within the boundaries of a local governmental subdivision or a school district shall be filled by appointment by the particular governing authority of the local governmental subdivision or school district in which the vacancy occurs, until it is filled by election as provided by law."

1229
AMENDMENT No. 25—
On page 6, delete lines 30 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Exception. This Section shall apply to each local governmental subdivision unless otherwise provided by its home rule charter or plan of government."

AMENDMENT No. 26—
On page 6, delete lines 34 and 35 and on page 7, delete lines 1 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14. Increasing Financial Burden of Political Subdivisions

14. No law requiring increased expenditures for wages, salaries, retirement benefits, vacation, or sick leave benefits of political subdivision employees, except a law providing for civil service, minimum wages, working conditions, and retirement benefits for firemen and municipal policemen, shall become effective unless the legislature appropriates funds for the purpose of the affected political subdivision and only to the extent and amount that such funds are provided. This Section shall not apply to a school board."

AMENDMENT No. 27—
On page 7, delete lines 13 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 15. Local Governmental Subdivisions; Control Over Agencies

Section 15. The governing authority of a local governmental subdivision shall have general power over any agency heretofore or hereafter created by it, including, without limitation, the power to abolish the agency and require prior approval of any change or tax levied or bond issued by the agency."

AMENDMENT No. 28—
On page 7, delete lines 20 through 23, both inclusive, in their entirety and on page 8, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 16. Special Districts and Local Public Agencies

16. (A) Consolidation. A local governmental subdivision may consolidate and merge into itself any special district or local public agency, except a school district, situated and having jurisdiction entirely within the boundaries of the local governmental subdivision. Upon the consolidation and merger, the local governmental subdivision shall succeed to and be vested with all of the rights, revenues, resources, jurisdiction, authority, and powers of the special district or local public agency. A consolidation and merger shall become effective only if approved by a majority of the electors voting thereon in the local governmental subdivision as a whole and by a majority of the electors voting thereon in the affected special district. A local public agency shall be consolidated and merged only if approved by a majority of the electors voting thereon in an election held for that purpose in the local governmental subdivision in which the agency is located."

AMENDMENT No. 29—
On page 8, delete lines 8 through 13, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Assumption of Debt. If the special district or local public agency which is consolidated and merged has outstanding indebtedness, the authority provided by this Section shall not be exercised unless provision is made for the assumption of the indebtedness by the governing authority of the local governmental subdivision involved."

AMENDMENT No. 30—
On page 8, delete lines 14 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 17. Subject to uniform procedures established by law, a local governmental subdivision may (1) adopt regulations for land use, zoning, and historic preservation, which authority is declared to be a public purpose; (2) create commissions and districts to implement those regulations; (3) review decisions of any such commission; and (4) adopt standards for use, construction, demolition, and modification of areas and structures. Existing constitutional authority for historic preservation commissions is retained."

AMENDMENT No. 31—
On page 8, delete lines 24 through 35, both inclusive, in their entirety and on page 9, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 18. Industrial Areas

18. (A) Authorization. The legislature by law may authorize parishes to create and define industrial areas within their boundaries in accordance with procedures and subject to regulations which it determines. An industrial area shall not be a political subdivision of the state.

(B) Access by Public Road; Police Protection. When an industrial area is so created, provision shall be made for access by public road to each entrance to the premises of every plant in the area, which is provided for use by employees of independent contractors working on the premises, or for delivery of materials or supplies, other than by rail or water transportation, to the premises. Police protection provided by any plant in an industrial area shall be confined to the premises of that plant."

AMENDMENT No. 32—
On page 9, delete lines 5 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 19. Special Districts; Creation

Section 19. Subject to and not inconsistent with this constitution, the legislature by general law or by local or special law may create or authorize the creation of special districts, boards, agencies, commissions, and authorities of every type, define their powers, and grant to the special districts, boards, agencies, commissions, and authorities so created such rights, powers, and authorities as it deems proper, including, but not limited to, the power of taxation and the power to incur debt and issue bonds."

AMENDMENT No. 33—
On page 9, delete lines 16 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 20. Intergovernmental Cooperation

20. Except as otherwise provided by law, a political subdivision may exercise and perform any authorized power and function, including financing, jointly or in cooperation with one or more political subdivisions, either within or without the state, or with the United States or its agencies."

AMENDMENT No. 34—
On page 9, delete lines 23 through 35, both inclusive, in their entirety and on page 10, delete lines 1 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 21. Assistance to Local Industry

Section 21. (A) Authorization. In order to (1) induce and encourage the location of or addition to industrial enterprises therein which would have economic impact upon the area and thereby the state, (2) provide for the establishment and furnishing of such industrial plant, or (3) provide movable or immovable property, or both, for pollution control facilities, the legislature by law may authorize, subject to restrictions it may impose, any political subdivision, deep-water port commission, or deep-water port, harbor, and terminal district to (a) issue bonds, subject to approval by the State Bond Commission or its successor, and use the funds derived from the sale of the bonds to acquire and improve industrial plant sites and other property necessary to the purposes thereof; (b) acquire, through purchase, donation, exchange, and (subject to Article I, Section 4) expropriation, and improve industrial plant buildings and industrial plant equipment, machinery, furnishings, and appurtenances; and (c) sell, lease, lease-purchase, or demolish all or any part of the foregoing.

(B) Property Expropriated; Sale to Aliens Prohibited. No property expropriated under the authority of this Section shall ever, directly or indirectly, be sold or donated to any foreign power, any alien, or any corporation in which the majority of the stock is controlled by any foreign power, alien corporation, or alien.
PAGE 5
117th Days Proceedings—January 14, 1974

(C) Exception. This Section shall not apply to a school board.

AMENDMENT No. 35—
On page 10, delete lines 17 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 22. When an election is required in a political subdivision under the provisions of this constitution which requires submission to the electors of a proposition or question, the election shall be called, conducted, and the returns thereof canvassed in accordance with the procedures established by the law then in effect pertaining to elections for incurrence or renewal of indebtedness and special taxes relative to local finance, or as may be otherwise provided by law."

AMENDMENT No. 36—
On page 10, delete lines 29 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 23. The public, represented by local governmental subdivisions, may acquire property for any public purpose by purchase, donation, expropriation, exchange, or otherwise." 

AMENDMENT No. 37—
On page 10, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 24. Servitudes of Way; Acquisition by Prescription.

Section 24. The public, represented by local governmental subdivisions, may acquire servitudes of way by prescription in the manner prescribed by law."

AMENDMENT No. 38—
On page 10, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 25. Prescription Against State.

Section 25. Prescription shall not run against the state in any civil matter, unless otherwise provided in this constitution or expressly by law."

AMENDMENT No. 39—
On page 11, between lines 9 and 10, insert the following:

"Section 26. Notwithstanding any provision of this Article, courts and their officers may be established or affected only as provided in Article V of this constitution."

AMENDMENT No. 40—
On page 11, delete lines 13 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 27. Parish Ad Valorem Tax.

Sec. 27. (A) Parish Tax for General Purposes; Millage Limits; Increase. The governing authority of a parish may levy annually an ad valorem tax for general purposes not to exceed four mills on the dollar of assessed valuation. However, in Orleans Parish the limitation shall be seven mills, and in Jackson Parish the limitation shall be five mills. Millage rates may be increased in any parish when approved by a majority of the electors voting thereon in an election held for that purpose.

AMENDMENT No. 41—
On page 11, delete lines 23 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Millage Increase Not for General Purposes. When the millage increase is for other than general purposes, the proposition shall state the specific purpose or purposes for which the tax is to be levied and the length of time the tax is to remain in effect. All proceeds of the tax shall be used solely for the purpose or purposes set forth in the proposition."

AMENDMENT No. 42—
On page 11, delete lines 29 through 35, both inclusive, in their entirety and on page 12, delete lines 1 and 2, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Parish Tax in Municipality. The amount of the parish tax for general purposes which any parish, except Orleans Parish, may levy, without a vote of the electors, on property located wholly within any municipality which has a population exceeding one thousand inhabitants according to the latest federal census, and is authorized by law, and which provides and maintains a system of street paving, shall not exceed one-half the tax levy for general purposes."

AMENDMENT No. 43—
On page 12, delete lines 3 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Parish Tax for Certain Special Elections. This Section shall not affect the withdrawal of property in a municipality from parish taxing authority, in whole or in part, by a provision of the legislative charter of a municipality in effect on the effective date of this constitution."

AMENDMENT No. 44—
On page 12, delete lines 8 through 19, both inclusive, in their entirety and insert in lieu thereof the following:


Section 28. (A) Municipal Tax for General Purposes; Millage Limits; Increase. The governing authority of a municipality may levy annually an ad valorem tax for general purposes not to exceed seven mills on the dollar of assessed valuation. However, if a municipality, by its charter or by law, is exempt from payment of parish taxes or, under legislative or constitutional authority, maintains its own public schools, it may levy an annual tax not to exceed three mills. The dollar of assessed valuation. Millage rates may be increased in any municipality when approved by a majority of the electors voting thereon in an election held for that purpose.

AMENDMENT No. 45—
On page 12, delete lines 20 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Millage Increase Not For General Purposes. When the millage increase is for other than general purposes, the proposition shall state the specific purpose or purposes for which the tax is to be levied and the length of time the tax is to remain in effect. All proceeds of the tax shall be used solely for the purpose or purposes set forth in the proposition.

(C) Exception. This Section shall not apply to the city of New Orleans."

AMENDMENT No. 46—
On page 12, delete lines 28 through 35, both inclusive, in their entirety and on page 13, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 29. Local Governmental Subdivisions; Occupational License Tax.

Section 29. The governing authority of a local governmental subdivision may impose an occupational license tax greater than that imposed by the state. Those who pay a municipal occupational license tax shall be exempt from a parish occupational license tax in the amount of the municipal tax. The governing authority of a local governmental subdivision may impose an occupational license tax greater than that imposed by the state when authorized by law enacted by the favorable vote of two-thirds of the elected members of each house of the legislature."

AMENDMENT No. 47—
On page 13, delete lines 4 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 30. Local Governmental Subdivisions and School Boards; Sales Tax.

Section 30. (A) Sales Tax Authorized. Except as otherwise provided in a home rule charter as provided for in Section 41 of this Article, the governing authority of any local governmental subdivision or school board may levy and collect a tax upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services as defined by law, if approved by a majority of the electors voting thereon in an election held for that purpose.

The rate thereof, when combined with the rate of all other sales and use taxes, exclusive of state sales and use taxes, levied and collected within any local governmental subdivision, shall not exceed three percent.

(B) Additional Sales Tax Authorized. However, the legis-
lature, by general or by local or special law, may authorize the imposition of additional sales and use taxes by local governmental subdivisions or school boards, if approved by a majority of the electors voting thereon in an election held for that purpose.

(C) Bonds; Security. Nothing in this Section shall affect any sales or use tax authorized or imposed on the effective date of this constitution or affect or impair the security of any bonds payable from the proceeds of the tax.

**AMENDMENT No. 48—**
On page 13, delete lines 27 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

“(D) Exemptions; Protection of Bonds. Except when bonds secured thereby have been authorized, the legislature by law may uniformly exempt or exclude any goods, tangible personal property, or services from sales or use taxes levied by local governmental subdivisions, school boards, and the state.”

**AMENDMENT No. 49—**
On page 13, delete lines 32 through 35, both inclusive in their entirety, and on page 14, delete lines 1 through 6, both inclusive in their entirety and insert in lieu thereof the following:

“Section 31. Political Subdivisions: Taxing Power

Section 31. A political subdivision may exercise the power of taxation, subject to limitations elsewhere provided by this constitution or authority granted by the legislature for parish, municipal, and other local purposes, strictly public in their nature. This Section shall not affect similar grants to political subdivisions under self-operative sections of this constitution.”

**AMENDMENT No. 50—**
On page 14, delete lines 7 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 32. Special Taxes; Ratification

Section 32. Any special tax being levied by a political subdivision under prior legislative or constitutional authority on the effective date of this constitution is ratified.”

**AMENDMENT No. 51—**
On page 14, delete lines 12 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 33. Special Taxes; Authorization

Section 33. For the purpose of acquiring, constructing, improving, maintaining, or operating any work of public improvement, a political subdivision may levy special taxes whereby a majority of the electors in the political subdivision who vote thereon in an election held for that purpose.”

**AMENDMENT No. 52—**
On page 14, delete lines 17 through 35, both inclusive, in their entirety and on page 15, delete lines 1 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 34. Political Subdivisions: General Obligation Bonds

Section 34. (A) Authorization. Subject to approval by the State Bond Commission or its successor, general obligation bonds may be issued only after authorization by a majority of the electors voting on the proposition at an election in the political subdivision issuing the bonds. Bonds to refund outstanding indebtedness at the same or at a lower effective rate of interest, even though payable solely from ad valorem taxes, need not be authorized at an election if the indebtedness refunded is paid or cancelled at the time of delivery of the refunding bonds, or if money, or securities made eligible for such purpose by law, are deposited in escrow in an adequate amount, with interest, to be utilized solely to retire the refunding bonds and to pay interest thereon and redemption premiums, if any, to the time of retirement.

(B) Full Faith and Credit. The full faith and credit of a political subdivision is hereby pledged to the payment of general obligation bonds issued by it under this constitution or the statute or proceedings pursuant to which they are issued. The governing authority of the issuing political subdivision shall levy and collect or cause to be levied and collected on all taxable property in the political subdivision ad valorem taxes sufficient to pay principal and interest and redemption premiums, if any, on such bonds as they mature.”

**AMENDMENT No. 53—**
On page 15, delete lines 11 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 35. Limitations on Bonded Indebtedness

Section 35. The legislature by law shall fix the limitation on bonded indebtedness payable solely from ad valorem taxes levied by political subdivisions.”

**AMENDMENT No. 54—**
On page 15, delete lines 16 through 34, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 36. Contesting Political Subdivision Bonds

Section 36. (A) Contesting Election; Time Limit. For sixty days after promulgation of the result of an election held to incur or assume debt, issue bonds, or levy a tax, any person in interest may contest the legality of the election, the bond issue provided for, or the tax authorized, for any cause. After that time no one shall have any cause or right of action to contest the regularity, formality, or legality of the election, bond issue, or bond authorizations for any cause whatsoever. If the validity of any election, tax, debt assumption, or bond issue authorized or provided for is not raised within the sixty days, the authority to incur or assume debt, levy the tax, or issue the bonds, the legality thereof, and the tax debts or other evidences of the same shall be conclusively presumed to be valid, and no court shall have authority to inquire into such matters.”

**AMENDMENT No. 55—**
On page 15, delete line 35 and on page 16, delete lines 1 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Contesting Ordinance or Resolution; Time Limit. Every ordinance or resolution authorizing the issuance of bonds or other debt obligation by a political subdivision shall be published at least once in the official journal of the political subdivision or, if there is none, in a newspaper having general circulation therein. For thirty days after the date of publication, any person in interest may contest the legality of the ordinance or resolution and of any provision therein made for the security and payment of the bonds. After that time, no one shall have any cause of action to test the regularity, formality, legality, or effectiveness of the ordinance or resolution and for any cause whatsoever. Thereafter, it shall be conclusively presumed that every legal requirement for the issuance of the bonds or other debt obligation, including all things pertaining to the election, if any, at which the bonds or other debt obligation were authorized, has been complied with. No court shall have authority to inquire into any of these matters after the thirty days.”

**AMENDMENT No. 56—**
On page 16, delete lines 18 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 37. Local Improvement Assessments

Section 37. (A) Authorization. The legislature shall provide, by general law or by local or special law the procedures by which a political subdivision may levy and collect local or special assessments on real property for the purpose of acquiring, constructing, or improving works of public improvement.

(B) Certificates of Indebtedness; Security. Certificates of indebtedness may be issued to cover the cost of any such public improvement. They shall be secured by the pledge of the local or special assessments levied therefore and may be further secured by the pledge of the full faith and credit of the political subdivision.

(C) Exception. This Section shall not apply to a school board.”

**AMENDMENT No. 57—**
On page 16, delete lines 32 through 35, both inclusive, and on page 17, delete lines 1 through 9, both inclusive, in their entirety, and insert in lieu thereof the following:

“Section 38. Revenue-Producing Property

Section 38. (A) Authorization. The legislature by law may authorize political subdivisions to issue bonds or other debt
obligations to construct, acquire, extend, or improve any revenue-producing public utility or work of public improvement. The bonds or other debt obligations may be secured by mortgage on the lands, buildings, machinery, and equipment or by the pledge of the income and revenues of the public utility or work of public improvement. They shall not be a charge for the other income and revenues of the political subdivision.

(B) Exception. This Section shall not apply to a school board.

AMENDMENT No. 58—
On page 17, delete lines 13 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 39. Levee Districts
Section 39. (A) Retention; Reorganization; Consolidation. Levee districts as organized and constituted on January 1, 1974 shall continue to exist, except that

(1) The legislature may provide by law for the consolidation, division, or reorganization of existing levee districts or may create new levee districts. However, the members of the board of commissioners of a district heretofore or hereafter created shall be appointed or elected from among residents of the district, as provided by law.

(2) A levee district whose flood control responsibilities are limited to and uniformly applied entirely within one parish may be consolidated and merged into such parish under the terms and conditions and in the manner provided in Section 16 of this Article.

(B) Obligation of Contract Affirmed. No action taken under this Section shall impair the obligation of outstanding bonded indebtedness or of any other contract of a levee district."

AMENDMENT No. 59—
On page 17, delete lines 31 through 35, both inclusive, in their entirety and on page 18, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 40. Levee District Taxes
Section 40. (A) District Tax; Millage Limit. For the purpose of constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection, and for all other purposes incidental thereto, the governing authority of a levee district may levy annually a tax not to exceed two and one-half mills, on the dollar of the assessed value of all taxable property situated within the alluvial portions of the district subject to overflow.

AMENDMENT No. 60—
On page 18, delete lines 8 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Millage Increase. If the necessity to raise additional funds arises in any levee district for any purpose set forth in Paragraph (A), or for any other purpose related to its authorized powers and functions as specified by law, the tax may be increased. However, the necessity and the rate of the increase shall be submitted to the electors of the district in a special election, the result of which shall take effect only if approved by a majority of the electors voting thereon in an election held for that purpose."

AMENDMENT No. 61—
On page 18, delete lines 18 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 41. Bond Issues
Section 41. (A) Authorization. Subject to approval by the State Bond Commission or its successor, the governing authority of the levee district may fund the proceeds of its taxes or other revenues into bonds or other evidences of indebtedness. Proceeds thus derived shall be used for the purposes mentioned in Part III of this Article or for the funding or payment of any outstanding indebtedness.

(B) Sale. Bonds issued under the authority of Paragraph (A) shall be sold as provided by law concerning the issuance of bonds by levee districts."

AMENDMENT No. 62—
On page 18, delete lines 30 through 35, both inclusive, in their entirety and delete line 1 on page 19 and insert in lieu thereof the following:

"Section 42. Cooperation with Federal Government
Section 42. The governing authority of any levee district may cooperate with the federal government in constructing and maintaining levees in this state, under terms and conditions provided by the federal authorities accepted by the governing authority."

AMENDMENT No. 63—
On page 19, delete lines 2 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 43. Compensation for Property Used or Destroyed; Tax
Section 43. (A) Notwithstanding any contrary provision of this constitution, lands and improvements thereon hereafter actually used or destroyed for levees or levee drainage purposes shall be paid for as provided by law. However, nothing contained in this Paragraph with respect to compensation for lands and improvements shall apply to damage or to property the control of which is vested in the state or any political subdivision for the purpose of commerce. If the district has no other funds or resources from which the payment can be made, it shall levy on all taxable property within the district a tax sufficient to pay for property used or destroyed to be used solely in the district where collected.

(B) Appropriation. Nothing in this Section shall prevent the appropriation of such property before payment."

AMENDMENT No. 64—
On page 19, delete lines 20 through 35, both inclusive, and on page 20, delete lines 1 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

"Part IV. Port Commissions and Districts
Section 44. Port Commissions and Districts
Section 44. All deep-water port commissions and all deep-water port, harbor, and terminal districts as organized and constituted on January 1, 1974, including their powers and functions, structure and organization, and territorial jurisdiction, are ratified and confirmed and shall continue to exist, except that

(1) The legislature by law may grant additional powers and functions to any such commission or district and may create new port commissions or port, harbor, and terminal districts.

(2) Only by law enacted by the favorable vote of two-thirds of the elected members of each house may the legislature consolidate or abolish any such commission or district or diminish, reduce, or withdraw from any such commission or district any of its powers and functions and all structure and organization, distribution, and re- distribution of the powers and functions of any such commission or district, including additions or reductions of its territorial jurisdiction.

(3) The legislature shall enact laws with respect to the membership of the commissions provided in this Section. Once the law with respect to membership is enacted, it may be changed only by law enacted by the favorable vote of two-thirds of the elected members of each house."

AMENDMENT No. 65—
On page 20, delete lines 15 through 35, both inclusive, in their entirety and on page 21, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 45. Terms Defined
Section 45. As used in this Article:
(1) "Local governmental subdivision" means any parish or municipality.
(2) "Political subdivision" means a parish, municipality, and any other unit of local government, including a school board and a special district, authorized by law to perform governmental functions.

(3) "Municiplity" means an incorporated city, town, or village.

(4) "Governing authority" means the body which exercises the legislative functions of the political subdivision.

(5) "General law" means a law of statewide concern except with regard to the legislative jurisdiction capable of being applicable to all persons or to all political subdivisions in the state or which is uniformly applicable to all persons or to all political subdivisions within the same class."
(6) "General obligation bonds" means those bonds, the principal and interest of which are secured by and payable from ad valorem taxes levied without limitation as to rate or amount.

(7) "Deep-water port commissions" and "deep-water port, harbor, and terminal districts" mean those commissions or districts within whose territorial jurisdiction exist facilities capable of accommodating vessels of at least twenty-five feet of draft and of engaging in foreign commerce.

AMENDMENT No. 66—
On page 14, line 7, delete the language added by Committee Amendment No. 59 and insert in lieu thereof the following:

"Section 32. Taxes; Ratification
Section 32. Any tax being levied by a political subdivision under prior legislative or constitutional authority on the effective date of this constitution is ratified."

AMENDMENT No. 67—
On page 1, line 20, amend the language added by Committee Amendment No. 1 as follows:

On line 4 of said Committee Amendment, delete the words "under existing law" and insert in lieu thereof the following:

"existing on the effective date of this constitution"

AMENDMENT No. 68—
On page 2, line 8, amend the language added by Committee Amendment No. 3 as follows:

On line 6, delete the word "an existing" and insert in lieu thereof the word "a" and on line 7, immediately after the word "charter" and before the word "may" insert the words "existing on the effective date of this constitution"

Respectfully submitted,

ALBERT TATE,
Chairman.

Suspension of the Rules

On motion of Delegate Tate the rules were suspended in order to take up the Proposal contained in the Committee Report at this time.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 17—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatclain, Conino, D’Gerolamo, Fowler, Giaruso, Hayes, Heine, J. Jackson, Kean, Lanler, Reeves, Shannon, Stephenson, Taylor, Toomy, Ulio and Zervigon:

A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 17 by Delegate Perez, et al.

Amend First Enrolled Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 20 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"PART I. GENERAL PROVISIONS
Section 1. Parishes
Section 1. (A) Parishes and Boundaries Ratified. Parishes and their boundaries as established under existing law are recognized and ratified.
(B) Creation; Dissolution; Merger; Boundaries. The legislature by law may establish and organize new parishes, dissolve and merge parishes, and change parish boundaries if approved by two-thirds of the electors in each parish affected voting thereon at an election held for that purpose.
(C) Change of Parish Seat. The governing authority of a parish may call an election on the question of changing the parish seat. The parish seat shall be changed if approved by two-thirds of the electors voting thereon."

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—
On page 2, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"(A) Adjustment of Assets and Liabilities. When a parish is entered into or established from contiguous territory, it shall be entitled to a just proportion of the property and assessed and shall be liable for a just proportion of the existing debits and liabilities of the parish or parishes from which the territory is taken."

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—
On page 2, delete lines 8 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Municipalities
Section 2. The legislature shall provide by general law for the incorporation, consolidation, merger, and government of municipalities. No local or special law shall create a municipal corporation or amend, modify, or repeal a municipal charter. However, an existing special legislative charter may be amended, modified, or repealed by local or special law."

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 4—
On page 2, delete lines 18 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Classification
Section 3. The legislature may classify parishes or municipalities according to population or on any other reasonable basis related to the purpose of the classification. Legislation may be limited in its effect to any of such class or classes."

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—
On page 2, delete lines 24 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. Existing Home Rule Charters and Plans of Government
Section 4. Every home rule charter or plan of government existing or adopted when this constitution is adopted shall remain in effect and may be amended, modified, or repealed as provided therein. Except as inconsistent with this constitution, each local governmental subdivision which has adopted such a home rule charter or plan of government shall retain the powers, functions, and duties in effect when this constitution is adopted. If its charter permits, each of them also shall have the right to powers and functions granted to other local governmental subdivisions."

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 6—
On page 3, delete lines 1 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Home Rule Charter
Section 5. (A) Authority to Adopt; Commission. Subject to incorporation, with this constitution, any local governmental subdivision may draft, adopt, or amend a home rule charter in accordance with this Section. The governing authority of a local governmental subdivision may appoint a commission to prepare and propose a charter or an alternate charter, or it may call an election to elect such a commission."

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.
On motion of Delegate Tate Amendment No. 6 was adopted.

AMENDMENT No. 7—
On page 3, delete lines 10 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Petition to Elect Commission. The governing authority shall call an election to elect such a commission when presented with a petition signed by not less than ten percent of the electors or ten thousand electors, which ever is fewer, who live within the boundaries of the affected subdivision, as certified by the registrar of voters.”

Read.

On motion of Delegate Tate Amendment No. 7 was adopted.

AMENDMENT No. 8—
On page 3, delete lines 17 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

“(C) Adoption; Amendment; Repeal. A home rule charter shall be adopted, amended, or repealed when approved by a majority of the electors voting thereon at an election held for that purpose.”

Read.

On motion of Delegate Tate Amendment No. 8 was adopted.

AMENDMENT No. 9—
On page 3, delete lines 20 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

“(D) Adoption by Two or More Local Governmental Subdivisions. Two or more local governmental subdivisions within the boundaries of one parish may adopt a home rule charter under this Section if approved by a majority of the electors in each affected local governmental subdivision voting thereon in an election held for that purpose. The legislature shall provide by law the method of appointment or election of a commission to prepare and propose a charter consistent with Paragraph (A) of this Section and the method by which the electors may petition for an election consistent with Paragraph (B) of this Section. However, at least one member of the commission shall be elected or appointed from each affected local governmental subdivision.”

Read.

On motion of Delegate Tate Amendment No. 9 was adopted.

Delegate Jenkins moved that Committee Proposal No. 17 be returned to the Calendar, subject to call.

Delegate Tate objected.

By a vote of 7 yeas and 72 nays the Convention refused to return the Proposal to the Calendar, subject to call.

AMENDMENT No. 10—
On page 3, delete line 35 and on page 4, delete lines 1 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

“(E) Structure and Organization; Powers; Functions. A home rule charter adopted under this Section shall provide the structure and organization, powers, and functions of the government of the local governmental subdivision, which may include the exercise of any power and performance of any function necessary, requisite, or proper for the management of its affairs, not denied by general law or inconsistent with this constitution.”

Read.

On motion of Delegate Tate Amendment No. 10 was adopted.

AMENDMENT No. 11—
On page 4, delete lines 13 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

“(F) Additional Powers and Functions. Except as prohibited by its charter, a local governmental subdivision adopting a home rule charter under this Section shall have the additional powers and functions granted to local governmental subdivisions by other provisions of this constitution.”

Read.

On motion of Delegate Tate Amendment No. 11 was adopted.

AMENDMENT No. 12—
On page 4, delete lines 19 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

“(G) Parish Officials and School Boards Not Affected. No home rule charter or plan of government shall contain any provision affecting a school board or the offices of district attorney, sheriff, assessor, clerk of a district court, or coroner, which is inconsistent with this constitution or law.”

Read.

On motion of Delegate Tate Amendment No. 12 was adopted.

AMENDMENT No. 13—
On page 4, delete lines 25 through 27, both inclusive, in their entirety

Read.

On motion of Delegate Tate Amendment No. 13 was adopted.

AMENDMENT No. 14—
On page 4, between lines 27 and 28, insert the following:

Section 6. Home Rule Charter or Plan of Government; Action by Legislature Prohibited

Section 6. The legislature shall enact no law the effect of which changes or affects the structure and organization or the particular distribution and redistribution of the powers and functions of any local governmental subdivision which operates under a home rule charter.”

Read.

Delegate Tate moved the adoption of the amendment.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abraham
Fowler
Nunez

Aerker
Fulco
O’Neill

Alario
Gauthier
Perez

Arnette
Ginn
Perkins

Assent
Goldman
Planchard

Avant
Graham
Pugh

Badeaux
Gravel
Rayburn

Bel
Grier
Reeves

Bergeron
Guarrisco
Roemer

Blair
Hardee
Roy

Bollinger
Hayes
Sandoz

Brien
Haynes
Shannon

Brown
Heine
Smith

Burns
Hernandez
Sorrel

Burson
Jack
Stagg

Cannon
Jackson, A.
Stephenson

Carmouche
Jackson, J.
Sutherland

Casey
Jenkins
Tate

Champagne
Kean
Thetletwhalte

Chatelain
Landrum
Thompson

Chehardy
Landry, A.
Tobias

Comar
Landry, E. J.
Toca

Conin
Leithman
Toomy

Conroy
Lowe
Ulo

Corne
McDaniel
Velasquez

Cowan
Martin
Warren

D’Gerolamo
Mauberret
Wattigny

DeBleux
Maybuc
Willis

Drew
Miller
Winchester

Elkins
Mire
Wisam

Fiery
Monson
Womack

Fontenot
Newton
Zervigon

Total—96.
AMENDMENT No. 19—

On page 5, delete lines 20 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. Limitations of Local Governmental Subdivisions
Section 9. (A) Limitations. No local governmental subdivision shall (1) define and provide for the punishment of a felony; or (2) except as provided by law, enact an ordinance governing private or civil relationships."

Read.

On motion of Delegate Tate Amendment No. 19 was adopted.

AMENDMENT No. 20—

On page 5, delete lines 26 and 27, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Police Power Not Abridged. Notwithstanding any provision of this Article, the police power of the state shall never be abridged."

Read.

On motion of Delegate Tate Amendment No. 20 was adopted.

AMENDMENT No. 21—

On page 5, delete lines 28 through 35, both inclusive, in their entirety and on page 6, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 10. Codification of Ordinances
Section 10. Within two years after the effective date of this constitution, the governing authority of each political subdivision shall have a code prepared containing all of its general ordinances. When the code is prepared, the governing authority shall make copies available for public distribution. All general ordinances adopted after the approval of the code shall be amendments or additions to the code."

Read.

On motion of Delegate Tate Amendment No. 21 was adopted.

AMENDMENT No. 22—

On page 6, delete lines 5 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 11. Local Officials
Section 11. The officers of each local governmental subdivision shall have the exclusive right to elect their governing authority. Nothing herein shall be construed to prohibit the election of the members from single-member districts."

Read.

On motion of Delegate Tate Amendment No. 22 was adopted.

AMENDMENT No. 23—

On page 6, delete lines 11 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 12. Local Officials; Compensation
Section 12. The compensation or method of fixing the compensation of an elected official of any local governmental subdivision which operates under a home rule charter or plan of government, as provided in Sections 4 and 5 of this Article, shall be provided in its charter. The compensation or method of fixing the compensation of an elected official of any other local governmental subdivision shall be provided by law. Compensation of a local official shall not be reduced during the term for which he is elected."

Read.

On motion of Delegate Tate Amendment No. 23 was adopted.

AMENDMENT No. 24—

On page 6, delete lines 21 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 13. Vacancies
Section 13. (A) Vacancy; Appointment. Except as otherwise provided by this constitution, a vacancy in any local office filled by election wholly within the boundaries of a
local governmental subdivision or a school district shall be filled by appointment by the particular governing authority of the local governmental subdivision or school district in which the vacancy occurs, until it is filled by election as provided by law.""

Read.

On motion of Delegate Tate Amendment No. 24 was adopted.

AMENDMENT No. 25—

On page 6, delete lines 30 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Exception. This Section shall apply to each local governmental subdivision unless otherwise provided by its home rule charter or plan of government."

Read.

On motion of Delegate Tate Amendment No. 25 was adopted.

AMENDMENT No. 26—

On page 6, delete lines 34 and 35 and on page 7, delete lines 1 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14. Increasing Financial Burden of Political Subdivisions

Section 14. No law requiring increased expenditures for wages, hours, working conditions, pension and retirement benefits, vacations, or other benefits of political subdivision employees, except a law providing for civil service, minimum wages, working conditions, and retirement benefits for firemen and municipal policemen, shall become effective until approved by ordinance enacted by the governing authority of the affected political subdivision or until the legislature appropriates funds for the purpose of the affected political subdivision and only to the extent and amount that such funds are provided. This Section shall not apply to a school board."

Read.

On motion of Delegate Tate Amendment No. 26 was adopted.

AMENDMENT No. 27—

On page 7, delete lines 13 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 15. Local Governmental Subdivisions; Control of Ger Agencies

Section 15. The governing authority of a local governmental subdivision shall have general power over any agency heretofore or hereafter created by it, including, without limitation, the power to abolish the agency and require prior approval of any charge or tax levied or bond issued by the agency."

Read.

On motion of Delegate Tate Amendment No. 27 was adopted.

AMENDMENT No. 28—

On page 7, delete lines 20 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 16. Special Districts and Local Public Agencies

Section 16. (A) Consolidation. A local governmental subdivision may consolidate and merge into itself any special district or local public agency, except a local public agency situated and having jurisdiction entirely within the boundaries of the local governmental subdivision. Upon the consolidation and merger, the local governmental subdivision shall succeed to and be vested with all of the rights, revenues, jurisdiction, authority, and powers of the special district or local public agency. A consolidation and merger shall become effective only if approved by a majority of the electors voting thereon in the local governmental subdivision as a whole and by a majority of the electors voting thereon in the affected special district. A local public agency shall be consolidated and merged only if approved by a majority of the electors voting thereon in an election held for that purpose in the local governmental subdivision in which the agency is located."

Read.

On motion of Delegate Tate Amendment No. 28 was adopted.

AMENDMENT No. 29—

On page 8, delete lines 8 through 13, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Assumption of Debt. If the special district or local public agency which is consolidated and merged has outstanding indebtedness, the authority provided by this Section shall not be exercise unless provision is made for the assumption of the indebtedness by the governing authority of the local governmental subdivision involved."

Read.

On motion of Delegate Tate Amendment No. 29 was adopted.

AMENDMENT No. 30—

On page 8, delete lines 14 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 17. Land Use; Zoning; Historic Preservation

Section 17. Subject to uniform procedures established by law, a local governmental subdivision may (1) adopt regulations for land use, zoning, and historic preservation, which authority is declared to be a public purpose; (2) create commissions and districts to implement those regulations; (3) review decisions of any such commission; and (4) adopt standards for use, construction, demolition, and modification of areas and structures. Existing constitutional authority for historic preservation commissions is retained."

Read.

On motion of Delegate Tate Amendment No. 30 was adopted.

AMENDMENT No. 31—

On page 8, delete lines 24 through 35, both inclusive, in their entirety and on page 9, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 18. Industrial Areas

Section 18. (A) Authorization. The legislature by law may authorize parishes to create and define industrial areas within their boundaries in accordance with procedures and subject to regulations which it determines. An industrial area shall not be a political subdivision of the state.

(B) Access by Public Road; Police Protection. When an industrial area is so created, provision shall be made for access by public road to each entrance to the premises of every plant in the area, which is provided for use by employees of the company, or for use by employees of independent contractors working on the premises, or for delivery of materials or supplies, other than by rail or water transportation, to the premises. Police protection provided by any plant in an industrial area shall be confined to the premises of that plant."

Read.

On motion of Delegate Tate Amendment No. 31 was adopted.

AMENDMENT No. 32—

On page 8, delete lines 5 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 19. Subject to and not inconsistent with this constitution, the legislature by general law or by local or special law may create or authorize the creation of special districts, boards, agencies, and authorities so defined by every type, define their powers, and grant to the special districts, boards, agencies, commissions, and authorities so created such rights, powers, and authorities as it deems proper, including, but not limited to, the power of taxation and the power not to incur debt and issue bonds."

Read.

On motion of Delegate Tate Amendment No. 32 was adopted.
AMENDMENT No. 33—
On page 9, delete lines 16 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 20. Intergovernmental Cooperation

Section 20. Except as otherwise provided by law, a political subdivision may exercise and perform any authorized power and function, including financing, jointly or in cooperation with one or more political subdivisions, either within or without the state, or with the United States or its agencies."

Read.

On motion of Delegate Tate Amendment No. 33 was adopted.

AMENDMENT No. 34—
On page 9, delete lines 23 through 35, both inclusive, in their entirety and on page 10, delete lines 1 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 21. Assistance to Local Industry

Section 21. (A) Authorization. In order to (1) induce and encourage the location of or addition to industrial enterprises therein which would have economic impact upon the state and thereby the state, (2) provide for the establishment and furnishing of such industrial plant, or (3) provide pollution control facilities, the legislature by law may authorize, subject to restrictions it may impose, any political subdivision, deep-water port commission, or deep-water port, harbor, or terminal district to

c(a) acquire, through purchase, donation, exchange, and (subject to Article I, Section 4) expropriation, and improve industrial plant sites and other property necessary to the purposes thereof;

(b) acquire, through purchase, donation, exchange, and (subject to Article I, Section 4) expropriation, and improve industrial plant sites and other property necessary to the purposes thereof;

(c) sell, lease lease-purchase, or demolish all or any part of the foregoing.

(B) Property Expropriated; Sale to Aliens Prohibited. No property expropriated under the authority of this Section shall ever, directly or indirectly, be sold or donated to any foreign power, any alien, or any corporation in which the majority of the stock is controlled by any foreign power, alien corporation, or alien.

(C) Exception. This Section shall not apply to school board."

Read.

On motion of Delegate Tate Amendment No. 34 was adopted.

AMENDMENT No. 35—
On page 10, delete lines 17 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 22. Procedure for Certain Special Elections

Section 22. When an election is required in a political subdivision under the provisions of this constitution which require submission to the electorate of a proposition or question, the election shall be called, conducted, and the returns thereof canvassed, in accordance with the procedures established by the law then in effect pertaining to elections for incurring bonded indebtedness and special taxes relative to local finance, or as may be otherwise provided by law."

Read.

On motion of Delegate Tate Amendment No. 35 was adopted.

AMENDMENT No. 36—
On page 10, delete lines 29 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 23. Acquisition of Property

Section 23. Subject to and not inconsistent with this constitution and subject to restrictions provided by general law, political subdivisions may acquire property for any public purpose by purchase, donation, expropriation, exchange, or otherwise."

Read.

On motion of Delegate Tate Amendment No. 36 was adopted.

AMENDMENT No. 37—
On page 11, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 24. Servitudes of Way; Acquisition by Prescription

Section 24. The public, represented by local governmental subdivisions, may acquire servitudes of way by prescription in the manner prescribed by law."

Read.

On motion of Delegate Tate Amendment No. 37 was adopted.

AMENDMENT No. 38—
On page 11, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 25. Prescription shall not run against the state in any civil matter, unless otherwise provided in this constitution or expressly by law."

Read.

On motion of Delegate Tate Amendment No. 38 was adopted.

AMENDMENT No. 39—
On page 11, between lines 9 and 10, insert the following:

"Section 26. Courts Not Affected

Section 26. Notwithstanding any provision of this Article, courts and their officers may be established or affected only as provided in Article V of this constitution."

Read.

Delegate Tate moved the adoption of the amendment.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Alario
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatalain
Chehardy
Conino
Corroy
Corne
Cowen
D’Geralomo
De Bileux
Dennis
Drew
Elkins
Fiore
Fontenot
Fowler
Fulco
Total—39.

Gauthier
Ginn
Goldman
Graham
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jenkins
Jack
Jackson, A.
Jones
Kean
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lowe
McDaniel
Maubaret
Maybuche
Miller
Mire
Morris
Munson
Newton
Nunez
O’Neill

Perlez
Perkins
Planchard
Pugh
Rayburn
Reeves
Reemer
Roy
Sandoz
Schmitt
Shannon
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Sutherland
Tate
Thistledthwaite
Thompson
Tebias
Toca
Tommy
Ullo
Velazquez
Warren
Watigny
Willis
Winchester
Wisham
Womack
Zervigon

1238
Delegate Tate moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

AMENDMENT No. 40—
On page 11, delete lines 13 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 27. Parish Ad Valorem Tax

Section 27. (A) Parish Tax for General Purposes; Millage Limits; Increase. The governing authority of a parish may levy annually an ad valorem tax for general purposes not to exceed four mills on the dollar of assessed valuation. However, in Orleans Parish, the mill limitation shall be seven mills, and in Jackson Parish the limitation shall be five mills. Millage rates may be increased in any parish when approved by a majority of the electorate voting thereon in an election held for that purpose."

Read.

On motion of Delegate Tate Amendment No. 40 was adopted.

AMENDMENT No. 41—
On page 11, delete lines 23 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Millage Increase Not for General Purposes. When the millage increase is for other than general purposes, the proposition shall state the specific purpose or purposes for which the tax is to be levied and the length of time the tax is to remain in effect. All proceeds of the tax shall be used solely for the purpose or purposes set forth in the proposition."

Read.

On motion of Delegate Tate Amendment No. 41 was adopted.

AMENDMENT No. 42—
On page 11, delete lines 29 through 35, both inclusive, in their entirety and on page 12, delete lines 1 and 2, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Parish Tax in Municipality. The amount of the parish tax for general purposes which any parish, except Orleans Parish, may levy, without a vote of the electorate, on property located wholly within any municipality which has a population exceeding one thousand inhabitants according to the last federal decennial census, or other census authorized by law, and which provides and maintains a system of street paving, shall not exceed one-half the tax levy for general purposes."

Read.

On motion of Delegate Tate Amendment No. 42 was adopted.

AMENDMENT No. 43—
On page 12, delete lines 3 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Withdrawal from Parish Taxing Authority. This Section shall not affect the withdrawal of property in a municipality from parish taxing authority, in whole or in part, by a provision of the legislative charter of a municipality in effect on the effective date of this constitution."

Read.

On motion of Delegate Tate Amendment No. 43 was adopted.

AMENDMENT No. 44—
On page 12, delete lines 8 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 28. Municipal Ad Valorem Tax

Section 28. (A) Municipal Tax for General Purposes; Millage Limits; Increase. The governing authority of a municipality may levy annually an ad valorem tax for general purposes not to exceed seven mills on the dollar of assessed valuation. However, if a municipality, by its charter or by law, is exempt from payment of parish taxes or, under legal authority or constitution, has, from its own sources of revenue, such as public schools, it may levy an annual tax not to exceed ten mills on the dollar of assessed valuation. Millage rates may be increased in any municipality when approved by a majority of the electorate voting thereon in an election held for that purpose."

Read.

On motion of Delegate Tate Amendment No. 44 was adopted.

AMENDMENT No. 45—
On page 12, delete lines 20 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Millage Increase Not For General Purposes. When the millage increase is for other than general purpose, the proposition shall state the specific purpose or purposes for which the tax is to be levied and the length of time the tax is to remain in effect. All proceeds of the tax shall be used solely for the purpose or purposes set forth in the proposition."

(C) Exception. This Section shall not apply to the city of New Orleans."

Read.

On motion of Delegate Tate Amendment No. 45 was adopted.

AMENDMENT No. 46—
On page 12, delete lines 28 through 35, both inclusive, in their entirety and on page 13, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 29. Local Governmental Subdivisions; Occupational License Tax

Section 29. The governing authority of a local governmental subdivision may impose an occupational license tax not greater than that imposed by the state. Those who pay a local occupational license tax shall be exempt from a parish occupational license tax in the amount of the municipal tax. The governing authority of a local governmental subdivision may impose an occupational license tax greater than that imposed by the state when authorized by law enacted by the favorable vote of two-thirds of the elected members of each house of the legislature."

Read.

On motion of Delegate Tate Amendment No. 46 was adopted.

AMENDMENT No. 47—
On page 13, delete lines 4 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 30. Local Governmental Subdivisions and School Boards; Sales Tax

Section 30. (A) Sales Tax Authorized. Except as otherwise authorized in a home rule charter as provided for in Section 4 of this Article, the governing authority of any local governmental subdivision or school board may levy and collect a tax upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services as defined by law, if approved by a majority of the electorate voting thereon in an election held for that purpose. The rate thereof, when combined with the rate of all other sales and use taxes, exclusive of state sales and use taxes,
levied and collected within any local governmental subdivision, shall not exceed three percent."

(B) Additional Sales Tax Authorized. However, the legislature, by general or by local or special law, may authorize the imposition of additional sales and use taxes by local governmental subdivisions or school boards, if approved by a majority of the electors voting thereon in an election held for that purpose.

(C) Bonds; Security. Nothing in this Section shall affect any sales or use tax authorized or imposed on the effective date of this constitution or affect or impair the security of any bonds payable from the proceeds of the tax.

Read.

On motion of Delegate Tate Amendment No. 47 was adopted.

AMENDMENT No. 48—

On page 13, delete lines 27 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Exemptions; Protection of Bonds. Except when bonds secured thereby have been authorized, the legislature by law may uniformly exempt or exclude any goods, tangible personal property, or services from sales or use taxes levied by local governmental subdivisions, school boards, and the state."

Read.

On motion of Delegate Tate Amendment No. 48 was adopted.

AMENDMENT No. 49—

On page 13, delete lines 32 through 35, both inclusive in their entirety, and on page 14, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 31. Political Subdivisions: Taxing Power
Section 31. A political subdivision may exercise the power of taxation, subject to limitations elsewhere provided by this constitution, under authority granted by the legislature for parish, municipal, and other local purposes, strictly public in their nature. This Section shall not affect similar grants to political subdivisions under self-operative sections of this constitution."

Read.

On motion of Delegate Tate Amendment No. 49 was adopted.

AMENDMENT No. 50—

On page 14, delete lines 7 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 32. Special Taxes; Ratification
Section 32. Any special tax being levied by a political subdivision under prior legislative or constitutional authority on the effective date of this constitution is ratified."

Read.

On motion of Delegate Tate Amendment No. 50 was adopted.

AMENDMENT No. 51—

On page 14, delete lines 12 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 33. Special Taxes; Authorization
Section 33. For the purpose of acquiring, constructing, improving, maintaining, or operating any work or public improvement, a political subdivision may levy special taxes with or without authority by a majority of the electors in the political subdivision who vote thereon in an election held for that purpose."

Read.

On motion of Delegate Tate the previous question was ordered on the amendment.

On motion of Delegate Avant, and, under a suspension of the rules, action on the above Amendment was deferred at this time.

AMENDMENT No. 52—

On page 14, delete lines 17 through 35, both inclusive, in their entirety and on page 15, delete lines 1 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 34. Political Subdivisions; General Obligation Bonds
Section 34. (A) Authorization. Subject to approval by the State Bond Commission or its successor, general obligation bonds may be issued only after authorization by a majority of the electors voting on the proposition at an election in the political subdivision issuing the bonds. Bonds to refund outstanding indebtedness at the same or at a lower effective rate of interest, even though payable solely from ad valorem taxes, need not be authorized at an election if the indebtedness refunded is paid or cancelled at the time of the delivery of the refunding bonds, or if money, or securities made eligible for such purpose by law, are deposited in escrow in an adequate amount, with interest, to be utilized solely to retire the refunded indebtedness or bonds and to pay interest thereon and redemption premiums, if any, to the time of retirement.

(B) Full Faith and Credit. The full faith and credit of a political subdivision is hereby pledged to the payment of general obligation bonds issued by it under this constitution or the statute or proceedings pursuant to which they are issued. The governing authority of the issuing political subdivision shall levy and collect or cause to be levied and collected on all taxable property in the political subdivision ad valorem taxes sufficient to pay principal and interest and redemption premiums, if any, on such bonds as they mature."

Read.

On motion of Delegate Tate Amendment No. 52 was adopted.

AMENDMENT No. 53—

On page 15, delete lines 11 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 35. Limitations on Bonded Indebtedness
Section 35. The legislature by law shall fix the limitation on bonded indebtedness payable solely from ad valorem taxes levied by political subdivisions."

Read.

On motion of Delegate Tate Amendment No. 53 was adopted.

AMENDMENT No. 54—

On page 15, delete lines 16 through 34, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 36. Contesting Political Subdivision Bonds
Section 36. (A) Contesting Election; Time Limit. For sixty days after promulgation of the result of an election held to incur or assume debt, issue bonds, or levy a tax, any person in interest may contest the legality of the election, the bond issue provided for, or the tax authorized, for any cause. After that time no one shall have any cause or right of action to contest the regularity, formality, or legality of the election, tax provisions, or bond authorization for any cause whatsoever. If the validity of any election, tax, debt assumption, or bond issue authorized or provided for is not raised within the sixty days, the authority to incur or assume debt, levy the tax, or issue the bonds, the legality thereof, and the taxes and other revenues necessary to pay the same shall be conclusively presumed to be valid, and no court shall have authority to inquire into such matters."

Read.

On motion of Delegate Tate Amendment No. 54 was adopted.

AMENDMENT No. 55—

On page 15, delete line 35 and on page 16, delete lines 1 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Contesting Ordinance or Resolution; Time Limit. Every ordinance or resolution authorizing the issuance of bonds or other debt obligation by a political subdivision shall be published at least once in the official journal of the
political subdivision or, if there is none, in a newspaper having general circulation therein. For thirty days after the date of publication, any person in interest may contest the legality of the ordinance or resolution and of any provision therein made for the security and payment of the bonds. After that time, no one shall have any cause of action to test the regularity, formality, legality, or effectiveness of the ordinance or resolution, and provisions thereof for any cause whatever. The matter, it shall be conclusively presumed that every legal requirement for the issuance of the bonds or other debt obligation, including all things pertaining to the election, if any, at which the bonds or other debt obligation was authorized, has been complied with. No court shall have authority to inquire into any of these matters after the thirty days."

Read.

On motion of Delegate Tate Amendment No. 55 was adopted.

AMENDMENT No 56—
On page 16, delete lines 22 through 22, both inclusive, and in their entirety and insert in lieu thereof the following:

"Section 37. Local Improvement Assessments
Section 37. (A) Authorization. The legislature shall provide by general law or by local or special law the procedures by which a political subdivision may levy and collect local special assessments on real property for the purpose of acquiring, constructing, or improving works of public improvement.
(B) Certificates of Indebtedness; Security. Certificates of indebtedness may be issued to cover the cost of any such public improvement. They shall be secured by the pledge of the local or special assessments levied therefore and may be further secured by the pledge of the full faith and credit of the political subdivision.
(C) Exception. This Section shall not apply to a school board."

Read.

On motion of Delegate Tate Amendment No. 56 was adopted.

AMENDMENT No 57—
On page 17, delete lines 13 through 30, both inclusive, and on page 18, delete lines 1 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 38. Revenue-Producing Property
Section 38. (A) Authorization. The legislature by law may authorize political subdivisions to issue bonds or other debt obligations to construct, acquire, extend, or improve any revenue-producing works of public improvement. The bonds or other debt obligations may be secured by mortgage on the lands, buildings, machinery, and equipment or by the pledge of the income and revenues of the public utility or work of public improvement. They shall not be a charge upon the other income and revenues of the political subdivision.
(B) Exception. This Section shall not apply to a school board."

Read.

On motion of Delegate Tate Amendment No. 57 was adopted.

AMENDMENT No 58—
On page 17, delete lines 13 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 39. Levee Districts
Section 39. (A) Retention; Reorganization; Consolidation. Levee districts as organized and constituted on January 1, 1974 shall continue to exist, except that:
(1) The legislature may provide by law for the consolidation, division, or reorganization of existing levee districts or may create new levee districts. However, the members of the board of commissioners of a district hereby or hereafter created shall be appointed or elected from among residents of the district, as provided by law.
(2) A levee district whose flood control responsibilities are limited to and which is situated entirely within one parish may be consolidated and merged into such parish under the terms and conditions and in the manner provided in Section 16 of this Article.
AMENDMENT No 59—
On page 17, delete lines 31 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 40. Levee District Taxes
Section 40. (A) District Tax; Millage Limit. For the purpose of constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection, and for all other purposes incident thereto, the governing authority of a levee district may levy annually a tax not to exceed five mills, except the Board of Levee Commissioners of the Orleans Levee District which may levy annually a tax not to exceed two and one-half mills, on the dollar of the assessed valuation of all taxable property situated within the alluvial portions of the district subject to overflow."

Read.

On motion of Delegate Tate Amendment No. 59 was adopted.

AMENDMENT No 60—
On page 18, delete lines 8 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 41. (A) Authorization. Subject to approval by the State Bond Commission or its successor, the governing authority of a levee district may fund the proceeds of its taxes or other revenues into bonds or other evidences of indebtedness. Proceeds thus derived shall be used for the purposes mentioned in Part III of this Article or for the funding or payment of any outstanding indebtedness.
(B) Sale. Bonds issued under the authority of Paragraph (A) shall be sold as provided by law concerning the issuance of bonds by levee districts."

Read.

On motion of Delegate Tate Amendment No. 60 was adopted.

AMENDMENT No 61—
On page 18, delete lines 18 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 42. Cooperation with Federal Government
Section 42. The governing authority of any levee district may cooperate with the federal government in constructing and maintaining levees in this state, under terms and conditions provided by the federal authorities and accepted by the governing authority."

Read.

On motion of Delegate Tate Amendment No. 61 was adopted.

AMENDMENT No 62—
On page 18, delete lines 30 through 35, both inclusive, in their entirety and delete line 1 on page 19 and insert in lieu thereof the following:

"Section 43. Effective Date of Article
Section 43. All provisions of this Article shall take effect on the date of adoption of this Article."

Read.

On motion of Delegate Tate Amendment No. 62 was adopted.
On motion of Delegate Tate Amendment No. 62 was adopted.

AMENDMENT No. 63—
On page 19, delete lines 2 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 43. Compensation for Property Used or Destroyed; Tax

Section 43. (A) Notwithstanding any contrary provision of this constitution, lands and improvements thereon hereafter actually used or destroyed for levees or levee drainage purposes shall be paid for as provided by law. However, nothing contained in this Paragraph with respect to compensation for lands and improvements shall apply to tax or to property the control of which is vested in the state or any political subdivision for the purpose of commerce. If the district has no other funds or resources from which the payment can be made, it shall levy on all taxable property within the district a tax sufficient to pay for property used or destroyed to be used solely in the district where collected.

(B) Appropriation. Nothing in this Section shall prevent the appropriation of such property before payment."

Read.

On motion of Delegate Tate Amendment No. 63 was adopted.

AMENDMENT No. 64—
On page 19, delete lines 20 through 35, both inclusive, and on page 20, delete lines 1 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 44. Port Commissions and Districts

Section 44. All deep-water port commissions and all deep-water port, harbor, and terminal districts as organized and constituted prior to January 1, 1974, including their powers and functions, structure and organization, and territorial jurisdiction, are ratified and confirmed and shall continue to exist, except that

(1) The legislature by law may grant additional powers and functions to any such commission or district and may create new port commissions or port, harbor, and terminal districts.

(2) Only by law enacted by the favorable vote of two-thirds of the elected members of each house may the legislature consolidate or abolish any such commission or district or diminish, reduce, or withdraw from any such commission or district any of its powers and functions and affect the structure and organization, distribution, and re-distribution of the powers and functions of any such commission or district, including additions to or reductions of its territorial jurisdiction.

(3) The legislature shall enact laws with respect to the membership of the commissions provided in this Section. Once the law with respect to membership is enacted, it may be changed only by law enacted by the favorable vote of two-thirds of the elected members of each house."

Read.

On motion of Delegate Tate Amendment No. 64 was adopted.

AMENDMENT No. 65—
On page 20, delete lines 15 through 35, both inclusive, in their entirety and on page 21, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 45. Terms Defined

Section 45. As used in this Article:

(1) "Local governmental subdivision" means any parish or municipality.

(2) "Political subdivision" means a parish, municipality, and any other unit of local government, including a school board and a special district, authorized by law to perform governmental functions.

(3) "Municipality" means an incorporated city, town, or village.

(4) "Governing authority" means the body which exercises the legislative functions of the political subdivision.

(5) "General law" means a law of statewide concern enacted by the legislature which is uniformly applicable to all persons or to all political subdivisions in the state or which is uniformly applicable to all persons or to all political subdivisions within the same class.

(6) "General obligation bonds" means those bonds, the principal and interest of which are secured by and payable from ad valorem taxes levied without limitation as to rate or amount.

(7) "Deep-water port commissions" and "deep-water port, harbor, and terminal districts" mean those commissions or districts within whose territorial jurisdiction exist facilities capable of accommodating vessels of at least twenty-five feet of draft and of engaging in foreign commerce."

Read.

On motion of Delegate Tate Amendment No. 65 was adopted.

AMENDMENT No. 66—
On page 14, line 7, delete the language added by Committee Amendment No. 50 and insert in lieu thereof the following:

"Section 32, Taxes; Ratification

Section 32. Any tax being levied by a political subdivision under prior legislative or constitutional authority on the effective date of this constitution is ratified."

Read.

On motion of Delegate Tate Amendment No. 66 was adopted.

Motion

On motion of Delegate Avant the rules were suspended in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 17, Section 32, was passed, for the limited purpose of offering an amendment proposed by Delegate Avant.

Reconsideration

On motion of Delegate Avant the vote by which Committee Proposal No. 17, Section 32, was passed was reconsidered.

"Section 32. Taxes; Ratification

Section 32. Any tax being levied by a political subdivision under prior legislative or constitutional authority on the effective date of this constitution is ratified."

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 17 by Delegate Perez, et al.

Amend First Enrolled Proposal as follows:

AMENDMENT No. 1—
On page 14, line 7, in Committee Amendment No. 66 proposed by the Committee on Style and Drafting and adopted by the Convention on January 14, 1974, on line 2, of the text of the amendment, after the word "tax" and before the word "being" insert the word "validly"

On motion of Delegate Avant the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 17, New Section 32 was read, as amended.

Delegate Avant moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham Alarjo Arnette

1242
ROLL CALL

The roll was called with the following result:

Delegates—

Abraham—Ginn
Alario—Goldman
Arnette—Graham
Asseff—Gravel
Avant—Grier
Badeaux—Guarisco
Bel—Hardee
Bergeron—Hayes
Blair—Hayes
Bollinger—Hayes
Brown—Heine
Burns—Hernandez
Burson—Jackson, A.
Cannon—Jackson, J.
Carmouche—Jenkins
Casey—Jones
Champagne—Juneau
Chataignier—Kean
Chehardy—Kilpatrick
Comar—Landrum
Conio—Landry, A.
Conroy—Landry, E. J.
Corne—Leithman
Cown—Lowe
D’Geraldino—McDaniel
De Blieux—Maisonneuve
Drew—Maybry
Elkins—Mayer
Fayard—Mead
Flory—Morrison
Fontenot—Munson
Fowler—Newton
Fulco—O’Neill
Gauthier—Ozene
Ginn—Ozene
Goodman—Perkins

Total—105.

NAYS

Delegates—

Mr. Chairman—Duval
Achter—Edwards
Alexander—Glarusso
Anzalone—Kelly
Dennery—Kelly
Dennis—Kimbrough
Derbes—Landry
Deshotels—LeBlanc
Dunlap—Leigh

Total—27.

And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Tate Amendment No. 51, upon which action was previously deferred, was taken up and acted on as follows:

AMENDMENT No. 51—

On page 14, delete lines 12 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 33. Special Taxes; Authorization

Section 33. For the purpose of acquiring, constructing, improving, maintaining, or operating any work or project in the public interest, a political subdivision may levy special taxes when authorized by a majority of the electors in the political subdivision who vote thereon in an election held for that purpose."

Read.

Delegate Tate moved the adoption of the amendment.

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

NAYS

Delegates—

Mr. Chairman—Duval
Achter—Edwards
Alexander—Glarusso
Anzalone—Kelly
Dennery—Kelly
Dennis—Kimbrough
Derbes—Landry
Deshotels—LeBlanc
Dunlap—Leigh

Total—26.

And the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

AMENDMENT No. 67—

On page 1, line 20, amend the language added by Committee Amendment No. 1 as follows:

"on the effective date of this constitution"

Read.

On motion of Delegate Tate Amendment No. 67 was adopted.

AMENDMENT No. 68—

On page 2, line 8, amend the language added by Committee Amendment No. 3 as follows:

"the words "under existing law" and insert in lieu thereof the following:

Read.

1243
On motion of Delegate Tate Amendment No. 68 was adopted.

Motion
On motion of Delegate Rayburn the rules were suspended for the purpose of calling a meeting of the Committee on Revenue, Finance and Taxation without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Monday, January 14, 1974, at 12 o'clock noon in Assembly Room—8th Floor—White House Inn and will consider the following agenda:

AGENDA
Consideration and approval of the reports on CP 15 and CP 28 to the Committee on Legislative Liaison and Transitional Measures.

Respectfully submitted,
B. B. RAYBURN,
Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion
On motion of Delegate Zervigon the rules were suspended for the purpose of calling a meeting of the Committee on Legislative Liaison and Transitional Measures without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Zervigon, chairman of the Committee on Legislative Liaison and Transitional Measures, sent up the following notice:

The Committee on Legislative Liaison and Transitional Measures will meet on Tuesday, January 14, 1974 at 9:00 o'clock a.m. in the Treaty Room and will consider the following agenda:

AGENDA
To prepare the article on Transitional Measures.

Respectfully submitted,
MARY K. ZERVIGNON,
Chairman of the Committee on Legislative Liaison and Transitional Measures

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion
On motion of Delegate Juneau the rules were suspended for the purpose of calling a meeting of the Committee on Public Information without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Juneau, chairman of the Committee on Public Information, sent up the following notice:

The Committee on Public Information will meet on Monday, January 14, 1974, at adjournment in the Treaty Room and will consider the following agenda:

AGENDA
To discuss the distribution of the final document.

Respectfully submitted,
PAT JUNEAU,
Chairman of the Committee on Public Information

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion
On motion of Delegate Perez the rules were suspended for the purpose of calling a meeting of the Committee on Local and Parochial Government without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Monday, January 14, 1974, on adjournment in the Convention Hall and will consider the following agenda:

AGENDA
To review the final draft of the Proposal.

Respectfully submitted,
CHALIN O. PEREZ,
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion
On motion of Delegate Tate the rules were suspended for the purpose of calling a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Monday, January 14, 1974, at noon recess in the Convention Hall and will consider the following agenda:

AGENDA
To prepare additional reports.

Respectfully submitted,
ALBERT TATE,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Recess
On motion of Delegate O'Neill the Convention recessed until 2:30 o'clock P.M.

After Recess
The Convention was called to order at 2:30 P.M. by the Hon. Thomas Casey, Vice-Chairman of the Convention.

ROLL CALL
The roll being called, the following named Delegates answered to their names:
The Chair announced that there were 108 Delegates present and a quorum.

Motion

Delegate Pugh moved for a suspension of the rules in order to discharge Committee Proposal No. 26 from the Committee on Style and Drafting.

Delegate Tapper objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brown
Bums
Burson
Cann
Carmouche
Casey
Chatelain
Chehardy
Comar
Conino
Conroy
Conroe
Cron
D'Geralamo
De Bileux
Denner
Derbes
Drew
Duval
Edwards
Elkins
Flory

Total—108.

NOT VOTING

Delegates—
Mr. Chairman
Champagne
Dennis
Deshotels
Dunlap
Fayard
Fowler
Guarrisco

Total—24.

And the Convention refused to suspend the rules at this time.

Explanation of Vote

Delegate Tobias sent up the following Explanation of Vote with respect to the proposed rules suspension:

"I have voted not to reopen the question of assessment percentages because the proposal provides for a roll up or roll back of millages. No taxing authority will lose any monies from reassessment. The question presented is a philosophical one, to-wit, who should bear the burden of taxation. The convention has spoken on this issue and I believe it should not be reopened."

MAX N. TOBIAS, JR.

Motion

Delegate Gravel moved for a suspension of the rules in order to discharge Committee Proposal No. 37 from the Committee on Style and Drafting.

Delegate Schmitt objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Badeaux
Alario
Bel
Bergeron
Blair
Anzalone

Total—26.
Burson
Cannon
Carmouche
Casey
Chatelain
Comar
Conroy
Corne
Cowie
De Blieux
Dennis
Derbes
Edwards
Fowler
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Graham
Gravel
Guarisco
Hardee
Hayes
Heine
Jackson, A.
Jackson, J.
Jenkins
Jones
Juneau
Kean
Kippatrick
Landrum
Landry, A.
Landry, E. J.
Lanier
Leithman
Lowe
Mire
Newton
Nunez
Ousso
Perez
Perkins
Planchard
Pugh
Rayburn
Roy
Sandoz
Segura
Shannon
Singleton
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Tapper
Thistletwaite
Thompson
Tobias
Toomy
Ullo
Velaquez
Vick
Warren
Wemack
Zervigon

Total—81.

NAYS

Delegates—

Arnette
Asseff
Chehardy
Conino
D’Gerolamo
Drew
Duval
Elkins
Flory

Fontenot
Grier
Hernandez
McDaniel
Mauberret
Miller
Morris

Hayes
Heine
Jackson, A.
Jackson, J.
Jenkins
Jones
Juneau
Kean
Kippatrick
Landrum
Landry, A.
Landry, E. J.
Lanier
Leithman
Lowe
Mire
Newton
Nunez
Ousso
Perez
Perkins
Planchard

Schmitt
Stinson
Sutherland
Toca
Wattigny
Wills
Winchester
Wemack
Zervigon

Total—25.

NOT VOTING

Delegates—

Mr. Chairman
Aeriker
Avant
Champagne
Dennessy
Deshotels
Dunlap
Edwards
Fayard
Fowler

Kelly
Kilbourne
Lambert
LeBlanc
Mauberret
Miller
Munson
O’Neill

Rachal
Reeves
Riecke
Stovall
Tate
Vesich
Wall
Weiss

Total—26.

And the rules were suspended.

Motion

Delegate Nunez moved that the Convention take up Reports of Committees at this time.
Delegate Gravel objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Bums
Burson

Cannon
Carmouche
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D’Gerolamo
Drew
Duval

Elkins
Flory
Fontenot
Fulco
Gauthier
Gauthier
Gauthier
Gauthier
Guarisco
Hardee
Hayes
Heine

Nunez
Ours
Perez
Perkins
Planchard
Rayburn
Roemer
Sandoz
Schmitt
Singletary
Stephenson
Stinson

Sutherland
Thistletwaite
Toca
Toomy
Ullo
Velaquez
Warren
Wills
Winchester
Wisham
Zervigon

Total—71.

NAYS

Delegates—

Alexander
Brien
Brown
Casey
Chatelain
De Blieux
Dennis
Ginn
Graham
Gravel
Jack

Jackson, A.
Jackson, J.
Kilpatrick
Landrum
Landry, A.
Leithman
Mire
Newton
Pugh
Roy

Not

Slay
Smith
Soniat
Stagg
Thompson
Tobias
Vick
Wattigny
Womack

Total—32.

NOT VOTING

Delegates—

Mr. Chairman
Aeriker
Aeriker
Aeriker

Hayes
Kilbourne
Kilbourne

Reeves
Riek
Stovall
Tapper
Tate
Vesich
Wall
Weiss

Total—29.

And the Convention took up Reports of Committees.

Reports of Committees

The following reports of committees were received and read:
Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:
State of Louisiana
Constitutional Convention of 1973
January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:
I am directed by your Committee on Style and Drafting to submit the following report:

COMMITTEE PROPOSAL No. 37—

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment:

A PROPOSAL

Making provisions relating to the Public Service Commission.

Reported with the following amendments.

COMMITTEE AMENDMENT

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 37 by Delegates Lambert, et al.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 14 through 24, both inclusive, in their entirety and insert in lieu thereof the following: "Section 14. (A) Composition; Term; Domicile. There shall be a Public Service Commission consisting of five members, who shall be elected for overlapping terms of six years at the time fixed for congressional elections from single member districts established by law. Each commissioner serving on the effective date of this constitution shall be the commissioner
for the new district in which he resides and shall complete the term for which he was elected. The commission annually shall elect one member as chairman. It shall be domiciled at the state capital, but may meet, conduct investigations, and render orders elsewhere in this state.

AMENDMENT No. 2—
On page 1, line 30, after the word and punctuation "law," delete the remainder of line 30 and delete lines 31 and 32 in their entirety.

AMENDMENT No. 3—
On page 1, delete lines 33 through 35, both inclusive, in their entirety and on page 2, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:
“(C) Limitation. The commission shall have no power to regulate any common carrier or public utility owned, operated, or regulated on the effective date of this constitution by the governing authority of one or more political subdivisions, except by the approval of a majority of the electors, voting in an election held for that purpose; however, a political subdivision may reinvest itself with such regulatory power in the manner in which it was surrendered. This Paragraph shall not apply to safety regulations pertaining to the operation of such utilities.”

AMENDMENT No. 4—
On page 2, delete lines 8 through 18, both inclusive, in their entirety and insert in lieu thereof the following:
“(D) Elections, Petitions, and Schedules; Protective Bond and Security. (1) Within twenty days after a common carrier or public utility files a proposed rate schedule which would result in a change in rates, it shall give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable.”

AMENDMENT No. 5—
On page 2, delete lines 17 through 19, both inclusive, in their entirety and insert in lieu thereof the following:
“(2) Within twelve months after the effective filing date, the commission shall render a final decision on each application, petition, and proposed rate schedule.”

AMENDMENT No. 6—
On page 2, delete lines 20 through 31, both inclusive, in their entirety and insert in lieu thereof the following:
“(3) After the effective filing date of any proposed schedule by a public utility which would result in a rate increase, the commission may permit the proposed schedule to be put into effect, in whole or in part, pending its decision on the application for rate increase and subject to protective bond or security approved by the commission. If no decision is rendered on the application within twelve months after such filing date, the proposed increase may be put into effect, but only if as provided by law and subject to protective bond or security requirements, until final action by a court of last resort.”

AMENDMENT No. 7—
On page 2, delete lines 32 through 35, both inclusive, in their entirety and on page 3, delete line 1 in its entirety, and insert in lieu thereof the following:
“(4) If a proposed increase which has been put into effect is finally disallowed, in whole or in part, the utility shall make full refund, with legal interest thereon, within the time and in the manner prescribed by law.”

AMENDMENT No. 8—
On page 3, delete lines 2 through 10, both inclusive, in their entirety and insert in lieu thereof the following:
“(E) Appeals. Appeal may be taken in the manner provided by law by any aggrieved party or intervenor to the district court of the domicile of the commission. A right of direct appeal from any judgment of the district court shall be allowed to the supreme court. These rights of appeal shall extend to any action by the commission, including but not limited to action taken by the commission or by a public utility under the provisions of Subparagraph (3) of this Paragraph.”

AMENDMENT No. 9—
On page 1, line 14, delete the language added by Committee Amendment No. 1 proposed by the Committee on Style and Drafting and adopted this date, and insert in lieu thereof the following:
“Section 14. (A) Composition; Term; Domicile. There shall be a Public Service Commission in the executive branch. It shall consist of five members, who shall be elected for overlapping terms of six years at the time fixed for congressional elections from single member districts established by law. Each commissioner serving on the effective date of this constitution shall be the commissioner for the new district in which he resides and shall complete the term for which he was elected. The commission annually shall elect one member as chairman. It shall be domiciled at the state capital, but may meet, conduct investigations, and render orders elsewhere in this state.”

AMENDMENT No. 10—
On page 2, line 20, delete the language added by Committee Amendment No. 6 proposed by the Committee on Style and Drafting adopted this date and insert in lieu thereof the following:
“(3) After the effective filing date of any proposed schedule by a public utility which would result in a rate increase, the commission may permit the proposed schedule to be put into effect, in whole or in part, pending its decision on the application for rate increase and subject to protective bond or security approved by the commission. If no decision is rendered on the application within twelve months after such filing date, the proposed increase may be put into effect, but only if as provided by law and subject to protective bond or security requirements, until final action by a court of last resort.”

Respectfully submitted,

ALBERT TATE, JR.
Chairman.

Suspension of the Rules

On motion of Delegate Tate the rules were suspended in order to take up the Proposals contained in the Committee Report, at this time.

COMMITTEE PROPOSAL No. 37—
Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment:
A PROPOSAL
Making provisions relating to the Public Service Commission.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 37 by Delegates Lambert, et al.

Amend First Enrolled Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 14 through 24, both inclusive, in their entirety and insert in lieu thereof the following:
“Section 14. (A) Composition; Term; Domicile. There shall be a Public Service Commission consisting of five members, who shall be elected for overlapping terms of six years at the time fixed for congressional elections from single member districts established by law. Each commissioner serving on the effective date of this constitution shall be the commissioner for the new district in which he resides and shall complete the term for which he was elected. The commission annually shall elect one member as chairman. It shall be domiciled at the state capital, but may meet, conduct investigations, and render orders elsewhere in this state.”

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—
On page 1, line 30, after the word and punctuation "law," delete the remainder of line 30 and delete lines 31 and 32 in their entirety.

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.
AMENDMENT No. 3—
On page 1, delete lines 33 through 35, both inclusive, in their entirety and on page 2, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Limitation. The commission shall have no power to regulate any common carrier or public utility owned, operated, or regulated on the effective date of this constitution by the governing authority of one or more political subdivisions, except by the approval of a majority of the electors voting in an election held for that purpose; however, a political subdivision may reinvest itself with such regulatory power in the manner in which it was surrendered. This Paragraph shall not apply to safety regulations pertaining to the operation of such utilities."

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

Motion

Delegate Gravel moved to defer action on Amendment Nos. 4, 5, 6 and 7 at this time.

Delegate Nunez objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Brown    Brien    Chatelain    De Blieux    Dennis    Drew    Duval    Fowler    Fulco    Gauthier

Ginn    Graham    Gravel    Guadacino    Jackson, A.    Jackson, J.    Kilpatrick    Landrum    Leithman

Newton    Pugh    Roy    Segura    Shannon    Slay    Soniat    Thompson    Tobias    Vick

Total—30.

NAYS

Delegates—

Abraham    Aertker    Alario    Alexander    Anzalone    Arnette    Asseff    Avant    Badeaux    Bel    Bergeron    Blair    Bollinger    Burns    Burson    Cannon    Carmouche    Casey    Chehardy    Comar    Conino    Conroy    Corne    Cowen    D'Gerolamo


Perez    Perkins    Planchar    Rayburn    Sandoz    Schmitt    Singleter    Smith    Stagg    Stephenson    Stinson    Sutherland    Tanner    Thistlethwaite    Toca    Toomey

Total—74.

NOT VOTING

Delegates—

Champagne    Dennery    Deshotels

Dunlap    Fayard

Haynes    Juneau    Keen    Kelly    Kilbourne    LeBleu    Leigh    Martin    Martin

Morris    Munson    O'Neill    Ourso    Rachal    Reeves    Rieke    Roemer    Stovall    Tate    Vesich    Wall    Welas    Zervigon

Total—28.

And the Convention refused to defer action on the amendments at this time.

AMENDMENT No. 4—
On page 2, delete lines 8 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Applications, Petitions, and Schedules; Protective Bond and Security. (1) Within twenty days after a common carrier or public utility files a proposed rate schedule which would result in a change in rates, it shall give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable."

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—
On page 2, delete lines 17 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"(2) Within twelve months after the effective filing date, the commission shall render a full decision on each application, petition, and proposed rate schedule."

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 6—
On lines 2, delete lines 20 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"(3) After the effective filing date of any proposed schedule by a public utility which would result in a rate increase, the commission may permit the proposed schedule to be put into effect, in whole or in part, pending its decision on the application for rate increase and subject to protective bond or security approved by the commission. If no decision is rendered on the application within twelve months after such filing date, the proposed increase may be put into effect, but only as provided by law and subject to protective bond or security requirements, until final action by a court of last resort."

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.

AMENDMENT No. 7—
On page 2, delete lines 32 through 35, both inclusive, in their entirety and on page 3, delete line 1 in its entirety, and insert in lieu thereof the following:

"(4) If a proposed increase which has been put into effect is finally disallowed, in whole or in part, the utility shall make full refund, with legal interest thereon, within the time and in the manner prescribed by law."

Read.

On motion of Delegate Tate Amendment No. 7 was adopted.

AMENDMENT No. 8—
On page 3, delete lines 2 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Appeals. Appeal may be taken in the manner provided by law by any aggrieved party or intervenor to the district court of the domicile of the commission. A right of direct appeal from any judgment of the district court shall be allowed to the supreme court. These rights of appeal shall extend to any action by the commission, including but not limited to action taken by the commission or by a public utility under the provisions of Subparagraph (3) of this Paragraph."

Read.

On motion of Delegate Tate Amendment No. 8 was adopted.
AMENDMENT No. 9—
On page 1, line 14, delete the language added by Committee Amendment No. 1 proposed by the Committee on Style and Drafting and adopted this date, and insert in lieu thereof the following:

"Section 14. (A) Composition; Term; Domicile. There shall be a Public Service Commission in the executive branch. It shall consist of five members, who shall be elected for overlapping terms of six years at the time fixed for congressional elections from single member districts established by law. Each commissioner serving on the effective date of this constitution shall be the commissioner for the new district in which he resides and shall complete the term for which he was elected. The commission annually shall elect one member as chairman. It shall be domiciled at the state capital, but may meet, conduct investigations, and render orders elsewhere in this state."

Read.

Point of Order
Delegate Kean rose to a point of order, and asked a ruling from the Chair, that the Committee on Style and Drafting had exceeded its authority by submitting Amendment No. 9 in that the amendment contained a substantive change to the Proposal, and therefore the amendment was out of order at this time.

Ruling of the Chair
The Chair declined to rule and put the question to the Convention, under the rules.

The question was put to declare the amendment in order.

By a vote of 69 yeas and 34 nays the Convention declared the amendment in order.

Delegate Tate moved the adoption of Amendment No. 9.
Delegate Kean objected.

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

ROLL CALL
The roll was called with the following result:

YEAS

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<tr>
<th>Delegates</th>
<th>Alexander</th>
<th>Arnette</th>
<th>Badeaux</th>
<th>Bel</th>
<th>Bergeron</th>
<th>Blaff</th>
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<td>Glenn</td>
<td>Goldman</td>
<td>Graham</td>
<td>Gravel</td>
<td>Guisasco</td>
<td>Hardee</td>
<td>Jackson, A.</td>
<td>Jackson, J.</td>
<td>Jones</td>
<td>Kepner</td>
<td>Landry, E. J.</td>
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<td>Munson</td>
<td>Newhall</td>
<td>Newton</td>
<td>Pugh</td>
<td>Reeves</td>
<td>Roy</td>
<td>Sandoz</td>
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<td>Schmitt</td>
<td>Segura</td>
<td>Shannon</td>
<td>Slay</td>
<td>Smith</td>
<td>Soniat</td>
<td>Stephenson</td>
<td>Sutherland</td>
<td>Tate</td>
<td>Thistletwaite</td>
<td>Thompson</td>
<td>Tobias</td>
<td>Vick</td>
<td>Wattigny</td>
<td>Willis</td>
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NAYS

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<tr>
<th>Delegates</th>
<th>Acker</th>
<th>Ansaldi</th>
<th>Asseff</th>
<th>Avant</th>
<th>Burns</th>
<th>Burson</th>
<th>Cannon</th>
<th>Hernandez</th>
<th>Jenkins</th>
<th>Jungcu</th>
<th>Kean</th>
<th>Lambert</th>
<th>Landry, A.</th>
<th>Lassiter</th>
<th>Leithman</th>
<th>Lowe</th>
<th>McDaniel</th>
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<td>Carmouche</td>
<td>Chambers</td>
<td>Comar</td>
<td>Conino</td>
<td>Corne</td>
<td>D'Gerolamo</td>
<td>Drew</td>
<td>Mauberry</td>
<td>Maybuce</td>
<td>Miller</td>
<td>Morris</td>
<td>Nunez</td>
<td>Perez</td>
<td>Perkins</td>
<td>Planhard</td>
<td>Rayburn</td>
<td>Roemer</td>
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<td>Eikins</td>
<td>Florio</td>
<td>Fontenot</td>
<td>Gauthier</td>
<td>Grier</td>
<td>Hayes</td>
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NOT VOTING

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<tr>
<th>Delegates</th>
<th>Mr. Chairman</th>
<th>Abraham</th>
<th>Alario</th>
<th>Champagne</th>
<th>Denney</th>
<th>Denshotel</th>
<th>Dunlap</th>
<th>Fayard</th>
<th>Fowler</th>
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<td>Giarrusso</td>
<td>Haynes</td>
<td>Kelly</td>
<td>Kilbourne</td>
<td>Landrum</td>
<td>LeBlieu</td>
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<td>Martin</td>
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And the amendment was adopted.

AMENDMENT No. 10—
On page 2, line 20, delete the language added by Committee Amendment No. 6 proposed by the Committee on Style and Drafting and adopted this date and insert in lieu thereof the following:

"(3) After the effective filing date of any proposed schedule by a public utility which would result in a rate increase, the commission may permit the proposed schedule to be put into effect, in whole or in part, pending its decision on the application for rate increase and subject to protective bond or security requirements, until final action by a court of last resort.”

Read.

On motion of Delegate Tate Amendment No. 10 was adopted.

Motion
On motion of Delegate Tobias the rules were suspended in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 37, Section 14, was passed for the limited purpose of offering an amendment proposed by Delegate Tobias.

Motion
On motion of Delegate Tobias the vote by which Committee Proposal No. 37, Section 14, was passed, was reconsidered.

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

FLOOR AMENDMENT
Amendment proposed by Delegate Tobias to Committee Proposal No. 37 by Delegate Lambert, et al.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—
On page 3, line 2, in Committee Amendment No. 8 proposed by the Committee on Style and Drafting and adopted by the convention on January 14, 1974, on line 8 thereof, after the number and word "(3) of", delete the remainder of the line and insert in lieu thereof the following:

"(Paragraph (D) of this Section.)"

On motion of Delegate Tobias the amendment was adopted.

Delegate Tobias moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
By a vote of 75 yeas and 21 nays the rules were suspended.

Reconsideration

On motion of Delegate Juneau the vote by which Committee Proposal No. 37, Section 14, was reconsidered.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Juneau to Committee Proposal No. 37 by Delegate Lambert, et al.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—

On page 1, line 25, after the word and punctuation "Duties," delete the remainder of line 25, and delete line 26, in its entirety and insert in lieu thereof the following:

"The commission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by law. It"

Delegate Juneau moved the adoption of the amendment.

Delegate Jenkins objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Aertker
Alexander
Anzalone
Arnette
Asselt
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brilen
Brown
Burns
Busson
Cannon
Carmouche
Casey
Charette
Chehardy
Coan
Commo
Conroy
Corne
Cowan
D'Gerolamo
De Blaeux
Dennis
Derbes
Drew
Duval
Edwards
Elkins
Flory
Fontenot
Fowler
Fulco

Total—109.

NAYS

NOT VOTING

Delegates—

Mr. Chairman
Abraham
Alario
Champaign
Dennery
Deshotels
Dunlap
Payard
O'Neill

Total—23.

And the Chair declared that the above Section was finally passed.

Delegate Tobias moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Juneau moved for a suspension of the rules in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 37, Section 14, was passed for the limited purpose of offering an amendment proposed by Delegate Juneau.

Delegate Brown objected.
And amendment was adopted.

Delegate Juneau moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 37, Section 14 was read, as amended.

Delegate Juneau moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tr>
<td>Delegates</td>
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<tr>
<td>Mr. Chairman</td>
<td>Fentonot</td>
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<td>Aector</td>
<td>Fowler</td>
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<td>Badeaux</td>
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<td>Bel</td>
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<td>Bergeron</td>
<td>Guarisco</td>
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<td>Blair</td>
<td>Hardee</td>
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<td>Bollinger</td>
<td>Heine</td>
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<td>Burns</td>
<td>Hernandez</td>
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<td>Burson</td>
<td>Jack</td>
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<td>Carmouche</td>
<td>Jackson</td>
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<td>Casey</td>
<td>Jackson</td>
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<td>Chatelain</td>
<td>Jones</td>
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<td>Chehardy</td>
<td>Juneau</td>
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<td>Comar</td>
<td>Kippatrick</td>
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<td>Conino</td>
<td>Lambert</td>
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<td>Conre</td>
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<td>Cowen</td>
<td>Landry, A.</td>
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<td>Derbes</td>
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<td>Edwards</td>
<td>Miller</td>
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<td>Fayard</td>
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<td>Flory</td>
<td>Morris</td>
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<td>Total—87.</td>
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| NAYS         |          |
| Delegates    |          |
| Aseff        | Gravel   |
| Brien        | Hayes    |
| Brown        | Jenkins  |
| Cannon       | McDaniel |
| Conroy       | Newton   |
| De Blieux    | O'Neil   |
| Elkins       | Planchard|
| Graham       | Schmitt  |
| Total—22.    |          |

| NOT VOTING   |          |
| Delegates    |          |
| Abraham      | Kean     |
| Alario       | Kelly    |
| Arnette      | Kilbourne|
| Champagne    | LeBlue   |
| Deshotels    | Leigh    |
| Dunlap       | Martin   |
| Giarrusso    | Oursse   |
| Haynes       | Rachael  |
| Total—23.    |          |

And the Chair declared that the above Section was finally passed.

Delegate Juneau moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Tate, the Convention altered the Order of Business to take up Reports of Committees at this time.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

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**State of Louisiana**

**Constitutional Convention of 1973**

January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

**COMMITTEE PROPOSAL No. 15—**

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, De Blieux, Edwards, Fontenot, Lowe, McDaniel, Maubert, Mire, Newton, Nunez, Planchard, Roemer, Schmitt, Slay, Smith, Triche and Winchester:

A PROPOSAL

Relative to the tax structure of the state and to public finance.

Reported with the following amendments.

**COMMITTEE AMENDMENTS**

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend first enrollment proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 18 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. Power to Tax; Public Purposes

Section 1. Except as otherwise provided by this constitution, the power of taxation shall be vested in the legislature, shall never be surrendered, suspended, or contracted away, and shall be exercised for public purposes only."

**AMENDMENT No. 2—**

On page 1, delete lines 23 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Power to Tax; Limitation

Section 2. The levy of a new tax, an increase in an existing tax, or a repeal of an existing tax exemption shall require the enactment of a law by two-thirds of the elected members of each house of the legislature."

**AMENDMENT No. 3—**

On page 1, delete lines 28 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Collection of Taxes

Section 3. The legislature shall prohibit the issuance of process to restrain the collection of any tax. It shall provide a complete and adequate remedy for the prompt recovery of an illegal tax paid by a taxpayer."

**AMENDMENT No. 4—**

On page 1, delete lines 34 and 35, in their entirety and on page 2, delete lines 1 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. Income Tax; Severance Tax; Political Subdivisions

Section 4. (A) Income Tax. Equal and uniform taxes may be levied on net incomes, and these taxes may be graduated according to the amount of net income. However, the state individual and joint income tax schedule of rates shall never exceed the rates set forth in Title 47, Section 32 of the Louisiana Revised Statutes on January 1, 1974. Federal income taxes paid shall be allowed as a deductible item in computing state income taxes for the same period."
AMENDMENT No. 5—
On page 2, delete lines 9 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Severance Tax. Taxes may be levied on natural resources severed from the soil or water, to be paid proportionately by the owners thereof at the time of severance. Natural resources may be classified for the purpose of taxation. Such taxes may be predicated upon either the quantity or value of the products at the time and place of severance. No further or additional tax or license shall be levied or imposed upon oil, gas, or sulphur leases or rights. No additional value shall be added to the assessment of land by reason of the presence of oil, gas, or sulphur therein or their production therefrom. However, sulphur in place shall be assessed for ad valorem taxation to the person, firm, or corporation having the right to mine or produce the same in the parish where located, at no more than twice the total assessed value of the physical property subject to taxation, excluding the assessed value of sulphur above ground, as is used in sulphur operations in such parish. Likewise, the severance tax shall be the only tax on timber; however, standing timber shall be liable equally with the land on which it stands for ad valorem taxes levied on the land."

AMENDMENT No. 6—
On page 2, delete lines 29 and 30, in their entirety and insert in lieu thereof the following:

"(C) Severance Tax; Political Subdivisions. A political subdivision of the state shall not levy a severance tax, income tax, or tax on motor fuel."

AMENDMENT No. 7—
On page 2, delete lines 31 through 35, both inclusive, in their entirety and on page 3, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Severance Tax Allocation. One-third of the sulphur severance tax, but not to exceed one hundred thousand dollars; one-fifth of the severance tax on all natural resources, other than sulphur or timber, but not to exceed five hundred thousand dollars; and three-fourths of the timber severance tax shall be remitted to the governing authority of the parish in which severance or production occurs."

"(E) subsidiaries Allocation. One-tenth of the royalties from mineral leases on state-owned land, lake and river beds and other water bottoms belonging to the state or the title to which is in the public for mineral development shall be remitted to the governing authority of the parish in which severance or production occurs. A parish governing authority may fund these royalties into general obligation bonds of the parish in accordance with law. The provisions of this Paragraph shall not apply to properties comprising the Russell Sage Wildlife and Game Refuge."

AMENDMENT No. 8—
On page 3, delete lines 8 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Motor Vehicle License Tax
Section 5. The legislature shall impose an annual license tax of three dollars on automobiles for private use, and on other motor vehicles, an annual license tax based upon horsepower, carrying capacity, weight, or any of these. No parish or municipality may impose a license fee on motor vehicles."

AMENDMENT No. 9—
On page 3, delete lines 15 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 6. Debt; Full Faith and Credit Obligations
Section 6. (A) Authorization. Unless otherwise authorized by this constitution, the state shall have no power, directly or indirectly, or through any state board, agency, commission, or otherwise, to incur debt or issue bonds except by law enacted by two-thirds of the elected members of each house of the legislature. The debt may be incurred or the bonds issued only if the funds are to be used to repel invasion; suppress insurrection; provide relief from natural catastrophes; refund indebtedness at the same or a lower effective interest rate; or make capital improvements, but only in accordance with a comprehensive capital budget which the legislature shall adopt."

AMENDMENT No. 10—
On page 3, delete lines 29 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Capital Improvements. If the purpose is to make capital improvements, the nature and location, and if more than one project, the amount allocated to each and the order of priority shall be stated in the comprehensive capital budget which the legislature adopts."

AMENDMENT No. 11—
On page 3, delete lines 34 and 35 and on page 4, delete lines 1 and 2, in their entirety and insert in lieu thereof the following:

"(C) Full Faith and Credit. The full faith and credit of the state shall be pledged to the repayment of all bonds or other evidences of indebtedness issued by the state directly or through any state board, agency, or commission. The full faith and credit of the state is not hereby pledged to the repayment of bonds of a levee district, political subdivision, or local public agency."

AMENDMENT No. 12—
On page 4, delete lines 3 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Referendum. The legislature, by law enacted by two-thirds of the elected members of each house, may propose a statewide public referendum to authorize incurrence of debt for any purpose for which the legislature is not herein authorized to incur debt."

AMENDMENT No. 13—
On page 4, delete lines 8 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Exception. Nothing in this Section shall apply to any levee district, political subdivision, or local public agency unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district, political subdivision, or local public agency."

AMENDMENT No. 14—
On page 4, delete lines 12 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 7. State Dept; Interim Emergency Board
Section 7. (A) Composition. The Interim Emergency Board is created, if shall be composed of the governor, lieutenant governor, state treasurer, presiding officer of each house of the legislature, chairman of the Senate Finance Committee, and chairman of the House Appropriations Committee, or their designees."

AMENDMENT No. 15—
On page 4, delete lines 19 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Powers. Between sessions of the legislature, when the board by majority vote determines that an emergency exists, it may appropriate from the state general fund or borrow on the full faith and credit of the state an amount to meet the emergency. The appropriation may be made or the indebtedness incurred only for a purpose for which the legislature may appropriate funds and then only after the board obtains, as provided by law, the written consent of two-thirds of the elected members of each house of the legislature. For the purposes of this Paragraph, an emergency is an event or occurrence not reasonably anticipated by the legislature."

AMENDMENT No. 16—
On page 4, delete lines 30 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Limits. The aggregate of indebtedness outstanding at any one time and the amount appropriated from the state general fund for the current fiscal year under the authority of this Section shall not exceed one-tenth of one percent of total state revenue receipts for the previous fiscal year."

AMENDMENT No. 17—
On page 5, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Allocation. An amount sufficient to pay indebtedness incurred during the preceding fiscal year under the authority of this Section is allocated, as a first priority, each year from the state general fund."

AMENDMENT No. 18—
On page 5, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 8. State Bond Commission
Section 8. (A) Creation. The State Bond Commission is created. Its membership and authority shall be determined by law.

AMENDMENT No. 19—
On page 5, delete lines 11 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Issuance of Bonds. No bonds or other obligations shall be issued or sold by the state, directly or through any state board, agency, or commission, or by any political subdivision of the state, unless prior written approval of the bond commission is obtained."

AMENDMENT No. 20—
On page 5, delete lines 16 through 35, both inclusive, in their entirety and on page 6, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Contesting State Bonds. Bonds, notes, certificates, or other evidences of indebtedness of the state (hereafter referred to as "bonds") shall not be invalid because of any irregularity or defect in the proceedings or in the issuance and sale thereof and shall be incontestable in the hands of a bona fide purchaser or holder. The issuing agency, after authorizing the issuance of bonds by resolution, shall publish once in the official journal of the state, as provided by law, a notice of intention to issue the bonds. The notice shall include a description of the bonds and the security therefor. Within thirty days after the publication, any person in interest may contest the legality of the resolution, any provision of the bonds to be issued pursuant to it, the provisions securing the bonds, and the validity of all other provisions and proceedings relating to the authorization and issuance of the bonds. If no action or proceeding is instituted within the thirty days, no person may contest the validity of the bonds or the provisions of the resolution pursuant to which the bonds were issued, the security of the bonds, or the validity of any other provisions or proceedings relating to their authorization and issuance, and the bonds shall be presumed conclusively to be legal. Thereafter no court shall have authority to inquire into such matters."

AMENDMENT No. 21—
On page 6, delete lines 6 through 25, both inclusive, in their entirety and on page 7, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:  

"Section 9. State Funds  
Section 9. (A) Deposit in State Treasury. All money received by the state or by any state board, agency, or commission shall be deposited immediately upon receipt in the state treasury, except that received:  
(1) as a result of grants or donations or other forms of assistance to which terms and conditions thereof or of agreements pertaining thereto require otherwise;  
(2) by trade or professional associations;  
(3) by the employment security administration fund or its successors;  
(4) by retirement system funds; and  
(5) by state agencies operating under authority of this constitution preponderantly from fees and charges for the shipment of goods in international maritime trade and commerce.  
(B) Bond Security and Redemption Fund. Subject to contractual obligations existing on the effective date of this constitution, all state money deposited in the state treasury shall be credited to a special fund designated as the Bond Security and Redemption Fund, except money received as the result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise. In each fiscal year an amount is allocated from the bond security and redemption fund sufficient to pay all obligations which are secured by the full faith and credit of the state and which become due and payable within the current fiscal year, including principal, interest, premiums, sinking or reserve fund, and other requirements. Thereafter, except as otherwise provided by law, money remaining in the fund shall be credited to the state general fund."

(C) Exception. Nothing in this Section shall apply to a levee district or political subdivision unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district or political subdivision."

AMENDMENT No. 22—
On page 7, delete lines 5 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 10. Expenditure of State Funds  
Section 10. (A) Appropriations. Except as otherwise provided by this constitution, money shall be drawn from the state treasury only pursuant to an appropriation made in accordance with law."

AMENDMENT No. 23—
On page 7, delete lines 10 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Balanced Budget. Total appropriations by the legislature for any fiscal year shall not exceed anticipated state revenues for that fiscal year."

AMENDMENT No. 24—
On page 7, delete lines 13 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Publication. The legislature shall have published a regular statement of receipts and expenditures of all state money at intervals of not more than one year."

AMENDMENT No. 25—
On page 7, delete lines 16 and 17, in their entirety and insert in lieu thereof the following:

"(D) Public Purpose. No appropriation shall be made except for a public purpose."

AMENDMENT No. 26—
On page 7, delete lines 18 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 11. Budgets  
Section 11. (A) Operating Budget. The governor shall submit to the legislature, at a time fixed by law, a budget estimate for the next fiscal year setting forth all proposed state expenditures and anticipated state revenues. He shall cause to be submitted a general appropriation bill for proposed ordinary operating expenditures and, if necessary, a bill or bills to raise additional revenues."

AMENDMENT No. 27—
On page 7, delete lines 26 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Capital Budget. The governor shall submit to the legislature, at each regular session, a proposed five-year capital outlay program and request implementation of the first year of the program. Capital outlay projects approved by the legislature shall be made a part of the comprehensive state capital budget, which shall be adopted by the legislature."

AMENDMENT No. 28—
On page 7, delete lines 33 through 35, both inclusive, in their entirety and on page 8, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 12. Reports and Records  
Section 12. Reports and records of the collection, expenditure, investment, and use of state money and those relating to state obligations shall be matters of public record, except returns of taxpayers and matters pertaining to those returns."

AMENDMENT No. 29—
On page 8, delete lines 4 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 13. Investment of State Funds  
Section 13. All money in the custody of the state treasurer which is available for investment shall be invested as provided by law."

AMENDMENT No. 30—
On page 8, delete lines 8 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14. Donation, Loan, or Pledge of Public Credit  
Section 14. (A) Prohibited Uses. Except as otherwise provided by this constitution, the funds, credit, property, or things of value of the state or of any political subdivision shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private. Neither the
state nor a political subdivision shall subscribe to or purchase the stock of a corporation or association or for any private enterprise."

AMENDMENT No. 31—
On page 8, delete lines 18 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Authorized Uses. Nothing in this Section shall prevent (1) the use of public funds for programs of social welfare for the aid and support of the needy; (2) contributions of public funds to pension and insurance programs for the benefit of public employees; or (3) the pledge of public funds to credit, property, or things of value for public purposes with respect to the issuance of bonds or other evidences of indebtedness to meet public obligations as provided by law."

AMENDMENT No. 32—
On page 8, between lines 25 and 26, insert the following:

"(C) Cooperative Endeavors. For a public purpose, the state and its political subdivisions or political corporations may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation, or individual."

AMENDMENT No. 33—
On page 8, delete lines 26 through 35, both inclusive, in their entirety and on page 9, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Prior Obligations. Funds, credit, property, or things of value of the state or of a political subdivision heretofore loaned, pledged, dedicated, or granted by prior state law or authorized to be loaned, pledged, dedicated, or granted by the prior laws and constitution of this state shall remain for the full term as provided by the prior laws and constitution and for the full term as provided by any contract, unless the authorization is revoked by law enacted by two-thirds of the elected members of each house of the legislature prior to the vesting of any contractual rights pursuant to this Section."

AMENDMENT No. 34—
On page 9, delete lines 6 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 15. Release of Obligations to State, Parish, or Municipality

Section 5. (A) Release. The legislature shall have no power to release, extinguish, or authorize the releasing or extinguishing of any indebtedness, liability, or obligation of a corporation or individual to the state, a parish, or a municipality. However, the legislature, by law, may establish a system whereby the state or a political subdivision may be compensated, and may provide for the release of heirs to confiscated property from taxes due thereon at the date of its reversion to them.

(B) Exception. Whenever any immovable property has been forfeited or adjudicated to the state for nonpayment of taxes due prior to January 1, 1880, and the state did not sell or dispose of it or dispossess the tax debtor or his heirs, successors, or assigns prior to the adoption of the Constitution of 1974, it shall be presumed conclusively that the forfeiture or adjudication was irregular and null or that the property has been redeemed. The state and its assigns shall be estopped forever from claiming any title to the property because of such forfeiture or adjudication."

AMENDMENT No. 35—
On page 9, delete lines 29 through 35, both inclusive, in their entirety and on page 10, delete lines 1 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 16. Taxes; Prescription

Section 28. (A) Prescription. Taxes, except real property taxes, and licenses shall prescribe in three years after the thirty-first day of December in the year in which they are due, but prescription may be interrupted or suspended as provided by law.

(B) Tidelands. No state, district, parish, or other tax, license, fee, or assessment of any kind, and interest charges and penalties attaching thereto, which are imposed, due, or collectible on any property, minerals or the severance thereof, or due or payable by any person, firm, or corporation on any business operation or activity within the tidelands area in dispute between the state and the United States and within the state's historic gulfward boundary three leagues from coast, as established and defined by the Act of Congress of April 8, 1812, which admitted this state into the Union, and as redefined in Louisiana Act No. 35 of 1954, shall prescribe until three years after the thirty-first day of December in the year in which the controversy existing between the United States and this state over the state gulfward boundary is finally resolved and settled in accordance with law. However, no interest charge or penalty shall be assessed or collected on any such tax, license, fee, or assessment if it is paid or otherwise collected within one year after the thirty-first day of December in the year in which the controversy is finally resolved and settled."

AMENDMENT No. 36—
On page 10, delete lines 18 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 17. Legislation to Obtain Federal Aid

Section 17. The legislature may enact laws to enable the state, its agencies, boards, commissions, and political subdivisions and their agencies to comply with federal laws and regulations in order to secure federal participation in funding capital improvement projects."
a complete and adequate remedy for the prompt recovery of an illegal tax paid by a tax payer."

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 4—
On page 1, delete lines 34 and 35, in their entirety and on page 2, delete lines 1 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. Income Tax; Severance Tax; Political Subdivisions

Section 4. (A) Income Tax. Equal and uniform taxes may be levied on net incomes, and these taxes may be graduated according to the amount of net income. However, the state individual and joint income tax schedule of rates shall never exceed the rates set forth in Title 47, Section 2 of the Louisiana Revised Statutes on January 1, 1974. Federal income taxes paid shall be allowed as a deductible item in computing state income taxes for the same period."

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—
On page 2, delete lines 9 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Severance Tax. Taxes may be levied on natural resources severed from the soil or water, to be paid proportionately by the owners thereof at the time of severance. Natural resources may be classified for the purpose of taxation. Such taxes may be predicated upon either the quantity or value of the products at the time and place of severance. No further or additional tax or license shall be levied or imposed upon oil, gas, or sulphur leases or rights. No additional value shall be added to the assessment of land by reason of the presence of oil, gas, or sulphur therein or their production therefrom. However, sulphur in place shall be assessed for ad valorem taxation at the appropriate rate, firm, or corporation having the right to mine or produce the same in the parish where located, at no more than twice the total assessed value of the physical property subject to taxation, excluding the assessed value of sulphur above ground, as is used in sulphur operations in such parish. Likewise, the severance tax shall be the only tax on timber; however, standing timber shall be liable equally with the land on which it stands for ad valorem taxes levied on the land."

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 6—
On page 2, delete lines 29 and 30, in their entirety and insert in lieu thereof the following:

"(C) Severance Tax; Political Subdivisions. A political subdivision of the state shall not levy a severance tax, income tax, or tax on motor fuel."

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.

AMENDMENT No. 7—
On page 2, delete lines 31 through 35, both inclusive, in their entirety and on page 3, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Severance Tax Allocation. One-third of the sulphur severance tax, but not to exceed one hundred thousand dollars; one-fifth of the severance tax on all natural resources, other than sulphur or timber, but not to exceed five hundred thousand dollars; and three-fourths of the timber severance tax shall be remitted to the governing authority of the parish in which severance or production occurs."

Read.

On motion of Delegate Tate Amendment No. 7 was adopted.

AMENDMENT No. 8—
On page 3, delete lines 8 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Motor Vehicle License Tax

Section 5. The legislature shall impose an annual license tax of three dollars on automobiles for private use, and on other motor vehicles, an annual license tax based upon horsepower, carrying capacity, weight, or any of these. No parish or municipality may impose a license fee on motor vehicles."

Read.

On motion of Delegate Tate Amendment No. 8 was adopted.

AMENDMENT No. 9—
On page 3, delete lines 15 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 6. State Debt; Full Faith and Credit Obligations

Section 6. (A) Authorization. Unless otherwise authorized by this constitution, the state shall have no power, directly or indirectly, or through any state board, agency, commission, or otherwise, to incur debt or issue bonds except by law enacted by two-thirds of the elected members of each house of the legislature. The debt may be incurred or the bonds issued only if the funds are to be used to repel invasion; suppress insurrection; provide relief from natural catastrophes; refund outstanding indebtedness at the same or a lower effective interest rate; or make capital improvements, but only in accordance with a comprehensive capital budget, which the legislature shall adopt."

Read.

On motion of Delegate Tate Amendment No. 9 was adopted.

AMENDMENT No. 10—
On page 3, delete lines 29 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Capital Improvements. If the purpose is to make capital improvements, the nature and location and, if more than one project, the amount allocated to each and the order of priority shall be stated in the comprehensive capital budget which the legislature adopts."

Read.

On motion of Delegate Tate Amendment No. 10 was adopted.

AMENDMENT No. 11—
On page 3, delete lines 34 and 35 and on page 4, delete lines 1 and 2, in their entirety and insert in lieu thereof the following:

"(C) Full Faith and Credit. The full faith and credit of the state shall be pledged to the repayment of all bonds or other evidences of indebtedness issued by the state directly or through any state board, agency, or commission. The full faith and credit of the state is not hereby pledged to the repayment of bonds of a levee district, political subdivision, or local public agency."

Read.

On motion of Delegate Tate Amendment No. 11 was adopted.

AMENDMENT No. 12—
On page 4, delete lines 3 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Referendum. The legislature, by law enacted by two-thirds of the elected members of each house, may propose a statewide public referendum to authorize incurrence of debt for any purpose for which the legislature is not herein authorized to incur debt."

Read.

On motion of Delegate Tate Amendment No. 12 was adopted.
117th Days Proceedings—January 14, 1974

AMENDMENT No. 13—
On page 4, delete lines 8 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

“(E) Exception. Nothing in this Section shall apply to any levee district, political subdivision, or local public agency unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district, political subdivision, or local public agency.”

Read.

On motion of Delegate Tate Amendment No. 13 was adopted.

AMENDMENT No. 14—
On page 4, delete lines 12 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 7. State Debt; Interim Emergency Board

Section 7. (A) Composition. The Interim Emergency Board is created. It shall be composed of the governor, lieutenant governor, state treasurer, president officer of each house of the legislature, chairman of the Senate Finance Committee, and chairman of the House Appropriations Committee, or their designees.”

Read.

On motion of Delegate Tate Amendment No. 14 was adopted.

AMENDMENT No. 15—
On page 4, delete lines 19 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Powers. Between sessions of the legislature, when the board by majority vote determines that an emergency exists, it may appropriate from the state general fund or borrow on the full faith and credit of the state an amount to meet the emergency. The appropriation may be made or the indebtedness incurred only for a purpose for which the legislature may appropriate funds and then only after the board obtains, as provided by law, the written consent of two-thirds of the elected members of each house of the legislature. For the purposes of this Paragraph, an emergency is an event or occurrence not reasonably anticipated by the legislature.”

Read.

On motion of Delegate Tate Amendment No. 15 was adopted.

AMENDMENT No. 16—
On page 4, delete lines 30 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

“(C) Limits. The aggregate of indebtedness outstanding at any one time and the amount appropriated from the state general fund for the current fiscal year under the authority of this Section shall not exceed one-tenth of one percent of total state revenue receipts for the previous fiscal year.”

Read.

On motion of Delegate Tate Amendment No. 16 was adopted.

AMENDMENT No. 17—
On page 5, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

“(D) Allocation. An amount sufficient to pay indebtedness incurred during the preceding fiscal year under the authority of this Section is allocated, as a first priority, each year from the state general fund.”

Read.

On motion of Delegate Tate Amendment No. 17 was adopted.

AMENDMENT No. 19—
On page 5, delete lines 5 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 8. State Bond Commission

Section 8. (A) Creation. The State Bond Commission is created. Its membership and authority shall be determined by law.”

Read.

On motion of Delegate Tate Amendment No. 18 was adopted.

AMENDMENT No. 19—
On page 5, delete lines 11 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Approval of Bonds. No bonds or other obligations shall be issued or sold by the state, directly or through any state board, agency, or commission, or by any political subdivision of the state, unless prior written approval of the bond commission is obtained.”

Read.

On motion of Delegate Tate Amendment No. 19 was adopted.

AMENDMENT No. 20—
On page 5, delete lines 16 through 35, both inclusive, in their entirety and on page 6, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

“(C) Contesting State Bonds. Bonds, notes, certificates, or other evidences of indebtedness of the state (hereafter referred to as “bonds”) shall not be invalid because of any irregularity or defect in the proceedings or in the issuance and sale thereof and shall be incontestable in the hands of a bona fide purchaser or holder. The issuing agency, after authorizing the issuance of bonds by resolution, shall publish once in the official journal of the state, as provided by law, a notice of intention to issue the bonds. The notice shall include a description of the bonds and the security therefor. Within thirty days after the publication, any person in interest may contest the legality of the resolution, any provision of the bonds to be issued pursuant to it, the provisions securing the bonds, and the validity of all other provisions and proceedings relating to the authorization and issuance of the bonds. If no action or proceeding is instituted within the thirty days, no person may contest the validity of the bonds, the provisions of the resolution pursuant to which the bonds were issued, the security of the bonds, and the validity of any other provisions or proceedings relating to their authorization and issuance, and the bonds shall be presumed conclusively to be legal. Thereafter no court shall have authority to inquire into such matters.”

Read.

On motion of Delegate Tate Amendment No. 20 was adopted.

AMENDMENT No. 21—
On page 6, delete lines 6 through 35, both inclusive, in their entirety and on page 7, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 9. State Funds

Section 9. (A) Deposit in State Treasury. All money received by the state or by any state board, agency, or commission shall be deposited immediately upon receipt in the state treasury, except that received:

(1) as a result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise;

(2) by trade or professional associations;

(3) by the employment security administration fund or its successor;

(4) by retirement system funds; and

(5) by state agencies operating under authority of this constitution preponderantly from fees and charges for the shipping of goods in international maritime trade and commerce.

(B) Bond Security and Redemption Fund. Subject to contractual obligations existing on the effective date of this constitution, all state money deposited in the state treasury shall be deposited in a special fund designated as the Bond Security and Redemption Fund, except money received as the result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise. In each fiscal year an amount is allocated from the bond security and redemption fund sufficient to pay all obligations which are secured by the full faith and credit of the state and which become due and payable within the current fiscal year, including principal, in-
terest, premiums, sinking or reserve fund, and other requirements. Thereafter, except as otherwise provided by law, money remaining in the fund shall be credited to the state general fund.

(C) Exception. Nothing in this Section shall apply to a levee district or political subdivision unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district or political subdivision.”

Read.

On motion of Delegate Tate Amendment No. 21 was adopted.

AMENDMENT No. 22—

On page 7, delete lines 5 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 10. Expenditure of State Funds
Section 10. (A) Appropriations. Except as otherwise provided by this constitution, money shall be drawn from the state treasury only pursuant to an appropriation made in accordance with law.”

Read.

On motion of Delegate Tate Amendment No. 22 was adopted.

AMENDMENT No. 23—

On page 7, delete lines 10 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Balanced Budget. Total appropriations by the legislature for any fiscal year shall not exceed anticipated state revenues for that fiscal year.”

Read.

On motion of Delegate Tate Amendment No. 23 was adopted.

AMENDMENT No. 24—

On page 7, delete lines 13 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

“(C) Publication. The legislature shall have published a regular statement of receipts and expenditures of all state money at intervals of not more than one year.”

Read.

On motion of Delegate Tate Amendment No. 24 was adopted.

AMENDMENT No. 25—

On page 7, delete lines 16 and 17, in their entirety and insert in lieu thereof the following:

“(D) Public Purpose. No appropriation shall be made except for a public purpose.”

Read.

On motion of Delegate Tate Amendment No. 25 was adopted.

AMENDMENT No. 26—

On page 7, delete lines 18 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 11. Budgets
Section 11. (A) Operating Budget. The governor shall submit to the legislature, at a time fixed by law, a budget estimate for the next fiscal year setting forth all proposed state expenditures and anticipated state revenues. He shall cause to be submitted a general appropriation bill for proposed ordinary operating expenditures and, if necessary, a bill or bills to raise additional revenues.”

Read.

On motion of Delegate Tate Amendment No. 26 was adopted.

AMENDMENT No. 27—

On page 7, delete lines 26 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Capital Budget. The governor shall submit to the legislature, at each regular session, a proposed five-year capital outlay program and request implementation of the first year of the program. Capital outlay projects approved by the legislature shall be made a part of the comprehensive state capital budget, which shall be adopted by the legislature.”

Read.

On motion of Delegate Tate Amendment No. 27 was adopted.

AMENDMENT No. 28—

On page 7, delete lines 33 through 35, both inclusive, in their entirety and on page 8, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 12, Reports and Records
Section 12. Reports and Records of the collection, expenditure, investment, and use of state money and those relating to state obligations shall be matters of public record, except returns of taxpayers and matters pertaining to those returns.”

Read.

On motion of Delegate Tate Amendment No. 28 was adopted.

AMENDMENT No. 29—

On page 8, delete lines 4 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 13. Investment of State Funds
Section 13. All money in the custody of the state treasurer which is available for investment shall be invested as provided by law.”

Read.

On motion of Delegate Tate Amendment No. 29 was adopted.

AMENDMENT No. 30—

On page 8, delete lines 8 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 14. Donation, Loan, or Pledge of Public Credit
Section 14. (A) Prohibited Uses. Except as otherwise provided by this constitution, the funds, credit, property, or things of value of the state or of any political subdivision shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private. Neither the state nor a political subdivision shall subscribe to or purchase the stock of a corporation or association or for any private enterprise.”

Read.

On motion of Delegate Tate Amendment No. 30 was adopted.

AMENDMENT No. 31—

On page 8, delete lines 18 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Authorized Uses. Nothing in this Section shall prevent (1) the use of public funds for programs of social welfare for the aid and support of the needy; (2) contributions of public funds to pension and insurance programs for the benefit of public employees; or (3) the pledge of public funds, credit, property, or things of greater for public purposes with respect to the issuance of bonds or other evidences of indebtedness to meet public obligations as provided by law.”

Read.

On motion of Delegate Tate Amendment No. 31 was adopted.

AMENDMENT No. 32—

On page 8, between lines 25 and 26, insert the following:

“(C) Cooperative Endeavors. For a public purpose, the state and its political subdivisions or political corporations may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation, or individual.”

Read.

On motion of Delegate Tate Amendment No. 32 was adopted.
AMENDMENT No. 33—
On page 8, delete lines 26 through 35, both inclusive, in their entirety and on page 9, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Prior Obligations. Funds, credit, property, or things of value of the state or of a political subdivision heretofore loaned, pledged, dedicated, or granted by prior state law or authorized to be loaned, pledged, dedicated, or granted by the prior law in constitution of this state shall remain for the full term as provided by the prior laws and constitution and for the full term as provided by any contract, unless the authorization is revoked by law enacted by two-thirds of the elected members of each house of the legislature prior to vesting of any contractual rights pursuant to this Section."

Read.

On motion of Delegate Tate Amendment No. 33 was adopted.

AMENDMENT No. 34—
On page 9, delete lines 6 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 15. Release of Obligations to State, Parish, or Municipal Corporation. Section 15. (A) Release. The legislature shall have no power to release, extinguish, or authorize the releasing or extinguishing of any indebtedness, liability, or obligation of a corporation or individual to the state. However, the legislature, by law, may establish a system under which claims by the state or a political subdivision may be compromised, and may provide for the release of heirs to confiscated property from taxes due thereon at the date of its reversion to them.

(B) Exception. Whenever any immovable property has been forfeited or adjudicated to the state for nonpayment of taxes due prior to January 1, 1880, and the state did not sell or dispose of it or dispossess the tax debtor or his heirs, successors, or assigns prior to the adoption of the Constitution of 1921, it shall be presumed conclusively that the forfeiture or adjudication was irregular and null or that the property has been redeemed. The state and its assigns shall be stopped forever from claiming any title to the property because of such forfeiture or adjudication."

Read.

On motion of Delegate Tate Amendment No. 34 was adopted.

AMENDMENT No. 35—
On page 9, delete lines 29 through 35, both inclusive, in their entirety and on page 10, delete lines 1 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 16. Taxes: Prescription. Section 16. (A) Prescription. Taxes, except real property taxes, and licenses shall prescribe in three years after the thirty-first day of December in the year in which they are due, but prescription may be interrupted or suspended as provided by law.

(B) Tidelands. No state, district, parish, or other tax, license, fee, or assessment of any kind, and interest charges and penalties attaching thereto, which are imposed, due, or collectible on any property, minerals or the severance of, or due or payable by any person, firm, or corporation on any business operation or activity within the tidelands area in dispute between the state and the United States and within the state's historic gulfland boundary three leagues from coast, as established and defined by the Act of Congress of April 8, 1812, which admitted this state into the Union, and as redefined in Louisiana Act No. 33 of 1954, shall prescribe until three years after the thirty-first day of December in the year in which the controversy existing between the United States and this state over the state gulfland boundary is finally resolved and settled in accordance with law. However, no interest charge or penalty shall be assessed or collected on any such tax, license, fee, or assessment if it is paid within one year after the thirty-first day of December in the year in which the controversy is finally resolved and settled."

Read.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alexander

Giarrusso

Perkins

Arnott

Chinn

Planchard

Ashoff

Goldman

Pugh

Avant

Graham

Rayburn

Badeaux

Gravel

Reeves

Gier

Guarisco

Reomer

Bergeron

Blair

Roy

Bollinger

Hayes

Schmitt

Brien

Heine

Segura

Brown

Hernandez

Singletary

Burns

Jack

Slay

Burson

Jackson, A.

Smith

Carmouche

Jenkins

Stagg

Casey

Jones

Stephenson

Chatelain

Killpatrick

Stinson

Chehadey

Landrum

Sutherland

Comar

Landry, A.

Tapper

Cotey

Landry, E. J.

Tate

Cowan

Lanier

Thistlethwaite

D'Gerolamo

LeBlanc

Thompson

De Blieux

Leithman

Toca

Dennery

Lowe

Toomy

Dennis

McDaniel

Ulo

Derbes

Maubretet

Velazquez

Drew

Maybuce

Vick

Duval

Miller

Warren

Ekkins

Mire

Watligny

Fior
g

Morris

Willis

Fontenot

Newton

Winchester

Fowler

Nunez

Wisham

Fulco

O'Nell

Womack

Gauthier

Perez

Zervigon

Total—102.

NAYS

Total—0.

NOT VOTING

Delegates—
Mr. Chairman

Mr. Edwards

Munson

Abraham

Fayard

Ours

Aeriker

Haynes

Rachal

Alice

Juneau

Riecke

Anzalone

Kean

Shannon

Cannon

Kelly

Stovall

Champagne

Kilbourne

Tobias

Corne

Lambert

Vesel

Deshotels

Leigh

Wall

Dunlap

Martin

Weiss

Total—30.

And the amendment was adopted.

Delegate Tate moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

AMENDMENT No. 36—
On page 10, delete lines 18 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 17. Legislation to Obtain Federal Aid

The legislature may enact laws to enable the state, its agencies, boards, commissions, and political subdivisions and their agencies to comply with federal laws and regulations in order to secure federal participation in funding capital improvement projects."

Read.

On motion of Delegate Tate Amendment No. 36 was adopted.
117th Days Proceedings—January 14, 1974

Motion

On motion of Delegate Tate, the Convention altered the Order of Business to take up Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

DELEGATE PROPOSAL No. 22—

Introduced by Delegates Conroy and Newton:

A PROPOSAL

To provide for the prohibition of certain enumerated local and special laws.

Reported with the following amendments:

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Delegate Proposal No. 22 by Delegates Conroy and Newton.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—

On page 1, line 15, immediately after "(A)" and before the word "Except" insert the word and punctuation "Prohibitions," and on line 16 after the word "pass" and before the word "local" delete the word "any" and insert in lieu thereof "a"

AMENDMENT No. 2—

On page 2, line 5, after the word and punctuation "taxes;" and before the word "assessor" delete the words "for the relief of any" and insert in lieu thereof the words "relieving an" and on line 8, after the partial word and punctuation "factions;" and before the word "refunding" delete the word "or"

AMENDMENT No. 3—

On page 2, at the end of line 16, after the word "schoolhouses" add a comma ","

AMENDMENT No. 4—

On page 2, at the beginning of line 22 immediately after "(B)" and before the word "The" insert "Additional Prohibition."

Respectfully submitted,

ALBERT TATE, JR.,
Chairman.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

COMMITTEE PROPOSAL No. 9—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toce and Wisham:

A PROPOSAL

Making provisions for human resources by providing for state and city civil service.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend First enrollment Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 16 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. (A) Civil Service System.

(1) State Civil Service. The state civil service is established and includes all persons holding offices and positions of trust or employment in the employ of the state, or any instrumentality thereof, and any joint state and federal agency, joint state and parochial agency, or joint state and municipal agency, regardless of the source of the funds used to pay for such employment. It shall not include persons holding offices and positions of any municipal board of health or local governmental subdivision.

(2) City Civil Service. The city civil service is established and includes all persons holding offices and positions of trust or employment in the employ of each city having over four hundred thousand population and in every instrumentality thereof. However, paid firemen and municipal policemen may be excluded if a majority of the electors in the affected city voting at an election held for that purpose approve their exclusion. The election shall be called by the municipal governing authority within one year after the effective date of this constitution."

AMENDMENT No. 2—

On page 1, delete lines 34 and 35, in their entirety and on page 2, delete lines 1 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Classified and Unclassified Service.

(1) The state and city civil service is divided into the unclassified and the classified service. Persons not included in the unclassified service are in the classified service.

(2) The unclassified service shall include the following officers and employees in the state and city civil service:

(a) elected officials and persons appointed to fill vacancies in elective offices;

(b) the heads of each principal executive department appointed by the governor, the mayor, or the governing authority of a city;

(c) city attorneys;

(d) registrars of voters;

(e) members of state and city boards, authorities, and commissions;

(f) one private secretary to the president of each college or university;

(g) one person holding a confidential position and one principal assistant or deputy to any officer, board, commission, or authority mentioned in (a), (b), (d), or (e) above, except civil service departments;

(h) members of the military or naval forces;

(i) teaching and professional staffs, and administrative officers of schools, colleges, and universities of the state, and bona fide students of those institutions employed by any state, parochial, or municipal agency;

(j) employees, deputies, and officers of the legislature and of the offices of the governor, lieutenant governor, attorney general, each mayor and city attorney, of police juries, school boards, assessors, and of all offices provided for in Article V of this constitution except the offices of clerk of the municipal and traffic courts in New Orleans;

(k) commissioners of elections, watchers, and custodians and deputy custodians of voting machines; and

(l) railroad employees whose working conditions and retirement benefits are regulated by federal agencies in accordance with federal law.
117th Days Proceedings—January 14, 1974

(3) Additional positions may be added to the unclassified service and those positions may be revoked by rules adopted by a commission.

AMENDMENT No. 3—
On page 2, delete lines 33 through 35, both inclusive, in their entirety and on page 3, delete lines 1 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) State Civil Service Commission.
(1) The State Civil Service Commission is established and shall be domiciled in the state capital. It shall be composed of seven members, who are elected by the citizens of this state who constitute a quorum. No more than one appointed member shall be from each congressional district.
(2) Appointment. The members shall be appointed by the governor, as hereinafter provided, for overlapping terms of six years.

(3) Nominations. The presidents of Centenary College at Shreveport, Dillard University at New Orleans, Louisiana College at Pineville, Loyola University at New Orleans, Tulane University at New Orleans, and Xavier University at New Orleans, or their designees, shall submit the names of three persons. The governor shall appoint one member of the commission from the three persons nominated by each president. Each president shall submit the names of three persons. The governor shall appoint one member of the commission from the three persons nominated by each president.

AMENDMENT No. 4—
On page 3, delete lines 31 through 35, both inclusive, in their entirety and on page 4, delete lines 1 through 35, both inclusive, in their entirety and on page 5, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"(D) City Civil Service Commission.
(1) Creation; Membership; Domicile. A city civil service commission shall exist in each city having a population exceeding one hundred thousand. The domicile of each commission shall be in the city it serves. Each commission shall be composed of five members, who are elected by the city, three of whom shall constitute a quorum. The members shall serve overlapping terms of six years as hereinafter provided.
(2) New Orleans; Nomination and Appointment. In New Orleans, the presidents of Dillard University, Loyola University, St. Mary's Dominican College, Tulane University, and Xavier University, after giving consideration to representation of all groups, each shall nominate three persons. The municipal governing authority shall appoint one member of the commission from the three persons nominated by each.
(3) Other Cities; Nomination and Appointment. In each other city to which this Section applies, the president of each institution of higher education in the state, selected by the governing authority of the respective city, shall nominate three persons. After giving consideration to representation of all groups, the municipal governing authority shall appoint one member of the commission from the three persons nominated by each.
(4) Vacancies. A vacancy shall be filled by appointment in accordance with the procedure for the original appointment and from the same source. Within thirty days after a vacancy occurs, the university president concerned shall submit the required nominations. Within thirty days thereafter, the municipal governing authority shall make the appointment. If the municipal governing authority fails to appoint within the thirty-day period, the governor shall make the appointment. If one of the nominated authorities fails to submit nominees in the time required, or if one of the named institutions ceases to exist, the municipal governing authority shall make the appointment.

AMENDMENT No. 5—
On page 5, delete lines 3 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Removal. A member of the state or of a city civil service commission may be removed by the governor or the governing authority, as the case may be, for cause, after being warned with written specifications of the charges against him and being afforded an opportunity for a public hearing thereon by the appointing authority.

AMENDMENT No. 6—
On page 6, delete lines 9 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"(F) Department of Civil Service; Directors.
(1) State Department. A Department of State Civil Service is established in the executive branch of the state government.
(2) City Departments. A department of civil service shall exist in each city having a population exceeding four hundred thousand.
(3) Directors. Each commission shall appoint a director, after competitive examination, who shall be in the classified service. He shall be the administrative head of his department. Each director shall appoint personnel and exercise all powers of office of his department.

AMENDMENT No. 7—
On page 6, delete lines 23 through 35, both inclusive, in their entirety and on page 6, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"(G) Appointments; Promotions. Permanent appointments and promotions in the classified state and city service shall remain only after certification by the appropriate department of civil service under a general system based upon merit, efficiency, fitness, and length of service, as ascertained by examination which, so far as practical, shall be competitive. The number to be certified shall not be less than three; if more than one vacancy is to be filled, the name of one additional eligible for each vacancy may be certified. Each commission shall adopt rules for the method of certifying persons eligible for appointment, promotion, reemployment, and reinstatement and shall provide for appointments defined as emergency and temporary appointments if certification is not required.

AMENDMENT No. 8—
On page 6, delete lines 3 through 16, both inclusive, in their entirety, and insert in lieu thereof the following:

"(H) Appeals.
(1) Disciplinary Actions. No person who has gained permanent status in the classified state or city service shall be subjected to disciplinary action except for cause expressed in writing. A classified employee subject to such disciplinary action shall have the right of appeal to the appropriate commission. The burden of proof on appeal, as to the facts, shall be on the appointing authority.
(2) Discrimination. No classified employee shall be discriminated against because of his political or religious beliefs, sex, or race. A classified employee so discriminated against shall have the right of appeal to the appropriate commission. The burden of proof on appeal, as to the facts, shall be on the employee.

AMENDMENT No. 9—
On page 6, delete lines 17 through 35, both inclusive, in their entirety and on page 7, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

(1) Prohibitions Against Political Activities.
(1) No member of a civil service commission and no officer or employee in the classified service shall participate or engage in political activity; be a candidate for nomination or election to public office except to seek election as a member of the state or city civil service commission; or be a member of any national, state, or local committee of a political party or faction; make or solicit contributions for any political party, faction, or candidate; or in any way engage in any activity or enterprise in furtherance of the affairs of a political party, faction, candidate, or any political campaign, except to exercise his right as a citizen to express his opin-
ion privately, to serve as a commissioner or official watch at the post or in the city or town or other city or town.

(2) No person shall solicit contributions for political purposes from any classified employee or official or use or attempt to use his position in the state or city service to punish or coerce the political action of a classified employee.

(3) As used in this section, "political activity" means an effort to support or oppose the election of a candidate for political office or to support a particular political party in an election. The support of issues involving bound indebtedness, tax referenda, or constitutional amendments shall not be prohibited.

AMENDMENT No. 10—

On page 7, delete lines 7 through 35, both inclusive, in their entirety, and on pages 8 and 9, delete lines 1 through 35, both inclusive, in their entirety, and on page 10, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"(J) Rules, Investigations; Wages and Hours.

(a) Powers. Each commission is vested with broad and general rule-making and subpoena powers for the administration and regulation of the classified service, including the power to adopt rules for regulating employment, promotion, demotion, removal, suspension, and other disciplinary actions, qualifications, political activities, employment conditions, employee training and safety, compensation and disbursements to employees, and other personnel matters and transactions; to adopt a uniform pay and classification plan; and generally to accomplish the objectives and purposes of this merit system of civil service as herein established. Nothing herein shall prevent the legislature from enacting laws supplementing these uniform pay plans for sworn, commissioned law enforcement officers of the Division of State Police, law enforcement officers of the Office of Public Safety and regularly commissioned officers of the Enforcement Division of the Department of Wildlife and Fisheries.

(b) Veterans. The state and city civil service departments shall accord a five-point preference in original appointment to each person honorably discharged, or discharged under honorable conditions from the armed forces of the United States who served between the wartime dates of April 6, 1917, through November 11, 1918, or between September 2, 1940, through July 25, 1947; between June 27, 1945, through January 31, 1955; or in the Viet Nam Theater between July 1, 1958, through 1965 the date the United States government declares to be the date of termination of service for members of the armed forces to receive credit for the award of the Viet Nam Service Medal and to prevail in cases where a claim for such credit is denied in which campaign badges are authorized. The state and city civil service departments shall accord a ten-point preference in original appointment to each honorably discharged veteran who served either in peace or in war and who has one or more disabilities recognized as service-connected by the Veterans Administration; to the spouse of each veteran whose physical condition precludes his or her appointment to a civil service job in his or in her usual line of work; to the unmarried widow of each deceased veteran who served in a war period as defined above, or in a peacetime campaign or expedition; or to the unmarried widowed parent of any person who died in active wartime or peacetime service or who suffered total and permanent disability in active wartime or peacetime service; or the divorced or separated parent of any person who died in wartime or peacetime service or who became totally and permanently disabled in wartime or peacetime service. However, only one ten-point preference shall be accorded in the original appointment to any parent enumerated above. If the ten-point preference is not used by the veteran, either because of the veteran's physical or mental incapacity which precludes his appointment to a civil service job in his or in her usual line of work or because of his death, the preference may be available to his unmarried widow, unmarried widowed parent, or eligible parents as defined above, in the order specified. However, any such preference may be given only to a person who has attained at least the minimum score required on each test and who has received at least the minimum rating required for eligibility.

(c) Layoffs; Preference Employees. When a position in the classified service is abolished, or needs to be vacated because of stoppage of work from lack of funds or other causes, preference employees (ex-members of the armed forces and their dependents as described in this Section) whose classifications are at least equal to those of other competing employees shall be retained in preference to all other competing employees. However, when any function of a state agency is transferred to, or when a state agency is restructured, the state shall give preference to such employees in classifications and performing functions transferred, or working in the state agency replaced, shall be transferred to the replacing state agency or agencies for employment in a position for which they is qualified before that state agency ceased to perform the duties for which he is considered to have a right by virtue of his employment in a manner not inconsistent with this constitution, a civil service law, or a valid rule or regulation of a commission.

(d) Effect. Rules adopted pursuant hereto shall have the force and effect of law and are hereby made available to the public. Each commission may impose penalties for violation of its rules by demotion in or suspension or discharge from position, with attendant loss of pay.

(e) Investigations. Each commission may investigate violations of this Section and any rules, statutes, or ordinances adopted pursuant hereto.

(f) Wages and Hours. Any rule or determination affecting wages or hours shall have the effect of law and become effective after approval by the governor or the appropriate governing authority.

AMENDMENT No. 11—

On page 10, delete lines 7 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

"(K) Penalties. Willful violation of any provision of this Section shall be a misdemeanor punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

AMENDMENT No. 12—

On page 10, delete lines 12 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

"(L) Appeal. Each commission shall have the exclusive power and authority to hear and decide all removal and discipline cases, with all exceptions made by law, which campaign badges are authorized. The state and city civil service departments shall accord a ten-point preference in original appointment to each honorably discharged veteran who served either in peace or war and who has one or more disabilities recognized as service-connected by the Veterans Administration; to the spouse of each veteran whose physical condition precludes his or her appointment to a civil service job in his or in her usual line of work; to the unmarried widow of each deceased veteran who served in a war period as defined above, or in a peacetime campaign or expedition; or to the unmarried widowed parent of any person who died in active wartime or peacetime service or who suffered total and permanent disability in active wartime or peacetime service; or the divorced or separated parent of any person who died in wartime or peacetime service or who became totally and permanently disabled in wartime or peacetime service. However, only one ten-point preference shall be accorded in the original appointment to any parent enumerated above. If the ten-point preference is not used by the veteran, either because of the veteran's physical or mental incapacity which precludes his appointment to a civil service job in his or in her usual line of work or because of his death, the preference may be available to his unmarried widow, unmarried widowed parent, or eligible parents as defined above, in the order specified. However, any such preference may be given only to a person who has attained at least the minimum score required on each test and who has received at least the minimum rating required for eligibility.

(c) Layoffs; Preference Employees. When a position in the classified service is abolished, or needs to be vacated because of stoppage of work from lack of funds or other causes, preference employees (ex-members of the armed forces and their dependents as described in this Section) whose classifications are at least equal to those of other competing employees shall be retained in preference to all other competing employees. However, when any function of a state agency is transferred to, or when a state agency is restructured, the state shall give preference to such employees in classifications and performing functions transferred, or working in the state agency replaced, shall be transferred to the replacing state agency or agencies for employment in a position for which they is qualified before that state agency ceased to perform the duties for which he is considered to have a right by virtue of his employment in a manner not inconsistent with this constitution, a civil service law, or a valid rule or regulation of a commission.

(d) Effect. Rules adopted pursuant hereto shall have the force and effect of law and are hereby made available to the public. Each commission may impose penalties for violation of its rules by demotion in or suspension or discharge from position, with attendant loss of pay.

(e) Investigations. Each commission may investigate violations of this Section and any rules, statutes, or ordinances adopted pursuant hereto.

(f) Wages and Hours. Any rule or determination affecting wages or hours shall have the effect of law and become effective after approval by the governor or the appropriate governing authority.

AMENDMENT No. 13—

On page 10, delete lines 22 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

"(M) Appropriations. (1) State. The legislature shall make adequate annual appropriations to the State Civil Service Commission and to the Department of State Civil Service to enable them to implement this Section efficiently and effectively. The amount so appropriated shall not be subject to veto by the governor.

(2) Cities. Each city subject to this Section shall make adequate annual appropriations to enable its civil service commission and department to implement this Section efficiently and effectively.

AMENDMENT No. 14—

On page 10, delete lines 33 through 35, both inclusive, in their entirety and on page 11, delete lines 1 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"(N) Acceptance of Act; Other Cities, Parishes, City and Parish Governed Jointly.

(1) Each city having a population exceeding ten thousand
but not exceeding four hundred thousand, each parish, and each parish governed jointly with one or more cities under a plan of government, having a population exceeding ten thousand, according to the latest official decennial federal census, may elect to be governed by this Section by a majority vote of its electors voting at an election held for that purpose. The election shall be ordered and held by the city, the parish, or the city-parish, as the case may be, upon (a) the adoption of an ordinance by the governing authority calling the election; or (b) the presentation to the governing authority of a petition calling for such an election signed by electors equal in number to five percent of the registered voters of the city, the parish, or the city-parish, as the case may be.

(2) If a majority of the electors vote to adopt this Section, its provisions shall apply permanently to the city, the parish, or the city-parish, as the case may be, and shall govern it as if this Section had originally applied to it. In such case, all officers and employees of the city, the parish, or the city-parish, as the case may be, who have acquired civil service status under a civil service system established by legislative act, city charter, or otherwise, shall retain that status and thereafter shall be subject to and be governed by this Section and the rules and regulations adopted under it.

(3) If a majority of the electors vote against the adoption of this Section, the question of its adoption shall not be resubmitted to the voters of the political subdivision within one year thereafter.

AMENDMENT No. 15—
On page 12, delete lines 1 through 27, both inclusive, in their entirety and insert in lieu thereof the following:
"(G) City, Parish Civil Service System; Creation; Prohibition.

(1) Nothing in this Section shall prevent the establishment by the legislature, or by the respective parish governing authority, of a parish civil service system in one or more parishes, applicable to any or all parish employees, excepting and professional staffs and administrative officers of schools, or the establishment by the legislature or by the respective municipal governing authority of a municipal civil service system in one or more municipalities having a population of less than four hundred thousand, in any manner now or hereafter provided by law. However, paid firemen and paid municipal policemen in a municipality operating a regularly paid fire and police department and having a population exceeding thirteen thousand, and paid firemen in all parishes and in fire protection districts, are expressly excluded from such a civil service system.

(2) Nothing in this Paragraph shall permit inclusion in the local civil service of officials and employees listed in Paragraph (B) of this Section.

(3) No law enacted after the effective date of this constitution establishing a civil service system applicable to one or more parishes or to one or more municipalities having a population of less than four hundred thousand shall be effective in any parish or in any municipality until approved by ordinance adopted by the governing authority of the parish or municipality."

Respectfully submitted,

ALBERT TATE,
Chairman.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Education and Welfare, and Delegates

COMMITTEE PROPOSAL No. 10—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates

Armenier, Carmuche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistethwaite, Toca and Wisham:

A PROPOSAL

Making provisions for human resources by providing for municipal fire and police civil service.

Reported with the following amendment:

COMMITTEE AMENDMENT

Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 10 by Delegate Aertker, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 17 through 33, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 1. (A) Establishment of System. A system of classified fire and police civil service is created and established. It shall apply to all municipalities having a population exceeding thirteen thousand and operating a regularly paid fire and municipal police department and to all parishes and fire protection districts operating a regularly paid fire department.

(B) Appointments and Promotions. Permanent appointments and promotions in municipal fire and police civil service 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 151 of the Constitution of 1921, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

(C) Prior Provisions. Except as inconsistent with this Section, the provisions of Article XIV, Section 15.1 of the Constitution of 1921 are retained and continued in force and effect as statutes. By law enacted by two-thirds of the elected members of each house, the legislature may amend or otherwise modify any of those provisions, but it may not abolish the system of classified civil service for such firemen and municipal policemen or make the system inapplicable to any municipality having a population exceeding thirteen thousand according to the latest decennial federal census or to any parish or fire protection district operating a regularly paid fire department. However, in a parish or fire protection district having a population exceeding four hundred thousand, paid firemen and municipal policemen shall be included if a majority of the electors therein voting at an election held for that purpose approve their inclusion. Such an election shall be called by the governing authority of the affected city within one year after the effective date of this constitution.

(D) Exclusion. Nothing in Section 1 of this Article authorizing cities or other political subdivisions to be placed under the provisions of said Article by election, act of the legislature, or ordinance of the local governing authority shall authorize the inclusion in a civil service system of firemen and policemen in any municipality having a population greater than thirteen thousand but fewer than four hundred thousand and operating a regularly paid fire and municipal police department or in any parish or fire protection district operating a regularly paid fire department. Such firemen and policemen are expressly excluded from any such system.

(E) Political Activities. Article XIV, Section 15.1, Paragraph 34, of the Constitution of 1921 is retained and continued in force and effect."

Respectfully submitted,

ALBERT TATE, JR.,
Chairman.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

January 14, 1974, Baton Rouge, La.
To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

DELEGATE PROPOSAL No. 32—
By Delegate Drew:

**A PROPOSAL**

To provide with respect to the court of appeal circuits and districts.

Reported with the following amendment.

**COMMITTEE AMENDMENT**

Amendment proposed by Committee on Style and Drafting to Delegate Proposal No. 32 by Delegate Drew:

Amend first enrolled proposal as follows:

**AMENDMENT No. 1—**
On page 1, delete lines 12 through 18, both inclusive, in their entirety

*NOTE: The language contained in this delegate proposal has previously been inserted in CP No. 21 (Judicial Branch) at Section 9.*

Respectfully submitted,

**ALBERT TATE,**
Chairman.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973
January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

**COMMITTEE PROPOSAL No. 34—**

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegates Bollinger, Derbes, Elkins, Hardee, Jack, LeBlanc, Leigh, Miller, Munson, Perkins, Singletery, Thompson, Velazquez, Warner and Womack: (A Substitute for Committee Proposal No. 16):

**A PROPOSAL**

Making provisions relating to natural resources and environment.

Reported with the following amendments.

**COMMITTEE AMENDMENTS**

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 34 by Delegate Lambert, et al.

Amend first enrolled proposal as follows:

**AMENDMENT No. 1—**
On page 1, delete lines 20 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. The natural resources of the state, including air and water, and the healthful, scenic, historic, and esthetic quality of the environment shall be protected, conserved, and replenished so as to be possible and consistent with the health, safety, and welfare of the people. The legislature shall enact laws to implement this policy."

**AMENDMENT No. 2—**
On page 1, delete lines 26 through 35, both inclusive, in their entirety and on page 2, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Natural Gas
Section 2. (A) Public Policy; Regulation. Natural gas is declared to be affected with a public interest. Notwithstanding any provision of this constitution relative to the powers and duties of the Public Service Commission, the legislature shall provide by law for regulation of natural gas by the regulatory authority it designates. It may designate the Public Service Commission as the regulatory authority.

(B) Pipelines. No intrastate natural gas pipeline or gas gathering line shall be connected with an interstate natural gas pipeline, and no interstate natural gas pipeline shall be connected with an intrastate natural gas pipeline, without a certificate of public convenience and necessity issued as provided by law after application for the connection and hearing thereon."

**AMENDMENT No. 3—**
On page 2, delete lines 7 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Allocation of Water Bottoms
Section 3. The legislature shall neither allocate nor authorize the alienation of the bed of a navigable water body, except for purposes of reclamation by the riparian owner to recover land lost through erosion. This section shall not prevent the leasing of state lands or water bottoms for mineral or other purposes. Except as provided in this Section, the bed of a navigable water body may be reclaimed only for public use."

**AMENDMENT No. 4—**
On page 2, delete lines 16 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. Reservation of Mineral Rights; Prescription
Section 4. (A) Reservation of Mineral Rights. The mineral rights shall not be conveyed by the state shall be reserved, except when the owner or person having the right to redeem buys or redeems property sold or adjudicated to the state for taxes."

**AMENDMENT No. 5—**
On page 2, delete lines 22 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Prescription. Lands and mineral interests of the state, of a school board, or of a levee district shall not be lost by prescription."

**AMENDMENT No. 6—**
On page 2, delete lines 25 through 29, both inclusive, in their entirety and on page 3, delete lines 1 through 5, both inclusive, in their entirety

**AMENDMENT No. 7—**
On page 2, delete lines 30 through 35, both inclusive, in their entirety and on page 3, delete lines 1 through 5, both inclusive, in their entirety

**AMENDMENT No. 8—**
On page 3, line 6, change "Section 9.3" to "Section 9.6" and on line 7, change "Section 9.6" to "Section 6.9"

**AMENDMENT No. 9—**
On page 3, delete lines 10 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 7. Offshore Mineral Revenues; Use of Funds
Section 7. Funds derived from offshore mineral leases and held in escrow under agreement between the state and the United States pending settlement of the dispute between the parties shall be deposited in the state treasury when received. These fund and the interest from their investment, except the portion otherwise allocated or dedicated by this constitution, shall be used by the state treasurer to purchase, retire, or pay in advance of maturity the existing bonded indebtedness of the state or shall be invested for that purpose. If any of these funds cannot be so expended within one year, the legislature may appropriate annually, for capital improvements or for the purchase of land, ten percent of the remaining funds, not to exceed ten million dollars in one year."

**AMENDMENT No. 10—**
On page 3, delete lines 26 through 35, both inclusive, in their entirety and on page 4, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 8. Wildlife and Fisheries Commission
Section 8. (A) Members; Terms. The control and super-
vision of the wildlife of the state, including all aquatic life, is vested in the Louisiana Wildlife and Fisheries Commission, consisting of seven members appointed by the governor, subject to confirmation by the Senate. Six members shall serve overlapping terms of six years, and one member shall serve a term concurrent with that of the governor. Three members shall be electors of the coastal parishes and representatives of the commercial fishing and fur industries, and four shall be electors from the state at large other than representatives of the commercial fishing and fur industries, as provided by law. No member who has served six years or more shall be eligible for reappointment.

(A) Duties; Compensation. The functions, duties, and responsibilities of the commission, and the compensation of its members, shall be provided by law.”

AMENDMENT No. 11—

On page 4, delete lines 9 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 9. Forestry Commission; Acreage Taxes. Forestry shall be practiced in the state, and the legislature may enact laws therefor. It may authorize parish governing authorities to levy acreage taxes, not to exceed two cents per acre, for the purposes provided in this Section. The provisions of this constitution exempting homesteads from taxation shall apply to forestry acreage taxes.”

AMENDMENT No. 12—

On page 4, delete lines 19 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Forestry Commission. The practice of forestry is placed under the Louisiana Forestry Commission, consisting of seven members. The head of the Department of Forestry at Louisiana State University and Agricultural and Mechanical College and the director of the Wildlife and Fisheries Commission shall serve ex officio as members. The governor shall appoint the remaining five members, subject to confirmation by the Senate, for overlapping terms of five years, as provided by law.”

AMENDMENT No. 13—

On page 4, delete lines 29 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

“(C) State Forester. The commission shall appoint a state forester. He shall be a graduate of an accredited school of forestry and have at least four years of forestry experience, as provided by law.”

AMENDMENT No. 14—

On page 4, delete lines 33 through 35, both inclusive, in their entirety and on page 5, delete lines 1 through 4, both inclusive, in their entirety.

AMENDMENT No. 15—

On page 3, line 10, delete the language added by Committee Amendment No. 9 proposed by the Committee on Style and Drafting adopted this date and insert in lieu thereof the following:

“Section 7. Offshore Mineral Revenues; Use of Funds
Section 7. Funds derived from offshore mineral leases and held in escrow under agreement between the state and the United States shall be deposited in the state treasury when received. Upon such settlement, these funds and the interest from their investment, except the portion otherwise allocated or dedicated by this constitution, shall be used by the state treasurer to purchase, retire, or pay in advance of maturity the existing bonded indebtedness of the state or shall be invested for that purpose. If any of these funds cannot be so expended within one year, the legislature may appropriate annually, for capital improvements or for the purchase of land, ten percent of the remaining funds, not to exceed ten million dollars in one year.”

AMENDMENT No. 16—

On page 3, line 26, delete the language added by Committee Amendment No. 10 proposed by the Committee on Style and Drafting adopted this date and insert in lieu thereof the following:

“Section 8. Wildlife and Fisheries Commission
Section 8. (A) Members; Terms. The control and supervision of the wildlife of the state, including all aquatic life, is vested in the Louisiana Wildlife and Fisheries Commission. The commission shall be in the executive branch and shall consist of seven members appointed by the governor, subject to confirmation by the Senate. Six members shall serve overlapping terms of six years, and one member shall serve a term concurrent with that of the governor. Three members shall be electors of the coastal parishes and representatives of the commercial fishing and fur industries, and four shall be electors from the state at large other than representatives of the commercial fishing and fur industries, as provided by law. No member who has served six years or more shall be eligible for reappointment.

(B) Duties; Compensation. The functions, duties, and responsibilities of the commission, and the compensation of its members, shall be provided by law.”

Respectfully submitted,

ALBERT TATE,
Chairman.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Delegate Proposals have been properly enrolled in final form:

DELEGATE PROPOSAL No. 16—

Introduced by Delegates Alario, Chehardy, Edwards, Mire, Rayburn, Nunez, Winchester, Maubneret, Slay and Planchard:

A PROPOSAL

Making provisions for homestead exemptions.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XI. HOMESTEAD EXEMPTIONS

Section 1. Exemptions From Seizure and Sale
Section 1. The legislature shall provide by law for exemptions from seizure and sale, as well as waivers of and exclusions from such exemptions. The exemption shall extend to at least fifteen thousand dollars in value of a homestead, as provided by law.

DELEGATE PROPOSAL No. 17—

Introduced by Delegate Planchard:

A PROPOSAL

Making provisions prohibiting lotteries and gambling.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XII. GENERAL PROVISIONS

Section 12. Lotteries; Gambling
Section 12. Neither the state nor any of its political subdivisions shall conduct a lottery. Gambling shall be defined by and suppressed by the legislature.

DELEGATE PROPOSAL No. 18—

Introduced by Delegates Casey, Alario, Dennery, Gravel and Riecke:

1264
117th Days Proceedings—January 14, 1974

A PROPOSAL
Providing for meeting of the legislature for the next two years following the adoption of this constitution.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XIV. SCHEDULE

Section 1. Legislative Sessions

Section 1. 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.

DELEGATE PROPOSAL No. 28—

Introduced by delegate Denney: A PROPOSAL

Relative to transition for members of the State Civil Service Commission.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

Article XIV, Section 1. Transition; Civil Service Commission; State, Cities

Section 1. (A) State Commission. Each person who, on the effective date of this constitution, is a member of the State Civil Service Commission shall terminate 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 of Louisiana shall appoint three names to the governor for appointment to the commission as provided 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 classified 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 at New Orleans, and the president of Dillard University shall appoint 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, on the effective date of this constitution, is a member of the New Orleans City Civil Service Commission shall terminate 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 of Louisiana each shall appoint three names to the governing body of the city for appointment to the commission as provided in Article VII, Section 1, Paragraph (D). Within sixty 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 appoint 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.

Section 2. Transition; Civil Service Officers; Employees; State, Cities

Section 2. 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 shall thereafter be subject to and governed by the provisions of this constitution and the rules and regulations adopted under the authority hereof.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:
I submit the following report:

That the following Committee Proposal has been properly enrolled in full form:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegates Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwardes, Goldman, Maubernet, Mire, Nunez, Panchard, Slay, and Winchester:

A PROPOSAL

Making provisions for property taxation. Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XI. REVENUE AND FINANCE

Section 1. Ad Valorem Taxes

Section 1. (A) Assessments. Property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation, which, except as provided in Paragraph (C), shall be a percentage of its fair market value. The percentage of fair market value shall be uniform throughout the state upon the same class of property.

(B) Classification. The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each classification for the purpose of determining assessed valuation are as follows:

Classifications

1. Land
2. Improvements for residential purposes
3. Other property

Percentages
10%
10%
15%

(C) Use Value. Bona fide agricultural, horticultural, marsh, and timber lands, as defined by general law, shall be assessed for tax purposes at ten percent of use value rather than fair market value. The legislature may provide by law for similar treatment for buildings of historic architectural importance.

(D) Valuation. Each assessor shall determine the fair market value of all property subject to taxation within his respective parish or district except public service properties, which shall be valued at fair market value by the Louisiana Tax Commission or its successor. Each assessor shall determine the use value of property which is to be so assessed under the provisions of Paragraph (C). Fair market value and use value of property shall be determined in accordance with criteria which shall be established by law and which shall apply uniformly throughout the state.

(E) Review. The correctness of assessments by the assessor shall be subject to review first by the parish governing body, then by the Louisiana Tax Commission or its successor, and finally by the courts, all in accordance with procedures established by law.

(F) Reappraisal. All property subject to taxation shall be reappraised and valued at equal value and assessed in accordance with this Section, at intervals or not more than four years.

Section 2. State Property Taxation; Rate Limitation

Section 2. State taxation on property for all purposes shall not exceed an annual rate of five and three-quarter mills on the dollar of assessed valuation.

Section 3. Homestead Exemption

Section 3. (A) Homeowners.

1. The bona fide homestead, consisting of a tract of land or two or more tracts of land with a residence on one tract and a field, pasture, or garden on the other tract or tracts, not exceeding one hundred sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by any person, shall be exempt from state, parish, and special ad valorem taxes to the extent of three thousand dollars of the assessed valuation.

2. By law enacted by two-thirds of the elected members of each house, the legislature may increase this homestead exemption to an amount which shall not exceed five thousand dollars of the assessed valuation.

3. The homestead exemption of veterans of the armed forces of the United States, honorably discharged or separated from such services or other persons who served in said armed forces, as defined by general law, and of persons sixty-five years of age or older shall be five thousand dollars of the assessed valuation.

1265
Page 40

117th Days Proceedings—January 14, 1974

(4) The homestead exemption shall extend to the surviving spouse or minor children of a deceased owner and shall apply to the homestead if occupied as such and title to it is in either husband or wife but not to more than one homestead owned by the husband or wife.

(5) This exemption shall not extend to municipal taxes. However, the exemption shall apply (a) in Orleans Parish to state, general city, school, levee, and levee district taxes and (b) to any municipal taxes levied for school purposes.

(B) Residential Leases. Notwithstanding any contrary provision in this constitution, the legislature may provide for the application of a residential lease in the form of a purchase or rebate in order to provide equitable tax relief similar to that granted to homeowners through homestead exemptions.

Section 4. Other Property Exemptions

Section 4. In addition to the homestead exemption provided for in Section 3 of this Article, the following property and no other shall be exempt from ad valorem taxation:

(A) Public lands; other public property used for public purposes.

(B) (1) Property owned by a nonprofit corporation or association organized and operated exclusively for religious, charitable, educational, or social purposes, or for the promotion of agriculture or horticulture, and which is dedicated to the benefit of any private shareholder or member thereof and which is declared to be exempt from federal or state income tax;

(2) property of a bona fide labor organization representing its members or affiliates in collective bargaining efforts; and

(3) property of an organization such as a lodge or club organized for charitable and fraternal purposes and practicing the same, and property of a nonprofit corporation devoted to promoting trade, travel, and commerce, and also property of a trade, business, industry or professional society or association, if that property is owned by a nonprofit corporation or association organized under the laws of this state for such purposes.

None of the property listed in Paragraph (B) shall be exempt if owned, operated, leased, or used for commercial purposes unrelated to the exempt purposes of the corporation or association.

(C) (1) Cash on hand or deposit;

(2) stocks and bonds, except bank stocks, the tax on which shall be paid by the banking institution;

(3) obligations secured by mortgage on property located in Louisiana and the notes or other evidence thereof;

(4) loans by life insurance companies to policyholders, if secured directly by their policies;

(5) the legal reserve of domestic life insurance companies;

(6) loans by a homestead or building and loan association to its members, if secured solely by stock of the association;

(7) debts due for merchandise or other articles of commerce or for services rendered;

(8) obligations of the state or its political subdivisions;

(9) personal property used in the home or on loan in a public place;

(10) irrevocably dedicated places of burial held by individuals for purposes of burial of themselves or members of their families;

(11) agricultural products while owned by the producer, agricultural machinery and other implements used exclusively for agricultural purposes, animals on the farm, and property belonging to an agricultural fair association;

(12) property used for cultural, Mardi Gras carnival, or civic activities and not operated for profit to the owners;

(13) rights-of-way granted to the State Department of Highways;

(14) boats using gasoline as motor fuel;

(15) commercial vessels used for gathering seafood for human consumption;

(16) ships and oceangoing tugboats, tugs, and barges engaged in international trade and domiciled in Louisiana ports. However, this exemption shall not apply to harbor, wharf, shed, and other port dues or to any vessel operated in the coastal trade of the states of the United States.

(D) (1) Raw materials, goods, commodities, and articles imported into this state from outside the states of the United States:

(a) so long as the imports remain on the public property of the port authority or docks of the common carrier where they entered this state;

(b) so long as the imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages or agricultural products in bulk. This exemption shall not apply to these imports when held by a retail merchant as part of his stock-in-trade for sale at retail.

(2) Raw materials, goods, commodities, and other articles being held on the public property of a port authority, on docks of any common carrier, or in a warehouse, grain elevator, dock, wharf, or public storage facility in this state or export to a point outside the states of the United States.

(3) (a) Goods, commodities, and personal property in public or private storage while in transit through this state which are moving in interstate commerce through or over the territory of the United States, or in other private storage within Louisiana, having been shipped from outside Louisiana for storage in transit to a final destination outside Louisiana, whether such destination was specified when transportation began or not.

(b) Property described in Paragraph (D), whether or not entitled to exemption, shall be reported to the proper taxing authority on the forms required by law.

(B) Motor vehicles used on the public highways of this state from state, parish, and special ad valorem taxes. This exemption shall not extend to any general or special tax levied by a municipal governing authority, or by a district created by it, unless the governing authority thereof provides for the exemption by ordinance or resolution.

(F) Notwithstanding any contrary provision in this Section, the legislature by law may authorize the State Board of Commerce and Industry or its successor, under such terms and conditions and with such approval as the legislature specifies, to provide for the exemption from property taxation of a new manufacturing establishment or an addition to a manufacturing establishment existing in the state. No exemption granted under the authority of laws enacted under this Paragraph shall extend for a longer initial period of five calendar years, nor be renewable for a period exceeding five additional calendar years.

Section 5. No Impairment of Existing Taxes or Obligations

Section 5. This Article shall not be applied in a manner which will (a) invalidate taxes authorized and imposed prior to the effective date of this constitution or (b) impair the validity of obligations, revenue or other debt obligations authorized prior to the effective date of this constitution.

Section 6. Adjustment of Ad Valorem Tax Millages

Section 6. Prior to the end of the third year after the effective date of this constitution, and the Louisiana Tax Commission or its successor shall complete the determination of the fair market value of the land and buildings owned in Louisiana by the organization, corporation, or association, for the purpose of implementing the provisions of this Article. Except as provided in this Paragraph, the total amount of ad valorem taxes that may be collected by any taxing authority in the year in which Sections 1 and 3 of this Article are implemented shall not be increased or decreased, because of their provisions, above or below the taxes that were levied and collected for the same millages in the year preceding implementation. To accomplish this result, it shall be mandatory for each affected taxing authority, in the year in which Sections 1 and 3 of this Article are implemented, to adjust millages upwards or downwards without regard to millages limitations contained in this constitution, and the maximum authorized millages shall be increased or decreased, without further voter approval, in proportion to the amount of the adjustment upward or downward. Therefore, no millages shall result in any effect unless changed as permitted by this constitution. Nothing herein shall prohibit a taxing authority from collecting, in the year in which Sections 1 and 3 of this Article are im-
implemented or in any subsequent year, a larger dollar amount of ad valorem taxes by (a) levying additional or increased millages as provided by law; (b) placing additional property on the tax rolls; or (c) increases in the fair market or true value of the property. The determination of that value to implement this Article. This Section shall not apply to millages required to be levied for the payment of general obligation bonds.

Section 7. Revenue Sharing Fund

The Revenue Sharing Fund is created as a special fund in the state treasury.

(B) Annual Allocation. The sum of ninety million dollars is allocated annually from the state general fund to the revenue sharing fund. The legislature may appropriate additional sums to the fund.

(C) Distribution Formula. The revenue sharing fund shall be distributed annually as provided by law solely on the basis of population and number of homesteads in each parish in proportion to population and the number of homesteads throughout the state. Unless otherwise provided by law, population statistics of the last federal decennial census shall be utilized for this purpose. After deductions in each parish for retirement systems and commissions as authorized by law, and the remaining funds to the extent available, shall be distributed by first priority to the tax recipient bodies within the parish, as defined by law, to offset current losses because of homestead exemptions granted in this Article. Any balance remaining in a parish distribution shall be allocated among the municipalities and tax recipient bodies within each parish as provided by law.

(D) Distributing Officer. The funds distributed to each parish as provided in Paragraph (C) shall be distributed in Orleans Parish by the city treasurer of New Orleans and in all other parishes by the parish tax collector. The funds allocated to the Monroe City School Board or its successor shall be distributed to and by the city treasurer of Monroe.

(E) Bonded Debt. A political subdivision, as defined by Article VI of this constitution, may incur debt by issuing negotiable bonds and may pledge for the payment of all or part of the principal and interest of such bonds the proceeds derived or to be derived from that portion of the funds received by it from the revenue sharing fund, to offset current losses caused by homestead exemptions granted by this Article. Unless otherwise provided by law, no moneys allocated within any parish from the balance remaining in its distribution may be pledged to the payment of the principal or interest of any bonds. Bonds issued under this Paragraph shall be issued and sold as provided by law, and the approval of the State Bond Commission or its successor prior to issuance and sale.

Section 8. Tax Assessors

Section 8. (A) Election: Term. A tax assessor shall be elected by the electors of each parish, Orleans Parish excepted. His term of office shall be four years. His election duties, and compensation shall be as provided by law.

(B) Orleans Parish. There shall be seven assessors in New Orleans, who shall compose the Board of Assessors for Orleans Parish. One shall be elected from each municipal district of New Orleans, and each shall be a resident of the district from which he is elected. The assessors shall be elected at the same time as the municipal officers of New Orleans, for terms of four years each. Their duties and compensation shall be as provided by law.

(C) Vacancy. When a vacancy occurs in the office of tax assessor, the duties of the office, until filled by election as provided by law, shall be discharged by the chief deputy assessor, except in Orleans Parish where the Board of Assessors shall appoint an interim assessor.

Section 9. Tax Sales

Section 9. (A) Tax Sales. There shall be no forfeiture of property for nonpayment of taxes. However, at the expiration of the year in which the taxes are due, the collector, without advertisement to the delinquent in the manner provided by law, shall advertise for sale the property on which the taxes are due. The advertisement shall be published in the official journal of the parish or municipality, or, if there is no official journal, as provided by law for sheriffs' sales, in the manner provided for judicial sales. On the day of sale, the collector shall sell the property or the property, which the debtor points out. If the debtor does not point out sufficient property, the collector shall sell immediately the least quantity of property which any bidder will buy for the amount of the taxes, interest, and costs. The sale shall be without appraisement. A tax deed shall not be taken by the tax collector shall be prima facie evidence that a valid sale was made.

(B) Redemption. The property sold shall be redeemable for three years after the date of recordation of the tax sale, by paying the price given, including costs, five percent penalty thereon, and interest at the rate of one percent per month until redemption.

(C) Annulment. No sale of property for taxes shall be set aside for any cause, except on proof of payment of the taxes prior to the date of the sale, unless the proceeding to annul the sale is instituted within six months after service of notice of sale. A notice of sale shall not be served until the final day for redemption has ended. It must be served within five years after the date of the recordation of the tax deed if no notice is given. The fact that taxes were paid on a part of the property sold prior to the sale thereof, or that a part of the property was not subject to taxation, shall not be cause for annulling the sale of any part thereof on which the taxes for which it was sold were due and unpaid. No judgment annulling a tax sale shall have effect until the taxes and all taxes and costs are paid and until ten percent per annum interest on the amount of the price and taxes paid from date of respective payments are paid to the purchaser; however, this shall not apply to sales annulled because the taxes were paid prior to the date of sale.

(D) Quiet Title. The manner of notice and form of proceeding to quiet tax titles shall be provided by law.

(E) Movables; Tax Sales. When taxes on movables are delinquent, the tax collector shall seize and sell sufficient movable property of the delinquent taxpayer to pay the tax, whether or not the property seized is the property which was assessed. Sale of the property shall be at public auction, without appraisement, after ten days advertisement, published within ten days after date of seizure. It shall be absolute and without redemption.

If the tax collector can find no corporeal movables of the delinquent to seize, he may levy on incorporeal rights, by notifying the debtor thereof, or he may proceed by summary rule in the courts to compel the delinquent to deliver for sale property in his possession or under his control.

If the tax collector can find no corporeal movables of the delinquent to seize, he may levy on incorporeal rights, by notifying the debtor thereof, or he may proceed by summary rule in the courts to compel the delinquent to deliver for sale property in his possession or under his control.

The legislature may postpone the payment of taxes, but only in cases of overflow, general confiscation, general crop destruction, or other public calamity, and may provide for the levying, assessing, and collecting of such postponed taxes. In such case, the legislature may authorize the borrowing of money to pay the tax, or to purchase property, for the purpose of levying, assessing, and collecting of such postponed taxes. No loan shall be made to a parish governing authority without the approval of the Interim Emergency Board.

Section 10. Effective Date

Section 10. Section 1 and Section 3 of this Article shall become effective January 1 of the year following the end of three years after the effective date of this constitution. Until that date, the provisions of the Constitution of 1812 and pertinent sections of the constitution shall be in effect. Any controversy concerning the constitution shall be decided by the Supreme Court. If the provisions of this section are not adopted, the Constitution of 1812 shall be in force until the legislature disposes of the matter in a constitutional manner.

Respectfully submitted,

MOISE W. BENNERY
Secretary.

The Proposals contained in the report were signed by the Chairmen of the Committee and approved by the Secretary in accordance with the Rules.
Motion

On motion of Delegate Tate, the Convention altered the Order of Business to take up Introduction of Proposals at this time.

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

DELEGATE PROPOSAL No. 97—


A PROPOSAL
To provide with respect to an alternative provision relative to the Executive Branch.

Read.

Lies over under the rules.

Motion

On motion of Delegate Aertker, the Convention altered the Order of Business to take up other Orders of Business at this time.

Motion

On motion of Delegate Aertker the rules were suspended for the purpose of calling a meeting of the Committee on Education and Welfare without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Tuesday, January 15, 1974, at 8:30 o'clock A.M. in the Ante Room and will consider the following agenda:

AGENDA

Discussion of Style and Drafting changes to CP 30.

Respectfully submitted,
ROBERT J. AERTKER,
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Lanier—½ day.
Delegate Vesich—1 day.
Delegate Champagne—¾ day.
Delegate Weiss—2 days.

Adjournment

Delegate Dennery moved that the Convention do now adjourn until Tuesday, January 15, 1974, at 9:00 o'clock A.M.

Which motion was agreed to.

And Vice-Chairman Casey declared the Convention adjourned to Tuesday, January 15, 1974, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock A.M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

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The Chairman announced that there were 124 members present and a quorum.

Prayer

Prayer was offered by Delegate E. J. Landry.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Sandoz, the Journal of yesterday was adopted.

Morning Hour

Reports of Committees

The following reports of committees were received and read:

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana Constitutional Convention of 1973

January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

COMMITTEE PROPOSAL No. 30—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Ralch, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlewaite, Toce and Wisham:

A PROPOSAL

To provide for the transition of membership on the boards of education.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 30 by Delegate Aertker, et al.

Amend First Enrolled Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 18 through 26, both inclusive, in their entirety and in lieu thereof the following:

"Section 2. Board of Regents

Section 2. 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 respective 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."

AMENDMENT No. 2—

On page 1, delete lines 27 through 35, both inclusive, in their entirety and on page 2, delete lines 1 and 2 in their entirety and in lieu thereof the following:

"Section 3. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College

Section 3. 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."
AMENDMENT No. 3—
On page 2, delete lines 3 through 20, both inclusive in their entirety and insert in lieu thereof the following:

"Section 4. State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities

Section 4. 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 these 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."

AMENDMENT No. 4—
On page 2, delete lines 21 through 25, both inclusive in their entirety and insert in lieu thereof the following:

"Section 5. Boards; New Appointments

Section 5. 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."

Respectfully submitted,

ALBERT TATE,
Chairman.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973
January 14, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your committee on Style and Drafting to submit the following report:

COMMITTEE PROPOSAL No. 36—
Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 24, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Ray, Soniat, Stinson, Vick, Wall and Weise);

A PROPOSAL

Relative to constitutional revision.

Reported with the following amendments.

COMMITTEE AMENDMENT
Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend First Enrolled Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 16 through 35, both inclusive, in their entirety and, on page 2, delete line 1 and insert in lieu thereof the following:

"Section 1. Amendments

Section 1. (A) Procedure. An amendment to this constitution may be proposed by joint resolution at any regular session of the legislature, but the resolution shall be filed, at least ten days before the beginning of the session, in accordance with the rules of the houses of the legislature. An amendment to this constitution may be proposed at any extraordinary session of the legislature if it is within the objects of the call of the session and is introduced in the first five calendar days thereof. If two-thirds of the elected members of each house concur in the resolution, pursuant to all of the procedures and formalities required for passage of a bill, the joint submission to the governor, the secretary of state shall have the proposed amendment published once in the official journal of each parish within not less than thirty nor more than sixty days preceding the election at which the proposed amendment is to be placed on the ballot. Each joint resolution shall specify the statewide election at which the proposed amendment shall be submitted. Special elections for submitting proposed amendments may be authorized by law."

AMENDMENT No. 2—
On page 2, delete lines 2 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Form of Proposal. A proposed amendment shall have a title containing a brief summary of the changes proposed; shall be confined to one object; and shall set forth the entire article, or the sections or other subdivisions thereof, as part of the proposed amendment, or only the article, sections, or other subdivisions proposed to be added. However, the legislature may propose, as one amendment, a revision of an entire article of this constitution which may contain multiple objects or changes. A section or other subdivision may be repealed by reference. When more than one amendment is submitted at the same election, each shall be submitted so as to enable the electors to vote on them separately."

AMENDMENT No. 3—
On page 2, delete lines 17 through 29, both inclusive in their entirety and insert in lieu thereof the following:

"Section 2. Constitutional Convention

Section 2. Whenever the legislature considers it desirable to revise this constitution or propose a new constitution, it may provide for the calling of a constitutional convention by law enacted by two-thirds of the elected members of each house of the legislature. A resolution calling for any alternative propositions agreed upon by the convention shall be submitted to the people for their ratification or rejection. If the proposal is approved by a majority of the electors voting thereon, the governor shall proclaim it to be the Constitution of Louisiana."

AMENDMENT No. 4—
On page 2, delete lines 30 through 35, both inclusive, in their entirety and on page 3, delete lines 1 through 5, both inclusive in their entirety and insert in lieu thereof the following:

"Section 3. Laws Effectuating Amendments

Section 3. Whenever the legislature shall submit amendments to this constitution, it may at the same session enact laws to carry them into effect, to become operative when the proposed amendments have been ratified."

AMENDMENT No. 5—
On page 3, delete lines 6 through 10, both inclusive in their entirety and insert in lieu thereof the following:

"Section 3. Laws Effectuating Amendments

Section 3. Whenever the legislature shall submit amendments to this constitution, it may at the same session enact laws to carry them into effect, to become operative when the proposed amendments have been ratified."

AMENDMENT No. 6—
On page 1, line 10, in Committee Amendment No. 1 proposed by the Committee on Style and Drafting and adopted by the Convention this date, at the end of line 6 of the amendment after the words "of the" delete the word "house" and at the beginning of line 7 delete the words and punctuation "of the legislature" and insert in lieu thereof the words "house in which introduced."

AMENDMENT No. 7—
On page 2, line 17, in Committee Amendment No. 3, proposed by the Committee on Style and Drafting and adopted by the Convention this date, on line 2 of the amendment,
after the word and punctuation “it,” delete the remainder of line 2 and delete lines 3 and 4 in their entirety and insert in lieu thereof the words “the governor shall proclaim its adoption, and it shall become part of this constitution, effective twenty days after the proclamation, unless”

Respectfully submitted,

ALBERT TATE,
Chairman.

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolutions on second reading to be referred to Committees were taken up, read, and referred to Committees, as follows:

DELEGATE RESOLUTION No. 50—

Introduced by Delegate O’Neill:

A RESOLUTION

To amend the Standing Rules of the Constitutional Convention to add a new Rule 47.1, to provide for the printing of an attestation clause for the proposed draft of the constitution and for the distribution of copies of the proposed draft and to urge and request the governor to take the necessary steps to see that a copy of the Louisiana Constitution of 1974 is exhibited permanently in the state capitol.

Read.

Under the rules above Resolution was referred to the Committee on Rules, Credentials and Ethics.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

Motion

On motion of Delegate Tate Delegate Proposal No. 22 was taken up out of its regular order and acted upon as follows:

DELEGATE PROPOSAL No. 22—

Introduced by Delegates Conroy and Newton:

A PROPOSAL

To provide for the prohibition of certain enumerated local and special laws.

Read.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Delegate Proposal No. 22 by Delegates Conroy and Newton.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—

On page 1, line 15, immediately after “(A)” and before the word “Except” insert the word and punctuation “Prohibitions,” and on line 16 after the word “pass” and before the word “local” delete the word “any” and insert in lieu thereof “a”

AMENDMENT No. 2—

On page 2, line 5, after the word and punctuation “taxes;” and before the word “assessor” delete the words “for the relief of any” and insert in lieu thereof the words “relieving any” and on line 5, after the partial word and punctuation “deficit;” and before the word “refunding” delete the word “or”

AMENDMENT No. 3—

On page 2, at the end of line 16, after the word “schoolhouses” add a comma “,”

AMENDMENT No. 4—

On page 2, at the beginning of line 22 immediately after “(B)” and before the word “The” insert “Additional Prohibition.”

Read.

On motion of Delegate Tate Amendments Nos. 1, 2, 3 and 4 were adopted.

COMMITTEE PROPOSAL No. 9—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Raehl, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wiseman:

A PROPOSAL

Making provisions for human resources by providing for state and city civil service.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend First enrollment Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 16 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 1. (A) Civil Service System.

(1) State Civil Service. The state civil service is established and includes all persons holding offices and positions of trust or employment in the employment of the state, or any instrumentality thereof, and any joint state and federal agency, joint state and parochial agency, or joint state and municipal agency, regardless of the source of the funds used to pay for such employment. It shall not include persons holding offices and positions of any municipal board of health or local governmental subdivision.

(2) City Civil Service. The city civil service is established and includes all persons holding offices and positions of trust or employment in the employment of each city having over four hundred thousand population and in every instrumentality thereof. However, paid firemen and municipal policemen be excluded if a majority of the voters in the affected city voting at an election held for that purpose approve their exclusion. The election shall be called by the municipal governing authority within one year after the effective date of this constitution.”

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—

On page 1, delete lines 34 and 35, in their entirety and on page 2, delete lines 1 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Classified and Unclassified Service.

(1) The state and city civil service is divided into the unclassified and the classified service. Persons not included in the unclassified service are in the classified service.

(2) The unclassified service shall include the following officers and employees in the state and city civil service: (a) elected officials and persons appointed to fill vacancies in elective offices; (b) the heads of each principal executive department appointed by the governor, the mayor, or the governing authority of a city; (c) city attorneys; (d) registrars of voters; (e) members of state and city boards, authorities, and commissions; (f) one private secretary to the president of each college or university; (g) one person holding a confidential position and one principal assistant or deputy to any officer, board, commission, or authority mentioned in (a), (b), (d), or (e) above, except civil service departments; (h) members of the military and naval forces; (i) teaching and professional staffs, and administrative officers of schools, colleges, and universities of the state, and bona fide students of those institutions employed by any state, parochial, or municipal agency; (j) employees, deputies, and officers of the legislature and of the offices of the governor, lieutenant governor, attorney general, each mayor and city attorney, of police juries, school boards, assessors, and of all offices provided for in
Article V of this constitution except the offices of clerk of the municipal court and police judge. It consists of:

(i) commissioners of elections, watchers, and custodians and deputy custodians of voting machines;

(ii) railroad employees whose working conditions and retirement benefits are regulated by federal agencies in accordance with federal law.

(3) Additional positions may be added to the unclassified service and these positions may be revoked by rules adopted by a commission.

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 3—

On page 2, delete lines 33 through 35, both inclusive, in their entirety and on page 3, delete lines 1 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

(C) State Civil Service Commission.

(i) The State Civil Service Commission is established and shall be domiciled in the state capital. It shall be composed of seven members who are electors of this state, four of whom shall constitute a quorum. No more than one appointment shall be from each congressional district.

(ii) Appointments. Members appointed by the governor, hereinafter provided, for overlapping terms of six years.

(iii) Nominations. The presidents of Centenary College at Shreveport, Dillard University at New Orleans, Louisiana College at Pineville, Loyola University at New Orleans, Tulane University at New Orleans, and Xavier University at New Orleans, after giving consideration to representation of all groups in the state, shall select one of their nominees thereon for appointment as a member of the commission. The governor shall appoint one member of the commission from the persons nominated by each president. One member of the commission shall be elected by the classified employees of the state from their number as provided by law. A vacancy for any cause shall be filled by appointment or election in accordance with the procedure or law governing the original appointment or election, and from the same source. Within thirty days after a vacancy occurs, the president concerned shall submit the required nominations. Within thirty days thereafter, the governor shall make his appointment. If the governor fails to appoint within thirty days, the nominee whose name is first on the list of nominees automatically shall be a member of the commission. If any nominating authority fails to submit nominees in the time required, or if one of the named institutions ceases to exist, the governor shall make the appointment to the commission.

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 4—

On page 3, delete lines 31 through 35, both inclusive, in their entirety and on page 4, delete lines 1 through 35, both inclusive, in their entirety and on page 5, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

(1) City Civil Service Commission.

(a) Creation; Membership; Domicile. A city civil service commission shall exist in each city having a population exceeding four hundred thousand. The domicile of each commission shall be in the city it serves. Each commission shall be composed of five members, who are electors of the city, three of whom shall constitute a quorum. The membership shall serve overlapping terms of six years as hereinafter provided.

(b) New Orleans; Nomination and Appointment. In New Orleans, the president of Dillard University, Loyola University, St. Mary's Dominican College, Tulane University, and Xavier University, after giving consideration to representation of all groups, each shall nominate three persons. The municipal governing authority shall appoint one member of the commission from the three persons nominated by each. Each city subject to this Section, the president of any five institutions of higher education in the state, elected by the governing authority of the respective city, each shall nominate three persons, after giving consideration to representation of all groups. The municipal governing authority shall appoint one member of the commission from the three persons nominated by each.

(2) Vacancies. A vacancy shall be filled by appointment in accordance with the procedure for the original appointment and from the same source. Within thirty days after a vacancy occurs, the university president concerned shall submit the required nominations. Within thirty days thereafter, the municipal governing authority shall make the appointment. If the municipal governing authority fails to appoint within the thirty days, the nominee whose name is first on the list of nominees automatically shall become a member of the commission. If one of the nominating authorities fails to submit nominees in the time required, or if one of the named institutions ceases to exist, the municipal governing authority shall make the appointment.

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 5—

On page 5, delete lines 3 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

(E) Removal. A member of the state or of a city civil service commission may be removed by the governor or the governing authority, as the case may be, for cause, after being charged with written specifications of the charges against him and being afforded an opportunity for a public hearing thereon by the appointing authority.

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.

AMENDMENT No. 6—

On page 5, delete lines 9 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

(F) Department of Civil Service; Directors.

(i) State Department. A Department of State Civil Service is established in the executive branch of the state government.

(ii) City Departments. A department of city civil Service shall exist in each city having a population exceeding four hundred thousand.

(iii) Directors. Each commission shall appoint a director, after competitive examination, who shall be in the classified service. He shall be the administrative head of his department. Each director shall appoint personnel and exercise powers and duties to the extent prescribed by the commission appointing him.

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.

AMENDMENT No. 7—

On page 5, delete lines 23 through 35, both inclusive, in their entirety and on page 6, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

(G) Appointments; Promotions. Permanent appointments and promotions in the classified state and city service shall be made only after certification by the appropriate department of civil service under a general system based upon merit, efficiency, fitness, and length of service, as ascertained by examination which, so far as practical, shall be competitive. The number to be certified shall not be less than three; however, if more than one vacancy is to be filled, the name of one additional eligible for each vacancy may be certified. Each commission shall adopt rules for the method of certifying persons eligible for appointment, promotion, reemployment, and reinstatement and shall provide for appointments defined as emergency and temporary appointments if certification is not required.

Read.

On motion of Delegate Tate Amendment No. 7 was adopted.

AMENDMENT No. 8—

On page 6, delete lines 3 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

(H) Appeals.

(i) Disciplinary Actions. No person who has gained permanent status in the classified state or city service shall be subjected to disciplinary action except for cause expressed in writing. A classified employee subject to such disciplinary action shall have the right of appeal to the appropriate
commission. The burden of proof on appeal, as to the facts, shall be on the appointing authority.

(2) Discrimination. No classified employee shall be discriminated against because of his political or religious beliefs, sex, or race. A classified employee so discriminated against has the right of appeal to the appropriate commission. The burden of proof on appeal, as to the facts, shall be on the employee.

Read.

On motion of Delegate Tate Amendment No. 8 was adopted.

AMENDMENT No. 9—

On page 6, delete lines 17 through 35, both inclusive, in their entirety and on page 7, delete lines 1 through 6, both inclusive in their entirety and insert in lieu thereof the following:

(1) Prohibitions Against Political Activities.

(1) No member of a civil service commission and no officer or employee in the classified service shall participate or engage in political activity; be a candidate for nomination or election to public office except to seek election as the classified state employee serving on the State Civil Service Commission; or be a member of any national, state, or local committee of a political party or faction; make or solicit contributions for any political party, faction, or candidate; or take active part in the management of the affairs of a political party, faction, candidate, or any political campaign, except in his own behalf as a private individual. Every classification and employment action be made in the best interest of the state, public, and each employee privately, to serve as a commissioner or official watcher at the polls, and to cast his vote as he desires.

(2) No person shall solicit contributions for political purposes from any classified employee or official, or attempt to use his position in the state or city service to punish or coerce the political action of a classified employee.

(3) As used in this Section, “political activity” means an effort to support or oppose the election of a candidate for political office or to support or oppose any particular political party or an election. The support of issues involving bonded indebtedness, tax referenda, or constitutional amendments shall not be prohibited."

Read.

On motion of Delegate Tate Amendment No. 9 was adopted.

AMENDMENT No. 10—

On page 7, delete lines 7 through 35, both inclusive, in their entirety and on page 8, delete lines 1 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

(1) Rules, Investigations; Wages and Hours

(a) Powers. Each commission is vested with broad and general rule-making and subpoena powers for the administration and regulation of the classified service, including the power to adopt rules for regulating employment, promotion, demotion, suspension, reduction in pay, removal, certification, qualifications, political activities, employment conditions, employee training and safety, compensation and discipline of employees, and other personnel matters; and to adopt a uniform pay and classification plan, and generally to accomplish the objectives and purposes of the merit system of civil service as herein established. Nothing herein shall prevent the legislature from enacting laws supplementing these uniform pay plans for sworn, commissioned law enforcement officers of the Division of State Police, Department of Public Safety and regularly commissioned officers of the Enforcement Division of the Department of Enforcement.

(b) Veterans. The state and city civil service departments shall accord a five-point preference in original appointment to each person honorably discharged, or discharged under honorable conditions from the armed forces of the United States who served between the war time dates of April 6, 1917 through November 11, 1918; or between September 16, 1940 through July 25, 1947; between June 26, 1950 through January 31, 1955; or in the Viet Nam Theater between July 1, 1956 through the date the United States government declares to be the date of termination of service for members of the armed forces to receive credit for the award of the Purple Heart, Good Conduct Medal, or Citizenship Service Medal; in a peacetime campaign or for which campaigns badges are authorized. The state and city civil service departments shall accord a ten-point preference in original appointment to each honorably discharged veteran who served in a war period, and more disabilities recognized as service-connected by the Veterans Administration; to the spouse of each veteran whose physical condition precludes his or her appointment to a civil service job in his or her usual line of work, the unremarried widow of each deceased veteran who served in a war period, and more disabilities recognized as service-connected or to the unremarried widowed parent of any person who died in active wartime or peacetime service or who suffered total and permanent disability as a result of service, or the other or separated parents of any person who died in wartime or peacetime service or who became totally and permanently disabled in wartime or peacetime service. However, only one ten-point preference shall be allowed in the original appointment to any person enumerated above. If the ten-point preference is not used by the veteran, either because of the veteran’s physical or mental incapacity which precludes his appointment to a civil service job in his usual line of work or to his spouse, unremarried widow, or eligible parents as defined above, in the order specified. However, any such preference may be given only to a person who has attained at least the minimum score required on each test and who has received a rating of the minimum rating. When appointed for eligible lists.

(c) Layoffs; Preference Employees. When a position in the classified service is abolished, or needs to be vacated because of stoppage of work from lack of funds or other reason, the employees (ex-members of the armed forces and their dependents as described in this Section) whose length of service and efficiency ratings are at least equal to those of other competing employees shall be retained in preference to all other competing employees. However, when any function of a state agency is transferred to, or when a state agency is replaced by, one or more other state agencies, every preference employee in classifications and performing functions transferred, or working in the state agency replaced, shall be transferred to the replacing state agency or agencies for employment in a position for which he is qualified before that state agency or agencies appoint additional employees for such positions from eligible lists. The appointing authority shall give the director written notice of any proposed lay-off within a reasonable length of time before its effective date, and the director shall issue orders relating thereto which he considers necessary to secure compliance with the rules. No rule, regulation, or practice of the director of a department, or of any official of the state or any political subdivision shall favor or discriminate against any applicant or employee because of his membership or non-membership in any private organization; but this shall not prohibit any state or political subdivision from regulating, prohibiting or contracting with an employee organization with respect to wages, hours, grievances, working conditions, or other conditions of employment in a manner not inconsistent with this constitution, a civil service law, or a valid rule or regulation of a commission.

(d) Effect. Rules adopted pursuant hereto shall have the effect of law and be published and made available to the public. Each commission may impose penalties for violation of the rules in the form of suspension or discharge from position, with attendant loss of pay.

(2) Investigations. Each commission may investigate violations of this Section and the rules, statutes, or ordinances hereunder and impose penalties in accordance therewith.

(3) Wages and Hours. Any rule or determination affecting wages or hours shall have the effect of law and become effective only after approval by the governor or the appropriate governing authority."

Read.

On motion of Delegate Avant, action on Amendment No. 10 was deferred, at this time.

AMENDMENT No. 11—

On page 10, delete lines 7 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

(10) Penalties. Willful violation of any provision of this Section shall be a misdemeanor punishable by a fine of not
more than five hundred dollars or by imprisonment for not more than six months, or both.”

Read.

On motion of Delegate Tate Amendment No. 11 was adopted.

AMENDMENT No. 12—
On page 10, delete lines 12 through 21, both inclusive, in their entirety and insert in lieu thereof the following:
"(N) Assignment.
(1) Each city having a population exceeding ten thousand but not exceeding four hundred thousand, each parish, and each parish governed jointly with one or more cities under a plan of government, having a population exceeding ten thousand, according to the latest official decennial federal census, may elect to be governed by this Section by a majority vote of its electors voting at an election held for that purpose. The election shall be ordered and held by the city, the parish, or the city-parish, as the case may be, upon (a) the adoption of an ordinance by the governing authority calling the election; or (b) the presentation to the governing authority of a petition calling for such an election signed by electors equal in number to five percent of the registered voters of the city, the parish, or the city-parish, as the case may be;
(2) If a majority of the electors voting at such election shall vote to adopt this Section, its provisions shall apply permanently to the city, the parish, or the city-parish, as the case may be, and shall govern it as if this Section had originally applied to it. In such case, all electors and employees of the city, the parish, or the city-parish, as the case may be, who have acquired civil service status under a civil service system established by legislative act, city charter, or otherwise, shall retain that status and thereby shall be subject to and governed by this Section and the rules and regulations adopted under it.
(3) If a majority of the electors voting against the adoption of this Section, the question of its adoption shall not be resubmitted to the voters of the political subdivision within one year thereafter.”

Read.

On motion of Delegate Tate Amendment No. 12 was adopted.

AMENDMENT No. 13—
On page 10, delete lines 22 through 32, both inclusive, in their entirety and insert in lieu thereof the following:
"(M) Appropriations.
(1) State. The legislature shall make adequate annual appropriations to the State Civil Service Commission and to the Department of State Civil Service to enable them to implement this Section efficiently and effectively. The amount so appropriated shall not be subject to veto by the governor.
(2) Cities. Each city subject to this Section shall make adequate annual appropriations to enable its civil service commission and department to implement this Section efficiently and effectively."

Read.

On motion of Delegate Tate Amendment No. 13 was adopted.

AMENDMENT No. 14—
On page 10, delete lines 33 through 35, both inclusive, in their entirety and on page 11, delete lines 1 through 35, both inclusive, in their entirety and insert in lieu thereof the following:
"(N) Acceptance of Act; Other Cities, Parishes, City and Parish Governed Jointly.
(1) Each city having a population exceeding ten thousand but not exceeding four hundred thousand, each parish, and each parish governed jointly with one or more cities under a plan of government, having a population exceeding ten thousand, according to the latest official decennial federal census, may elect to be governed by this Section by a majority vote of its electors voting at an election held for that purpose. The election shall be ordered and held by the city, the parish, or the city-parish, as the case may be, upon (a) the adoption of an ordinance by the governing authority calling the election; or (b) the presentation to the governing authority of a petition calling for such an election signed by electors equal in number to five percent of the registered voters of the city, the parish, or the city-parish, as the case may be;
(2) If a majority of the electors voting at such election shall vote to adopt this Section, its provisions shall apply permanently to the city, the parish, or the city-parish, as the case may be, and shall govern it as if this Section had originally applied to it. In such case, all electors and employees of the city, the parish, or the city-parish, as the case may be, who have acquired civil service status under a civil service system established by legislative act, city charter, or otherwise, shall retain that status and thereby shall be subject to and governed by this Section and the rules and regulations adopted under it.
(3) If a majority of the electors voting against the adoption of this Section, the question of its adoption shall not be resubmitted to the voters of the political subdivision within one year thereafter.”

Read.

On motion of Delegate Tate Amendment No. 14 was adopted.

AMENDMENT No. 15—
On page 12, delete lines 1 through 27, both inclusive, in their entirety and insert in lieu thereof the following:
(B) City, Parish Civil Service System; Creation; Prohibition.
(1) Nothing in this Section shall prevent the establishment by the legislature, or by the respective parish governing authority, of a parish civil service system in one or more parishes, applicable to any or all parish employees, except teaching and professional staffs and administrative officers of schools, or the establishment by the legislature or by the respective municipal governing authority of a municipal civil service system in one or more municipalities having a population of less than four hundred thousand, in any manner now or hereafter provided by law. However, paid firemen and paid municipal policemen in a municipality operating a regularly paid fire and police department and having a population exceeding thirteen thousand, and paid firemen in all parishes and in fire protection districts, are expressly excluded from such a civil service system.
(2) Nothing in this Paragraph shall permit inclusion in the local civil service of officials and employees listed in Paragraph (B) of this Section.
(3) No law enacted after the effective date of this Constitution establishing a civil service system applicable to one or more parishes or to one or more municipalities having a population of less than four hundred thousand shall be effective in any parish or in any municipality until approved by ordinance adopted by the governing authority of the parish or municipality.”

Read.

On motion of Delegate Tate Amendment No. 15 was adopted.

Motion

On motion of Delegate Avant Committee Proposal No. 9 was returned to the Calendar, subject to call.

COMMITTEE PROPOSAL No. 10—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Amentor, Carmouche, Corne, Cowen, Flor, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistethwaite, Toca and Wisham:

A PROPOSAL
Making provisions for human resources by providing for municipal fire and police civil service.

Reported with the following amendment:

COMMITTEE AMENDMENT

Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 10 by Delegate Aertker, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 17 through 35, both inclusive, in their entirety and on page 2, delete lines 1 through 30, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 1. (A) Establishment of System. A system of classified fire and police civil service is created and established. It shall apply to all municipalities having a population exceeding thirteen thousand and operating a regularly paid fire and municipal police department and to all parishes and fire protection districts operating a regularly paid fire department.
(B) Appointments and Promotions. Permanent appointment 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 Constitution of 1921, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.
(C) Prior Provisions. Except as inconsistent with this Section, the provisions of Article XIV, Section 15.1 of the Con-
stitution of 1921 are retained and continued in force and effect as statutes. By law enacted by two-thirds of the elected members of each house, the legislature may amend or otherwise modify any of those provisions, but it may not abolish the system of classified civil service for such firemen and municipal policemen or make the system inapplicable to any municipality having a population exceeding thirteen thousand according to the latest decennial federal census or to any parish or fire protection district operating a regularly paid fire department. However, in a municipality having a population exceeding four hundred thousand, paid firemen and municipal policemen shall be included if a majority of the electors therein voting at an election held for that purpose approve their inclusion. Such an election shall be called by the governing authority of the affected city within one year after the effective date of this constitution.

(D) Exclusion. Nothing in Section 1 of this Article authorizing cities or other political subdivisions to be placed under the provisions of said Article by election, act of the legislature, or ordinance of the local governing authority shall authorize the inclusion in a city civil service system of firemen and policemen in any municipality having a population greater than thirteen thousand but fewer than four hundred thousand and operating a regularly paid fire and municipal police department or in any parish or fire protection district operating a regularly paid fire department. Such firemen and policemen (except those excluded from any such system).

(E) Political Activities. Article XIV, Section 15.1, Paragraph 34, of the Constitution of 1921 is retained and continued in force and effect.

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

COMMITTEE PROPOSAL No. 14

Amended by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegates Bollinger, Derbes, Eikins, Hardee, Jack, LeBlue, Leigh, Miller, Munson, Perkins, Singletary, Thompson, Velazquez, Warren and Womack: (A Substitute for Committee Proposal No. 16):

A PROPOSAL

Making provisions relating to natural resources and environment.

Reported with the following amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 14 by Delegate Lambert, et al.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 20 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. The natural resources of the state, including air and water, and the healthful, scenic, historic, and aesthetic quality of the environment shall be protected, conserved, and replenished insofar as possible and consistent with the health, safety, and welfare of the people. The legislature shall enact laws to implement this policy."

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—

On page 1, delete lines 26 through 35, both inclusive, in their entirety and on page 2, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Natural Gas Section 2. (A) Public Policy; Regulation. Natural gas is declared to be affected with a public interest. Notwithstanding any provision of this constitution relative to the powers and duties of the Public Service Commission, the legislature shall provide by law for regulation of natural gas by the regulatory authority it designates. It may designate the Public Service Commission as the regulatory authority.

(B) Pipelines. No intrastate natural gas pipeline or gas gathering line shall be connected with an interstate natural gas pipeline, and no interstate natural gas pipeline shall be connected with an intrastate natural gas pipeline, without a certificate of public convenience and necessity issued as provided by law after application for the connection and hearing thereon."

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—

On page 2, delete lines 7 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Alienation of Water Bottoms Section 3. The legislature shall neither alienate nor authorize the alienation of the bed of a navigable water body, except for purposes of reclamation by the riparian owner to recover land lost through erosion. This Section shall not prevent the leasing of state lands or water bottoms for mineral or other purposes. Except as provided in this Section, the bed of a navigable water body may be reclaimed only for public use."

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 4—

On page 2, delete lines 11 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. Reservation of Mineral Rights; Prescription Section 4. (A) Reservation of Mineral Rights. The mineral rights on property sold by the state shall be reserved, except when the owner or person having the right to redeem buys or redeems property sold or adjudicated to the state for taxes."

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—

On page 2, delete lines 22 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Prescription. Lands and mineral interests of the state, of a school board, or of a levee district shall not be lost by prescription."

Read.

On motion of Delegate Tate Amendment No. 5 was adopted.

AMENDMENT No. 6—

On page 2, delete lines 25 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Public Notice; Public Bidding Requirements Section 5. No conveyance, lease, royalty agreement, or utilization agreement involving minerals or mineral rights owned by the state shall be perfected without prior public notice or public bidding as shall be provided by law."

Read.

On motion of Delegate Tate Amendment No. 6 was adopted.

AMENDMENT No. 7—

On page 2, delete lines 30 through 35, both inclusive, in their entirety and on page 3, delete lines 1 through 5, both inclusive, in their entirety

Read.

On motion of Delegate Tate Amendment No. 7 was adopted.

AMENDMENT No. 8—

On page 3, line 6, change "Section 9.1" to "Section 6.1," and on line 7, change "Section 9.2" to "Section 6.2."

Read.

On motion of Delegate Tate Amendment No. 8 was adopted.

AMENDMENT No. 9—

On page 3, delete lines 10 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 7. Offshore Mineral Revenues; Use of Funds Section 7. Funds derived from offshore mineral leases and held in escrow under agreement between the state and the
United States pending settlement of the dispute between the parties shall be deposited in the state treasury when received. These funds and the interest from their investment, except the portion otherwise allocated or dedicated by this constitution, shall be used by the state treasurer to purchase, retire, or pay in advance of maturity the existing bonded indebtedness of the state or shall be invested for that purpose. If any of these funds cannot be so expended within one year, the legislature may appropriate annually, for capital improvements or for the purchase of land, ten percent of the remaining funds, not to exceed ten million dollars in one year.”

Read.

On motion of Delegate Tate Amendment No. 9 was adopted.

**AMENDMENT No. 10—**

On page 3, delete lines 26 through 35, both inclusive, in their entirety and on page 4, delete lines 1 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 8. Wildlife and Fisheries Commission

Section 8. (A) Members; Terms. The control and supervision of the wildlife of the state, including all aquatic life, is vested in the Louisiana Wildlife and Fisheries Commission, consisting of seven members appointed by the governor, subject to confirmation by the Senate. Six members shall serve overlapping terms of six years, and one member shall serve a term concurrent with that of the governor. Three members shall be elected by the coastal parishes and representatives of the commercial fishing and fur industries, and four shall be elected from the state at large other than representatives of the commercial fishing and fur industries, as provided by law. No member who has served six years or more shall be eligible for reappointment.

(B) Duties; Compensation. The functions, duties, and responsibilities of the commission, and the compensation of its members, shall be provided by law.”

Read.

On motion of Delegate Tate Amendment No. 10 was adopted.

**AMENDMENT No. 11—**

On page 4, delete lines 9 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 9. (A) Forestry; Acreage Taxes. Forestry shall be practiced in the state, and the legislature may enact laws therefor. It may authorize parish governing authorities to levy acreage taxes, not to exceed two cents per acre, for the purposes of this Section. The provisions of this constitution exempting homesteads from taxation shall apply to forestry acreage taxes.”

Read.

On motion of Delegate Tate Amendment No. 11 was adopted.

**AMENDMENT No. 12—**

On page 4, delete lines 19 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Forestry Commission. The practice of forestry is placed under the Louisiana Forestry Commission, consisting of seven members. The head of the Department of Forestry at Louisiana State University and Agricultural and Mechanical College and the director of the Wildlife and Fisheries Commission shall serve ex officio as members. The governor shall appoint the remaining five members, subject to confirmation by the Senate, for overlapping terms of five years, as provided by law.”

Read.

On motion of Delegate Tate Amendment No. 12 was adopted.

**AMENDMENT No. 13—**

On page 4, delete lines 29 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

“(C) State Forester. The commission shall appoint a state forester. He shall be a graduate of an accredited school of forestry and have at least four years of forestry experience, as provided by law.”

Read.

On motion of Delegate Tate Amendment No. 13 was adopted.

**AMENDMENT No. 14—**

On page 4, delete lines 33 through 35, both inclusive, in their entirety and on page 5, delete lines 1 through 4, both inclusive, in their entirety.

Read.

On motion of Delegate Tate Amendment No. 14 was adopted.

**AMENDMENT No. 15—**

On page 3, line 10, delete the language added by Committee Amendment No. 9 proposed by the Committee on Style and Drafting adopted this date and insert in lieu thereof the following:

“Section 7. Offshore Mineral Revenues; Use of Funds

Section 7. Funds derived from offshore mineral leases and held in escrow under agreement between the state and the United States pending settlement of the dispute between the parties shall be deposited in the state treasury when received. Upon such settlement, these funds and the interest from their investment, except the portion otherwise allocated or dedicated by this constitution, shall be used by the state treasurer to purchase, retire, or pay in advance of maturity the existing bonded indebtedness of the state or shall be invested for that purpose. If any of these funds cannot be so expended within one year, the legislature may appropriate annually, for capital improvements or for the purchase of land, ten percent of the remaining funds, not to exceed ten million dollars in one year.”

Read.

On motion of Delegate Tate Amendment No. 15 was adopted.

**AMENDMENT No. 16—**

On page 3, line 26, delete the language added by Committee Amendment No. 10 proposed by the Committee on Style and Drafting adopted this date and insert in lieu thereof the following:

“Section 8. Wildlife and Fisheries Commission

Section 8. (A) Members; Terms. The control and supervision of the wildlife of the state, including all aquatic life, is vested in the Louisiana Wildlife and Fisheries Commission. The commission shall be in the executive branch and shall consist of seven members appointed by the governor, subject to confirmation by the Senate. Six members shall serve overlapping terms of six years, and one member shall serve a term concurrent with that of the governor. Three members shall be elected by the coastal parishes and representatives of the commercial fishing and fur industries, and four shall be elected from the state at large other than representatives of the commercial fishing and fur industries, as provided by law. No member who has served six years or more shall be eligible for reappointment.

(B) Duties; Compensation. The functions, duties, and responsibilities of the commission, and the compensation of its members, shall be provided by law.”

Read.

**Point of Order**

Delegate Avant rose to a point of order, and asked a ruling from the Chair, that the Committee on Style and Drafting had exceeded its authority by submitting Amendment No. 16 in that the amendment contained a substantive change to the Proposal, and therefore the amendment was out of order at this time.

**Ruling of the Choir**

The Chair declined to rule and put the question to the Convention, under the rules.

The question was put to declare the amendment in order.

By a vote of 60 yeas and 40 nays the Convention ruled the Amendment in order.
On motion of Delegate Tate the vote by which the amendment was ruled in order was reconsidered, and, on his own motion, the motion to reconsider was laid on the table.

AMENDMENT No. 17—

On page 4, line 19, delete the language added by Committee Amendment No. 12 proposed by the Committee on Style and Drafting adopted this date and insert in lieu thereof the following:

"(B) Forestry Commission. The practice of forestry is placed under the Louisiana Forestry Commission. The commission shall be in the executive branch and shall consist of seven members. The head of the Department of Forestry at Louisiana State University and Agricultural and Mechanical College and the director of the Wildlife and Fisheries Commission shall serve ex officio as members. The governor shall appoint the remaining five members, subject to confirmation by the Senate, for overlapping terms of five years, as provided by law."

Read.

On motion of Delegate Tate Amendment No. 17 was adopted.

Motion

On motion of Delegate Tate the rules were suspended in order to consider Committee Proposal No. 30, just reported by the Committee on Style and Drafting with a view to acting on the same.

COMMITTEE PROPOSAL No. 30—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lemoux, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham. A PROPOSAL

To provide for the transition of membership on the boards of education.

COMMITTEE AMENDMENT

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 30 by Delegate Aertker, et al.

Amend First Enrolled Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 18 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Board of Regents

Section 2. 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 respective 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 3."

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—

On page 1, delete lines 27 through 35, both inclusive, in their entirety and on page 2, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"Section 3. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College

Section 3. On the effective date of this constitution, each member of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College shall expire shall become a member of the Board of Super-

ons of Louisiana State University and Agricultural and Mechanical College until his term expires. The governor shall appoint additional members required to complete the board in accordance with and to effectuate Article IX, Section 7."

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—

On page 2, delete lines 3 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities

Section 4. 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 may 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."

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 4—

On page 2, delete lines 21 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Boards; New Appointments

Section 5. In making new appointments to a board created by Sections 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."

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

Motion

On motion of Delegate Tobias the rules were suspended in order to consider Committee Proposal No. 36, just reported by the Committee on Style and Drafting with a view to acting on same.

COMMITTEE PROPOSAL No. 36—

Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bills of Rights and Elections (Substitute for Committee Proposal No. 24, by Delegate Jackson, Chairman, on behalf of the Committee on Bills of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss). A PROPOSAL

Relative to constitutional revision.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 36 by Delegate A. Jackson, et al.

Amend First Enrolled Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 16 through 35, both inclusive, in their entirety and on page 2, delete line 1 and insert in lieu thereof the following:

"Section 1. Amendments

Section 1. (A) Procedure. An amendment to this constitution may be proposed by joint resolution at any regular session of the legislature, but the resolution shall be prefilled, at least ten days before the beginning of the session, in accordance with the rules of the houses of the legislature. An amendment to this constitution may be proposed at any extraordinary session of the legislature if it is within the objects of the call of the session and is introduced in the first five calendar days thereof. If two-thirds of the elected members of each house concur in the resolution, pursuant to all of the procedures and formalities required for passage of a bill except submission to the governor, the secretary of state shall have the proposed amendment published once in the official journal of each parish within not less than thirty days following the election at which the proposed amendment is to be submitted to the electors. Each joint resolution shall specify the statewide election at which the proposed amendment shall be submitted. Special elections
for submitting proposed amendments may be authorized by law."

Read.

On motion of Delegate Tobias Amendment No. 1 was adopted.

AMENDMENT No. 2—
On page 2, delete lines 2 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Form of Proposal. A proposed amendment shall have a title containing a brief summary of the changes proposed; shall be confined to one object; and shall set forth the entire article, or the sections or other subdivisions thereof, as proposed to be revised or only the article, sections, or other subdivisions proposed to be added. However, the legislature may propose, as one amendment, a revision of an entire article of this constitution which may contain multiple objects or changes. A section or other subdivision may be repealed by reference. When more than one amendment is submitted at the same election, each shall be submitted so as to enable the electors to vote on them separately."

Read.

On motion of Delegate Tobias Amendment No. 2 was adopted.

AMENDMENT No. 3—
On page 2, delete lines 17 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Ratification. If a majority of the electors voting on the proposed amendment approve it, it shall become part of this constitution, effective twenty days after the governor has proclaimed its adoption, unless the amendment provides otherwise. A proposed amendment directly affecting not more than five parishes or areas within not more than five municipalities shall become part of this constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each affected parish. However, a proposed amendment directly affecting not more than five municipalities, and only such municipalities, shall become part of this constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each such municipality."

Read.

On motion of Delegate Tobias Amendment No. 3 was adopted.

AMENDMENT No. 4—
On page 2, delete lines 30 through 35, both inclusive, in their entirety and on page 3, delete lines 1 through 6, both inclusive in their entirety and insert in lieu thereof the following:

"Section 2. Constitutional Convention
Section 2. Whenever the legislature considers it desirable to revise this constitution or propose a new constitution, it may provide for the calling of a constitutional convention by law enacted by two-thirds of the elected members of each house. The revision or the proposed constitution and any alternative propositions agreed upon by the convention shall be submitted to the people for their ratification or rejection. If the proposal is approved by a majority of the electors voting thereon, the governor shall proclaim it to be the Constitution of Louisiana."

Read.

On motion of Delegate Tobias Amendment No. 4 was adopted.

AMENDMENT No. 5—
On page 3, delete lines 6 through 10, both inclusive in their entirety and insert in lieu thereof the following:

"Section 3. Laws Effectuating Amendments
Section 3. Whenever the legislature shall submit amendments to this constitution, it may at the same session enact laws to carry them into effect, to become operative when the proposed amendments have been ratified."

Read.

On motion of Delegate Tobias Amendment No. 5 was adopted.

AMENDMENT No. 6—
On page 3, line 16, in Committee Amendment No. 1 proposed by the Committee on Style and Drafting and adopted by the Convention this date, at the end of line 6 of the amendment after the words "of the" delete the word "houses" and the beginning of line 7 delete the words and punctuation "of the legislature." and insert in lieu thereof the words "house in which introduced."

Read.

On motion of Delegate Tobias Amendment No. 6 was adopted.

AMENDMENT No. 7—
On page 4, line 17, in Committee Amendment No. 3, proposed by the Committee on Style and Drafting and adopted by the Convention this date on line 2 of the amendment, after the word and punctuation "it," delete the remainder of line 2 and delete lines 3 and 4 in their entirety and insert in lieu thereof the words "the governor shall proclaim its adoption, and it shall become part of this constitution, effective twenty days after the proclamation, unless"

Read.

On motion of Delegate Tobias Amendment No. 7 was adopted.

DELEGATE PROPOSAL No. 32—
By Delegate Drew:

A PROPOSAL

To provide with respect to the court of appeal circuits and districts.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Style and Drafting to Delegate Proposal No. 32 by Delegate Drew:

Amend first enrolled proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 12 through 18, both inclusive, in their entirety

NOTE: The language contained in this delegate proposal has previously been inserted in CP No. 21 (Judicial Branch) at Section 9.

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

Motion

On motion of Delegate Drew, Committee Proposal No. 9 was called from the Calendar.

COMMITTEE PROPOSAL No. 9—
Introduced by Delegate Aetker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL

Making provisions for human resources by providing for state and city civil service.

Read.

AMENDMENT No. 10—
On page 7, delete lines 7 through 35, both inclusive, in their entirety, and on pages 8 and 9, delete lines 1 through 35, both inclusive, in their entirety and on page 10, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"(J) Rules, Investigations; Wages and Hours.
(1) Rules.
(a) Powers. Each commission is vested with broad and general rule-making and subpoena powers for the adminis-
tration and regulation of the classified service, including the power to adopt rules for regulating employment, promotion, demotion, suspension, reduction in pay, removal, certification, qualifications, political activities, employment conditions, employee training and safety, compensation and disbursements to employees, and other personnel matters and transactions; to adopt a uniform pay and classification plan; and generally to accomplish the objectives and purposes of the State civil service system herein established. Nothing herein shall prevent the legislature from enacting laws supplementing these uniform pay plans for sworn, commissioned law enforcement officers of the Division of State Police, Department of Public Safety and regularly commissioned officers of the Enforcement Division of the Department of Wildlife and Fisheries.

(b) Veterans. The state and city civil service departments shall accord a five-point preference in original appointment to each person honorably discharged, or discharged under honorable conditions from the armed forces of the United States who served between the wartime dates of April 6, 1917 through November 11, 1918; or between September 16, 1940 through July 25, 1947; between June 22, 1950 through January 21, 1955; or in the Viet Nam Theater between July 1, 1958 through the date the United States government declares to be the date of termination of service for members of the armed forces to receive credit for the award of the Viet Nam Service Medal; in a peacetime campaign of cong-

motion.

On motion of Delegate Avant the rules were suspended in order to call from the table the motion to reconsider the vote by Committee Proposal No. 9, Section 1 was passed for the limited purpose of offering an amendment proposed by Delegate Avant.

Reconsideration.

On motion of Delegate Avant the vote by which Committee Proposal No. 9, Section 1, was passed, was reconsidered.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Avant to Committee Proposal No. 9 by Delegate Aertker, et al.

Amend Final Enrollment Proposal as follows:

AMENDMENT No. 1—

On page 7, line 7, in Committee Amendment No. 10 proposed by the Committee on Style and Drafting and adopted by the convention on January 15, 1974, on line 9 of said amendment, immediately after the words and punctuation “conditions,” delete the remainder of the line and on line 10 delete the word and punctuation “safety,”

AMENDMENT No. 2—

On page 7, line 7, in Committee Amendment No. 10 proposed by the Committee on Style and Drafting and adopted by the convention on January 15, 1974, on line 12 of said amendment, immediately after the word and punctuation “plan,” and before the word “and” insert the following:

“to require an appointing authority to institute an employee training and safety program;”

AMENDMENT No. 3—

On page 7, line 7, in Committee Amendment No. 10 proposed by the Committee on Style and Drafting and adopted by the convention on January 15, 1974, on line 14 of the text of the amendment, immediately after the word and punctuation “established,” and before the word “Nothing” insert the following:

“It may make recommendations with respect to employee training and safety.”

Delegate Avant moved the adoption of the amendment.

Delegate Schmitt objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Chairman

Mr. Alario

Mr. Alexander

1279
Delegate S. Schmitt moved that the roll be called. The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abney</td>
<td></td>
<td></td>
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<tr>
<td>Badeaux</td>
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<td>Duval</td>
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<tr>
<td>LeBleu</td>
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<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Abney</td>
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</tbody>
</table>

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
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</thead>
<tbody>
<tr>
<td>LeBleu</td>
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<tr>
<td>Mr. Chairman</td>
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</tbody>
</table>

And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read, as amended.

Delegate Flory moved the final passage of the entire Proposal.

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
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And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read, as amended.

Delegate Flory moved the final passage of the entire Proposal.

The roll was called with the following result:

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<th>Delegates</th>
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<td></td>
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<td></td>
<td></td>
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And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read, as amended.

Delegate Flory moved the final passage of the entire Proposal.

The roll was called with the following result:

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And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read, as amended.

Delegate Flory moved the final passage of the entire Proposal.

The roll was called with the following result:

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And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read, as amended.

Delegate Flory moved the final passage of the entire Proposal.

The roll was called with the following result:

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And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read, as amended.

Delegate Flory moved the final passage of the entire Proposal.

The roll was called with the following result:

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And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read, as amended.

Delegate Flory moved the final passage of the entire Proposal.

The roll was called with the following result:

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</table>

And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read, as amended.

Delegate Flory moved the final passage of the entire Proposal.

The roll was called with the following result:
Delegate Schmitt  
Total—1.

NAYS

Delegates—

Aeriker  Leigh  Riecke
Anzalone  Mauberret  Roemer
Dennis  O'Neill  Smith
Dunlap  OURS  Stovall
Graham  Perez  Vestch
Jones  Perkins  Wall
Kilpatrick  Rachal  Weiss
Lambert  Reeves  Winchester
LeBleu  
Total—25.

And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

Motion

On motion of Delegate Pugh the rules were suspended in order to discharge Committee Proposal No. 15 from the Committee on Style and Drafting.

Motion

On motion of Delegate Pugh the vote by which Committee Proposal No. 15 was passed, was reconsidered.

Motion

On motion of Delegate Pugh the rules were suspended in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 15, Section 6, was passed for the limited purpose of offering an amendment proposed by Delegate Pugh, et al.

Reconsideration

On motion of Delegate Pugh the vote by which Committee Proposal No. 15, Section 6, was passed, was reconsidered.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Henry, Pugh, Conroy, Graham, A. Jackson, Gravel, Keen, Jones, Denney and Abraham to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend Final enrolled Proposal as follows:

AMENDMENT No. 1—

On page 3, line 34, delete the language inserted by Committee Amendment No. 11 proposed by the Committee on Style and Drafting and adopted by the convention on January 14, 1974, and insert the following:

"(C) Full Faith and Credit. The full faith and credit of the state shall be pledged to the repayment of all bonds or other evidences of indebtedness issued by the state directly or through any state board, agency, or commission pursuant to the provisions of Paragraph (A) and (B) hereof. The full faith and credit of the state is not hereby pledged to the repayment of bonds of a levee district, political subdivision, or local public agency. In addition, any state board, agency, or commission authorized by law to issue bonds, in the manner so authorized and with the approval of the State Bond Commission or its successor, may issue bonds which are payable from fees, rates, rentals, tolls, charges, grants, or other receipts or income derived by or in connection with an undertaking, facility, project, or any combination thereof, without a pledge of the full faith and credit of the state. Such revenue bonds may, but are not required to, be issued in accordance with the provisions of Paragraphs (A) and (B) hereof. If issued other than as provided in Paragraphs (A) and (B), such revenue bonds shall not carry the pledge of the full faith and credit of the state and the issuance of the bonds shall not constitute the incurring of state debt under this constitution. The rights granted to deep water port commissions or deep water port, harbor and terminal districts under this constitution shall not be impaired by the provisions of this Section."

Motion

Delegate Brown moved that the Convention recess for a period of one and one-half hours.

Delegate Segura objected.

By a vote of 45 yeas and 49 nays the Convention refused to recess for one and one-half hours.

Delegate Pugh moved the adoption of the amendment.

Delegate Brown objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman  Flory  Nunes
Abraham  Fontenot  O'Neill
Aeriker  Fowler  Pianchard
Alario  Fulco  Pugh
Alexander  Gauthrier  Rayburn
Arnette  Girard  Roemer
Avant  Ginn  Roy
Badeaux  Goldman  Sandor
Belle  Graham  Schmitt
Bergeron  Gravel  Segura
Blair  Grier  Shannon
Bollinger  Guarisco  Singletary
Brien  Hayes  Slay
Brown  Haynes  Smith
Burns  Heine  Soniat
Burson  Jackson  Stagg
Cannon  Jackson, A.  Stephenson
Carmouche  Jackson, J.  Stinson
Casey  Jenkins  Sutherland
Champagne  Jones  Tapper
Chatelain  Juneau  Tate
Chehardy  Keen  Thistlewaite
Comar  Kelly  Thompson
Conino  Kilbourne  Tobias
Conroy  Landrum  Toca
Corne  Landry, A.  Tommy
Cowen  Landry, E. J.  Ullo
De Blieux  Leithman  Velazquez
D'Gerolamo  Lowe  Vick
Dennery  Martin  Warren
Derbes  Maybuche  Wattigny
Deshotels  Miller  Willis
Drew  Mire  Winchester
Edwards  Morris  Wisham
Elkins  Munson  Zervigon
Fayard  Newton

Total—107.

NAYS

Delegates—

Hardee  Daniel
Duval  Lanier

Total—5.

NOT VOTING

Delegates—

Anzalone  Dunlap  Kilpatrick
Dennis  Hernandez  Lambert

1281
On motion of Delegate Juneau the rules were suspended for the purpose of calling a meeting of the Committee on Public Information without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Juneau, chairman of the Committee on Public Information, sent up the following notice:

The Committee on Public Information will meet on Tuesday, January 15, 1974, at noon recess in the Treaty Room and will consider the following agenda:

AGENDA
To discuss the distribution of the final document.

Respectfully submitted,

PAT JUNEAU, Chairman of the Committee on Public Information

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

On motion of Delegate Graham the rules were suspended in order to call from the Calendar the motion to reconsider the vote by which Committee Proposal No. 15, Section 9, was passed, for the limited purpose of offering an amendment proposed by Delegate Graham.

Reconsideration

On motion of Delegate Graham the vote by which Committee Proposal No. 15, Section 9, was passed, was reconsidered.

COMMITTEE PROPOSAL No. 15—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardt, Conroy, DeBrito, Edwards, Fontenot, Lowé, McDaniels, Mauberret, Mire, Newton, Nunez, Planhard, Roemer, Schmitt, Slay, Smith, Triche and Winchester:

A PROPOSAL
Relative to the tax structure of the State and to public finance.

Read. Section 9, State Funds. Section 9. (A) Deposit in State Treasury. All money received by the state or by any state board, agency, or commission shall be deposited immediately upon receipt in the state treasury, except that received:

(1) as a result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise;

(2) by trade professional associations;

(3) by the employment security administration fund or its successor;

(4) by retirement system funds; and

(5) by state agencies operating under authority of this constitution preponderantly from fees and charges for the shipment of goods in international maritime trade and commerce.

(B) Bond Security and Redemption Fund. Subject to contractual obligations existing on the effective date of this constitution, all state money deposited in the state treasury shall be credited to a special fund designated as the Bond Security and Redemption Fund, except money received as the result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise. In each fiscal year an amount is allocated from the bond security and redemption fund sufficient to pay all obligations which are secured by the full faith and credit of the state and which become due and payable within the current fiscal year, including principal, interest, premiums, sinking or reserve fund, and other requirements. Thereafter, except as otherwise provided by law, money remaining in the fund shall be credited to the state general fund.

(C) Exception. Nothing in this Section shall apply to a local, municipal or political subdivision unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district or political subdivision.
Delegate Graham sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Henry, Pugh, Conroy, Graham, A. Jackson, Gravel, Keen, Jones and Denner to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend first enrolled proposal as follows:

**AMENDMENT No. 1—**

On page 6, line 6, in Convention Floor Amendment No. 21 proposed by the Committee on Style and Drafting and adopted by the Convention on January 14, 1974, at the end of line 14 of the text of said amendment delete the word "and", and at the end of line 18 of the text of said amendment delete the period ",", and insert the punctuation and word ";", and, and insert between lines 18 and 19 of said amendment the following:

"(6) by a state board, agency, or commission, but pledged by it in connection with the issuance of revenue bonds as provided in Paragraph (C) of Section 6 of this Article, other than any surplus as may be defined in the law authorizing such revenue bonds."

Amendment of Delegate Graham the amendment was adopted.

Delegate Graham moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Committee Proposal No. 15, Section 9** was read, as amended

Delegate Graham moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NAYs</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Elkins</td>
<td>LeBleu</td>
</tr>
<tr>
<td>Abraham</td>
<td>Flory</td>
<td>Edwards</td>
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<tr>
<td>Aertker</td>
<td>Fontenot</td>
<td>Maybux</td>
</tr>
<tr>
<td>Alario</td>
<td>Fowler</td>
<td>Maybux</td>
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<tr>
<td>Alexander</td>
<td>Gilco</td>
<td>Munson</td>
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<tr>
<td>Anzalone</td>
<td>Gauthier</td>
<td>Munson</td>
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<td>Arnette</td>
<td>Girrussse</td>
<td>Oursou</td>
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<tr>
<td>Badeaux</td>
<td>Gravel</td>
<td>Perez</td>
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<td>Bel</td>
<td>Ginn</td>
<td>Perkins</td>
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<td>Bergeron</td>
<td>Goldman</td>
<td>Perkins</td>
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<td>Blair</td>
<td>Graham</td>
<td>Roche</td>
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<td>Bollinger</td>
<td>Gravel</td>
<td>Roche</td>
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<tr>
<td>Brown</td>
<td>Grier</td>
<td>Roche</td>
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<tr>
<td>Burns</td>
<td>Guirrusse</td>
<td>Roche</td>
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<tr>
<td>Burson</td>
<td>Hardee</td>
<td>Roy</td>
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<tr>
<td>Cannon</td>
<td>Haye</td>
<td>Sandzo</td>
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<tr>
<td>Carmouche</td>
<td>Jackson</td>
<td>Schmitt</td>
</tr>
<tr>
<td>Casey</td>
<td>Jenkins</td>
<td>Shannon</td>
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<tr>
<td>Champagne</td>
<td>Juneau</td>
<td>Singletary</td>
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<tr>
<td>Chateau'AIN</td>
<td>Kelly</td>
<td>Slay</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Killbourne</td>
<td>Smith</td>
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<td>Comar</td>
<td>Killpatrick</td>
<td>Smith</td>
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<tr>
<td>Conroy</td>
<td>Landry, A.</td>
<td>Smith</td>
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<tr>
<td>Corne</td>
<td>Landry, E. J.</td>
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<td>Cowen</td>
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<td>De Bieux</td>
<td>Lowe</td>
<td>Stagg</td>
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<td>Denney</td>
<td>Martin</td>
<td>Stagg</td>
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<td>Dennis</td>
<td>Mauberret</td>
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<td>Deshotel</td>
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<td>Drew</td>
<td>Morris</td>
<td>Stagg</td>
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<tr>
<td>Duval</td>
<td>Newton</td>
<td>Stagg</td>
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<tr>
<td>Total—104.</td>
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<tr>
<td>Delegates—</td>
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<td>Aertker</td>
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<td>Total—2.</td>
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</tbody>
</table>

And the Chair declared that the above Section was finally passed.

Delegate Graham moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read, as amended.

Delegate Graham moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

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And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

**Motion**

On motion of Delegate Graham the Proposal was recommitted to the Committee on Style and Drafting.

**Motion**

On motion of Delegate Derbes, the Convention altered the Order of Business to take up Proposals on Third Reading and Final Passage at this time.
Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

Motion

On motion of Delegate Derbes Delegate Proposal No. 43 was called from the Calendar:

DELEGATE PROPOSAL No. 43—

Introduced by Delegates J Jackson, A. Jackson, Warren, Ray, Gravel, Stovall, Pugh and Gauthier:

A PROPOSAL

Providing for juvenile courts having exclusive original jurisdiction with the exception for offenses of murder, aggravated kidnapping, armed robbery, or aggravated rape.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Derbes, Dennis, J. Jackson, Pugh, Vesich, Toby, Henry, Gravel, Tate, A. Jackson, Kelly, Warren, Edwards, Gauthier, Casey, Glenn, Burson, Flory and Uhr to Delegate Proposal No. 43 by Delegate J. Jackson, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 1, line 5, add the following:

"Providing for special juvenile procedures. Be it adopted by the Constitutional Convention of Louisiana of 1973:

Article ______, Section ______. Special Juvenile Procedures

Section ______. Except for a person fifteen years of age or older who is alleged to have committed a capital offense or attempted aggravated rape, the determination of guilt or innocence, the detention, and the custody of a person who is alleged to have committed a crime prior to his seventeenth birthday shall be exclusively pursuant to special juvenile procedures which shall be provided by law. However, by law enacted by a two-thirds vote of the elected members of each house, the legislature may (1) lower the maximum ages of persons to whom juvenile procedures would apply and (2) establish a procedure by which the court of original jurisdiction may waive such special juvenile procedures in order that adult procedures would apply in individual cases."

Point of Order

Delegate A. Jackson suggested the absence of a quorum.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman  
Chehardy  
Comar  
Conroy  
Guarisco  
Graham  
Grier  
Jenkins  
Jennings  
Drew

Yeas—

Delegates—

Reeves  
Roemer  
Rooy  
Sandoz  
Schmitt  
Segura  
Singletary  
Slay

Noes—

Delegates—

Thistledwine  
Thompson  
Toles  
Toca  
Toomy  
Ulk  
Velazquez  
Vick

And the Chairman announced that there were 109 Delegates present and a quorum.

Delegate Derbes moved the adoption of the amendment.

Delegate Jack objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman  
Chehardy  
Comar  
Conroy  
Guarisco  
Graham  
Grier  
Jenkins  
Jennings  
Drew

Yeas—

Delegates—

Reeves  
Roemer  
Rooy  
Sandoz  
Schmitt  
Segura  
Singletary  
Slay

Noes—

Delegates—

Thistledwine  
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Grier  
Jenkins  
Jennings  
Drew

Yeas—

Delegates—

Reeves  
Roemer  
Rooy  
Sandoz  
Schmitt  
Segura  
Singletary  
Slay

Noes—

Delegates—

Thistledwine  
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Drew

Yeas—

Delegates—

Reeves  
Roemer  
Rooy  
Sandoz  
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Segura  
Singletary  
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Noes—

Delegates—

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Drew

Yeas—

Delegates—

Reeves  
Roemer  
Rooy  
Sandoz  
Schmitt  
Segura  
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Slay

Noes—

Delegates—

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Yeas—

Delegates—

Reeves  
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Noes—

Delegates—

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The roll was called with the following result:

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Delegates—

Mr. Chairman  
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Conroy  
Guarisco  
Graham  
Grier  
Jenkins  
Jennings  
Drew

Yeas—

Delegates—

Reeves  
Roemer  
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Sandoz  
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### PAGE 17

118th Days Proceedings—January 15, 1974

<table>
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**NOT VOTING**

- Delegates—
  - Aertker
  - Alario
  - Corne
  - Dunlap
  - Edwards
  - Fayard
  - Heine
  - Total—19.

And the amendment having received a majority vote of the total membership of the Convention required to add a Section to a Proposal, was passed.

Delegate Derbes moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 43, Section — was read.

Delegate Derbes moved the final passage of the Section.

### ROLL CALL

The roll was called with the following result:

#### YEAS

<table>
<thead>
<tr>
<th>Delegates—</th>
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<tr>
<td>Mr. Chairman</td>
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- Rayburn
- Reeves
- Roemer
- Roy
- Schmitt
- Segura
- Singletary
- Slay
- Soniat
- Stagg
- Stephenson
- Stovall
- Tanner
- Tat
- Thompson
- Tobias
- Toca
- Tommy
- Ullo
- Velazquez
- Vick
- Warren
- Wattigny
- Wisham
- Zervigon

**Total—98.**

#### NAYS

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</table>
- Nunez
- Ours
- Perez
- Planchard
- Sandoz
- Sutherland
- Thistleton
- Willis
- Winchester

**Total—13.**

### NOT VOTING

- Delegates—
  - Aertker
  - Alario
  - Corne
  - Dunlap
  - Edwards
  - Fayard
  - Total—21.

And the Chair declared that the above Proposal was finally passed.

Delegate Derbes moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read, as amended.

Delegate Derbes moved the final passage of the entire Proposal.

### ROLL CALL

The roll was called with the following result:

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<th>Delegates—</th>
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<td>Mr. Chairman</td>
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- Singletary
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- Tommy
- Ullo
- Velazquez
- Vick
- Warren
- Wattigny
- Wisham
- Zervigon

**Total—98.**

#### NAYS

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<td>Keen</td>
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**Total—13.**

### NOT VOTING

- Delegates—
  - Aertker
  - Alario
  - Corne
  - Dunlap
  - Edwards
  - Fayard
  - Total—21.

And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.
Motion

On motion of Delegate Gravel, the Convention altered the Order of Business to take up Proposals on Calendar for Approval of Final Styling at this time.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

Motion

On motion of Delegate Gravel Committee Proposal No. 4 was called from the Calendar.

COMMITTEE PROPOSAL No. 4—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Arnette, Brilen, Denney, Duval, Gravel, Stovall, and Tapper:

A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

Reconsideration

On motion of Delegate Burson the vote by which Committee Proposal No. 4 was passed, was reconsidered.

Motion

On motion of Delegate Burson the rules were suspended in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 4, Section 1, for the limited purpose of offering an amendment proposed by Delegate Gravel et al.

Reconsideration

On motion of Delegate Burson the vote by which Committee Proposal No. 4, Section 1, was passed, was reconsidered.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Henry, Gravel, Pugh, Graham and A. Jackson to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—

On page 1, at the end of line 23, after the word and punctuation "departments," add the following sentence:

"The powers, functions, and duties allocated by this constitution to any executive office or commission shall not be affected or diminished by the allocation provided herein except as authorized by Section 22 of this Article."

On motion of Delegate Burson the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 4, Section 1 was read, as amended.

Delegate Burson moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
<td>Perkins</td>
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<td>Brown</td>
<td>Jack</td>
<td>Soniat</td>
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<tr>
<td>Burns</td>
<td>Jackson, A.</td>
<td>Stagg</td>
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<tr>
<td>Burson</td>
<td>Jenkins</td>
<td>Stephenson</td>
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<tr>
<td>Cannon</td>
<td>Jones</td>
<td>Stinson</td>
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<tr>
<td>Carmouche</td>
<td>Juengu</td>
<td>Stovall</td>
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<td>Casey</td>
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<td>Chateaunit</td>
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<td>Comar</td>
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<td>Tobias</td>
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<tr>
<td>Conino</td>
<td>Landry, A.</td>
<td>Toca</td>
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<td>Conroy</td>
<td>Landry, E.  J.</td>
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<td>Corne</td>
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<td>Cowen</td>
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<td>Vick</td>
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<td>Wattignay</td>
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<td>Deshotels</td>
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<td>Florcy</td>
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<td>Fontenot</td>
<td>Perez</td>
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</table>

And the Chair declared that the above Section was finally passed.

Delegate Burson moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Burson the rules were suspended in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 4, Section 8, for the limited purpose of offering an amendment proposed by Delegate Gravel, et al.

Reconsideration

On motion of Delegate Burson the vote by which Committee Proposal No. 4, Section 8, was passed, was reconsidered.

COMMITTEE PROPOSAL No. 4—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Arnette, Brilen, Denney, Duval, Gravel, Stovall and Tapper:

A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.
Section 8. Powers and Duties of the Attorney General

Section 8. There shall be a Department of Justice, headed by the attorney general who shall be the state's chief legal officer. As may be necessary for the assertion or protection of the rights and interests of the state, the attorney general shall have authority to:

(1) institute, and prosecute or intervene in any legal action or other proceedings, civil or criminal;
(2) exercise supervision over the several district attorneys throughout the state; and
(3) for cause, supersede any attorney representing the state in any civil or criminal proceeding.

He shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Henry, Gravel, Pugh, Graham, and A. Jackson to Committee Proposal No. 4 by Delegate Slagg, et al.

Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—

On page 5, delete lines 22, 23 and 24 in their entirety and all amendments thereto and insert in lieu thereof the following:

"Section 8. Department of Justice

Section 8. (A) There shall be a Department of Justice, headed by the attorney general, who shall be the state's chief legal officer. The attorney general shall be elected for a term of four years at the state general election. The assistant attorneys general shall be appointed by the attorney general to serve at his pleasure.

(B) As may be necessary for the assertion or protection of any right or interest of the state, the attorney general shall have authority

(1) to institute, prosecute, or intervene in any civil action or proceeding;
(2) upon the written request of a district attorney, to advise and assist in the prosecution of any criminal case;
(3) for cause, when authorized by the court which would have original jurisdiction and subject to judicial review, (a) to institute, prosecute, or intervene in any criminal action or proceeding, and (b) to supersede any attorney representing the state in any civil or criminal action.

(C) The attorney general shall exercise such other powers and perform such other duties as may be authorized by this constitution or by law.

Delegate Burson moved the adoption of the amendment.

Delegate Vick objected.

By a vote of 104 yeas and 5 nays the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 4, Section 8 was read, as amended.

Delegate Burson moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—
Mr. Chairman
Abraham
Alex
Anzalone
Arnette

Avant
Badeaux
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Chehad
Comar
Conino
Conroy
Cowen
D'Gerolamo
De Blieu
Denney
Dennis
Deshotels
Drew
Duval
Elkins
Flory
Fontenot
Fowler
Fulco
Gauthier
Ginn
Goldman

Haynes
Heine
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kibbourne
Klipkirk
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
Leithman
Lowe
McDaniel
Martin
Maubertet
Maybace
Miller
Mire
Morris
Newton
Nunez
Oursou
Perez

Perkins
Pianchard
Pugh
Rayburn
Reeves
Roemer
Roy
Sandos
Schmit
Segura
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Tappan
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Ulo
Velasquez
Wattigny
Willis
Winchester
Wisham
Zervigon

NAYS

Delegate—
Assey
Guarisco
Jones

Stinson
Sutherl
Vick

NOT VOTING

Delegate—
Aertker
Alario
Chatelain
Corne
Derbe
Dunlap
Edwards
Fayard

Guarruso
Hernandez
LeBleu
Leigh
Munson
O'Neill
Rachal
Riecke

Shannon
Stovall
Tate
Vesich
Wall
Weiss
Womack

Proceedings—January 15, 1974
And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

Motion

On motion of Delegate Tobias the Proposal was returned to the Calendar, subject to call.

Motion

On motion of Delegate Burson the rules were suspended in order to discharge Committee Proposal No. 21 from the Committee on Style and Drafting.

Reconsideration

On motion of Delegate Burson the vote by which Committee Proposal No. 21 was passed, was reconsidered.

Motion

On motion of Delegate Burson the rules were suspended in order to call from the table the motion to reconsider to reconsider the vote by which Committee Proposal No. 21, Section 25, for the limited purpose of offering an amendment proposed by Delegate Gravel, et al.

Reconsideration

On motion of Delegate Burson the vote by which Committee Proposal No. 21, Section 25, was passed was reconsidered.

COMMITTEE PROPOSAL No. 21—

Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary, and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ourso, Sandoz, Tate, and Vesich: A Substitute for Committee Proposal No. 6.

A PROPOSAL

Making provisions for the judiciary branch of government and necessary provisions with respect thereto.

Read.

AMENDMENT No. 24—

On page 7, delete lines 30 through 35, both inclusive, in their entirety and on page 8, delete lines 1 through 35, both inclusive, in their entirety and on page 9, delete lines 1 thereof the following:

Section 24. (A) Composition. The judiciary commission shall consist of

(1) one court of appeal judge and two district court judges selected by the supreme court;

(2) two attorneys admitted to the practice of law for at least ten years and one attorney admitted to the practice of law for at least three years but not more than ten years, selected by the Conference of Court of Appeal Judges or its successor. They shall not be judges, active or retired, or public officials, other than notaries public; and

(3) three citizens, not lawyers, judges active or retired, or public officials, selected by the Louisiana District Judges Association or its successor.

Section 24. (B) Term; Vacancy. A member of the commission shall serve a four-year term and shall be ineligible to succeed himself. His term shall end upon the occurrence of any event which would have made him ineligible for appointment. When a vacancy occurs, a successor shall be appointed for a four-year term by the authority which appointed his predecessor.

Section 24. (C) Powers. On recommendation of the judiciary commission, the supreme court may censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, conduct while in office which would constitute a felony, or conviction of a felony. On recommendation of the judiciary commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during pendency of proceedings in the supreme court. On recommendation of the judiciary commission, the supreme court may retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is or is likely to become permanent. The supreme court shall make rules implementing this Section and providing for confidentiality and privilege of commission proceedings.

Section 24. (D) Other Disciplinary Action. Action against a judge under this Section shall not preclude disciplinary action against him concerning his license to practice law.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Henry, Gravel, Pugh, Graham and A. Jackson to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend final enrollment proposal as follows:

AMENDMENT No. 1—

On page 8, delete lines 24 through 30, both inclusive, in their entirety, and renumber the succeeding sections in conformity therewith.

Delegate Burson moved the adoption of the amendment.

Delegate Jones objected.

By a vote of 102 yeas and 2 nays the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Burson the rules were suspended in order to call from the table the motion to reconsider to reconsider the vote by which Committee Proposal No. 21, Section 26, for the limited purpose of offering amendments proposal by Delegate Gravel, et al.

Reconsideration

On motion of Delegate Burson the vote by which Committee Proposal No. 21, Section 26, was passed, was reconsidered.
Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Henry, Gravel, Pugh, Graham and A. Jackson to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend Final Enrollment Proposal as follows:

AMENDMENT No. 1—
On page 8, delete lines 31 through 34, both inclusive, in their entirety, and on page 9, delete lines 1 through 10, both inclusive, in their entirety, and renumber the succeeding sections in conformity therewith.

On motion of Delegate Burson the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

The Proposal was read, as amended.

Delegate Burson moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Mr. Chairman, Fontenot, Newton
Abraham, Fowler, Nunez
Alario, Fulco, Ours
Alexander, Giarrusso, Perez
Anzalone, Goldman, Perkins
Arnette, Graham, Planchard
Asseff, Gravel, Pugh
Avant, Reeves, Roemer
Badeaux, Grier, Roy
Bel, Guarisco, Sanford
Bergeron, Hardee, Schmitt
Blair, Hayes, Singletary
Bollinger, Haynes, Slay
Brown, Heine, Smith
Burns, Jack, Soniat
Burson, Jackson, Stagg
Cannon, Jenkins, Stephensson
Carmouche,Juneau, Stinson
Casey, Kelly, Stovall
Champagne, Kilbourn, Tatum
Chatelein, Kilpatrick, Tallant
Conio, Lambert, Thompson
Conroy, Landry, A., Tobias
Corre, Landry, E. J.
Counen, Lanier, Toca
Cowan, Leblanc, Toomy
D'Gerolamo, Lowe, Velazquez
De Blieux, McDaniell, Warren
Dennery, Martin, Watigney
Dennis, Mauberret, Willis
Deshotel, Maybuece, Winchester
Drew, Miller, Wisham
Duval, Morris, Zervigon
Elkins, Munson, Total—105.

**NAYS**

NOT VOTING

Aerker, Edwards, Landrum
Chehardy, Fayard, LeBlue
Comar, Gauthier, Leigh
Derbes, Hernandez, Mire
Dunlap, Kean, O'Neill

Total—37.

Rachal, Tapper, Wall
Riecke, Tate, Weiss
Segura, Thistlethwaite, Vesich
Shannon, Total—25.

And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

**Motion**

Delegate Graham moved for a suspension of the rules for the purpose of discharging Committee Proposal No. 26 from the Committee on Style and Drafting.

Delegate Perez objected.

By a vote of 83 yeas and 20 nays the rules were suspended.

**Reconsideration**

Delegate Graham moved to reconsider the vote by which Committee Proposal No. 26 was passed.

Delegate Perez objected.

By a vote of 73 yeas and 22 nays, the vote by which Committee Proposal No. 26 was passed was reconsidered.

**Motion**

Delegate Graham moved for a suspension of the rules in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 26, Section 4, was passed, for the limited purpose of offering an amendment proposed by Delegate Graham.

Delegate Nunez objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Mr. Chairman, Fowler, Morris
Abraham, Fulco, Munson
Alario, Graham, O'Neill
Alexander, Gravel, Plancharad
Badeaux, Guarisco, Pugh
Bergeron, Hayes, Roy
Bollinger, Haynes, Sanford
Browning, Heine, Segura
Casey, Jackson, A., Slay
Champagne, Jackson, J., Smith
Chatelein, Jenkins, Stagg
Chehardy, Juneau, Tatum
Conroy, Kelly, Thistlethwaite
Corre, Kilpatrick, Tobias
D'Gerolamo, Landry, A., Toca
De Blieux, Lanier, Velazquez
Dennery, Leblanc, Vick
Dennis, Lowe, Watigney
Deshotel, Maybuece, Womack
Flory, Miller, Total—71.

**NAYS**

NOT VOTING

Aerker, Edwards, Roemer
Chehardy, Fayard, Schmitt
Comar, Gauthier, Singletary
Derbes, Hernandez, Sutherland
Dunlap, Kean, Stinson
Gauthier, Leblanc, Thompson
Grier, Landry, E. J., Toomy
Hardee, LeBlue, Velazquez
Kilbourn, Martin, Warren
Leblanc, Maybuece, Willis
Lanier, Miller, Winchester
LeBlue, Nunez, Wisham
LeBlue, Perez, Zervigon
<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
<td>Hernandez</td>
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<tr>
<td>Alario</td>
<td>Jack</td>
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<td>Dennis</td>
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<td>Dunlap</td>
<td>Leigh</td>
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<td>Edwards</td>
<td>Martin</td>
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<td>Giarrusso</td>
<td>Oursou</td>
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<tr>
<td>Ginn</td>
<td>Rachall</td>
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<td>Total—24</td>
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**Reconsideration**

On motion of Delegate Graham the vote by which Committee Proposal No. 26, Section 4 was passed, was reconsidered.

**COMMITTEE PROPOSAL No. 26—**

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Maubertet, Mire, Nunez, Plancharde, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.

**Section 4. No Impairment of Existing Taxes or Obligations**

Section 4. The provisions of Article XI, Section 2, in no way shall be construed or applied in such a manner as to:

(a) invalidate taxes authorized and imposed prior to the adoption of this constitution; or (b) impair the obligations, validity, or security of any bonds or other debt obligations authorized prior to the adoption of this constitution.

Read.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Henry, Pugh, Gravel, Graham, and A. Jackson to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend First Enrollment Proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 13, after the word and punctuation "contrary," delete the remainder of the line and delete lines 14 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"the state board of commerce and industry or its successor, with the approval of the governor, may enter into contracts for the exemption from ad valorem taxes of any new manufacturing establishment or an addition to any existing manufacturing establishment, on such terms and conditions as the board, with the approval of the governor, deem to be in the best interest of the state."

"No exemption from taxes shall be granted under authority of this Paragraph for a longer initial term than five calendar years. In like manner, the exemption may be renewed for an additional period of five years."

"All property exempted shall be listed on the assessment rolls and be submitted to the Louisiana Tax Commission or its successor, but no taxes shall be collected thereon during the period of exemption."

On motion of Delegate Graham the amendment was withdrawn.

Committee Proposal No. 26, Section 4 was read.

Delegate Graham moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fontenot</td>
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<tr>
<td>Alexander</td>
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<td>Bel</td>
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<td>Chehardy</td>
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<td>LeBlue</td>
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<table>
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<tbody>
<tr>
<td>Aertker</td>
<td>Jack</td>
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<tr>
<td>Alario</td>
<td>Jackson, A.</td>
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<td>Carmouche</td>
<td>Kean</td>
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<td>Comar</td>
<td>Lambert</td>
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<td>Derbes</td>
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<td>Dunlap</td>
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<td>Edwards</td>
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<td>Giarrusso</td>
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<td>Heline</td>
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<tr>
<td>Hernandez</td>
<td>Morris</td>
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<td>Total—30.</td>
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And the Chair declared that the above Section was finally passed.

Delegate Graham moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Graham moved for a suspension of the rules in order to call from the table the motion to reconsider the Committee Proposal No. 26, Section 4, was passed for the limited purpose of offering an amendment proposed by Delegate Graham.

Delegate Perez objected.

As a substitute motion Delegate Nunez moved for a suspension of the rules in order to allow any amendment to be offered to the proposal.

The vote recurred on the substitute motion.

By a vote of 19 yeas and 75 nays the Convention refused to suspend the rules at this time.

Delegate Graham insisted upon his original motion for a suspension of the rules.

By a vote of 78 yeas and 21 nays the rules were suspended.
Reconsideration

On motion of Delegate Graham the vote by which Committee Proposal No. 26, Section 4, was passed, was reconsidered.

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Mau- berret, Mire, Nunez, Planchard, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.

Section 4. No Impairment of Existing Taxes or Obligations

Section 4. The provisions of Article XI, Section 2, in no way shall be construed or applied in such a manner as to: (a) invalidate taxes authorized and imposed prior to the adoption of this constitution; or (b) impair the obligations, validity, or security of any bonds or other debt obligations authorized prior to the adoption of this constitution.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Henry, Pugh, Gravel, Graham and A. Jackson to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—

On page 6, line 5, after the word and punctuation “Section,” delete the remainder of the line and delete lines 6 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

“the state board of commerce and industry or its successor, with the approval of the governor, may enter into contracts for the exemption from ad valorem taxes of any new manu-facturing establishment or any addition to any existing manu-facturing establishment, on such terms and conditions as the board, with the approval of the governor, deem to be in the best interest of the state.

No exemption from taxes shall be granted under authority of this Paragraph for a longer initial term than five calendar years. In like manner, the exemption may be renewed for an additional period of five years.

All property exempted shall be listed on the assessment rolls and be submitted to the Louisiana Tax Commission or its successor, but no taxes shall be collected thereon during the period of exemption.

The terms “manufacturing establishment” and “addition” or “additions” as used herein mean a new plant or establishment or an addition or additions to any existing plant or establishment which engages in the business of working raw materials into wares suitable for use or which gives new shapes, new qualities, or new combinations to matter which already has gone through some artificial process.

Delegate Graham moved the adoption of the amendment.

Delegate Avant objected.

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

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Bel</td>
</tr>
<tr>
<td>Abraham</td>
<td>Brown</td>
</tr>
<tr>
<td>Alexander</td>
<td>Burns</td>
</tr>
<tr>
<td>Avant</td>
<td>Burson</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Casey</td>
<td>Gravel</td>
</tr>
<tr>
<td>Champagne</td>
<td>Guastoso</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Hayes</td>
</tr>
<tr>
<td>Conroy</td>
<td>Haynes</td>
</tr>
<tr>
<td>Comar</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Conino</td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>Cornie</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Duval</td>
<td>Jones</td>
</tr>
<tr>
<td>De Blieux</td>
<td>Juneau</td>
</tr>
<tr>
<td>Denner</td>
<td>Keaton</td>
</tr>
<tr>
<td>Dennis</td>
<td>Kelly</td>
</tr>
<tr>
<td>DeGeroniano</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>De Geronimo</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>DeGeronimo</td>
<td>Leithman</td>
</tr>
<tr>
<td>Deleon</td>
<td>Martin</td>
</tr>
<tr>
<td>Denner</td>
<td>Maybucha</td>
</tr>
<tr>
<td>Denner</td>
<td>Mire</td>
</tr>
<tr>
<td>Dente</td>
<td>Munson</td>
</tr>
<tr>
<td>Dente</td>
<td>Newton</td>
</tr>
<tr>
<td>Dente</td>
<td>O'Neill</td>
</tr>
</tbody>
</table>

NAYS

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Armstrong</td>
<td>Kilbourne</td>
</tr>
<tr>
<td>Arnette</td>
<td>Landrum</td>
</tr>
<tr>
<td>Asseff</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Lanier</td>
</tr>
<tr>
<td>Cowen</td>
<td>McDaniel</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Mauberret</td>
</tr>
<tr>
<td>Drew</td>
<td>Miller</td>
</tr>
<tr>
<td>Elkins</td>
<td>Morris</td>
</tr>
<tr>
<td>Fayard</td>
<td>Nunez</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Ours</td>
</tr>
<tr>
<td>Grier</td>
<td>Perez</td>
</tr>
<tr>
<td>Hardee</td>
<td>Perkins</td>
</tr>
<tr>
<td>Heinle</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Guinn</td>
<td>Total—39.</td>
</tr>
</tbody>
</table>

NOT VOTING

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alderman</td>
<td>Hernandez</td>
</tr>
<tr>
<td>Alario</td>
<td>Jack</td>
</tr>
<tr>
<td>Blair</td>
<td>Lambert</td>
</tr>
<tr>
<td>Carmouche</td>
<td>LeBlanc</td>
</tr>
<tr>
<td>Demes</td>
<td>Leight</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Lowe</td>
</tr>
<tr>
<td>Edwards</td>
<td>Rachal</td>
</tr>
<tr>
<td>Guinn</td>
<td>Total—22.</td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Graham moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Nunez moved for a suspension of the rules in order to offer further amendments to the Proposal.

Delegate Graham objected.

By a vote of 57 yeas and 53 nays the Convention refused to suspend the rules at this time.

Passage

Committee Proposal No. 26, Section 4 was read, as amended.

Delegate Graham moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Burns</td>
</tr>
<tr>
<td>Abraham</td>
<td>Cannon</td>
</tr>
<tr>
<td>Alexander</td>
<td>Casey</td>
</tr>
<tr>
<td>Avant</td>
<td>Champagne</td>
</tr>
<tr>
<td>Arnette</td>
<td>Chehardy</td>
</tr>
<tr>
<td>Bel</td>
<td>Comar</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Conroy</td>
</tr>
<tr>
<td>Blair</td>
<td>Corpse</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Cowen</td>
</tr>
<tr>
<td>Brien</td>
<td>D'Gerolamo</td>
</tr>
<tr>
<td>De Blieux</td>
<td>Dennis</td>
</tr>
<tr>
<td>Deshotels</td>
<td>DeGeronimo</td>
</tr>
<tr>
<td>Flory</td>
<td>Fowler</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Fowler</td>
</tr>
<tr>
<td>Ginn</td>
<td>Pichard</td>
</tr>
<tr>
<td>Pugh</td>
<td>Reeves</td>
</tr>
<tr>
<td>Roy</td>
<td>Sandoz</td>
</tr>
<tr>
<td>Segura</td>
<td>Singletary</td>
</tr>
<tr>
<td>Slag</td>
<td>Smith</td>
</tr>
<tr>
<td>Soniat</td>
<td>Stagg</td>
</tr>
<tr>
<td>Stovall</td>
<td>Tate</td>
</tr>
<tr>
<td>Thistlethwaite</td>
<td>Thompson</td>
</tr>
<tr>
<td>Tobias</td>
<td>Watson</td>
</tr>
<tr>
<td>Wissam</td>
<td>Womack</td>
</tr>
</tbody>
</table>

1291
### 118th Days Proceedings—January 15, 1974

**Delegates—**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goldman</td>
<td>Singletary</td>
</tr>
<tr>
<td>Graham</td>
<td>Slay</td>
</tr>
<tr>
<td>Gravel</td>
<td>Smith</td>
</tr>
<tr>
<td>Guarisco</td>
<td>Soniat</td>
</tr>
<tr>
<td>Hardee</td>
<td>Stagg</td>
</tr>
<tr>
<td>Hayes</td>
<td>Thompson</td>
</tr>
<tr>
<td>Haynes</td>
<td>Tate</td>
</tr>
<tr>
<td>Jackson, A.</td>
<td>Thistlethwaite</td>
</tr>
<tr>
<td>Jackson, J.</td>
<td>Thompson</td>
</tr>
<tr>
<td>Jenkins</td>
<td>Morris</td>
</tr>
<tr>
<td>Jones</td>
<td>Munson</td>
</tr>
<tr>
<td>Juneau</td>
<td>Mire</td>
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<tr>
<td>Kean</td>
<td>O'Neill</td>
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<tr>
<td>Kelly</td>
<td>Planchar</td>
</tr>
<tr>
<td>Kilpatrick</td>
<td>Pugh</td>
</tr>
<tr>
<td>Landrum</td>
<td>Rayburn</td>
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<tr>
<td>Total</td>
<td>Reeves</td>
</tr>
<tr>
<td>NAYS</td>
<td>Roy</td>
</tr>
<tr>
<td>Delegates—</td>
<td>Sandoz</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Sengel</td>
</tr>
<tr>
<td>Aseff</td>
<td>Stagg</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Stovall</td>
</tr>
<tr>
<td>Brown</td>
<td>Tate</td>
</tr>
<tr>
<td>Burson</td>
<td>Thistlethwaite</td>
</tr>
<tr>
<td>Conino</td>
<td>Total—10.</td>
</tr>
<tr>
<td>Drew</td>
<td>Total—30.</td>
</tr>
<tr>
<td>Duval</td>
<td>78.</td>
</tr>
<tr>
<td>Elkins</td>
<td>30.</td>
</tr>
<tr>
<td>Fayard</td>
<td>24.</td>
</tr>
<tr>
<td>Total</td>
<td>11.</td>
</tr>
<tr>
<td>NOT VOTING</td>
<td>24.</td>
</tr>
<tr>
<td>Aertker</td>
<td>24.</td>
</tr>
<tr>
<td>Alario</td>
<td>24.</td>
</tr>
<tr>
<td>Carmouche</td>
<td>24.</td>
</tr>
<tr>
<td>DeSotos</td>
<td>24.</td>
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<tr>
<td>Dunlap</td>
<td>24.</td>
</tr>
<tr>
<td>Edwards</td>
<td>24.</td>
</tr>
<tr>
<td>Grasso</td>
<td>24.</td>
</tr>
<tr>
<td>Hernandez</td>
<td>24.</td>
</tr>
<tr>
<td>And the Chair declared that the above Section was finally passed.</td>
<td></td>
</tr>
<tr>
<td>Delegate Graham moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.</td>
<td></td>
</tr>
</tbody>
</table>

#### Passage

The Proposal was read, as amended.

Delegate Graham moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Yeas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Chehardy</td>
</tr>
<tr>
<td>Abraham</td>
<td>Comar</td>
</tr>
<tr>
<td>Alexander</td>
<td>Conroy</td>
</tr>
<tr>
<td>Arnette</td>
<td>Corne</td>
</tr>
<tr>
<td>Avant</td>
<td>Cowen</td>
</tr>
<tr>
<td>Badeaux</td>
<td>D’Gerolamo</td>
</tr>
<tr>
<td>Bel</td>
<td>DeBlieux</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Denenery</td>
</tr>
<tr>
<td>Blair</td>
<td>Dennis</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Deshotels</td>
</tr>
<tr>
<td>Brief</td>
<td>Drew</td>
</tr>
<tr>
<td>Brown</td>
<td>Elkins</td>
</tr>
<tr>
<td>Burns</td>
<td>Faward</td>
</tr>
<tr>
<td>Byren</td>
<td>Fiory</td>
</tr>
<tr>
<td>Champagne</td>
<td>Fontenot</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Fowler</td>
</tr>
<tr>
<td>Kelly</td>
<td>O’Neill</td>
</tr>
<tr>
<td>Kilpatrick</td>
<td>Planchar</td>
</tr>
<tr>
<td>Landrum</td>
<td>Pugh</td>
</tr>
<tr>
<td>Landry, A.</td>
<td>Rayburn</td>
</tr>
<tr>
<td>LeBlanc</td>
<td>Reeves</td>
</tr>
<tr>
<td>Leithman</td>
<td>Roy</td>
</tr>
<tr>
<td>McDaniel</td>
<td>Sandoz</td>
</tr>
<tr>
<td>Martin</td>
<td>Segura</td>
</tr>
<tr>
<td>Maubertel</td>
<td>Singletary</td>
</tr>
<tr>
<td>Maybux</td>
<td>Slay</td>
</tr>
<tr>
<td>Mire</td>
<td>Smith</td>
</tr>
<tr>
<td>Morris</td>
<td>Smith</td>
</tr>
<tr>
<td>Munson</td>
<td>Soniat</td>
</tr>
<tr>
<td>Newton</td>
<td>Stagg</td>
</tr>
<tr>
<td>Nunez</td>
<td>Stovall</td>
</tr>
<tr>
<td>Total</td>
<td>Total—100.</td>
</tr>
<tr>
<td>NAYS Delegates—</td>
<td>Miller</td>
</tr>
<tr>
<td>Anzalone</td>
<td>O’Soro</td>
</tr>
<tr>
<td>Aseff</td>
<td>Perkins</td>
</tr>
<tr>
<td>Kilbourne</td>
<td>Roemer</td>
</tr>
<tr>
<td>Landry, E. J.</td>
<td>Total—11.</td>
</tr>
<tr>
<td>NOT VOTING</td>
<td>24.</td>
</tr>
<tr>
<td>Aertker</td>
<td>24.</td>
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<tr>
<td>Alario</td>
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<td>Carmouche</td>
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<td>DeBlos</td>
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<td>Dunlap</td>
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<tr>
<td>Edwards</td>
<td>24.</td>
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<tr>
<td>Grasso</td>
<td>24.</td>
</tr>
<tr>
<td>Hernandez</td>
<td>24.</td>
</tr>
<tr>
<td>And the Chair declared that the above Proposal was finally passed.</td>
<td></td>
</tr>
<tr>
<td>Motion to reconsider pending.</td>
<td></td>
</tr>
</tbody>
</table>

#### Motion

Delegate Graham moved that the vote by which Committee Proposal No. 26 was passed, be reconsidered.

Delegate Roy objected.

By a vote of 54 yeas and 50 nays the Convention reconsidered the vote by which Committee Proposal No. 26 was passed.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Yeas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Chehardy</td>
</tr>
<tr>
<td>Abraham</td>
<td>Comar</td>
</tr>
<tr>
<td>Alexander</td>
<td>Conroy</td>
</tr>
<tr>
<td>Arnette</td>
<td>Corne</td>
</tr>
<tr>
<td>Avant</td>
<td>Cowen</td>
</tr>
<tr>
<td>Badeaux</td>
<td>D’Gerolamo</td>
</tr>
<tr>
<td>Bel</td>
<td>DeBlieux</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Denenery</td>
</tr>
<tr>
<td>Blair</td>
<td>Dennis</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Deshotels</td>
</tr>
<tr>
<td>Brief</td>
<td>Drew</td>
</tr>
<tr>
<td>Brown</td>
<td>Elkins</td>
</tr>
<tr>
<td>Burns</td>
<td>Faward</td>
</tr>
<tr>
<td>Byren</td>
<td>Fiory</td>
</tr>
<tr>
<td>Champagne</td>
<td>Fontenot</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Fowler</td>
</tr>
<tr>
<td>Kelly</td>
<td>O’Neill</td>
</tr>
<tr>
<td>Kilpatrick</td>
<td>Planchar</td>
</tr>
<tr>
<td>Landrum</td>
<td>Pugh</td>
</tr>
<tr>
<td>Landry, A.</td>
<td>Rayburn</td>
</tr>
<tr>
<td>LeBlanc</td>
<td>Reeves</td>
</tr>
<tr>
<td>Leithman</td>
<td>Roy</td>
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<td>McDaniel</td>
<td>Sandoz</td>
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<td>Smith</td>
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<tr>
<td>Morris</td>
<td>Smith</td>
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<tr>
<td>Munson</td>
<td>Soniat</td>
</tr>
<tr>
<td>Newton</td>
<td>Stagg</td>
</tr>
<tr>
<td>Nunez</td>
<td>Stovall</td>
</tr>
<tr>
<td>Total</td>
<td>Total—100.</td>
</tr>
<tr>
<td>Yeas</td>
<td>Yeas</td>
</tr>
<tr>
<td>Mr. Chairman</td>
<td>Chehardy</td>
</tr>
<tr>
<td>Abraham</td>
<td>Comar</td>
</tr>
<tr>
<td>Alexander</td>
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<td>Denenery</td>
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<td>Blair</td>
<td>Dennis</td>
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<td>Bollinger</td>
<td>Deshotels</td>
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<tr>
<td>Brief</td>
<td>Drew</td>
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<tr>
<td>Brown</td>
<td>Elkins</td>
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<tr>
<td>Burns</td>
<td>Faward</td>
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<td>Byren</td>
<td>Fiory</td>
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<tr>
<td>Champagne</td>
<td>Fontenot</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Fowler</td>
</tr>
</tbody>
</table>

1292
And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

**Motion**

On motion of Delegate Tate, the Convention altered the Order of Business to take up Proposals on Calendar for Approval of Final Styling, at this time.

**Proposals on Calendar for Approval of Final Styling**

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

**Motion**

On motion of Delegate Tate Committee Proposal No. 4 was called from the Calendar.

**COMMITTEE PROPOSAL No. 4**

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Arnette, Brien, Denney, Duval, Gravel, Stovall and Tapper:

**A PROPOSAL**

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

**AMENDMENT No. 46—**

Delete Amendments Nos. 4, 5, 6, 7, and 21 proposed by the Committee on Style and Drafting and adopted by the Convention on this date and reinsert the text of amendments Nos. 4, 5, 6, 7 at the end of CP No. 36 and renumber Sections 2, 3, and 4 contained in amendments Nos. 4, 5, 6, and 7 as follows:

Section 2 - Section 12
Section 3 - Section 13
Section 4 - Section 14

Read.

On motion of Delegate Tate the amendment was withdrawn.

**AMENDMENT No. 47—**

On page 1, line 13, delete Committee Amendment No. 1 proposed by the Committee on Style and Drafting and adopted by the Convention this date, and insert in lieu thereof the following:

"Section 1. (A) Composition. The executive branch shall consist of the governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, commissioner of elections, and all other executive offices, agencies, and instrumentalities of the state."

Read.

On motion of Delegate Tate the amendment was withdrawn.

**Motion**

On motion of Delegate A. Landry, the Convention altered the Order of Business to take up Introduction of Alternative Proposals at this time.

**Introduction of Alternative Proposals**

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

**DELEGATE PROPOSAL No. 98—**

Introduced by Delegates Henry, Gravel, Graham, Pugh, A. Jackson, Juneau, Kelly, Leithman, Corne, Shannon, Deshotels, Fowler, Zervigon, Riecke, Wattigny, Alario, Kilpatrick, Roemer, LeBlanc, Corrino, Warren, Guarisco, Arnette, Abraham, Badeaux, Anzalone, Fayard, Derbes, Gauthier, Bollinger, Willis, Newton, A. Landry, Goldman, Ginn, Ullo, Toomy, Sutherland, Stovall, Schmitt, Bergeron, Chatelain, Vick, Conroy, Miller, Casey, Denney, Tobias, O'Neill and Weiss:

**A PROPOSAL**

To provide with respect to an alternative provision relative to education.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 99—**


**A PROPOSAL**

To provide with respect to an alternative provision relative to the Judicial Branch.

Read.

Lies over under the rules.
DELEGATE PROPOSAL No. 100—

A PROPOSAL

To provide with respect to an alternative provision relative to the Executive Branch prohibiting a person elected as governor from being his own immediate successor.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 101—
Introduced by Delegates Stagg, Roemer, Smith, Sutherland, Asseff, Casey, Abraham, Zervigon, Alexandre, Kean, Fulco, Bollinger, Bel, Dennerly, Duval, Thistlethwaite, De Blieux, Sandoz, Velazquez, Jones, Conroy, J. Jackson, Drew, Hardee, Grier, Eikins, Dennis, Champagne, A. Landry, Miller, Kilbourne, Warren, Vick, Jack, A. Jackson, Newton, Derbes, Schmitt, Lanier and Shannon:

A PROPOSAL

To provide with respect to an alternative provision relative to Revenue and Finance.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 102—

A PROPOSAL

To provide with respect to an alternative provision relative to the Judicial Branch.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 103—
Introduced by Delegates Elkins, Grier, Toca, Flory, Asseff, Weis, Cowen, Vick, Jones, E. J. Landry, Carmouche, Hardee, Winchester, Pugh, Dennis, Planehard, Conroy, Wisham, Anzalone, Morris, Goldman, Smith, Conino, Willis, Heine, Tobias, Segura, Ullo, Guirasco, Cannon, Deshotels and Kilbourne:

A PROPOSAL

To provide with respect to an alternative provision relative to the Legislative Branch.

Read.

Lies over under the rules.

Motion

On motion of Delegate Zervigon the rules were suspended in order to allow the introduction of a Committee Proposal.

Introduction of Proposals

The following named committees introduced the following entitled Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

COMMITTEE PROPOSAL No. 38—
Introduced by Delegate Zervigon, Chairperson, Committee on Legislative Liaison and Transitional Measures, and Delegates Casey, Comar, D'Geralamo, Drew, Hardee, J. Jackson, Jones, Lanier, Rayburn, Smith, Thompson, Vick and Womack:

A PROPOSAL

Making provisions relative to transitional provisions.

Read.

Lies over under the rules.

Delegate Denery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly re-enrolled in final form:

COMMITTEE PROPOSAL No. 15—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, De Blieux, Edwards, Fontenot, Lowe, McDaniel, Mauberret, Mire, Newton, Nunee, Planchar, Roemer, Schmitt, Slay, Smith, Tiche and Winchester:

A PROPOSAL

Relative to the tax structure of the state and to public finance.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XI. REVENUE AND FINANCE

Section I. Power to Tax; Public Purpose

Section 1. Except as otherwise provided by this constitution, the power of taxation shall be vested in the legislature, shall never be surrendered, suspended, or contracted away, and shall be exercised for public purposes only.

Section 2. Power to Tax; Limitation

Subject to a section of a new tax, an increase in an existing tax, or a repeal of an existing tax exemption shall require the enactment of a law by two-thirds of the elected members of each house of the legislature.

Section 3. Collection of Taxes

The legislature shall prohibit the issuance of process to restrain the collection of any tax. It shall provide a complete and adequate remedy for the prompt recovery of an illegal tax paid by a taxpayer.

Section 4. Income Tax; Severance Tax; Political Subdivisions

Section 4. (A) Income Tax. Equal and uniform taxes may be levied on net incomes, and these taxes may be graduated according to the amount of net income. However, the state individual and joint income tax schedule of rates shall never exceed the rates set forth in Title 47, Section 32 of the Louisiana Revised Statutes on January 1, 1974. Federal income taxes paid shall be allowed as a deductible item in computing state income taxes for the same period.

(B) Severance Tax. Taxes may be levied on natural resources severed from the soil or water, to be paid proportionately by the owners thereof at the time of severance. Natural resources may be classified for the purpose of taxation. Such taxes may be in the form of a flat amount, or a percentage of the quantity or value of the products at the time and place of severance. No further or additional tax or license shall be levied or imposed upon oil, gas, or sulphur leases or rights. No additional value shall be added to the assessment of land by reason of the possession of oil, gas, or sulphur therein or their production therefrom. However, sulphur in place shall be assessed for ad valorem taxation to the person, firm, or corporation having the right to mine or produce the same in the parish where located. No more than twice the total assessed value of the physical property subject to taxation, excluding the assessed value of sulphur above ground, as is used in sulphur operations in such parish. Likewise, the severance tax shall be the only tax on timber; however, standing timber shall be liable equally with the land on which it stands for ad valorem taxes levied on the land.

(C) Severance Tax; Political Subdivisions. A political subdivision of the state shall not levy a severance tax, income tax, or tax on motor fuel.

(D) Severance Tax Allocation. One-third of the sulphur...
severance tax, but not to exceed one hundred thousand dollars; one-fifth of the severance tax on all natural resources, other than sulphur or timber, but not to exceed five hundred thousand dollars; and three-fourths of the timber severance tax shall be remitted to the governing authority of the parish in which severance or production occurs.

(E) Royalties Allocation. One-tenth of the royalties from mineral leases on state-owned land, lake and river beds and other water bottoms belonging to the state or the title to which is in the public for mineral development shall be remitted by the governing authority in which severance or production occurs. A parish governing authority may fund these royalties into general obligation bonds of the parish in accordance with law. The provisions of this Paragraph shall not apply to properties comprising the Russell Sage Wildlife and Game Refuge.

Section 5. Motor Vehicle License Tax
Section 5. The legislature shall impose an annual license tax of three dollars on automobiles for private use, and on other motor vehicles, an annual license tax based upon horsepower, carrying capacity, weight, or any of these. No parish or municipality may impose a license fee on motor vehicles.

Section 6. State Debt; Full Faith and Credit Obligations
Section 6. (A) Authorization. Unless otherwise authorized by this state shall have no power, directly or indirectly, or through any state board, agency, commission, or other, to incur debt or issue bonds except by law enacted by two-thirds of the elected members of each house of the legislature. The state shall be indebted only by the bonds issued if the funds are to be used to repel invasion; suppress insurrection; provide relief from natural catastrophes; refund outstanding indebtedness at the same or a lower effective interest rate; or make capital improvements, but only in accordance with a comprehensive capital budget, which the legislature shall adopt.

(B) Capital Improvements. If the purpose is to make capital improvements, the nature and location and, if more than one project, the amount allocated to each and the order of priority shall be stated in the comprehensive capital budget which the legislature adopts.

(C) Full Faith and Credit. The full faith and credit of the state shall be pledged to the repayment of all bonds or other evidences of indebtedness issued by the state directly or through any state board, agency, or commission pursuant to the provisions of Paragraphs (A) and (B) hereof. The full faith and credit of the state is not hereby pledged to the repayment of bonds of a levee district, political subdivision, or local public agency, as defined in Paragraph (C) hereof, or to the repayment of bonds of a public institution or any other purpose or entity. The bonds shall be authorized by law to issue bonds, in the manner so authorized and with the approval of the State Bond Commission or its successor, may issue bonds which are payable from fees, rates, rentals, tolls, charges, grants, or other receipts or income derived by or in connection with an undertaking, facility, project, or any combination thereof, without a pledge of the full faith and credit of the state. Such revenue bonds may, but are not required to, be issued in accordance with the provisions of Paragraphs (A) and (B) hereof. If issued other than as provided in Paragraph (A) and (B) hereof, such revenue bonds shall not carry the pledge of the full faith and credit of the state and the issuance of the bonds shall not constitute the incurring of state debt under this constitution. The decks granted to deep water ports, commissiions or deep water port, harbor and terminal districts under this constitution shall not be impaired by the provisions of this Section.

(D) Referendum. The legislature, by law enacted by two-thirds of the elected members of each house, may propose a statewide public referendum to authorize incurrence of debt for any purpose for which the legislature is not herein authorized to incur debt.

(E) Prohibition. Nothing in this Section shall apply to any levee district, political subdivision, or local public agency unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district, political subdivisions, or local public agency.

Section 7. The Interim Emergency Board
Section 7. (A) Composition. The Interim Emergency Board is created. It shall be composed of the governor, lieutenant governor, state treasurer, presiding officer of each house of the legislature, chairman of the Senate Finance Committee, and chairman of the House Appropriations Committee, or their designees.

Publishers. Between sessions of the legislature, when the board by majority vote determines that an emergency exists, it may appropriate from the state general fund or borrow on the full faith and credit of the state an amount to meet the emergency. The appropriation may be made or the indebtedness incurred only for a purpose for which the legislature may appropriate funds and then only after the board obtains, as provided by law, the written consent of two-thirds of the elected members of each house of the legislature. For the purposes of this Paragraph, an emergency is an event or occurrence not reasonably anticipated by the legislature.

Section 8. State Bond Commission
Section 8. (A) Creation. The State Bond Commission is created. Its membership and authority shall be determined by law.

(B) Approval of Bonds. No bonds or other obligations shall be issued or sold by the state, directly or through any state board, agency, or commission, or by any political subdivision thereof, unless prior written approval of the bond commission is obtained.

(C) Contesting State Bonds. Bonds, notes, certificates, or other evidences of indebtedness of the state (hereafter referred to as "bonds") shall not be invalid because of any irregularity in the issuance thereof, but shall be void if issued for a purpose or in a manner in violation of this constitution, the laws of this state, or the resolutions, or proceedings relating thereto. If any provisions of this constitution, the laws of this state, or the resolutions, or proceedings relating thereto, are invalid, the provisions securing the bonds, and the validity of all other provisions and proceedings relating to the authorization and issuance of the bonds, shall be void if the bonds were issued pursuant thereto, but the provisions securing the bonds, and the validity of all other provisions and proceedings relating to the authorization and issuance of the bonds, if no action or proceeding is instituted within the thirty days, no person may contest the validity of the bonds, or provisions relating to the authorization and issuance of the bonds, or the validity of any other provisions or proceedings relating to their authorization and issuance, and the bonds shall be presumed conclusively to be valid and for all purposes to be valid. Thereafter no court shall have authority to inquire into such matters.

Section 9. State Funds
Section 9. (A) Deposit in State Treasury. All money received by the state or by any state board, agency, or commission shall be deposited immediately upon receipt in the state treasury, except that received:

(1) as a result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise;

(2) by trade or professional associations;

(3) by the employment security administration fund or its successor;

(4) by retirement system funds;

(5) by the political subdivision or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise. In each fiscal year an amount is allocated from the bond security and redemption
fund sufficient to pay all obligations which are secured by the full faith and credit of the state and which become due and payable within the current fiscal year, including principal, interest, premiums, sinking or reserve fund, and other requirements. Thereafter, except as otherwise provided by law, money remaining in the fund shall be credited to the state general fund.

(C) Exception. Nothing in this Section shall apply to a levee district or political subdivision unless the full faith and credit of the state is pledged for the payment of the bonds of the levee district or political subdivision.

Section 10. Expenditure of State Funds

Section 10. (A) Appropriations. Except as otherwise provided by this constitution, money shall be drawn from the state treasury only pursuant to an appropriation made in accordance with law.

(B) Balanced Budget. Total appropriations by the legislature for any fiscal year shall not exceed anticipated state revenues for that fiscal year.

(D) Public Purpose. No appropriation shall be made except for a public purpose.

Section 11. Budgets

Section 11. (A) Operating Budget. The governor shall submit to the legislature, at a time fixed by law, a budget estimate for the next fiscal year setting forth all proposed state operating, or anticipated federal, or other funds, and, if such cases, a general appropriation bill for operating expenditures and, if necessary, a bill or bills to raise additional revenues.

(B) Capital Budget. The governor shall submit to the legislature, at each regular session, a proposed five-year capital outlay program and request implementation of the first year of the program. Capital outlay projects approved by the legislature shall be a part of the comprehensive state capital budget, which shall be adopted by the legislature.

Section 12. Reports and Records

Section 12. Reports and records of the collection, expenditure, investment, and use of state money and those relating to state obligations shall be matters of public record, except returns of taxpayers and matters pertaining to those returns.

Section 13. Investment of State Funds

Section 13. All money in the custody of the state treasurer which is available for investment shall be invested as provided by law.

Section 14. Donation, Loan, or Pledge of Public Credit

Section 14. (A) Prohibited Uses. Except as otherwise provided by this constitution, the funds, credit, property, or things of value of the state or of any political subdivision shall not, nor shall property donated to or for, or other indebtedness to meet public obligations as provided by law.

(B) Authorized Uses. Nothing in this Section shall prevent

(1) the use of public funds for programs of social welfare for the aid and support of the needy; (2) contributions of public funds to pension and insurance programs for the benefit of public employees; or (3) the pledge of public funds, credit, property, or things of value for public purposes with respect to the issuance of bonds or other evidences of indebtedness to meet public obligations as provided by law.

(C) Cooperative Endorsements. For a public purpose, the state and its political subdivisions or political corporations may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation, or individual.

(D) Prior Obligations. Funds, credit, property, or things of value of the state or of a political subdivision hereafter loaned, pledged, dedicated, or granted by the prior laws and constitution of this state so shall remain for the full term as provided by the prior laws and constitution, or for the full term as provided by any contract, until the authorization is revoked by law enacted by two-thirds of the elected members of each house of the legislature prior to the vesting of any contractual rights pursuant to this Section.

Section 15. Release of Obligations to State, Parish, or Municipality

Section 15. (A) Release. The legislature shall have no power to release, extinguish, or authorize the releasing or extinguishing of any indebtedness, or obligation of a corporation or individual to the state, a parish, or a municipality. However, the legislature, by law, may establish a system under which claims by the state or a political subdivision may be compromised, and may provide for the release of heirs to confiscated property from taxes due thereon at the date of its reversion to them.

(B) Exception. Whenever any immovable property has been forfeited or adjudicated to the state for nonpayment of taxes due prior to January 1, 1880, and the state did not sell or dispose of it or dispossess the tax debtor or his heirs, successors, or assignors prior to the adoption of the Constitution of 1921, it shall be presumed conclusively that the forfeiture or adjudication was irregular and null or that the property has been redeemed. The state and its assignees shall be estopped forever from claiming any title to the property because of such forfeiture or adjudication.

Section 16. Taxes; Prescription

Section 16. (A) Description. Taxes, except real property taxes, and licenses shall prescribe in three years after the thirty-first day of December in the year in which they are due, but prescription may be interrupted or suspended as provided by law.

(B) Tidelands. No state, district, parish, or other tax, license, fee, or assessment of any kind, and interest charges and penalties attaching thereto, which are imposed, due, or collectible on any property, minerals or the severance therefrom, shall be payable by any person, firm, or corporation on any business operation or activity within the tidelands area in dispute between the state and the United States and within the state's historic gulfward boundary three leagues from coast, as established and defined by the Act of Congress of April 8, 1803, which admitted this state into the Union, and as redefined in Louisiana Act No. 33 of 1954, shall prescribe until three years after the thirty-first day of December in the year in which the controversy existing between the United States and this state over the state gulfward boundary is finally resolved and settled in accordance with law. However, no interest charge or penalty shall be assessed or collected on any such tax, license, fee, or assessment if it is paid within one year after the thirty-first day of December in the year in which the controversy is finally resolved and settled.

Section 17. Legislation to Obtain Federal Aid

Section 17. The legislature may enact laws to enable the state, its agencies, boards, commissions, and political subdivisions to enter into arrangements with federal laws and regulations in order to secure federal participation in funding capital improvement projects.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973

State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Delegate Proposal has been properly enrolled:

DELEGATE PROPOSAL No. 43-

Introduced by Delegates J. Jackson, Gauthier, Gravel, A. Jackson, Pugh, Roy, Stovall and Warren:

A PROPOSAL

Providing for special juvenile procedures.

118 Days Proceedings: January 15, 1974

Article .... Section .... Special Juvenile Procedures

Section 1. Except for a person fifteen years of age or older who is alleged to have committed a capital offense or attempted aggravated rape, the determination of guilt or innocence, the detention, and the custody of a person who is alleged to have committed a crime prior to his seventeenth birthday shall be exclusively pursuant to special juvenile procedures which shall be provided by law. However, by law enacted by a two-thirds vote of the elected members of each house, the legislature may (1) lower the maximum ages of persons to whom juvenile procedures would apply and (2) establish a procedure by which the court of original jurisdiction may waive such special juvenile procedures in order that adult procedures would apply in individual cases.

Respectfully submitted,

MOISE W. DENNERY
Secretary

Under the rules, referred to the Committee on Style and drafting.

Delegate Dennery, Secretary of the Constitutional Convention of 1975, submits the following report:

Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposals have been properly enrolled in final form:

COMMITTEE PROPOSAL No. 9—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Carmouche, Corne, Cowen, Flory, Grier, Hernandez, Landry, Robinson, Toca, Wattingy and Wisham:

A PROPOSAL

Making provisions for human resources by providing for state and city civil service.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VII. HUMAN RESOURCES
Section 1. State and City Civil Service
Section 1. (A) Civil Service System.

(1) State Civil Service. The state civil service is established including all persons holding offices and positions of trust or employment in the employ of the state, and any instrumentalities thereof, and any joint state and federal agency, joint state and parishal agency, or joint state and municipal agencies, regardless of the source of the funds used to pay such employees. It shall not include persons holding offices and positions of any municipal board of health or local governmental subdivision.

(2) City Civil Service. The city civil service is established and includes all persons holding offices and positions of trust or employment in the employ of each city having over four hundred thousand population and in every metropolitan city thereof. However, paid firemen and municipal policemen may be excluded if a majority of the voters of the city at the city voting at an election held for that purpose approve their exclusion. The election shall be called by the municipal governing authority within one year after the effective date of this constitution.

(B) Classified and Unclassified Service.

(1) The state and city civil service is divided into the classified and the classified service. Persons not included in the unclassified service are in the classified service.

(2) The unclassified service shall include the following employees and officers in the state and city civil service:

(a) elected officials and persons appointed to fill vacancies in elective offices;

(b) the heads of each principal executive department appointed by the governor, the mayor, or the governing authority of a city;

(c) city attorneys;

(d) registrars of voters;

(e) members of state and city boards, authorities, and commissions;

(f) one private secretary to the president of each college or university;

(g) one person holding a confidential position and one principal assistant or deputy to any officer, board, commission, or authority mentioned in (a), (b), (d), or (e) above, except civil service departments;

(h) members of the military or naval forces;

(i) employees, deputies, and officers of the legislature and of the offices of the governor, lieutenant governor, attorney general, each mayor and city attorney, of police courts, school boards, assessors, and of all offices provided for in Article V of this constitution except the offices of clerk of the municipal and traffic courts in New Orleans;

(k) commissioners of elections, watchers, and custodians and deputy custodians of voting machines; and

(l) railroad employees whose working conditions and retirement benefits are regulated by federal agencies in accordance with federal law.

(2) Additional positions may be added to the unclassified service and those positions may be revoked by rules adopted by a commission.

(C) State Civil Service Commission.

(1) The State Civil Service Commission is established and shall be domiciled in the state capital. It shall be composed of seven members who are elected by the voters of each state, four of whom shall constitute a quorum. No more than one appointed member shall be from each congressional district.

(2) Appointment. The members shall be appointed by the governor, as hereinafter provided, for overlapping terms of six years.

(3) Nominations. The presidents of Centenary College at Shreveport, Dillard University at New Orleans, Louisiana College at Pineville, Loyola University at New Orleans, Tulane University at New Orleans, and Xavier University at New Orleans, after giving consideration to representation of all groups, each shall nominate three persons. The governor shall appoint one member of the commission from the three persons nominated by each president. One member of the commission shall be elected by the classified employees of the state from their number as provided by law. A vacancy shall be filled by appointment or election in accordance with the procedure or law governing the original appointment or election, and from the same source. Within thirty days after a vacancy occurs, the president concerned shall notify the required nominating bodies. Within thirty days thereafter, the governor shall make his appointment. If the governor fails to appoint within thirty days, the nominee whose name is first on the list of nominees automatically shall become a member of the commission. If any naming authority fails to submit nominees in the time required, or if one of the named institutions ceases to exist, the governor shall make the appointment to the commission.

(D) City Civil Service Commission.

(1) Creation; Membership; Domicile. A city civil service commission shall exist in each city having a population exceeding one hundred thousand. The domicile of each commission shall be in the city it serves. Each commission shall be composed of five members, who are elected by the voters of the city, three of whom shall constitute a quorum. The members shall serve overlapping terms of six years as hereinafter provided.

New Orleans: Nomination and Appointment. In New Orleans, the presidents of Dillard University, Loyola University, St. Mary's Dominican College, Tulane University, and Xavier University, after giving consideration to representation of all groups, each shall nominate three persons. The municipal governing authority shall appoint one member of the commission from the three persons nominated by each.

(3) Other Cities; Nomination and Appointment. In each other city subject to this Section, the presidents of any five institutions of higher education in the state, selected by the authorities of the respective city, each shall nominate three persons, after giving consideration to representation of all groups. The municipal governing authority shall appoint one member of the commission from the three persons nominated by each.
(4) Vacancies. A vacancy shall be filled by appointment in accordance with the procedure for the original appointment and from the same source. Within thirty days after a vacancy occurs, the university president concerned shall submit his list of required nominations. Within fifteen days thereafter the municipal governing authority shall make the appointment. If the municipal governing authority fails to appoint within the thirty days, the nominee whose name is first on the list of nominees automatically shall become a member of the commission in which the municipal governing authority has failed to submit nominations in the time required, or if one of the named institutions ceases to exist, the municipal governing authority shall make the appointment.

(5) Removal. A member of the state or of a city civil service commission may be removed by the governor or the governing authority, as the case may be, for cause, after being served with written specifications of the charges against him and being afforded an opportunity for a public hearing thereon by the appointing authority.

(2) City Departments. A department of city civil service shall exist in each city having a population exceeding four hundred thousand;

(3) Directors. Each director shall appoint a director, after an examination to be held on July 29, of the candidates who shall be in the classified service. He shall be the administrative head of his department. Each director shall appoint personnel and exercise powers and duties to the extent prescribed by the commission appointing him.

(5) Appointments; Promotions. Permanent appointments and promotions in the classified state and city service shall be made only after certification by the appropriate department of civil service under a general system based upon merit, effectiveness and length of service ascertained by examination, which, so far as practical, shall be competitive. The number to be certified shall not be less than three; however, if more than one vacancy is to be filled, the name of one additional eligible for each vacancy may be certified. Each commission shall adopt rules for the method of certifying persons eligible for appointment, promotion, reemployment, and reinstatement and shall provide for appointments defined as emergency and temporary appointments if certification is not required.

(1) Disciplinary Actions. No person who has gained permanent status in the classified state or city service shall be subjected to disciplinary action except for cause expressed in writing. No employee in the classified state or city service shall be subjected to discipline in violation of this section. No disciplinary action shall have the right of appeal to the appropriate commission. The burden of proof on appeal, as to the facts, shall be on the appointing authority.

(2) Discrimination. No classified employee shall be discriminated against because of his political or religious beliefs, sex, or race. A classified employee so discriminated against shall have the right of appeal to the appropriate commission. The burden of proof on appeal, as to the facts, shall be on the employee.

(1) Prohibitions Against Political Activities. No member of a civil service commission and no officer or employee of the classified service shall participate or engage in political activity; be a candidate for nomination or election to public office except to seek election as the classified state employee serving on the State Civil Service Commission, a member of any national, state, or local committee of a political party or faction; make or solicit contributions for any political party, faction, or candidate; or take active part in the management of the affairs of a political party or faction; as a candidate or any political campaign, except to exercise his right as a citizen to express his opinion voluntarily, to serve as a commissioner or official watcher at the polls, and to cast his vote as he desires.

(2) No person shall solicit contributions for political purposes from a classified employee or official or use or attempt to use his position in the state or city service to purchase or coerce the political action of a classified employee.

As used in this Section, "political activity" means an effort to support or oppose the election of a candidate for political office or to support a particular political party in an election. The support of issues involving bonded indebtedness, tax referenda, or constitutional amendments shall not be prohibited.

(2) Rules, Investigations; Wages and Hours.

(a) Powers. Each commission is vested with broad and general rule-making and subpoena powers for the administration of the laws regulating the classified state employee and for the purpose of adopting rules for regulating employment, promotion, demotion, suspension, reduction in pay, removal, certification, qualifications, political activities, employment conditions, compensation and disbursements to employees, and other matters affecting the classified state employee and classified state employee agencies. The commission shall prescribe rules for employment, and classification; to require an appointing authority to institute an employee training and safety program; and generally to accomplish the objectives and purposes of the authority to the service as herein established. It may make recommendations with respect to employee training and safety. Nothing herein shall prevent the legislature from enacting laws supplementing these uniform pay plans for sworn, commissioned law enforcement officers of the Division of State Police, Department of Public Safety and regularly commissioned officers of the Enforcement Division of the Department of Wildlife and Fisheries.

(b) Veterans. The state and city civil service departments shall accord a preference in original appointment to each person honorably discharged, or discharged under honorable conditions from the armed forces of the United States who served between the wartime dates of April 6, 1917 through November 11, 1918; or between September 16, 1940 through December 7, 1941; or between January 1, 1945; or in the Viet Nam theater: between July 1, 1958 through the date the United States government declares to be the date of termination of service for members of the armed forces to receive credit for the award of the Viet Nam Service Medal; in a peacetime campaign or expedition for which campaign badges are authorized. The state and city civil service departments shall accord a ten-point preference in original appointment to each honorably discharged veteran with one or more disabilities recognized as service-connected by the Veterans Administration; to the spouse of each deceased veteran whose physical condition precludes his or her appointment to a civil service job in his or her usual line of work; to the unremarried widow of each deceased veteran who served in a war period, as defined above, or in a peacetime campaign or expedition; or to the unremarried widowed parent of any person who died in active wartime or peacetime service or who suffered total and permanent disability as a result of wartime or peacetime service; or the divorced or separated parents of any person who died in wartime or peacetime service or who became totally and permanently disabled in wartime or peacetime service. However, only one ten-point preference shall be accorded to the person enumerated above. If the ten-point preference is not used by the veteran, either because of the veteran's physical or mental incapacity which precludes his appointment to a civil service job in his usual line of work or because of his death, the preference shall be available to his spouse, unremarried widow, or eligible parents as defined above, in the order specified. However, any such preference may be given to person who has attained at least the minimum score required on each test and who has received at least the minimum rating required for eligibility.

(c) Layoffs; Preference Employees. When a position in the classified service is abolished, or needs to be vacated because of stoppage of work from lack of funds or other causes, preference employees (ex-members of the armed forces and their dependents as described in this Section) whose length of service and efficiency ratings are at least equal to those of other competing employees shall be retained in preference to other competing employees. However, when any function of a state agency or an agency of the state agency is replaced by one, or more other state agencies, every preference employee in classifications and performing functions transferred, or working in the state agency replaced, shall be transferred to the replacing state agencies for employment in a position for which he is qualified before that state agency or agencies appoint additional employees for such positions from eligible lists. The appointing authority shall give the director written notice of any proposed lay-off within a reasonable length of time before such effective
submitted to the voters of the political subdivision within one year thereafter.

(0) City, Parish Civil Service System; Creation; Prohibitions.

(1) Nothing in this Section shall prevent the establishment by charter, or by the respective parish governing authority of a parish civil service system in one or more parishes, applicable to any or all parish employees, except teaching and professional staffs and administrative officers of schools, or the establishment by the legislature or by the respective municipal governing authority of a municipal civil service system in one or more municipalities having a population of less than four hundred thousand, in any manner now or hereafter provided by law. However, paid firemen and paid municipal policemen of a municipality operating a parish fire and police department having a population exceeding thirteen thousand, and paid firemen in all parishes and in fire protection districts, are expressly excluded from such a civil service system.

(2) Nothing in this Paragraph shall permit inclusion in the local civil service of officials and employees listed in Paragraph (B) of this Section.

(3) No law enacted after the effective date of this constitution establishing a civil service system applicable to one or more parishes or to one or more municipalities having a population of less than four hundred thousand shall be effective in any parish or in any municipality until approved by ordinance adopted by the governing authority of the parish or municipality.

COMMITTEE PROPOSAL No. 10—

Introduced by Delegate Aearker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Conroe, Cowan, Flory, Grier, Landry, Leithman, Rachal, Robison, Wattigny and Wisham:

A PROPOSAL

Making provisions for human resources by providing for municipal fire and police civil service.

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

ARTICLE VII. HUMAN RESOURCES

Section 1. Municipal Fire and Police Civil Service

Section 1. (A) Establishment of System. A system of classified fire and police civil service is created and established. It shall apply to all municipalities having a population exceeding thirteen thousand and operating a regularly paid fire and municipal police department and to all parishes and fire protection districts operating a regularly paid fire department.

(B) Appointments and Promotions. Permanent appointments and promotions in municipal fire and police civil service 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 Constitution of 1921, subject to approval by the city or two-thirds of the elected members of each house of the legislature.

(C) Prior Provisions. Except as inconsistent with this Section, the provisions of Article XIV, Section 15.1 of the Constitution of 1921 are retained and continued in force and effect as statutes. By law enacted by two-thirds of the elected members of each house, the legislature may amend or otherwise modify any of those provisions, but it may not abolish the system of classified civil service for such firemen and municipal policemen or municipal police, applicable to any municipality having a population exceeding thirteen thousand according to the latest decennial federal census or to any parish or fire protection district operating a regularly paid fire department. However, in a municipality having a population exceeding four thousand, the municipal policemen shall be included if a majority of the electors therein voting at an election held for that purpose approve their inclusion. Such an election shall be called by the governing authority of the city within one year after the effective date of this constitution.

(D) Exclusion. Nothing in Section 1 of this Article authorizing cities or other political subdivisions to be placed under the provisions of said Article by election, act of the legislature, or ordinance of the local governing authority shall authorize the inclusion in a city civil service system of firemen and policemen in any municipality having a population greater than thirteen thousand but fewer than four hundred thousand and operating a regularly paid fire and municipal police department or in any parish or fire pro-
section district operating a regularly paid fire department. Such firemen and policemen are expressly excluded from any such system.

(E) Political Activities. Article XIV, Section 151, Paragraph 34, of the Constitution of 1921 is retained and continued in force and effect.

COMMITTEE PROPOSAL No. 30—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmichael, Cowen, Flor, Graham, Griek, Haynes, Hernandez, E. Landry, Leithman, Morris, Rachal, Riecke, Segura, Sutherland, Thistletonwaite, Toca, Wattigny and Wisham.

A PROPOSAL

To provide for the transition of membership on the boards of education.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XIV. SCHEDULE

Section 2. Board of Regents

Section 2. On the effective date of this constitution, each member of the Louisiana Coordinating Council for Higher Education appointed by the governor whose term has expired or whose term has not expired shall become a member of the Board of Regents until his respective term expires. The governor shall appoint additional members required to complete the membership of the board in accordance with and to affectuate Article IX, Section 5.

Section 3. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College

Section 3. 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 to complete the membership of the board in accordance with and to affectuate Article IX, Section 7.

Section 4. State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities

Section 4. 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 affectuate Article IX, Sections 3 and 6.

Section 5. Boards; New Appointments

Section 5. 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.

COMMITTEE PROPOSAL No. 34—

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegates Bollinger, Derbes, Elkins, Hardee, Jack, LeBlanc, Leithman, Munson, Perkins, Singletary, Thompson, Velenucci, Warren and Womack (A Substitute for Committee Proposal No. 16):

A PROPOSAL

Making provisions relating to natural resources and environment.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VIII. NATURAL RESOURCES

Section 1. Natural Resources and Environment; Public Policy

Section 1. The natural resources of the state, including air and water, and the healthful, scenic, historic, and esthetic quality of the environment shall be protected, conserved, and replenished insofar as possible and consistent with the health, safety, and welfare of the people. The legislature shall enact laws to implement this policy.

Section 2. Natural Gas

Section 2. (A) Public Policy; Regulation. Natural gas is declared to be affected with a public interest. Notwithstanding any provision of this constitution relative to the powers and duties of the Public Service Commission, the legislature shall exercise by law delegation of authority by the regulatory authority it designates. It may designate the Public Service Commission as the regulatory authority.

(B) Pipelines. No intrastate natural gas pipeline or gas gathering line shall be connected with an interstate natural gas pipeline, and no intrastate natural gas pipeline shall be connected with an intrastate natural gas pipeline, without a certificate of public convenience and necessity issued as provided by law after application for the connection and hearing thereon.

Section 3. Alienable Water Bottoms

Section 3. The legislature shall neither allocate nor authorize the allocation of the bed of a navigable water body, except for purposes of reclamation by the riparian owner to recover land lost through erosion. This Section shall not prevent the leasing of state lands or water bottoms for mineral or other purposes. Except as provided in this Section, the bed of a navigable water body may be reclaimed for public use.

Section 4. Reservation of Mineral Rights; Prescription

Section 4. (A) Reservation of Mineral Rights. The mineral rights on property sold by the state shall be reserved, except when the owner or person having the right to redeem the buyer's interest in the mineral rights at public auction, as required by law.

(B) Prescription. Lands and mineral interests of the state, of a school board, or of a levee district shall not be lost by prescription.

Section 5. Public Notice; Public Bidding Requirements

Section 5. No conveyance, lease, royalty agreement, or unitization agreement involving minerals or mineral rights owned by the state shall be concluded without prior public notice or public bidding as shall be provided by law.

Section 6. Revenues and royalties obtained from minerals located beyond the seaward boundary of the state belong to the state.

Section 7. Offshore Mineral Revenues; Use of Funds

Section 7. Funds derived from offshore mineral leases shall be held in escrow under agreement between the state and the United States pending settlement of the dispute between the states that shall be deposited in the state treasury when received. Upon such settlement, these funds and the interest therefrom, except the portion otherwise allocated or dedicated by this constitution, shall be used by the state treasurer to purchase, retire, or pay in advance of maturity the existing bonded indebtedness of the state or shall be invested with the returns therefrom.

Section 8. Wildlife and Fisheries Commission

Section 8. (A) Members; Terms. The control and supervision of the wildlife of the state, including all aquatic life, is vested in the Louisiana Wildlife and Fisheries Commission. The commission shall be in the executive branch and shall consist of seven members appointed by the governor, subject to confirmation by the Senate. Six members shall serve overlapping terms of six years, and one member shall serve a term concurrent with that of the governor. Three members shall be elected by the coastal parishes and representatives of the commercial fishing and fur industries, and four shall be elected by the state at large other than representatives of the commercial fishing and fur industries, as provided by law. No member who has served six years or more shall be eligible for reappointment.

(B) Duties; Compensation; The functions, duties, and responsibilities of the commission, and the compensation of its members, shall be provided by law.

Section 9. Forestry

Section 9. (A) Forestry; Acreage Taxes. Forestry shall be practiced in the state, and the legislature may enact laws therefor. It may authorize parish governing authorities to tax, by ordinance, the taxable value of taxable, use of the lands and timber within their respective parishes for such purposes as the legislature shall prescribe. The provisions of this Section shall not exempt homesteads from taxation.

(B) Forestry Commission. The practice of forestry is placed...
under the Louisiana Forestry Commission. The commission shall be in the executive branch and shall consist of seven members. The head of the Department of Forestry at Louisiana State University and Agricultural and Mechanical College and the director of the Wildlife and Fisheries Commission shall serve ex officio as members. The governor shall appoint the remaining five members, subject to confirmation by the Senate, for overlapping terms of five years, as provided by law.

(C) State Forester. The commission shall appoint a state forester. He shall be a graduate of an accredited school of forestry and have at least four years of forestry experience, as provided by law.

COMMITTEE PROPOSAL No. 36—
Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 24, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Welles):

A PROPOSAL
Relative to constitutional revision.
Be it adopted by the Constitutional Convention of Louisiana:

ARTICLE XIII. CONSTITUTIONAL REVISION

Section 1. Amendments
Section 1. (A) Procedure. An amendment to this constitution may be proposed by joint resolution at any regular session of the legislature, but the resolution shall be referred, at least ten days before the beginning of the session, in accordance with the rules of the house in which introduced. An amendment to this constitution may be proposed at any extraordinary session of the legislature if it is within the objects of the call of the session and is introduced in the first five calendar days thereof. If two-thirds of the elected members of each house concur in the resolution, pursuant to all of the procedures and formalities required for passage of a bill except submission to the governor, the secretary of state shall have the proposed amendment published once in the official journal of each parish within not less than thirty nor more than sixty days preceding the election at which the proposed amendment shall be submitted. Special elections for submitting proposed amendments may be authorized by law.

(B) Form of Proposal. A proposed amendment shall have a title designed to give a succinct summary of the amendment; shall be confined to one object; and shall set forth the entire article, or the sections or other subdivisions thereof, as proposed to be revised or only the article, sections, or other subdivisions as proposed to be added. However, the legislature may propose, as one amendment, a revision of an entire article of this constitution which may contain multiple objects or changes. A section or other subdivision may be repealed by reference. When more than one amendment is submitted at the same election, each shall be submitted so as to enable the electors to vote on them separately.

(C) Ratification. If a majority of the electors voting on the proposed amendment approve it, the governor shall proclaim as adoption, and it shall become part of this constitution, effective two years after the proclamation, unless the amendment provides otherwise. A proposed amendment directly affecting not more than five parishes or areas within not more than five parishes shall become part of this constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each affected parish. However, a proposed amendment directly affecting not more than five municipalities, and only such municipalities, shall become part of this constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each such municipality.

Section 2. Constitutional Convention
Section 1. The convention may be called to revise this constitution or propose a new constitution, it may provide for the calling of a constitutional convention by law enacted by two-thirds of the elected members of each house. The revision or the proposed constitution and any alternative propositions agreed upon by the convention shall be submitted to the people for their ratification or rejection. If the proposal is approved by a majority of the electors voting thereon, the governor shall proclaim it to be the Constitution of Louisiana.

Section 3. Laws Effectuating Amendments
Section 3. Whenever the legislature shall submit amendments to this constitution, it may at the same session enact laws to carry them into effect, to become operative when the proposed amendments have been ratified.

Respectfully submitted,
MOISE W. DENNERY
Secretary.

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:
I submit the following report:
That the following Delegate Proposal has been properly enrolled in final form:

DELEGATE PROPOSAL No. 22—
Introduced by Delegates Conroy and Newton:
A PROPOSAL
To provide for the prohibition of certain enumerated local and special laws.
Be it adopted by the Constitutional Convention of Louisiana:

ARTICLE III. LEGISLATIVE BRANCH

Section 12. Prohibited Local and Special Laws
Section 12. (A) Prohibitions. Except as otherwise provided in this constitution, the legislature shall not pass a local or special law:
(1) For the holding and conducting of elections, or fixing or changing the place of voting.
(2) Changing the names of persons; authorizing the adoption or legitimation of children or the emancipation of minors; affecting the estates of minors or persons under disabilities; granting divorces; changing the law of descent or succession; enacting laws to give effect to informal or invalid wills or deeds or to any illegal disposition of property.
(3) Concerning any civil or criminal actions, including changing the venue in civil or criminal cases, or regulating the practice or jurisdiction of any court, or changing the rules of evidence in any judicial proceeding or inquiry before courts, or providing or changing methods for the collection of debts or the enforcement of judgments, or prescribing the effects of judicial sales.
(4) Authorizing the laying cut, opening, closing, altering, or maintaining of roads, highways, streets, or alleys; relating to ferries and bridges, or incorporating bridge or ferry companies, except for the erection of bridges crossing streams which form boundaries between this and any other state; authorizing the controlling of street passenger railroads in any incorporated town or city.
(5) Exempting property from taxation; extending the time for the assessment or collection of taxes; relieving an assessor or collector of taxes from the performance of his official duties or of his duties, or from any consequences therefrom; relieving the successor or successors, or any of his subordinates from the execution of any duty; paying any claim not otherwise provided for; remitting fines, penalties, and forfeitures; refunding moneys legally paid into the treasury.
(6) Regulating labor, trade, manufacturing, or agriculture; fixing the rate of interest.
(7) Creating private corporations, or amending, renewing, extending, or explaining the charters thereof; granting to any private corporation, association, or individual any special or exclusive right, privilege, or immunity.
(8) Regulating the management of parish or city public schools, the building or repairing of parish or city schoolhouses, and the raising of money for such purposes.
(9) Legalizing the unauthorized or invalid acts of any
officer, employee, or agent of the state, its agencies, or political subdivisions.


Additional Prohibition. The legislature shall not indirectly enact special or local laws by the partial repeal or suspension of a general law.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegation Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposals have been properly enrolled in final form:

COMMITTEE PROPOSAL No. 15


A PROPOSAL

Relative to the tax structure of the state and to public finance.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XI. REVENUE AND FINANCE

Section 1. Power to Tax: Public Purpose

Section 1. Except as otherwise provided by this constitution, the power of taxation shall be vested in the legislature, which shall never be surrendered, suspended, or contracted away, and shall be exercised for public purposes only.

Section 2. Power to Tax: Limitation

Section 2. The levy of a new tax, an increase in an existing tax, or a repeal of an existing tax exemption shall require the enactment of a law by two-thirds of the elected members of each house of the legislature.

Section 3. Collection of Taxes

Section 3. The legislature shall prohibit the issuance of process to restrain the collection of any tax. It shall provide a complete and adequate remedy for the prompt recovery of an illegal tax paid by a taxpayer.

Section 4. Income Tax; Severance Tax; Political Subdivisions

Section 4. (A) Income Tax. Equal and uniform taxes may be levied on net incomes, and these taxes may be graduated according to the amount of net income. However, the state individual and joint income tax schedule of rates shall never exceed the rates set forth in Title 47, Section 32 of the Louisiana Revised Statutes on January 1, 1974. Federal income taxes paid shall be allowed as a deductible item in computing state income taxes for the same period.

(B) Severance Tax. Taxes may be levied on natural resources severable from the soil or water, to be paid proportionately by the owners thereof at the time of severance. Natural resources may be classified for the purpose of taxation. Such taxes may be predicated upon either the quantity or value of the products at the time and place of severance. No further or additional tax or license shall be levied or imposed upon oil, gas, or sulphur less than or rights. No additional value shall be added to the assessment of land by reason of the presence of oil, gas, or sulphur therein or their production therefrom. However, sulphur in place shall be assessed for ad valorem taxation to the person, firm, or corporation having the right to mine or produce the same in the parish where located, at no more than twice the total assessed value of the physical property subject to taxation, excluding the assessed value of sulphur above ground, as is used in sulphur operations in such parish. Likewise, the severance tax shall be the only tax on timber; however, standing timber shall be liable equally with the land on which it stands for ad valorem taxes levied on the land.

(C) Severance Tax; Political Subdivisions. A political subdivision of the state shall not levy a severance tax, income tax, or tax on motor fuel.

(D) Severance Tax Allocation. One-third of the sulphur severance tax, but not to exceed one hundred thousand dollars; one-fifth of the severance tax on all natural resources, other than sulphur or timber, but not to exceed five hundred thousand dollars; and three-fourths of the timber severance tax shall be remitted to the governing authority of the parish in which severance or production occurs.

(E) Royalties Allocation. One-tenth of the royalties from mineral leases on state-owned land, lake and river beds and other water bottoms belonging to the state or the title to which is in the public for mineral development shall be remitted to the governing authority of the parish in which severance or production occurs. A parish governing authority may fund these royalties into general obligation bonds of the parish in accordance with law. The provisions of this Paragraph shall not apply to properties comprising the Russell Sage Wildlife and Game Refuge.

Section 5. Motor Vehicle License Tax

Section 5. The legislature shall impose an annual license tax of $20.00 on automobiles for private use, and on other motor vehicles, an annual license tax based upon horsepower, carrying capacity, weight, or any of these. No parish or municipality may impose a license fee on motor vehicles.

Section 6. State Debt; Political Obligations

Section 6. (A) Authority. Unless authorized by this constitution, the state shall have no power, directly or indirectly, or through any state board, agency, commission, or otherwise, to incur debt or issue bonds except by laws adopted by two-thirds of the elected members of each house of the legislature. The debt may be incurred or the bonds issued only if the funds are to be used to repel invasion; suppress insurrection; provide relief from natural catastrophes; refund outstanding indebtedness at the same or a lower effective interest rate; or make capital improvements, but only in accordance with a comprehensive capital budget, which the legislature shall adopt.

(B) Capital Improvements. If the purpose is to make capital improvements, the nature and location and, if more than one project, the amount allocated to each and the order of priority shall be stated in the comprehensive capital budget which the legislature adopts.

(C) Full Faith and Credit. The full faith and credit of the state shall be pledged to the payment of all bonds or other evidences of indebtedness issued by the state directly or through any state board, agency, or commission. The full faith and credit of the state is not hereby pledged to the repayment of bonds of a levee district, political subdivision, or local public agency.

(D) Referendum. The legislature, by law enacted by two-thirds of the elected members of each house, may propose a statewide public referendum to authorize incurrence of debt for any purpose for which the legislature is not herein authorized to incur debt.

(E) Exception. Nothing in this Section shall apply to any levee district, political subdivision, or local public agency unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district, political subdivision, or local public agency.

Section 7. State Debt; Interim Emergency Board

Section 7. (A) Composition. The Interim Emergency Board is created. It shall be composed of the governor, lieutenant governor, state treasurer, presiding officer of each house of the legislature, chairman of the Senate Finance Committee, and chairman of the House Appropriations Committee, or their designees.

(B) Powers. Between sessions of the legislature, when the board by majority vote determines that an emergency exists, it may appropriate from the state general fund or borrow on the full faith and credit of the state an amount to meet the emergency. The appropriation may be used only for the indebtedness incurred only for a purpose for which the legislature may appropriate funds and then only after the board obtains, as provided by law, the written consent of two-thirds of the elected members of each house of the legislature. For the
purposes of this Paragraph, an emergency is an event or occurrence not reasonably anticipated by the legislature.

(C) Limits. The aggregate of indebtedness outstanding at any one time and the amount appropriated from the state general fund for the current fiscal year under the authority of this Section shall not exceed one-tenth of one percent of total state revenue receipts for the previous fiscal year.

(D) Allocation. An amount sufficient to pay indebtedness incurred during the preceding fiscal year under the authority of this Section shall be allocated, as a first priority, each year from the state general fund.

Section 8. State Bond Commission

Section 8. (A) Creation. The State Bond Commission is created. Its membership and authority shall be determined by law.

(B) Approval of Bonds. No bonds or other obligations shall be issued or sold by the state, directly or through any state board, agency, or commission, or by any political subdivision of the state, unless prior written approval of the bond commission is obtained.

(C) Contesting State Bonds. Bonds, notes, certificates, or other evidences of indebtedness of the state (hereafter referred to as "bonds") shall not be invalid because of any irregularity or defect in the proceedings or in the issuance and sale thereof and shall be incontestable in the hands of a bona fide purchaser or holder. The issuing agency, after authorization of the bonds by resolution, shall publish once in the official journal of the state, as provided by law, a notice of intention to issue the bonds. The notice shall include a description of the bonds and the security therefor. Within thirty days after the publication, any person in interest may contest the validity of the resolution, any provision of the bonds issued pursuant to it, the provisions securing the bonds, and the validity of all other proceedings and provisions relating to the authorization and issuance of the bonds. If no action or proceeding is instituted within the thirty days, persons may contest the validity of the bonds, the provisions of the resolution pursuant to which the bonds were issued, the security of the bonds, or the validity of any other provisions or proceedings relating to their authorization and issuance, and the bonds shall be presumed conclusively to be legal. Thereafter no court shall have authority to inquire into such matters.

Section 9. State Funds

Section 9. (A) Deposit in State Treasury. All money received by the state or by any state board, agency, or commission, or by any political subdivision of the state, whether deposited in the state treasury, except that received:

1. as a result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise;
2. by trade or professional associations;
3. by the employment security administration fund or its successor;
4. by retirement system funds; and
5. by state agencies operating under authority of this constitution preponderantly from fees and charges for the shipment of goods in international maritime trade and commerce.

(B) Bond Security and Redemption Fund. Subject to contractual obligations existing on the effective date of this constitution, any money not otherwise credited in the state treasury shall be credited to a special fund designated as the Bond Security and Redemption Fund, except money received as the result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise. In each fiscal year an amount is allocated from the bond security and redemption fund sufficient to pay all obligations which are secured by the full faith and credit of the state and which become due and payable within the current fiscal year, including principal, interest, premiums, sinking or reserve fund, and other requirements. Thereafter, except as otherwise provided by law, money remaining in the fund shall be credited to the state general fund.

(C) Exception. Nothing in this Section shall apply to a levee district or political subdivision unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district or political subdivision.

Section 10. Expenditure of State Funds

Section 10. (A) Appropriations. Except as otherwise provided by this constitution, money shall be drawn from the state treasury only pursuant to an appropriation made in accordance with law.

(B) Balanced Budget. Total appropriations by the legislature for any fiscal year shall not exceed anticipated state revenues for that fiscal year.

(C) Publication. The legislature shall have published a regular statement of the receipts and expenditures of all state money at intervals of not more than one year.

(D) Public Purpose. No appropriation shall be made except for a public purpose.

Section 11. Budget

Section 11. (A) Operating Budget. The governor shall submit to the legislature, at a time fixed by law, a budget estimate for the next fiscal year setting forth all proposed state expenditures and anticipated state revenues. He shall cause to be submitted a general appropriation bill for proposed ordinary operating expenditures and, if necessary, a bill or bills to raise additional revenues.

(B) Capital Budget. The governor shall submit to the legislature, at each regular session, a proposed five-year capital outlay program and request implementation of the first year of the program. Capital outlay projects approved by the legislature shall be made a part of the comprehensive state capital budget, which shall be adopted by the legislature.

Section 12. Reports and Records

Section 12. Reports and records of the collection, expenditure, investment, and use of state money and those relating to state obligations shall be matters of public record, except records of taxpayers and of the department of public safety.

Section 13. Investment of State Funds

Section 13. All money in the custody of the state treasurer which is available for investment shall be invested as provided by law.

Section 14. Donation, Loan, or Pledge of Public Credit

Section 14. (A) Prohibited Uses. Except as otherwise provided by this constitution, the funds, credit, property, or things of value of the state or of any political subdivision shall not be loaned, pledged, or guaranteed in any way, and no public or private pledge of the public credit shall be made, unless all matters pertaining to such pledge are fully and impartially investigated, and are made public, for the benefit of the taxpayers and of any person, institution, or corporation, public or private.

(B) Authorized Uses. Nothing in this Section shall prevent the state or any political subdivision from taking any of the following actions:

1. The state or any political subdivision may contract debts and issue securities for the purpose of refunding obligations heretofore incurred or contracted for the purpose of refunding such obligations, and may issue securities for any other purpose authorized by law.
2. The state or any political subdivision may enter into any contract, agreement, or arrangement, and may purchase or accept as gifts, bequests, devises, or donations from any public or private sources, any property or assets for public purposes, and may acquire such property or assets directly or by condemnation, and may hold the same in such a manner that title thereto vest in the state or any political subdivision and that such property or assets may be sold or otherwise disposed of in the manner prescribed by law, and the proceeds of any sale or other disposition shall be available for public purposes.
3. The state or any political subdivision may sell, lease, or otherwise dispose of any property or assets in such manner as the legislature may provide, and the proceeds of any sale or other disposition shall be available for public purposes.
4. The state or any political subdivision may make gifts, bequests, devises, donations, or transfers of property or assets to any public or private corporation, public or private.
5. The state or any political subdivision may enter into any contract, agreement, or arrangement, and may purchase or accept as gifts, bequests, devises, or donations from any public or private sources, any property or assets for any purpose, and may acquire such property or assets directly or by condemnation, and may hold the same in such a manner that title thereto vest in the state or any political subdivision and that such property or assets may be sold or otherwise disposed of in the manner prescribed by law, and the proceeds of any sale or other disposition shall be available for public purposes.

Section 15. Release of Obligations to State, Parish, or Municipality

Section 15. (A) Release. The legislature shall have no power to release, extinguish, or authorize the releasing or extinguishing of any indebtedness, liability, or obligation of a corporation, individual, or entity to the state, a parish, or a municipality. However, the legislature, by law, may establish a system under which claims by the state or a political subdivision may be compromised, and may provide for the release of heirs to confiscated property from taxes due thereon at the time of its reversion to the state.
forgotten or adjudicated to the state for nonpayment of taxes due prior to January 1, 1880, and the state did not sell or dispose of it or dispossess the tax debtor or his heirs, successors, or assigns prior to the adoption of the Constitution of 1921, shall be presumed conclusively that the forfeiture or adjudication was irregular and null or that the property has been redeemed. The state and its assigns shall be estopped forever from claiming any title to the property because of such forfeiture or adjudication.

Section 10. Taxes; Prescription

Section 16. (A) Prescription. Taxes, except real property taxes, and licenses shall prescribe in three years after the thirty-first day of December in the year in which they are due, the injunction may be interrupted or suspended as provided by law.

(B) Tidelands. No state, district, parish, or other tax, license, fee, or assessment of any kind, and interest charges and penalties attaching thereto, which are imposed, due, or collectible on any property, minerals or the seavage therefor of, due or payable by any person, firm, or corporation on any business operation or activity within the tidelands area in dispute between the state and the United States and within the state’s historic gulfland boundary three leagues from cost, as established and defined by the Act of Cong. of April 8, 1812, which admitted this state into the Union, and as redefined in Louisiana Act No. 33 of 1954 shall prescribe until three years after the thirty-first day of December in the year in which the controversy existing between the United States and this state over the state gulfland boundary is finally resolved and settled in accordance with law. However, no interest charge or penalty shall be assessed or collected on any such tax, license, fee, or assessment if it is paid within one year after the thirty-first day of December in the year in which the controversy is finally resolved and settled.

Section 17. Legislation to Obtain Federal Aid

Section 17. The legislature may enact laws to enable the state board, committee, and political subdivisions and their agencies to comply with federal laws and regulations in order to secure federal participation in funding capital improvement projects.

COMMITTEE PROPOSAL No. 17

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelan, Conino, D’Gerolamo, Fewler, Giarusso, Hayes, Heine, J. Jackson, Keen, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Uilo and Zervigon:

A PROPOSAL

Making general provisions for local and parochial governments, and districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VI. LOCAL GOVERNMENT

PART I. GENERAL PROVISIONS

Section 1. Parishes

Section 1. (A) Parishes and Boundaries Ratified. Parishes and their boundaries as established on the effective date of this constitution are recognized and ratified.

(B) Dissolution; Merger; Boundaries. The legislature by law may establish and organize new parishes, dissolve and merge parishes, and change parish boundaries if approved by two-thirds of the electors in each parish affected voting thereon at an election held for that purpose.

(C) Change of Parish Seat. The governing authority of a parish may call an election on the question of changing the parish seat. The parish seat shall be changed if approved by two-thirds of the electorate at the adoption of the Constitution of the parish or parishes from which the territory is taken.

Section 2. Municipalities

Section 2. The legislature shall provide by general law for the incorporation, consolidation, merger, and government of municipalities. No local or special law shall create a municipal corporation or amend, modify, or repeal a municipal charter. However, a special legislative charter existing on the effective date of this constitution may be amended, modified, or repealed by local or special law.

Section 3. Classification

Section 3. The legislature may classify parishes or municipalities according to the provisions of this constitution, and may adopt, in its discretion, classifications of parishes or municipalities other than the one set forth in this Constitution.

Section 4. Existing Home Rule Charters and Plans of Government

Section 4. Every home rule charter or plan of government existing or adopted when this constitution is adopted shall remain in effect and may be amended, modified, or repealed therein. Except as inconsistent with this constitution, each local governmental subdivision which was adopted a home rule charter or plan of government shall retain the powers, functions, and duties in effect when this constitution is adopted, and each of them shall also have the right to powers and functions granted to other governmental subdivisions.

Section 5. Home Rule Charter

Section 5. (A) Authority to Adopt; Commission. Subject to and not inconsistent with this constitution, any local governmental subdivision may adopt, or amend a home rule charter in accordance with this Section. The governing authority of a local governmental subdivision may appoint a commission to prepare and propose a charter or an alternate charter, or it may call an election to elect such charter.

(B) Petition to Elect Commission. The governing authority shall call an election to elect such a commission if the petition to organize such a commission is presented with a petition signed by not less than ten percent of the electors or ten thousand electors, whichever is fewer, who live within the boundaries of the affected subdivision, as certified by the registrar of voters.

(C) Adoption by Electors; Adoption; Repeal. A home rule charter shall be adopted, amended, or repealed when approved by a majority of the voters voting thereon at an election held for that purpose.

(D) Adoption by Two or More Local Governmental Subdivisions. Two or more local governmental subdivisions within the boundaries of a parish may adopt a home rule charter under this Section if approved by a majority of the voters in each affected local governmental subdivision voting thereon in an election held for that purpose. The legislature shall provide by law the method of appointment or election of a commission to prepare and propose a charter consistent with Paragraph (A) of this Section and the method by which the electors may petition for an election consistent with Paragraph (B) of this Section. However, not one member of the commission shall be elected or appointed from each affected local governmental subdivision.

(E) Structure and Organization; Powers; Functions. A home rule charter adopted under this Section shall provide the structure and organization and powers, and functions of the governing authority of the subdivision which may include the exercise of any power and performance of any function necessary, requisite, or proper for the management of its affairs, not denied by general law or inconsistent with this constitution.

(F) Additional Powers and Functions. Except as prohibited by its charter, a local governmental subdivision adopting a home rule charter under this Section shall have the additional powers and functions granted to local governmental subdivisions by this constitution.

(G) Parish Officials and School Boards Not Affected. No home rule charter or plan of government shall contain any provision affecting a school board or the offices of district attorney, sheriff, assessor, clerk of a district court, or coroner, which is inconsistent with this constitution or law.

Section 6. Home Rule Charter or Plan of Government; Action by Legislature Prohibited

Section 6. The legislature shall not enact any law the effect of which changes or affects the structure and organization or the particular distribution and redistribution of the powers and functions of any local governmental subdivision which operates under a home rule charter.

Section 7. Powers of Other Local Governmental Subdivisions

Section 7. (A) Powers and Functions; Subject to and not inconsistent with this constitution, the governing authority of another governmental subdivision which has a home rule charter or plan of government may 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, if a majority of the electors voting in an election held for that purpose ratify the proposition that the governing authority may exercise such general powers. Otherwise, the local governmental subdivision shall have the powers authorized by this constitution or by law.

Section 9. (A) Limitations. No local governmental subdivision shall (1) define and provide for the punishment of a felony; or (2) except as provided by law, enact an ordinance governing private or civil relationships.

Section 10. Compensations or methods of fixing the compensation of an elected official of a local governmental subdivision which operates under a home rule charter or plan of government, as provided in Sections 4 and 5 of this Article, shall be provided in its charter. The compensation or method of fixing the compensation of an elected official of any other local governmental subdivision shall be provided by law. Compensation of a local official shall not be reduced during the term for which he is elected.

Section 11. Vacancy; Appointment. Except as otherwise provided by this constitution, a vacancy in any local office filled by election wholly within the boundaries of a local governmental subdivision or a school district shall be filled by appointment by the particular governing authority of the local governmental subdivision or school district in which the vacancy occurs, until it is filled by election as provided by law.

Section 12. No law requiring increased expenditures for wages, hours, working conditions, pension and retirement benefits, vacation, or sick leave benefits of political subdivision employees, except a law providing for civil service minimum wages, working conditions, and retirement benefits for firemen and municipal policemen, shall become effective until approved by ordinance enacted by the governing authority of the affected political subdivision or until the legislature by law has provided in its general laws sufficient funds to the political subdivision and only to the extent and amount that such funds are provided. This Section shall not apply to a school board.

Section 13. Local Governmental Subdivisions; Control Over Agencies

The governing authority of a local governmental subdivision shall have general power over any agency heretofore or hereafter created by it, including, without limitation, the power to abolish the agency and require prior approval of any charge or tax levied or bond issued by the agency.

Section 14. Special Districts and Local Public Agencies

(A) Consolidation. A local governmental subdivision may consolidate and merge into itself any special districts and local public agency, except a school district situated and having jurisdiction entirely within the boundaries of the local governmental subdivision. Upon the consolidation and merger, the local governmental subdivision shall succeed to and be entitled to all real and personal property, rights, franchises, jurisdiction, authority, and powers of the special district or local public agency. A consolidation and merger shall become effective only if approved by a majority of the electors voting thereon in the local governmental subdivision and by a majority of the electors voting thereon in the affected special district. A local public agency shall be consolidated and merged only if approved by a majority of the electors voting thereon in an election held for that purpose in the local governmental subdivision in which the agency is located.

(B) Assumption of Debt. If the special district or local public agency which is consolidated and merged has outstanding indebtedness, the authority provided by this Section shall not be exercised unless a referendum of the electors of the local governmental subdivision involved is made for the assumption of the indebtedness by the governing authority of the local governmental subdivision involved.

Section 15. Land Use; Zoning; Historic Preservation

Section 16. Subject to the provisions of this Section, any local governmental subdivision may (1) adopt regulations for land use, zoning, and historic preservation, which authority is declared to be a public purpose; (2) create commissions and districts to implement those regulations; (3) make exceptions in any provisions of the applicable standards for use, construction, demolition, and modification of areas and structures. Existing constitutional authority for historic preservation commissions is retained.

Section 17. Industrial Area

(A) Authorization. The legislature by law may authorize parishes to create and define industrial areas within their boundaries in accordance with procedures and subject to regulations which it determines. An industrial area shall not be a political subdivision of the state.

Section 18. Public Roads by Public Agencies

When an industrial area is so created, provision shall be made for access by public roads to every entrance to the premises of every plant in the area, which is provided for use by employees of the company. Such roads shall be owned and maintained by independent contractors working on the premises, or for delivery of materials or supplies, other than by rail or water transportation, to the premises. Police protection provided by any plant in an industrial area shall be confined to the premises of that plant.

Section 19. Special Districts; Creation

Section 20. Intergovernmental Cooperation

Section 21. Assistance to Local Industry

(A) Authorization. In order to (1) induce and encourage the location of or addition to industrial enterprises which would have economic impact upon the area and thereby the state, (2) provide for the establishment and furnishing of such industrial plant, or (3) provide movable or immovable property, or both, for pollution control facilities, the legislature by law may authorize, subject to restrictions it may impose, any political subdivision, deepwater port commission, or deep water port, harbor, and terminal district to

(a) issue bonds, subject to approval by the State Bond Commission or its successor, and use the funds derived from the sale of the bonds to acquire and improve industrial
118th Days Proceedings—January 15, 1974

plant sites and other property necessary to the purposes thereof;
(b) acquire, through purchase, donation, exchange, and (subject to Article I, Section 4) expropriation, and improve industrial plant buildings and industrial plant equipment, machinery, furnishings, and appurtenances; and
(c) sell, lease, lease-purchase, or demolish all or any part of the foregoing.
(B) Property Expropriated; Sale to Aliens Prohibited. No property expropriated under the authority of this Section shall ever, directly or indirectly, be sold or donated to any foreign power, any alien, or any corporation in which the majority of the stock is controlled by any foreign power, alien corporation, or alien.
(C) Exception. This Section shall not apply to a school board.

Section 22. Procedure for Certain Special Elections

Section 22. When an election is required in a political subdivision under the provisions of this constitution which require a vote to the electors of a proposition or question, the election shall be called, conducted, and the returns thereof canvassed, in accordance with the procedures established by the law then in effect pertaining to elections for the subdivision (indebtedness and special taxes relative to local finance, or as may be otherwise provided by law.

Section 23. Acquisition of Property

Section 23. Subject to and not inconsistent with this constitution and subject to restrictions provided by general laws, the governing authority may acquire property for any public purpose by purchase, donation, expropriation, exchange, or otherwise.

Section 24. Servitudes of Way; Acquisition by Prescription

Section 24. The public, represented by local governmental subdivision, may acquire servitudes of way by prescription in the manner prescribed by law.

Section 25. Prescription Against State

Section 25. Prescription shall not run against the state in any civil matter, unless otherwise provided in this constitution or expressly by law.

Section 26. Courts Not Affected

Section 26. Notwithstanding any provision of this Article, courts and their officers may be established or affected only as provided in Article V of this constitution.

PART II. FINANCE

Section 27. Parish Ad Valorem Tax

Section 27. (A) Parish Tax for General Purposes; Millage Limits. The governing authority of a parish may levy annually an ad valorem tax for general purposes not to exceed four mills on the dollar of assessed valuation. However, in Orleans Parish the limitation shall be seven mills, and in Jackson Parish the limitation shall be five mills. Millage rates may be increased in any parish when approved by a majority of the electors voting thereon in an election held for that purpose.

(B) Millage Increase Not For General Purposes. When the millage increase is for other than general purposes, the proposition shall state the specific purpose or purposes for which the tax is to be levied and the length of time the tax is to remain in effect. All proceeds of the tax shall be expended solely for the purpose or purposes set forth in the proposition.

(C) Parish Tax in Municipality. The amount of the parish tax for general purposes which any parish, except Orleans Parish, may levy, without a vote of the electors, on property located wholly within any municipality which has a population exceeding one thousand inhabitants according to the last federal decennial census, or other census authorized by law, and which provides and maintains a system of street paving and shall not exceed one-half the tax levy for general purposes.

(D) Withdrawal from Parish Taxing Authority. This Section shall not affect the withdrawal of property in a municipality from the parish taxing authority, in whole or in part, by a provision of the legislative charter of a municipality in effect on the effective date of this constitution.

Section 28. Municipal Ad Valorem Tax

Section 28. (A) Municipal Tax for General Purposes; Millage Limits; Increase. The governing authority of a municipality may levy annually an ad valorem tax for general purposes not to exceed seven mills on the dollar of assessed valuation. However, if a municipality, by its charter or by law, is exempt from payment of parish taxes or, under legislative or constitutional authority, maintains its own public schools, it may levy an annual tax not to exceed one-half of the dollar of assessed valuation rates may be increased in any municipality when approved by a majority of the electors voting thereon in an election held for that purpose.

(B) Millage Increase Not For General Purposes. When the millage increase is for other than general purposes, the proposition shall state the specific purpose or purposes for which the tax is to be levied and the length of time the tax is to remain in effect. All proceeds of the tax shall be expended solely for the purpose or purposes set forth in the proposition.

(C) Exception. This Section shall not apply to the city of New Orleans.

Section 29. Local Governmental Subdivisions; Occupational License Tax

Section 29. The governing authority of a local governmental subdivision may impose an occupational license tax not greater than that imposed by the state. Those who pay a maximum occupational license tax shall be exempt from a parish occupational license tax in the amount of the municipal tax. The governing authority of a local governmental subdivision may impose an occupational license tax greater than that imposed by the state when authorized by law enacted and accepted by the favorable vote of two-thirds of the elected members of each house of the legislature.

Section 30. Local Governmental Subdivisions and School Boards; Sales Tax

Section 30. (A) Sales Tax Authorized. Except as otherwise authorized in a home rule charter as provided for in Section 4 of this Article, the governing authority of any local governmental subdivision or school board may levy and collect a tax upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services as defined by law, if approved by a majority of the voters voting thereon in an election held for that purpose. The rate thereof, when combined with the rate of all other sales and use taxes, exclusive of state sales and use taxes, levied and collected within any local governmental subdivision, shall not exceed three percent.

(B) Additional Sales Tax Authorized. However, the legislature, by general or by local or special law, may authorize the imposition of additional sales and use taxes by local governmental subdivisions or school boards, if approved by a majority of the electors voting thereon in an election held for that purpose.

(C) Bonds; Security. Nothing in this Section shall affect any sales or use tax authorized or imposed on the effective date of this constitution or affect or impair the security of any bonds payable from the proceeds of the taxation of sales. Except: (1) Exemptions; (2) Expiration of Bonds. Except when bonds secured thereby have been authorized, the legislature by law may uniformly exempt or exclude any goods, tangible personal property, or services from sales or use taxes levied by local governmental subdivisions, school boards, and the state.

Section 31. Political Subdivisions; Taxing Power

Section 31. A political subdivision may exercise the power of taxation, subject to limitations elsewhere provided by this constitution, under authority granted by law. Municipal, other local purposes, strictly public in their nature. This Section shall not affect similar grants to political subdivisions under self-operative sections of this constitution.

Section 32. Taxes; Ratification

Section 32. Any tax validly being levied by a political subdivision under prior legislative or constitutional authority on the effective date of this constitution is ratified.

Section 33. Specials; Authorization

Section 33. For the purpose of acquiring, constructing, improving, maintaining, or operating any work of public improvement, a political subdivision may levy special taxes when authorized by a majority of the electors in the political subdivision who vote thereon in an election held for that purpose.

Section 34. Political Subdivisions; General Obligation Bonds

Section 34. (A) Authorization. Subject to approval by the State Bond Commission or its successor, general obligation bonds may be issued only after authorization by a majority
of the voters voting on the proposition at an election in the political subdivision issuing the bonds. Bonds to refund outstanding indebtedness at the same or at a lower effective rate of interest, even though payable solely from ad valorem taxes, need not be authorized at an election if the indebtedness refunding is paid at the time of the delivery of the refunding bonds, or if money, or securities made eligible for such purpose by law, are deposited in escrow in an adequate amount, with interest, to be utilized solely to retire the refunded indebtedness or bonds and to pay interest thereon and redemption premiums, if any, to the time of retirement.

(B) Full Faith and Credit. The full faith and credit of a political subdivision is hereby pledged to the payment of general obligation bonds issued by it under this constitution or the statute or proceedings pursuant to which they are issued. The governing authority of the issuing political subdivision shall levy and collect or cause to be levied and collected on all taxable property in the political subdivision ad valorem taxes sufficient to pay principal and interest and redemption premiums, if any, on such bonds as they mature.

Section 35. Limitations on Bonded Indebtedness
Section 35. The legislature by law shall fix the limitation on bonded indebtedness payable solely from ad valorem taxes levied by political subdivisions.

Section 36. Contesting Political Subdivision Bonds
Section 36. (A) Contesting Election; Time Limit. For sixty days after promulgation of the result of an election held to authorize the issuance of a bond, issuer, or levying a tax, any person in interest may contest the legality of the election, the bond issue provided for, or the tax authorized, for any cause. After that time no one shall have any cause or right of action to contest the legality, or the validity of the election, tax provisions, or bond authorization, for any cause whatsoever. If the validity of any election, tax, debt assumption, or bond issue authorized or provided for is not raised within the sixty days, the authority to incur or assume debt, or to levy a tax, or to make the bonds, the legal rate thereof, and the taxes and other revenues necessary to pay the same shall be conclusively presumed to be valid, and no court shall have authority to inquire into such matters.

(B) Contesting Ordinance or Resolution; Time Limit. Every ordinance or resolution authorizing the issuance of bonds or other debt obligation by a political subdivision shall be published at least once in the official journal of the political subdivision or, if there is none, in a newspaper having general circulation within the political subdivision. After the date of publication, any person in interest may contest the legality of the ordinance or resolution and of any provision therein made for the security and payment of the bonds. After that time, no one shall have any cause or right of action to contest the legality, or the validity of the ordinance or resolution, and provisions thereof for any cause whatever. Thereafter, it shall be conclusively presumed that every legal requirement for the issuance of the bonds or other debt obligation, including all things pertaining to the election, if any, at which the bonds or other debt obligation were authorized, has been complied with. No court shall have authority to inquire into any of these matters after the thirty days.

Section 37. Local Improvement Assessments
Section 37. (A) Authorization. The legislature shall provide by law for the payment of interest on the bonds of a political subdivision by which a political subdivision may levy and collect local or special assessments on real property for the purpose of acquiring, constructing, or improving works of public improvement.

(B) Certificates of Indebtedness; Security. Certificates of indebtedness may be issued to cover the cost of any such public improvement. They shall be secured by the pledge of the local or special assessments levied therefor and may be further secured by the pledge of the full faith and credit of the political subdivision.

(C) Exception. This Section shall not apply to a school board.

Section 38. Revenue-Producing Property
Section 38. (A) Authorization. The legislature by law may authorize political subdivisions to issue bonds or other debt obligations to construct, acquire, extend, or improve any revenue-producing public utility or work of public improvement. The bonds or other debt obligations may be secured by mortgage on the lands, buildings, machinery, and equipment of the political subdivision, or the pledge of the income and revenues of the public utility or work of public improvement. They shall not be a charge upon the other income and revenues of the political subdivision.

(B) Exception. This Section shall not apply to a school board.

PART III LEVEE DISTRICTS

Section 39. Levee Districts
Section 39. (A) Retention; Reorganization; Consolidation. Levee districts as organized and constituted on January 1, 1974 shall continue to exist, except that

(1) The legislature may provide by law for the consolidation, reorganization of existing levee districts or may create new levee districts. However, members of the board of commissioners of a district heretofore or hereafter created shall be appointed or elected from among residents of the district.

(2) A levee district whose flood control responsibilities are limited to and which is situated entirely within one parish may be consolidated and merged into such parish under the terms and conditions and in the manner provided in Section 16, Article X of this Constitution.

(B) Obligation of Contract Affirmed. No action taken under this Section shall impair the obligation of outstanding bonded indebtedness or of any other contract of a levee district.

Section 40. Levee District Taxes
Section 40. (A) District Tax; Millage Limit. For the purpose of constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection, and for all other purposes incidental thereto, the governing authority of a levee district may levy an annual tax not to exceed five mills, except the Board of Levee Commissioners of the Orleans Levee District which may levy annually a tax not to exceed two and one-half mills, on the dollar of the assessed valuation of all taxable property situated within the alluvial portions of the district subject to overflow.

(B) Millage Increase. If the necessity to raise additional funds arises in any levee district for any purpose set forth in Paragraph (A), or for any other purpose related to its authorized powers and functions as specified by law, the tax may be increased. However, the necessity and the rate of the increase shall be submitted to the electors of the district, and the tax increase shall take effect only if approved by a majority of the electors voting thereon in an election held for that purpose.

Section 41. Bond Issues
Section 41. (A) Authorization. Subject to approval by the State Bond Commission or its successor, the governing authority of a levee district may fund the proceeds of its taxes or other revenue into bonds or other evidence of indebtedness. Proceeds thus derived shall be used for the purposes mentioned in Part III of this Article or for the funding or payment of any outstanding indebtedness.

(B) Sale. Bonds issued under the authority of Paragraph (A) shall be sold as provided by law concerning the issuance of bonds by levee districts.

Section 42. Cooperation with Federal Government
Section 42. The governing authority of any levee district may cooperate with the federal government in constructing and maintaining levees in this state, under terms and conditions provided by the federal law or regulations adopted by the governing authority.

Section 43. Compensation for Property Used or Destroyed; Tax
Section 43. (A) Notwithstanding any contrary provision of the constitution, lands and improvements thereon hereafter actually used or destroyed for levees or levee drainage purposes shall be paid for as provided by law. However, nothing contained in this Paragraph with respect to compensation for lands and improvements shall apply to batture or to property the eminent domain of which is vested in the state or any political subdivision for the purpose of commerce. If the district has no other funds or resources from which the payment may be made, it shall levy on all taxable property within the district a tax sufficient to pay for or to be used solely in the district where collected.

(B) Appropriation. Nothing in this Paragraph shall prevent the appropriation of such property before payment.
PAGE 40

118th Days Proceedings—January 15, 1974

PART IV. PORT COMMISSIONS AND DISTRICTS

Section 44, Port Commissions and Districts

Section 44. All deep-water port commissions and all deep-water port, harbor, and terminal districts as organized and constituted on January 1, 1974, including their powers and functions, structure and organization, and territorial jurisdiction, are ratified and confirmed and shall continue to exist, except that,

(1) The legislature by law may grant additional powers and functions to any such commission or district and may create new port commissions or port, harbor, and terminal districts.

(2) Only by law enacted by the favorable vote of two-thirds of the elected members of each house, may the legislature consolidate or abolish any such commission or district or diminish, reduce, or withdraw from any such commission or district any of its powers and functions and effect the structure and organization, distribution, and redistribution of the powers and functions of any such commission or district, including additions to or reductions of its territorial jurisdiction.

(3) The legislature shall enact laws with respect to the membership of the commissions provided in this Section. Once the law with respect to membership is enacted, it may be changed only by law enacted by the favorable vote of two-thirds of the elected members of each house.

PART V. DEFINITIONS

Section 45. Terms Defined

Section 45. As used in this Article:

(1) "Local governmental subdivision" means any parish or municipality.

(2) "Political subdivision" means a parish, municipality, and any other unit of local government, including a school board and a special district, authorized by law to perform governmental functions.

(3) "Municipality" means an incorporated city, town, or village.

(4) "Governor" means the body which exercises the legislative functions of the political subdivision.

(5) "General law" means a law of statewide concern enacted by the legislature which is uniformly applicable to all persons or to all political subdivisions in the state which is uniformly applicable to all persons or to all political subdivisions within the same class.

(6) "General obligation bonds" means those bonds, the principal and interest of which are secured by and payable from ad valorem taxes levied without limitation as to rate or amount.

(7) "Deep-water port commissions" and "deep-water port, harbor, and terminal districts" mean those commissions or districts within whose territorial jurisdiction exist facilities capable of accommodating vessels of at least twenty-five feet of draft and of engaging in foreign commerce.

COMMITTEE PROPOSAL No. 37—

Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment

A PROPOSAL

Making provisions relating to the Public Service Commission. Be it enacted by the Constitutional Convention of Louisiana of 1975:

ARTICLE VIII. NATURAL RESOURCES

Section 14. Public Service Commission

(1) Composition; Term; Domicile. There shall be a Public Service Commission in the executive branch. It shall consist of five members, who shall be elected for overlapping terms of six years at the time fixed for congressional elections from single member districts established by law. Each commissioner serving on the effective date of this constitutional change shall be the commissioner for the new district in which he resides and shall complete the term for which he was elected. The commission annually shall elect one member as chairman. It shall be domiciled at the state capital, but may meet, conduct investigations, and render orders elsewhere in this state.

(2) Powers and Duties. The commission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by law. It shall adopt and enforce reasonable rules, regulations, and procedures necessary for the discharge of its duties and shall have other powers and perform other duties as provided by law.

(C) Limitation. The commission shall have no power to regulate any common carrier or public utility owned, operated, or regulated on the effective date of this constitution by the regulatory authority of one or more political subdivisions, except by the approval of a majority of the electors voting in an election held for that purpose; however, a political subdivision may reinvest itself with such regulatory power in the manner in which it was surrendered. This Paragraph shall not apply to safety regulations pertaining to the operation of such utilities.

(D) Applications, Petitions, and Schedules; Protective Bond and Security. (1) Within twenty days after a common carrier or public utility files a proposed rate schedule which would result in a change in rates, it shall give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable.

(2) Within twelve months after the effective filing date, the commission shall render a full decision on each application, petition, and proposed rate schedule.

(3) After the effective filing date of any proposed schedule applying to a public utility which would result in a rate increase, the commission may permit the proposed schedule to be put into effect, in whole or in part, pending its decision on the application for rate increase and subject to protective bond or security approved by the commission. If no decision is rendered on the application within twelve months after such filing date, the proposed increase may be put into effect, but only if and as provided by law and subject to protective bond or security requirements, until final action by a court of last resort.

(4) If a proposed increase which has been put into effect is finally disallowed, in whole or in part, the utility shall make full refund, with legal interest thereon, within the time and in the manner prescribed by law.

(E) Appeals. Appeal may be taken in the manner provided by law by any aggrieved party or intervenor to the district court of the domicile of the commission. A right of direct appeal from any judgment of the district court shall be allowed to the supreme court. These rights of appeal shall extend to any action by the commission, including but not limited to action taken by the commission or by a public utility under the provisions of Subparagraph (3) of Paragraph (D) of this Section.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Motion

On motion of Delegate Abraham, the Convention altered the Order of Business to take up Proposals on Third Reading and Final Passage at this time.

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

Motion

On motion of Delegate Abraham, Delegate Proposal No. 67 was called from the Calendar.

DELEGATE PROPOSAL No. 67—

Introduced by Delegate Abraham: A PROPOSAL

Making provisions for the inclusion of the attorney general in the Executive Branch of government.

Read.

Motion

On motion of Delegate Abraham Delegate Proposal No. 67 was withdrawn from the files of the Convention.
Motion
On motion of Delegate Abraham Delegate Proposal No. 71 was called from the Calendar.

DELEGATE PROPOSAL No. 71—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.

Read.

On motion of Delegate Abraham Delegate Proposal No. 71 was withdrawn from the files of the Convention.

Motion
On motion of Delegate Abraham Delegate Proposal No. 72 was called from the Calendar.

DELEGATE PROPOSAL No. 72—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the deletion of the attorney general from the Judicial Branch of state government.

Read.

On motion of Delegate Abraham Delegate Proposal No. 72 was withdrawn from the files of the Convention.

Motion
On motion of Delegate Tate the rules were suspended for the purpose of calling a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:
The Committee on Style and Drafting will meet on Tuesday, January 15, 1974, after adjournment in Independence Hall and will consider the following agenda:

AGENDA
To consider Committee Proposals and final draft of the document.

Respectfully submitted,
ALBERT TATE, JR.,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence
Delegate Riecke—5 days.
Delegate Vesich—1 day.

Adjournment
Delegate Kean moved that the Convention do now adjourn until Wednesday, January 16, 1974, at 9:00 o'clock A.M.

Which motion was agreed to.
And Chairman Henry declared the Convention adjourned to Wednesday, January 16, 1974, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
Roll Call

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

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Present</th>
<th>Absent</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
<td>Oursu</td>
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<td>Abraham</td>
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<td>Fontenot</td>
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<td>Total—127.</td>
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The Chairman announced that there were 127 members present and a quorum.
PAGE 2
119th Days Proceedings—January 16, 1974

A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Reported with Amendments.

COMMITTEE AMENDMENTS
Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend first enrolled proposal as follows:

ADDENDUM:

AMENDMENT No. 48—
On page 1, line 13, in Committee Amendment No. 1, proposed by the Committee on Style and Drafting and adopted by the Convention on January 10, 1974, on line 5 of the amendment, after the word and punctuation "state," and before the word "treasurer" insert the words and punctuation "assistant general."

AMENDMENT No. 49—
On page 2, line 3, in Committee Amendment No. 5, proposed by the Committee on Style and Drafting and adopted by the Convention on January 10, 1974, on line 10 of the amendment, after the words "of each" and before the word "official" insert the word "such"

AMENDMENT No. 50—
Deleted Convention Floor Amendment 1 offered by Delegate Henry et al and adopted by the Convention on January 15, 1974 and insert in lieu thereof the following:

"Section 8. Attorney General; Powers and Duties
Section 8. There shall be a Department of Justice, headed by the attorney general, who shall be the chief legal officer of the state. The attorney general shall be elected for a term of four years at the state general election. The assistant attorneys general shall be appointed by the attorney general to serve at his pleasure.

As necessary for the assertion or protection of any right or interest of the state, the attorney general shall have authority (1) to institute, prosecute, or intervene in any civil action or proceeding; (2) upon the written request of a district attorney, to advise and assist in the prosecution of any criminal case; and (3) for cause, when authorized by the court which would have original jurisdiction and subject to judicial review, (a) to institute, prosecute, or intervene in any criminal action or proceeding, or (b) to supersede any attorney representing the state in any civil or criminal action.

The attorney general shall exercise other powers and perform other duties authorized by this constitution or by law."

Respectfully submitted,

ALBERT TATE, JR.,
Chairman.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana Constitutional Convention of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

SUPPLEMENTAL REPORT

COMMITTEE PROPOSAL No. 15—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, De Blieux, Edwards, Fontenot, Lowe, McDaniel, Mau- berret, Mire, Newton, Nunez, Fianchard, Roemer, Schmitt, Slate, Smith, Triche and Winchester:

A PROPOSAL
Relative to the tax structure of the state and to public finance.

Reported with Amendment.

FLOOR AMENDMENT
Amendment proposed by Delegate Tate to Committee Proposal No. 18 by Delegate Rayburn, et al.

Amend final enrolled proposal as follows:

AMENDMENT No. 1—
On page 3, line 34, in Floor Amendment No. 1, proposed by Henry, Pugh, et al and adopted by the Convention on January 15, 1974, delete lines 27, 28, 29, and 30 of said amendment, in their entirety and insert in lieu thereof the following:

"rights granted to deep-water port commissions or deep-water port, harbor, and terminal districts under this constitution shall not be impaired by this Section."

Respectfully submitted,

ALBERT TATE, JR.,
Chairman.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana Constitutional Convention of 1973
January 16, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

DELEGATE PROPOSAL No. 43—
Introduced by Delegates J. Jackson, A. Jackson, Warren, Ray, Gravel, Stovall, Pugh and Gauthier:

A PROPOSAL
Providing for juvenile courts having exclusive original jurisdiction with the exception for offenses of murder, aggravated kidnapping, armed robbery, or aggravated rape.

Reported with Amendment.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Style and Drafting to Delegate Proposal No. 43 by Delegate J. Jackson, et al.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—
On page 1, line 19, after the words "enacted by" and before the words "of the " delete the words "a two-thirds vote" and insert the words "two-thirds"

Respectfully submitted,

ALBERT TATE, JR.,
Chairman.

Suspension of the Rules
On motion of Delegate Tate the rules were suspended in order to take up Proposals contained in the Committee Report at this time.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

DELEGATE PROPOSAL No. 43—
Introduced by Delegates J. Jackson, A. Jackson, Warren, Ray, Gravel, Stovall, Pugh and Gauthier:

A PROPOSAL
Providing for juvenile courts having exclusive original jurisdiction with the exception for offenses of murder, aggravated kidnapping, armed robbery, or aggravated rape.

Read.
Amendment proposed by Committee on Style and Drafting to Delegate Proposal No. 43 by Delegate J. Jackson, et al.

Amend first enrolled Proposal as follows:

AMENDMENT No. 1—
On page 1, line 15, after the words "enacted by" and before the words "of the" delete the words "a two-thirds vote" and insert the words "two-thirds"

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

COMMITTEE PROPOSAL No. 15—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, De Blieux, Edwards, Fontenot, Lowe, McDaniel, Maubertet, Mire, Newton, Nunez, Planchard, Roemer, Schmitt, Slay, Smith, Triche and Winchester:

A PROPOSAL

Relative to the tax structure of the state and to public finance.

Read.

Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 15 by Delegate Rayburn, et al.

Amend final enrolled Proposal as follows:

AMENDMENT No. 1—
On page 3, line 34, in Floor Amendment No. 1, proposed by Henry, Pugh, et al. and adopted by the Convention on January 15, 1974, delete lines 27, 28, 29, and 30 of said amendment, in their entirety and insert in lieu thereof the following:

"rights granted to deep-water port commissions or deep-water port, harbor, and terminal districts under this constitution shall not be impaired by this Section."

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Arnette, Brien, Denney, Duval, Gravel, Stovall and Tappier:

A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend first enrolled Proposal as follows:

ADDENDUM:

AMENDMENT No. 48—
On page 1, line 13, in Committee Amendment No. 1, proposed by the Committee on Style and Drafting and adopted by the Convention on January 10, 1974, on line 5 of the amendment, after the word and punctuation "state," and before the word "treasurer" insert the words and punctuation "attorney general."

Read.

On motion of Delegate Tate Amendment No. 48 was adopted.

AMENDMENT No. 49—
On page 2, line 3, in Committee Amendment No. 5, proposed by the Committee on Style and Drafting and adopted by the Convention on January 10, 1974, on line 10 of the amendment, after the words "of each" and before the word "official" insert the word "such."

Read.

On motion of Delegate Tate Amendment No. 49 was adopted.

AMENDMENT No. 50—
Deleted Convention Floor Amendment 1 offered by Delegate Rayburn et al and adopted by the Convention on January 15, 1974 and insert in lieu thereof the following:

"Section 8. Attorney General; Powers and Duties Section 8. There shall be a Department of Justice, headed by the attorney general, who shall be the chief legal officer of the state. The attorney general shall be elected for a term of four years at the state general election. The assistant attorneys general shall be appointed by the attorney general to serve at his pleasure.

As necessary for the assertion or protection of any right or interest of the state, the attorney general shall have authority (1) to institute, prosecute, or intervene in any civil action or proceeding; (2) upon the written request of a district attorney, to advise and assist in the prosecution of any criminal case; and (3) for cause, when authorized by the court which would have original jurisdiction and subject to judicial review, (a) to institute, prosecute, or intervene in any criminal action or proceeding, or (b) to supersede any attorney representing the state in any civil or criminal action. The attorney general shall exercise other powers and perform other duties authorized by this constitution or by law." Read.

On motion of Delegate Tate Amendment No. 50 was adopted.

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

COMMITTEE PROPOSAL No. 38—
Introduced by Delegate Zervigon, Chairperson, Committee on Legislative Liaison and Transitional Measures, and Delegates Casey, Comar, D'Geralamo, Drew, Harder, J. Jackson, Jones, Lanier, Rayburn, Smith, Thompson, Vick and Womack:

A PROPOSAL

Making provisions relative to transitional provisions.

Read.

Motion

On motion of Delegate Zervigon, and, under a suspension of the rules, the Proposal was ordered engrossed and passed to its third reading.

Alternate Proposals

On Final Passage

The following Delegate Proposals were taken up on final passage:

Motion

On motion of Delegate Vick Delegate Proposal No. 99 was taken up out of its regular order and acted upon as follows:

DELEGATE PROPOSAL No. 99—

A PROPOSAL

To provide with respect to an alternative provision relative to the Judicial Branch.

Read.

Motion

On motion of Delegate Vick Delegate Proposal No. 99 was withdrawn from the files of the convention.
Delegate Kean sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Kean and Cowen to Delegate Proposal No. 97 by Delegate Asseff, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 22 through 27, in their entirety and insert in lieu thereof the following:

The proposed constitution will include provisions by which the legislature, by a two-thirds vote, may provide for the appointment of the Commissioner of Agriculture, Commissioner of Insurance, Commissioner of Elections, and the Superintendent of Public Education unless a majority of those voting in this election vote for the following alternative proposal.

2A. FOR requiring the election of the Commissioner of Agriculture, Commissioner of Insurance, Commissioner of Elections and the Superintendent of Public Education instead of the provisions in the proposed constitution.

On motion of Delegate Kean the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Kean and Cowen to Delegate Proposal No. 97 by Delegate Asseff, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 22 through 27, in their entirety and insert in lieu thereof the following:

The proposed constitution will include provisions by which the legislature, by a two-thirds vote, may provide for the appointment of the Commissioner of Agriculture, Commissioner of Insurance, Commissioner of Elections, and the Superintendent of Public Education unless a majority of those voting in this election vote for the following alternative proposal.

2A. FOR requiring the election of the Commissioner of Agriculture, Commissioner of Insurance, Commissioner of Elections and the Superintendent of Public Education instead of the provisions in the proposed constitution.

On motion of Delegate Kean the amendment was withdrawn.

Delegate Asseff moved the final passage of the entire proposal.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Drew</th>
<th>Landry, E. J.</th>
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<tr>
<td>Aertker</td>
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<tr>
<td>Derbes</td>
<td>Derbes</td>
<td>Perkins</td>
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The Proposal was read.

Delegate Asseff moved the final passage of the entire Proposal.
PAGE 5
119th Days Proceedings—January 16, 1974

Stinson
Sutherland
Toca
Toomy
Total—53.

NAWS

Delegates—

Abraham
Badeaux
Bel
Blair
Brien
Brown
Burns
Burson
Cannon
Casey
Chatelein
Comar
Cooke
De Blieuex
Dennery
Dennis
Deshotels
Dumap
Total—52.

NOT VOTING

Delegates—

Mr. Chairman
Carmouche
Chehnedary
D'Gerolamo
Edwards
Fowler
Garreusso
Ginn
Heine
Total—27.

119th Days Proceedings
January 16, 1974

Stinson
Sutherland
Toca
Toomy
Total—53.

NAWS

Delegates—

Abraham
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Blair
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Burson
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Casey
Chatelein
Comar
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De Blieuex
Dennery
Dennis
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Dumap
Total—52.

NOT VOTING

Delegates—

Mr. Chairman
Carmouche
Chehnedary
D'Gerolamo
Edwards
Fowler
Garreusso
Ginn
Heine
Total—27.

Failed to pass.
Motion to reconsider pending.

DELEGATE PROPOSAL No. 98—

Introduced by Delegates Henry, Gravel, Graham, Pugh, A. Jackson, Juneau, Kelly, Leithman, Corne, Shannon, Deshotel's, Fowler, Zerigvon, Rieve, Wattigny, Alaro, Kilpatrick, Roemer, LeBlieu, Comino, Warren, Guarisco, Arnette, Abraham, Badeaux, Anzalone, Payard, Derbes, Gauthier, Bollinger, Willis, Newton, A. Landry, Goldman, Ginn, Ullo, Toomy, Sutherland, Stovall, Schmitt, Bergeron, Chatelein, Vick, Conroy, Miller, Casey, Dennery, Tobias, O'Nell and Weiss:

A PROPOSAL

To provide with respect to an alternative provision relative to education.

Read.

Section 1. There shall be placed on the ballot submitted to the people for the ratification of the proposed new constitution, as an alternative, the following propositions:

2A. FOR education article creating only a Board of Regents to govern higher education and no management boards.

2B. AGAINST education article creating only a Board of Regents to govern higher education and no management boards.

Section 2. (A) If Alternative Proposition No. 2A concerning education boards is approved by the electors and if the proposed constitution is approved by the electors, then the following Article shall become Article IX of the new constitution and Article IX as set forth in Committee Proposal Number 7 shall be null, void and of no effect and shall be deemed stricken from the proposed constitution.

"ARTICLE IX. EDUCATION"

The goal of the public educational system is to provide learning environments and experiences, at all stages of human development, that are humane, just, and designed to promote excellence in order that every individual may be afforded an equal opportunity to develop to his full potential.

Section 1. Public Educational System

Section 1. The legislature shall provide for the education of the people of the state and shall establish and maintain a public educational system.

Section 2. State Superintendent of Education

Section 2. There shall be a superintendent of education for public elementary and secondary education who, subject to provisions for appointment in lieu of election set forth in Article IV, Section 92, of this constitution, shall be elected for a term of four years. If the office is made appointive, the State Board of Elementary and Secondary Education shall make the appointment. He shall be the administrative head of the Department of Education and shall implement the policies of the State Board of Elementary and Secondary Education and the laws affecting schools under its jurisdiction. The qualifications and other powers, functions, duties, and responsibilities of the superintendent shall be provided by law.

Section 3. State Board of Elementary and Secondary Education

Section 3. (A) Creation; Functions. The State Board of Elementary and Secondary Education is created as a body corporate. It shall supervise and control the public elementary and secondary schools, post-secondary vocational-technical schools, special schools under its jurisdiction and shall have budgetary responsibility for all funds appropriated or allocated to the state for the support of those schools, all as provided by law. The board shall have other powers, duties, and responsibilities as provided by this constitution or by law, but shall have no control over the business affairs of a parish or city school board or the selection or removal of its officers and employees.

(B) Membership; Terms. The board shall consist of eight members elected from single-member districts which shall be determined by law and three members appointed by the governor from the state at large, with consent of the Senate. Members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law.

(C) Vacancy. A vacancy in the office of an elected member if the remaining partisan is more than one year, shall be filled for the remainder of the term by election, as provided by law. Other vacancies shall be filled for the remainder of the term by appointment by the governor.

Section 4. Approval of Private Schools

Section 4. Upon application by a private elementary, secondary, or proprietary school with a sustained curriculum or specialized course of study of quality at least equal to that prescribed for similar public schools, the State Board of Elementary and Secondary Education shall approve the private school. A certificate issued by an approved private school shall carry the same privileges as one issued by a state public school.

Section 5. Board of Regents

Section 5. (A) Creation; Functions. The Board of Regents is created as a body corporate. It shall plan, coordinate, and have budgetary responsibility for all public higher education and shall have other powers, duties, and responsibilities provided for in this Section or by law.

(B) Membership; Terms. The board shall consist of seven members who shall be appointed by the governor, with consent of the Senate from the state at large, and eight members who shall be elected from single-member districts to be determined by the legislature. All members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law.

(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.

(D) Powers. The Board of Regents shall meet with the State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elementary, secondary, vocational-technical, career, and higher education. The board of Regents shall have the following powers, duties, and responsibilities relating to public institutions of higher education:

(1) To revise or eliminate an existing degree program, department of instruction, division, or similar subdivision.

(2) To approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.

(3) To study the need for and feasibility of any new institution of higher education, including branches of institutions
and conversion of two-year institutions to institutions offering longer courses of study. If the creation of a new institution, or a management board for an institution or group of institutions is proposed, addition of another management board, or addition of an existing institution, and one board to another is proposed, the Board of Regents shall report its written findings and recommendations to the legislature within one year. Only after the report has been filed, or, after one year if no report is filed, may the legislature take affirmative action on such a proposal and then only by law enacted by two-thirds of the elected members of each house.

(4) To formulate and make timely revision of a master plan for higher education. As a minimum, the plan shall include an equitable distribution of funds to the institutions of higher education.

(5) To require that every institution of higher education submit to it, at a time it specifies, an annual budget proposal for operational needs and capital needs of each institution under the control of each board. The Board of Regents shall submit its budget recommendations for all institutions of higher education in the state. It shall recommend priorities for capital improvements.

Section 8. Boards; Membership; Compensation

Section 8. (A) Dual Membership. No person shall be eligible to serve simultaneously on more than one board created by or pursuant to this Article.

(B) Consolidation. Every member of a board created by or pursuant to this Article shall serve without pay, but per diem and expenses may be provided by law.

Section 7. Parish School Boards; Parish Superintendents

Section 7. (A) Boards. The legislature shall create parish school boards and provide for the election of their members.

(B) Superintendents. Each parish board shall elect a superintendent of public schools. The State Board of Elementary and Secondary Education shall fix the qualifications and prescribe the duties of the parish superintendent. He need not be a resident of the parish in which he serves.

Section 8. Existing Boards and Systems Recognized; Consolidation

Section 8. (A) Recognition. Parish and city school board systems in existence on the effective date of this constitution are recognized, subject to control and supervision by the State Board of Elementary and Secondary Education and the power of the legislature to enact laws affecting them. For the purposes of this Section, the City of New Orleans, the City Parish of Orleans, and the Parish of Jefferson are public school districts within the meaning of this Section.

(B) Consolidation. The City of New Orleans and the Parish of Jefferson shall be consolidated, and the existing city and parish school boards shall be merged and the board created by this Article shall be the school board for the City Parish of Orleans.

Section 9. Appropriations; State Boards

Section 9. The legislature shall appropriate funds for the operating and administrative expenses of the state boards created by or pursuant to this Article.

Section 10. Appropriations; Higher Education

Section 10. Appropriations for the institutions of higher education and post-secondary vocational-technical training and career education shall be made and administered as provided by law.

Section 11. Funding; Apportionment

Section 11. (A) Free School Books. The legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of this state, at the elementary and secondary levels.

(B) Minimum Foundation Program. The legislature shall appropriate funds sufficient to insure a minimum foundation program of education in all public elementary and secondary schools. For this purpose, funds appropriated shall be equitably allocated to parish and city school systems according to formulas adopted by the State Board of Elementary and Secondary Education and approved by the legislature prior to making the appropriation.

(C) District Funds. Local funds for the support of elementary and secondary schools shall be derived from the following sources:

First: Each parish school board, Orleans Parish excepted, and each municipality or city school board actually operating, maintaining, or supporting a separate system of public schools, shall levy annually an ad valorem maintenance tax not to exceed five mills on the dollar of assessed valuation on property subject to such taxation within the parish or city, respectively.

Second: The Orleans Parish School Board shall levy annually a tax not to exceed fifteen dollars on the dollar of the assessed valuation of property within the city of New Orleans, assessed for city taxation, and shall certify the amount of the tax to the governing authority of the city. The governing authority shall have the tax entered on city tax rolls. The tax shall be collected in the manner, under the conditions, and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

Third: For giving additional support to public elementary and secondary schools, any parish, school district, or any municipality or city school board which supports a separate city system of public schools may levying an ad valorem tax for a specific purpose, when authorized by a majority of the electors voting in the parish, municipality, district, or subdistrict in an election held for that purpose. The amount, duration, and purpose of the tax shall be in accord with any limitation imposed by the legislature.

(D) Municipal School Systems. For the effects and purposes of this Section, the municipalities of Monroe in Ouachita Parish, and Bogalusa in Washington Parish, and no others, shall be regarded and treated as parishes and shall have the authority granted parishes.

Section 12. Tulane University

The Tulane University of Louisiana in New Orleans is recognized as created and to be developed in accordance with Act No. 43 approved July 5, 1884.

2. (B) If alternative Proposition 2A concerning education boards is not approved by the electorate but the proposed constitution is approved by the electorate then no change shall be made therein.

Reed.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Abraham to Delegate Proposal No. 96 by Delegate Henry, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 2, line 29, after the words and punctuation "school" insert the word "secondaries" and at the beginning of line 30, delete the word and punctuation "cal schools," and insert in lieu thereof the word "and"

Delegate Abraham moved the adoption of the amendment.

Delegate Newton objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Abraham

Schnitt

Total—2.
Delegate Denney moved the adoption of amendments 1 and 3.
Delegate Abraham objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aertker
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergerson
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Casey
Champagne
Chatelain
Chedary
Comar
Conino
Conroy
Corne
Cowie
D'Gerolamo
De Blieux
Denney
Dennis
Drew
Dunlap
Duval
Elkins
Fayard

Total—106.

NOT VOTING

Delegates—
Kean
Kilbourne
Lambert
LeBlanc
Mayhew
Morris
Oursou
Perez
Rachal
Riecke
Riecke
Thompson
Thompson
Vick
Wall
Womack

Total—24.

And the amendment was rejected.

Delegate Rayburn moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Denney to Delegate Proposal No. 98 by Delegate Henry, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, line 11, at the end of the line delete the word "for" and on line 12 delete the words "public elementary and secondary education"

AMENDMENT No. 2—
On page 2, line 16 immediately after the word "Education" and before the words "shall" insert the following: "and the Board of Regents"

AMENDMENT No. 3—
On page 2, line 18, after the word "Education" and before "and" insert the words "and the Board of Regents" and on line 20, after the word "and" and before the word "the", insert the words "the Board of Regents and" and on line 20, after the word "under" and before the word "jurisdiction", delete the word "its" and insert in lieu thereof the word "their".

On request of Delegate Jenkins a division of the question was ordered.

Delegate Denney moved the adoption of amendments 1 and 3.
Delegate Abraham objected.

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

NAYS

Delegates—
Fontenot
Fowler
Fowler
Gauthier
Ginn
Goldman
Graham
Gravel
Grier
Guarisco
Hardee
Hayes
Hayes
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kelly
Kilpatrick
Landrum
Landry, A.
Landry, E. J.
Lanier
Leigh
Leithman
Love
Martin
Maubertet
Miller
Mire
Munson
Newton
Nunez
O'Neill
Perkins
Planchard
Pugh
Rayburn
Reeves
Roemer
Roy
Sandoz
Segura
Shannon
Singleterey
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Thistlethwaite
Tobias
Toca
Toomy
Uilo
Velazquez
Warren
Wattignay
Weiss
Wills
Winchester
Wisham
Zervigon

Total—82.

NOT VOTING

Delegates—
Graham
Grier
Haynes
Hernandez
Landry, E. J.
Leigh
Maubertet
Mayhew
Newton
Roemer
Schmitt
Shannon
Slay
Stagg
Stinson
Velazquez
Wisham

Total—22.

And the amendment were adopted.

Delegate Denney moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Denney moved the adoption of amendment No. 2.
Delegate Abraham objected.

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

The roll was called with the following result:

**YEAS**

Delegates—
Aertker
Alexander
Arnette
Badeaux
Bel
Bergeron
Brien
Burson
Casey
Champagne
Chatelain
Chehardy
Conin
Corro
Corne
D’Gerolamo
Denenery
Dobes
Deshotels
Drew
Fontenot
Total—66.

**NAYS**

Delegates—
Abraham
Anzalone
Aseff
Avant
Blair
Bollinger
Brown
Burns
Cannon
Costen
Conroy
Corne
De Blieux
Dennis
Dunlap
Duval
Elkins
Total—44.

**NOT VOTING**

Delegates—
Mr. Chairman
Alario
Carmouche
Edwards
Giarrusso
Ginn
Haynes
Heine
Total—22.

And the amendment was adopted.

Delegate Denery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Kean to Delegate Proposal No. 98 by Delegate Henry.

Amend printed proposal as follows:

**AMENDMENT No. 1**—

On page 5, between lines 14 and 15, insert the following: "(6) Powers of management over higher education are vested in management boards for the Louisiana State University and A&M College, the Southern University A&M College, and the State University and College Commission, subject to the authority of the Board of Regents."

Delegate Kean moved the adoption of the amendment.
Delegate Kelly objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Abraham
Aertker
Alexander
Arnette
Badeaux
Bel
Bergeron
Bollinger
Brown
Burns
Burson
Casey
Chatelain
Chehardy
Conin
Corro
Corne
De Blieux
Denenery
Dobes
Deshotels
Drew
Fontenot
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Gauthier
Ginn
Goldman
Gravel
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J....
Delegate Aertker moved the adoption of the amendment.
Delegate Leithman objected.
By a vote of 36 yeas and 74 nays the amendment was rejected.
Delegate Wattigny moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Haynes sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Haynes and Velázquez to Delegate Proposal No. 98 by Delegate Henry, et al.
Amend printed proposal as follows:

AMENDMENT No. 1—
On page 3, line 8, after the words “law and” and before the word “members” delete the word “three” and insert in lieu thereof the word “seven”
Delegate Haynes moved the adoption of the amendment.
Delegate Juneau objected.

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

ROLL CALL
The roll was called with the following result:

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<td>Fontenot</td>
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<td>Gravel</td>
<td>Hardee</td>
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<td>Jackson, A.</td>
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<td>Kean</td>
<td>Kilbourne</td>
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<td>Schmitt</td>
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Delegate Haynes moved the adoption of the amendment.
Delegate Juneau objected.

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

ROLL CALL
The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Abraham</th>
<th>Asseff</th>
<th>Avant</th>
<th>Bel</th>
<th>Bergeron</th>
<th>Blair</th>
<th>Burns</th>
<th>Champagne</th>
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<th>Conroy</th>
<th>D’Gérolamo</th>
<th>Dennerly</th>
<th>Elkins</th>
<th>Flory</th>
<th>Total—38.</th>
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<td>Gauthier</td>
<td>Guerisio</td>
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<td>Kelly</td>
<td>Landry, A.</td>
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Delegate Haynes moved the adoption of the amendment.
Delegate Juneau objected.

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

ROLL CALL
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1318
119th Days Proceedings—January 16, 1974

Delegates—

NOT VOTING
Aertker Jack Tapper
Alario Kilpatrick Tate
Carmouche Lambert Thompson
Derbes Leithman Vesich
Fontenot Morris Vick
Fowler Munson Wall
Giarrusso Rachal Winchester
Hardee Rayburn Womack
Hernandez Riecke

Total—26.

And the amendment was rejected.

Delegate Chatelain moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Point of Order

Delegate O'Neill suggested the absence of a quorum.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Abraham Flory Munson
Alexander Fontenot Newton
Anzalone Fowler
Arnette Fuco
Asseff Gauthier
Avant Ginn
Badeaux Goldman
Bel Graham
Bergeron Gravel
Blair Grier
Bollinger Guarisco
Brien Hardee
Brown Hayes
Burns Heine
Burson Hernandez
Cannon Jackson, A.
Casey Jackson, J.
Champagne Jenkins
Chatelain Jones
Chehardy Juneau
Comar Keen
Conino Kelly
Conroy Kilbourne
Corne Landrum
Coven Landry, E. J.
De Blieux Lanier
Dennery LeBlanc
Dennis Lehigh
Derbes Leithman
Deshotels Lowe
Drew McDaniels
Dunlap Martin
Duval Mauberry
Edwards Maybucke
Elkins Mire

Total—80.

NAYS

Delegates—

Hayes Heine
Asseff Hernandez
Avant Jackson, J.
Bel Keen
Blair Kibourne
Comar Landry, E. J.
D'Gerolamo Landrum
Elkins Leigh
Flory Lowe
Grier McDaniel
Hardee Mauberry

Total—35.

NOT VOTING

Delegates—

Aertker Jack
Alario Lambert
Anzalone Miller
Carmouche Morris
Giarrusso Rachal
Haynes Riecke

Total—111.

And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

Vice-Chairman Casey in the Chair

Motion

Delegate Rayburn moved for a suspension of the rules in order to discharge Committee Proposal No. 7 from the Committee on Style and Drafting.

Delegate Abraham objected.
By a vote of 102 yeas and 5 nays the rules were suspended.

Reconsideration

On motion of Delegate Rayburn the vote by which Committee Proposal No. 7 was passed, was reconsidered.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 7—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Tocas and Wisham:

A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Read.

Motion

On motion of Delegate Rayburn the Rules were suspended in order to call from the table the motions to reconsider the votes by which Committee Proposal No. 7, Sections 3, 5, 6 and 12 were passed, to offer simultaneously seven amendments affecting these four sections and to pass these four sections simultaneously.

Reconsideration

On motion of Delegate Rayburn the votes by which Committee Proposal No. 7, Sections 3, 5, 6 and 12 were passed were reconsidered.

Section 3. State Superintendent of Public Elementary and Secondary Education

Section 3. (A) Term. There shall be a state superintendent of public education for elementary and secondary education, who shall be appointed by the State Board of Elementary and Secondary Education for a term not to exceed four years.

(B) Qualifications. The state superintendent shall possess the qualifications required of parish school superintendents and such additional qualifications as may be fixed by law.

(C) Functions. The powers, duties, responsibilities, and salary of the state superintendent of public education shall be prescribed by law.

Read.

Section 5. Qualifications and Certification of Teachers

Section 5. The board shall prescribe and provide for the qualifications to be met by teachers and for the certification of teachers of public elementary and secondary and special schools.

Read.

Section 6. Approval of Private Schools; Effect

Section 6. The board shall approve private elementary, secondary, and proprietary schools whose sustained curriculum is of a quality equal to that prescribed for similar public schools. The certificates issued by private schools so approved shall carry the same privileges as those issued by the state public schools.

Read.

Section 12. Parish School Boards; Parish Superintendents

Section 12. (A) Parish School Boards. The legislature shall create parish school boards and shall provide for the election of the members of such boards.

(B) Parish Superintendents. Each parish board shall elect a superintendent of parish schools. The State Board of Elementary and Secondary Education shall fix the qualifications and prescribe the duties of the parish superintendent, who need not be a resident of the parish in which he serves.

Read.

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


Amend Final Enrollment Proposal as follows:

AMENDMENT No. 1—

On page 2, line 10, after the word "schools" and before the words "and special" insert the words and punctuation "vocational-technical training..

AMENDMENT No. 2—

On page 3, line 20, after the word "education" change the comma "," to a comma ")" and delete the remainder of the line and delete line 21 in its entirety.

AMENDMENT No. 3—

On page 4, line 4, after the word "education" add a period "." and delete the remainder of the line and at the beginning of line 5, delete the words and punctuation "ing" and career education.

AMENDMENT No. 4—

On page 4, at the end of line 12, after the word "education" delete the word "and" and on line 13, delete the words "post-secondary vocational-technical training and career education"

AMENDMENT No. 5—

On page 4, line 17, after the word "education" delete the remainder of the line and on line 18, delete the words "technical training and career education"

AMENDMENT No. 6—

On page 4, line 31, after the words "management of" delete the colon ":" and delete lines 32 through 35, both inclusive, in the entirety and on page 5, delete line 1 in its entirety, and insert in lieu thereof the following:

"state colleges and universities not managed by a higher education board created by or under this Article."

AMENDMENT No. 7—

On page 7, line 10, after the word "education" delete the remainder of the line and at the beginning of line 11, delete the word "education"

On motion of Delegate Rayburn the amendments were adopted.

Delegate Rayburn moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 7, Sections 3, 5, 6 & 12 were read, as amended.

Delegate Rayburn moved the final passage of the Sections.

ROLL CALL

The roll was called with the following result:

YEAS

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<td>Asseff</td>
<td>Blair</td>
<td>Cannon</td>
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Delegate Stinson.  Total—1.

NOT VOTING

Delegates—
Mr. Chairman  Dunlap  Morris
Aertker  Edwards  Munson
Alario  Glarruso  Rachal
Burns  Haynes  Reiche
Carmouche  Jack  Thompson
Conroy  Kean  Vick
Denney  Kilbourne  Wall
Dennis  Lambert  Womack

Total—24.

And the Chair declared that the above Sections were finally passed.

Delegate Rayburn moved to reconsider the vote by which the above Sections were finally passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read in full.

Delegate Rayburn moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham  Casey  Flory
Alexander  Champagne  Fontenot
Anzalone  Chatelain  Fowler
Arnette  Chehardy  Fulco
Asseff  Comar  Ginn
Avanti  Cosmic  Goldman
Badeaux  Corne  Graham
Bel  Cowen  Gravel
Bergeron  D’Gerolamo  Grier
Blair  De Bileaux  Guarisco
Bollinger  Derbes  Hayes
Brien  Deshotels  Heine
Brown  Drew  Hernandez
Burson  Duval  Jackson, A.
Cannon  Fayard  Roemer

NAYS

Delegates—
Gauthier  Stinson  Tobias
Kelly  Total—4.

NOT VOTING

Delegates—
Mr. Chairman  Edwards  Rachal
Aertker  Elkins  Reiche
Alario  Glarruso  Thompson
Burns  Haynes  Vesch
Carmouche  Jack  Vick
Conroy  Kean  Wall
Denney  Lambert  Womack
Dennis  Morris 
Dunlap  Munson  "

Total—25.

And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

Motion

On motion of Delegate Tate, the Convention altered the Order of Business to take up Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention of 1972


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

SUPPLEMENTAL REPORT

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Mauberry, Mire, Nunez, Planche, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Reported with amendment.

COMMITTEE AMENDMENT

Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend First Enrollment Proposal as follows:
AMENDMENT No. 1—
Delete the Convention Floor Amendment offered by Delegates Henry, et al. and adopted by the Convention on January 15, 1974, and insert in lieu thereof the following:

"the State Board of Commerce and Industry or its successor, with the approval of the governor, may enter into contracts for the exemption from ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the governor, deems in the best interest of the state.

The exemption shall be for an initial term of no more than five calendar years, and may be renewed for an additional five years. All taxes exempted shall be listed on the assessment rolls and submitted to the Louisiana Tax Commission or its successor, but no taxes shall be collected thereon during the period of exemption.

The terms "manufacturing establishment" and "addition" as used herein mean a new plant or establishment or an addition or additions to any existing plant or establishment which engages in the business of working raw materials into wares suitable for use or which gives new shapes, qualities, or combinations to matter which already has gone through some artificial process."

Respectfully submitted,
ALBERT TATE,
Chairman.

Suspension of the Rules
On motion of Delegate Tate the rules were suspended in order to take up the proposals contained in the Committee Report at this time.

Proposals on Calendar for Approval of Final Styling
The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 26—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Mauberry, Mire, Nunez, Planhard, Slay and Winchester:
A PROPOSAL
Making provisions for property taxation.
Read.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend first enrollment proposal as follows:

AMENDMENT No. 1—
Delete the Convention Floor Amendment offered by Delegates Henry, et al. and adopted by the Convention on January 15, 1974, and insert in lieu thereof the following:

"the State Board of Commerce and Industry or its successor, with the approval of the governor, may enter into contracts for the exemption from ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the governor, deems in the best interest of the state.

The exemption shall be for an initial term of no more than five calendar years, and may be renewed for an additional five years. All property exempted shall be listed on the assessment rolls and submitted to the Louisiana Tax Commission or its successor, but no taxes shall be collected thereon during the period of exemption.

The terms "manufacturing establishment" and "addition" as used herein mean a new plant or establishment or an addition or additions to any existing plant or establishment which engages in the business of working raw materials into wares suitable for use or which gives new shapes, qualities, or combinations to matter which already has gone through some artificial process."

Read.
On motion of Delegate Tate Amendment No. 1 was adopted.

Delegate Deneny, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 16, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:
I submit the following report:
That the following Delegate Proposal has been properly enrolled in final form:

DELEGATE PROPOSAL No. 43—
Introduced by Delegates J. Jackson, Gauthier, Gravel, A. Jackson, Pugh, Roy, Stovall and Warren:
A PROPOSAL
Providing for special juvenile procedures.
Be it adopted by the Constitutional Convention of Louisiana of 1973:
Article _____, Section _____ Special Juvenile Procedures
Section _____, Except for a person fifteen years of age or older who is alleged to have committed a capital offense or attempted aggravated rape, the determination of guilt or innocence, the detention, and the custody of a person who is alleged to have committed a crime prior to his seventeenth birthday shall be exclusively pursuant to special juvenile procedures which shall be provided by law. However, by law enacted by two-thirds of the elected members of each house, the legislature may (1) lower the maximum ages of persons to whom juvenile procedures would apply and (2) establish a procedure by which the court of original jurisdiction may waive such special juvenile procedures in order that adult procedures would apply in individual cases.

Respectfully submitted,
MOISE W. DENNERY
Secretary.

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Deneny, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 16, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:
I submit the following report:
That the following Committee Proposal has been properly enrolled in final form:

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Arnette, Brien, Deneny, Duval, Gravel, Stovall and Tapper:
A PROPOSAL
Providing for the executive branch of government, for the declaration and determination of inability of statewide elective officers, and related matters.
Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE IV. EXECUTIVE BRANCH
Section 1. Composition; Number of Departments; Reorganization
Section 1. (A) Composition. The executive branch shall consist of the governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, commissioner of elections, and all other executive offices, agencies, and instrumentalities of the state.
(B) Number of Departments. Except for the offices of
governor and lieutenant governor, all offices, agencies, and other instrumentalities of the executive branch and their functions, duties, and responsibilities shall be allocated according to function within not more than twenty departments. The powers, functions, and duties allocated by this constitution to any executive office or commission shall not be affected or diminished by the allocation provided herein except as authorized by Section 22 of this Article.

(C) Reorganization. Reallocation of the functions, powers, and duties of all departments, offices, agencies, and other instrumentalities of the executive branch, except those functions, powers, duties, and responsibilities allocated by this constitution, shall be provided as law.

Section 2. Qualifications.

Section 2. To be eligible for any statewide elective office, a person, by the date of his qualification as a candidate, shall have attained the age of twenty-five years, be an elector, and have been a citizen of the United States and of this state for at least the preceding five years. In addition, the attorney general, the superintendent of public instruction, and the commission of elections each shall be elected for a term of four years by the electors of the state at the time and place of voting for members of the legislature. The term of each such official shall begin at noon on the second Monday in March next following the election.

(B) Limitation on Governor. A person who has served as governor for more than one and one-half terms in two consecutive terms shall not be elected governor for the succeeding term.

(C) Additional Limitation. Except as provided by this constitution, no official shall be elected statewide.

Section 4. Compensation.

Section 4. Except as otherwise provided by this constitution, the compensation of each statewide elected official shall be provided by law.

Section 5. Governor; Powers and Duties.

Section 5. (A) Executive Authority. The governor shall be the chief executive officer of the state. He shall faithfully support the constitution and laws of the state and of the United States.

(B) Legislative Reports and Recommendations. The governor shall keep the legislature informed of each regular session, and may, at other times, make reports and recommendations and give information to the legislature concerning the affairs of state, including its complete financial condition.

(C) Departmental Reports and Information. When requested by the governor, a department head shall provide him with reports and information, in writing or otherwise, on any subject relating to the department, except matters concerning investigations of the office.

(D) Operating Budget. The governor shall submit to the legislature, at a time fixed by law, a proposed state budget for the next fiscal year setting forth all proposed state expenditures and anticipated state revenues.

(E) Capital Budget. The governor shall submit to the legislature, at each regular session, a proposed five-year capital outlay program and shall request implementation of the first year of the program.

(F) Pardon, Commutation, Reprieve, and Remission; Board of Pardons. The governor may grant reprieves to persons convicted of offenses against the state and, upon recommendation of the Board of Pardons, may commute sentences, pardon those convicted of offenses against the state, and remit fines and forfeitures imposed for such offenses. No offender, never previously convicted of a felony shall be pardoned automatically upon completion of his sentence, without recommendation of the Board of Pardons and without action by the governor.

(2) The Board of Pardons shall consist of five electors appointed by the governor, subject to confirmation by the Senate. Each member of the board shall serve a term concurrent with that of the governor appointing him.

(G) Receipt of Bills from the Legislature. The date and hour when a bill finally passed by the legislature is delivered to the governor shall be endorsed thereon.

(H) Item Veto. (1) Except as otherwise provided by this constitution, the governor may veto any line item in an appropriation bill. Any item vetoed shall be void unless the item is reinserted as prescribed for the passage of a bill over a veto.

(2) The governor shall veto line items in any appropriation bill in the bill so that total appropriations for the year shall not exceed amounts appropriated for the preceding year by law.

(I) Appointments. (1) The governor shall appoint, subject to confirmation by the Senate, the head of each department in the executive branch whose election or appointment is not provided by this constitution and the members of the executive branch, except those for whose election or appointment is not provided by this constitution or by law.

(2) Should the legislature be in regular session, the governor shall submit for confirmation by the Senate the name of an appointee within forty-eight hours after the appointment is made. Failure of the Senate to confirm the appointment, prior to the end of the session, shall constitute rejection.

If the legislature is not in regular session, the governor may make interim appointments, which shall expire at the end of the next regular session, unless submitted to and confirmed by the Senate during that session.

(A) A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature.

(J) Removal Power. The governor may remove from office a person he appoints, except a person appointed for the purpose of executing a grant of authority or for the purpose of exercising a power, and provided the person so removed shall have other powers and perform other duties in the executive branch authorized by this constitution or provided by law.

(K) Commander-in-Chief. The governor shall be commander-in-chief of the armed forces of the state, except when they are called into service of the federal government. He may call in the state forces to preserve law and suppress insurrection, to repel invasion, or in other times of emergency.

(L) Other Powers and Duties. The governor shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 6. Lieutenant Governor; Powers and Duties.

Section 6. The lieutenant governor shall serve ex officio as a member of each committee, board, and commission on which the governor serves. He shall exercise the powers delegated to him by the governor and shall have other powers and perform other duties in the executive branch authorized by this constitution or provided by law.

Section 7. Secretary of State; Powers and Duties.

Section 7. There shall be a secretary of state. The secretary of state shall head the department and shall be the chief election officer of the state. He shall prepare and certify the ballots for all elections, promulgate all election returns, and administer laws except those relating to voter registration and custody of voting machines. He shall administer the state corporation and trademark laws; serve as keeper of the Great Seal of the State of Louisiana and attest therewith all official laws, documents, proclamations, and commissions; administer and preserve the official archives of the state; promulgate and publish all laws enacted by the legislature and retain the originals thereof; and countersign and keep an official registry of all commissions. He shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 8. Attorney General; Powers and Duties.

Section 8. There shall be a Department of Justice, headed by the attorney general, who shall be the chief legal officer of the state. The attorney general shall serve for a term of four years at the state general election. The assistant attorneys general shall be appointed by the attorney general to serve at his pleasure.

As necessary for the assertion or protection of any right or interest of the state, the attorney general shall have authority to institute, prosecute, or intervene in any civil action or proceeding; (2) upon the written request of a district attorney, to advise and assist in the prosecution of any criminal case; and (3) for cause, when authorized by the courts, which would have original jurisdiction and subject to judicial review, (a) to institute, prosecute, or intervene in any criminal action or proceeding, or (b) to super-
sed any attorney representing the state in any civil or criminal action.

The attorney general shall exercise other powers and perform other duties authorized by this constitution or by law.

Section 9. Treasurer; Powers and Duties

Section 9. There shall be a Department of the Treasury. The treasurer shall head the department and shall be responsible for the custody, investment, and disbursement of the public funds of the state, except as otherwise provided by this constitution. He shall report annually to the governor and to the legislature at least one month before each regular session of the legislature. The department shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 10. Commissioner of Agriculture; Powers and Duties

Section 10. There shall be a Department of Agriculture. The commissioner of agriculture shall head the department and shall exercise all functions of the state relating to the promotion, protection, and advancement of agriculture, except research and educational functions expressly authorized by this constitution or by law to other state agencies. The department shall exercise such functions and the commissioner shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 11. Commissioner of Insurance; Powers and Duties

Section 11. There shall be a Department of Insurance, headed by the commissioner of insurance. The department shall perform such functions as the commissioner of insurance shall have powers and perform duties authorized by this constitution or provided by law.

Section 12. Commissioner of Elections; Powers and Duties

Section 12. There shall be a Department of Elections and Registration. The commissioner of elections shall head the department and shall administer the laws relating to custody of voting machines and voter registration. He shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 13. First Assistants; Appointment

Section 13. Each statewide elected official except the governor and lieutenant governor shall appoint a first assistant, subject to public notification by the Senate, and may remove him at his pleasure. The official shall submit the appointment to the Senate in the manner and subject to the procedures and limitations applicable to appointments submitted by the governor. The first assistant shall possess the qualifications required for election to the office.

Section 14. Vacancy in Office of Governor

Section 14. When a vacancy occurs in the office of governor, the order of succession shall be (1) the elected lieutenant governor, (2) the secretary of state, (3) the elected attorney general, (4) the elected treasurer, (5) the presiding officer of the Senate, (6) the presiding officer of the House of Representatives, and then (7) as provided by law. The successor shall serve the remainder of the term for which the governor was elected.

Section 15. Vacancy in Office of Lieutenant Governor

Section 15. Should a vacancy occur in the office of lieutenant governor, the governor shall nominate a lieutenant governor, who shall take office upon confirmation by a majority vote of the elected members of each house of the legislature.

Section 16. Vacancies in Other Statewide Elective Offices

Section 16. A vacancy in a statewide elective office other than that of governor or lieutenant governor shall be filled by the first assistant. If the unexpired term exceeds one year, he may be filled by election at the next regularly scheduled congressional or statewide election, and the first assistant shall serve only until the person then elected takes office.

Section 17. Other Vacancies

Section 17. (A) Gubernatorial Appointment; Election. If no provision therefor is made by this constitution, by statute, by local government charter, by home rule charter or plan of government, or by ordinance, the governor may fill a vacancy occurring in any elective office. When a vacancy occurs by law, and the unexpired portion of the term exceeds one year, the vacancy shall be filled at an election, as provided by law, and the appointment shall be effective only until a successor takes office.

(B) Qualifications. Nothing in this Section shall change the qualifications for any office, and every appointee must be otherwise eligible to hold the office to which appointed.

Section 18. Definition of Vacancy

Section 18. A vacancy, as used in this Article, shall occur in the event of death, resignation, removal by any means, or failure to take office for any reason.

Section 19. Declaration of Inability by Statewide Elected Officials

Section 19. When a statewide elected official transmits to the presiding officers of the Senate and House of Representatives a written declaration of his inability to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, the person who would succeed to the office when a vacancy occurs shall assume the powers and duties of the office as acting official.

Section 20. Determination of Inability of Statewide Elected Official

Section 20. (A) Declaration and Counter-Declaration. When a majority of the statewide elected officials determine that any such official is unable to discharge the powers and duties of his office, they shall transmit a written declaration to the effect to the presiding officer of each house, to the governor, and to the secretary of state, signed by the remaining officials and the governor, as acting official. The declaration shall be in writing and shall state the reasons for the determination. The governor, acting official, shall transmit a copy of the declaration to the secretary of state. Thereafter, the constitutional successor shall assume the office as acting official unless, within forty-eight hours after the declaration is filed in the office of the secretary of state, the other elected official files his declaration to the contrary.

(B) Determination by the Legislature. The legislature shall convene at noon on the third calendar day after the filing of any counter-declaration, which may be filed by the official at any time. Should two-thirds of the elected members of each house of the legislature determine by a majority vote of the members elected to the court, under such rules as it may adopt, the determination that incapacity exists, the official shall continue in or resume office.

(C) Assumption of Office by Constitutional Successor. If two-thirds of the elected members of each house adopt a resolution declaring that probable justification exists for the declaration of incapacity, the constitutional successor shall assume the powers and duties of the office and a copy of the resolution shall be transmitted forthwith to the supreme court.

(D) Determination by Supreme Court. By preference and with priority over all other matters, the supreme court shall determine the issue of incapacity after due notice and hearing. A majority of the members elected to the court shall rule on the application of the official, upon proper showing and by majority vote elected members, the court may determine that no incapacity then exists, whereupon the official shall immediately resume the powers and duties of his office.

Section 21. Temporary Absences

Section 21. When the governor is temporarily absent from the state, the lieutenant governor shall act as governor. When any other statewide elected official is temporarily absent from the state, the appointed first assistant shall act in his absence.

Section 22. Appointment of Officials; Merger, Consolidation of Offices and Departments

Section 22. After the first election of state officials following the effective date of this constitution, the legislature may, by a majority vote of the elected members of each house, for appointment, in lieu of election, of the commissioner of agriculture, the commissioner of insurance, the superintendent of education, the commissioner of elections, or any of them. In that event, the legislature shall prescribe qualifications and method of appointment and by similar vote, may provide by law for the merger or consolidation of any such office, its department, and functions with any other office or department of the executive branch. No action of the legislature pursuant hereto shall reduce the term or compensation of any incumbent elected official. By law enacted by two-thirds of the elected mem-
Respectfully submitted,
MOISE W. DENNERY
Secretary.

The Proposal contained in the report was signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 16, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled in final form:

COMMITTEE PROPOSAL No. 21—

Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary, and Delegates Ayvnt, Bel, Bertrand, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ours, Sandor, Tate and Vesich (A Substitute for Committee Proposal No. 6):

A PROPOSAL

Making provisions for the judiciary branch of government and necessary provisions with respect thereo.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE V. JUDICIAL BRANCH

Section 1. Judicial Power

Section 1. The judicial power is vested in a supreme court, courts of appeal, district courts, and other courts authorized by this Article.

Section 2. Habeas Corpus, Needful Writs, Orders and Process; Contempt

Section 2. A judge may issue writs of habeas corpus and all other needful writs, orders, and process in aid of the jurisdiction of his court. Exercise of this authority by a judge of the supreme court or of a court of appeal is subject to review by the whole court. The power to punish for contempt of court shall be limited by law.

Section 3. Supreme Court; Composition; Judgments; Terms

Section 3. The supreme court shall be composed of a chief justice and six associate justices, four of whom must concur to render judgment. The term of a supreme court judge shall be ten years.

Section 4. Supreme Court; Districts

Section 4. The state shall be divided into at least six supreme court districts, and at least one judge shall be elected from each. The districts and the number of judges assigned to each on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

Section 5. Supreme Court; Jurisdiction; Rule-Making Power; Assignment of Judges

Section 5. (A) Supervisory Jurisdiction; Rule-Making Power; Assignment of Judges. The supreme court has general supervisory jurisdiction over all other courts. It may establish procedural and administrative rules not in conflict with law and may assign a sitting or retired judge to any court.

(B) Original Jurisdiction. The supreme court has exclusive original jurisdiction of disciplinary proceedings against a member of the bar.

(C) Scope of Review. Except as otherwise provided by this constitution, the jurisdiction of the supreme court in civil cases extends to both law and facts. In criminal matters, its appellate jurisdiction extends only to questions of law.

(D) Appellate Jurisdiction. In addition to other appeals provided by this constitution, a case shall be appealable to the supreme court if (1) a law or ordinance has been declared unconstitutional; (2) the defendant has been convicted of a felony or a fine exceeding five hundred dollars or imprisonment exceeding six months actually has been imposed.

(E) Other Criminal Cases; Review. In all criminal cases not provided in Paragraph (D) of this Section, a defendant has a right of appeal or review, as provided by law.

(F) Appellate Jurisdiction; Civil Cases; Extent. Subject to the provisions in Paragraph (C), the supreme court has appellate jurisdiction over all issues involved in a civil action properly before it.

Section 6. Supreme Court; Chief Justice

Section 6. The judge oldest in point of service on the supreme court shall be chief justice. He is the chief administrative officer of the judicial system of the state, subject to rules adopted by the court.

Section 7. Supreme Court; Personnel

Section 7. The supreme court may select a judicial administrator, its clerks, and other personnel and prescribe their duties.

Section 8. Courts of Appeal; Circuits; Panels; Judgments; Terms

Section 8. (A) Circuits; Panels. The state shall be divided into at least four circuits, with one court of appeal in each. Each court shall sit in panels of at least three judges selected according to rules adopted by the court.

(B) Judgments. A majority of the judges sitting in a panel shall concur to render judgment. However, when a judgment of a district court is to be modified or reversed and one judge dissents, the case shall be reargued before a panel of at least five judges prior to rendition of judgment. A majority must concur to render judgment.

(C) Terms. The term of a court of appeal judge shall be ten years.

Section 9. Courts of Appeal; Circuits and Districts

Section 9. Each circuit shall be divided into at least three districts and at least one judge shall be elected from each. The circuits and districts and the number of judges as elected in each circuit on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

Section 10. Courts of Appeal; Jurisdiction

Section 10. (A) Jurisdiction. Except in cases appealable to the supreme court and except as otherwise provided by this constitution, a court of appeal has appellate jurisdiction of all civil matters decided within its circuit and (2) matters appealable from family and juvenile courts, except criminal prosecutions of persons other than juveniles. It has supervisory jurisdiction over cases in which an appeal would lie to it.

(B) Scope of Review. Except as limited to questions of law by this constitution, or as provided by law in the review of administrative agency determinations, appellate jurisdiction of a court of appeal extends to law and facts.

Section 11. Courts of Appeal; Certification

Section 11. A court of appeal may certify any question of law before it to the supreme court, and the supreme court then may give its binding instruction or decide the case upon the whole record.

Section 12. Courts of Appeal; Chief Judge

Section 12. The judge oldest in point of service on each court of appeal shall be chief judge of that court and shall preside at the court subject to the rules adopted by it.

Section 13. Courts of Appeal; Personnel

Section 13. Each court of appeal may select its clerk and other personnel and prescribe their duties.

Section 14. District Courts; Judicial Districts

Section 14. The state shall be divided into judicial districts, each composed of at least one parish and served by at least one circuit judge.

Section 15. Courts; Retention; Jurisdiction; Judicial District Changes; Terms

Section 15. (A) Court Retention; Trial Courts of Limited Jurisdiction. The district, family, juvenile, parish, city, and magistrate courts existing on the effective date of this constitution are retained. Subject to the limitations in Sections 16 and 17 of this Article, the legislature may abolish or merge such courts in whole or in part.

Section 16. Criminal Liquidation. The trial court system of the state may be reorganized and the supreme court may establish a single supreme court.
diction which shall be uniform throughout the state. The office of city marshal is continued until the city court he serves is abolished.

(B) Judicial Districts. The judicial districts existing on the effective date of this constitution are retained. Subject to the limitations in Section 20 of this Article, the legislature may establish, divide, or merge judicial districts with approval in a referendum in such district and parish affected.

(C) Term. The term of a district, parish, or city court judge shall be six years.

(D) Number of Judges. The legislature may change the number of judges in any judicial district by law enacted by two-thirds of the elected members of each house.

Section 16. District Courts; Jurisdiction

Section 16. (A) Original Jurisdiction. Except as otherwise authorized by this constitution, a district court shall have original jurisdiction of all civil and criminal matters. It shall have exclusive original jurisdiction of felony cases and of cases involving title to immovable property; the right to office or other public position; civil or political rights; probate and succession matters; the state, a political corporation, one effective from office or a succession, as a defendant; and the appointment of receivers or liquidators for corporations or partnerships.

(B) Appellate Jurisdiction. A district court shall have appellate jurisdiction as provided by law.

Section 17. District Courts; Chief Judge

Section 17. Each district court shall elect from its members a chief judge who shall exercise, for a term designated by the court, the administrative functions prescribed by rule of court.

Section 18. Juvenile Courts; Jurisdiction

Section 18. Notwithstanding any contrary provision of Section 16 of this Article, juvenile and family courts shall have jurisdiction as provided by law.

Section 19. Masters' Courts; Justice of the Peace Courts

Section 19. Mayors' courts and justice of the peace courts existing on the effective date of this constitution are continued, subject to change by law.

Section 20. Judges; Decrease in Terms and Compensation Prohibited

Section 20. The term of office, retirement benefits, and compensation of a judge shall not be decreased during the term for which he is elected.

Section 21. Judges; Election; Vacancy

Section 21. (A) Election. Except as otherwise provided in this Section, all judges shall be elected. Election shall be at the regular congressional election.

(B) Vacancy. A newly-created judgeship or a vacancy in the office of a judge shall be filled by special election called by and held within six months after the day on which the vacancy occurs or the judgeship is established, except when the vacancy occurs in the last six months of an existing term. Until the vacancy is filled, the supreme court shall appoint a person meeting the qualifications for the office, other than doniclique, to serve at its pleasure. The appointee shall be ineligible as a candidate at the election to fill the vacancy or the newly-created judicial office. No person serving as an appointed judge, other than a retired judge, shall be eligible for retirement benefits provided for the elected judiciary.

(C) End of Term. A judge serving on the effective date of this constitution shall serve through December thirty-first of the last year of his term or, if the last year of his term is not in the year of a regular congressional election, then through December thirty-first of the following year. The election for the next term shall be held in the year in which the term expires, as provided above.

Section 22. Judges; Retirement

Section 22. (A) Retirement System. Within two years after the effective date of this constitution, the legislature shall provide for a retirement system for judges which shall apply to a judge taking office after the effective date of the law enacting the system and in which a judge in office at that time may elect to become a member, with credit for all prior years of judicial service and without contribution therefor. The retirement benefits and judicial service rights of a judge in office or retired on the effective date of this con-

stitution shall not be diminished, nor shall the benefits to which a surviving spouse is entitled be reduced.

(B) Mandatory Retirement. Except as otherwise provided in this Section, a judge shall not remain in office beyond his seventieth birthday.

Section 23. Judges; Qualifications

Section 23. A judge of the supreme court, a court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction and having the jurisdiction of a district court in this state for at least five years prior to his election, and shall have been domiciled in the respective district, circuit, or parish for the two years preceding election. He shall not practice law.

Section 24. Judicial Commission

Section 24. (A) Composition. The judiciary commission shall consist of

(1) one court of appeal judge and two district court judges selected by the supreme court;

(2) two attorneys admitted to the practice of law for at least ten years and one attorney admitted to the practice of law for at least three years but not more than ten years, selected by the Conference of Court of Appeal Judges or its successor. They shall not be judges, active or retired, or public officials, other than notaries public; and

(3) three citizens, not lawyers, judges active or retired, or public officials, selected by the Louisiana District Judges Association or its successor.

(B) Term; Vacancy. A member of the commission shall serve a four-year term and shall be ineligible to succeed himself. His term shall end upon the occurrence of any event which would have made him ineligible for appointment. Whenever a member of the commission shall have been admitted to the Supreme Court by a judge for wilful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, conduct in violation of the code of judicial conduct or conviction of a felony. On recommendation of the judiciary commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during the pendency of proceedings in the supreme court. On recommendation of the judiciary commission, the supreme court may retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is or is likely to become permanent. The supreme court shall make orders implementing Section 24(A) in accordance with confidentiality and privilege of commission proceedings.

(D) Other Disciplinary Action. Action against a judge under this Section shall not preclude disciplinary action against him concerning his license to practice law.

Section 25. District Attorneys

Section 25. (A) Election; Qualifications; Assistants. In each judicial district a district attorney shall be elected for a term of six years. He shall have been admitted to the practice of law in the state for at least five years prior to his election and shall have resided in the district for the two years preceding election. A district attorney may select assistants as authorized by law, and other personnel.

(B) Powers. Except as otherwise provided by this constitution, a district attorney, or his designated assistant, shall have charge of every criminal prosecution by the state in his district, be the representative of the state before the grand jury in his district, and be the legal advisor to the grand jury. He shall perform other duties provided by law.

(C) Prohibition. No district attorney or assistant district attorney shall appear, plead, or in any way defend or assist in defending any criminal prosecution or charge. A violation of this Paragraph shall be cause for removal.

Section 26. Sheriffs

Section 26. In each parish a sheriff shall be elected for a term of four years. He shall be the chief law enforcement officer in the parish, except as otherwise provided by this constitution, and shall serve at the pleasure of the people. He shall be the collector of state and parish ad valorem taxes and such other taxes and license fees as provided by law. This Section shall not apply to Orleans Parish.

Section 27. (A) Powers and Duties; Deputies. In each parish a clerk of the district court shall be elected for a term of four years. He shall be ex officio notary public and parish
recorder of conveyances, mortgages, and other acts and shall have other duties and powers provided by law. The clerk may appoint deputies with duties and powers provided by law and, with the approval of the district judges, he may appoint minor clerks with duties and powers provided by law.

(B) Office Hours. The legislature shall establish uniform statewide office hours for clerks of the district courts.

Section 28. Coroners

Section 28. In each parish a coroner shall be elected for a term of four years. He shall be a licensed physician and possess the other qualifications and perform the duties provided by law. The requirement that he be a licensed physician shall be inapplicable in any parish in which no licensed physician will accept the office.

Section 29. Vacancies

Section 29. When a vacancy occurs in the following offices, the duties of the office, until it is filled by election as provided by law, shall be assumed by the persons herein designated: (1) sheriff, by the chief criminal deputy; (2) district attorney, by the first assistant; (3) clerk of a district court, by the chief deputy; (4) coroner, by the chief deputy. If there is no such person to assume the duties when the vacancy occurs, the governing authority or authorities of the parish or parishes concerned shall appoint a qualified person to assume the duties when the vacancy occurs, the governing authority or authorities of the parish or parishes concerned shall appoint a qualified person to assume the duties of the office until filled by election.

Section 30. Reduction of Salaries and Benefits Prohibited

Section 30. The salary and retirement benefits of an attorney general, district attorney, sheriff, coroner, or clerk of the district court shall not be diminished during his term of office.

Section 31. Orleans Parish Courts, Officials

Section 31. Except for provisions relating to terms of office as provided elsewhere in this Article, and notwithstanding any other contrary provision of this constitution, the following courts and officers in Orleans Parish are continued, subject to change by law: the civil and criminal district courts; the city, municipal, traffic, and juvenile courts; the clerks of the civil and criminal district courts; the civil and criminal sheriffs; the constables; and the clerks of the first and second city courts; the register of conveyances; and the recorder of mortgages.

Section 32. Jurors

Section 32. (A) Qualifications. A citizen of the state who has reached the age of majority is eligible to serve as a juror within the parish in which he is domiciled. The legislature may provide additional qualifications.

(B) Exemptions. The supreme court shall provide by rule for exemptions of jurors.

Section 33. Grand Jury

Section 33. (A) Grand Jury. There shall be a grand jury or grand juries in each parish, whose qualifications, duties, and responsibilities shall be provided by law. The secrecy of the proceedings, including the identity of witnesses, shall be provided by law.

(B) Right to Counsel. The legislature may establish by law terms and conditions under which a witness may have the right to be advised of counsel while testifying before the grand jury.

Respectfully submitted.
MOISE W. DENNERY
Secretary.

The Proposal contained in the report was signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 16, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly Re-Enrolled in final form:

COMMITTEE PROPOSAL No. 36—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Mau-berret, Mire, Nunez, Planchard, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XI. REVENUE AND FINANCE

Section 1. Ad Valorem Tax. 

Section 1. (A) Assessments. Property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation, which, except as provided in Paragraph (C), shall be a percentage of its fair market value. The percentage shall be uniform throughout the state upon the same class of property.

(B) Classification. The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each classification for the purpose of determining assessed valuation are as follows:

Classifications

Percentages

1. Land

10%

2. Improvements for residential purposes

10%

3. Other property

15%

(C) Use Value. Bona fide agricultural, horticultural, marshall, and timber lands, as defined by general law, shall be assessed for tax purposes at ten percent of use value rather than fair market value. The legislature may provide by law uniformly for buildings of historic architectural importance.

(D) Valuation. Each assessor shall determine the fair market value of all property subject to taxation within his respective parish or parishes or public service properties, which shall be valued at fair market value by the Louisiana Tax Commission or its successor. Each assessor shall determine the use value of property which is to be so assessed under the provisions of Paragraph (C), fair market value and use value of property shall be determined in accordance with criteria which shall be established by law and which shall apply uniformly throughout the state.

(E) Review. The correctness of assessments by the assessors shall be subject to review first by the governing authority, then by the Louisiana Tax Commission or its successor, and finally by the courts, all in accordance with procedures established by law.

(F) Reappraisal. All property subject to taxation shall be reappraised and valued in accordance with this Section, at intervals of not more than four years.

Section 2. State Property Taxation; Rate Limitation

Section 2. State taxation on property not for the purposes of the State shall exceed one and one-half mills annually on the dollar assessed valuation.

Section 3. Homestead Exemption

Section 3. (A) Homeowners.

(1) The bona fide homestead, consisting of a tract of land or two or more tracts of land with a residence on one tract and a field, pasture, or garden on the other tract or tracts, not exceeding one hundred sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by any person, shall be exempt from state, parish, and special ad valorem taxes to the extent of three thousand dollars of the assessed valuation.

(2) By law enacted by two-thirds of the elected members of each house, the legislature may increase this homestead exemption to an amount which shall not exceed five thousand dollars of the assessed valuation.

(3) The homestead exemption of veterans of the armed forces of the United States, honorably discharged or separated from such services or other persons who served in the armed forces, as defined by general law, and of persons sixty-five years of age or older shall be five thousand dollars of the assessed valuation.

(4) The homestead exemption shall extend to the surviving spouse or minor children of a deceased owner and shall cease when the homestead is occupied by title to it in either husband or wife but not to more than one homestead owned by the husband or wife.

(5) This exemption shall not extend to municipal taxes. However, the exemption shall apply (a) in Orleans Parish, to the city, general city, school, levee, and levee district taxes and (b) to any municipal taxes levied for school purposes.

(B) Residential Lessees. Notwithstanding any contrary provision in this constitution, the legislature may provide for tax relief to residential lessees in the form of credits or
rebates in order to provide equitable tax relief similar to that granted to homeowners through homestead exemptions.

Section 4. Other Property Exemptions
Section 4.1. Application to the homestead exemption provided for in Section 3 of this Article, the following property and no other shall be exempt from ad valorem taxation:

(A) Public lands; other public property used for public purposes.

(B) (1) Property owned by a nonprofit corporation or association organized and operated exclusively for religious, educational, or charitable purposes, for the benefit of any nonprofit private shareholder or member thereof and which is declared to be exempt from federal or state income tax;

(2) property of a bona fide labor organization representing its members or affiliates in collective bargaining efforts; and

(3) property of an organization such as a lodge or club organized for charitable and fraternal purposes and practicing the same, and property of a nonprofit corporation organized to operate hotels, travel, and commerce, and also property of a trade, business, industry or professional society or association, if that property is owned by a nonprofit corporation or association organized under the laws of this state for such purposes.

None of the property listed in Paragraph (B) shall be exempt if owned, operated, leased, or used for commercial purposes unrelated to the exempt purposes of the corporation or association.

(C) (1) Cash on hand or deposit;

(2) stocks and bonds, except bank stocks, the tax on which shall be paid by the banking institution;

(3) obligations secured by mortgage or property located in Louisiana and the notes or other evidence thereof;

(4) loans by life insurance companies to policyholders, if secured solely by their policies;

(5) the legal reserve of domestic life insurance companies;

(6) obligations by a homestead or building and loan association to its members, if secured solely by stock of the association;

(7) debts due for merchandise or other articles of commerce or for services rendered;

(8) obligations of the state or its political subdivisions;

(9) personal property used in the home or on loan in a public place;

(10) irrevocably dedicated places of burial held by individuals for purposes of burial of themselves or members of their families;

(11) agricultural products while owned by the producer, agricultural machinery and other implements used exclusively for agricultural purposes, animals on the farm, and property belonging to an agricultural fair association;

(12) property used for cultural, Mardi Gras carnival, or civic activities and not operated for profit to the owners;

(13) rights-of-way granted to the State Department of Highways;

(14) boats using gasoline as motor fuel;

(15) commercial vessels used for gathering seafood for human consumption; and

(16) ships and ocean-going tugs, towboats, and barges engaged in international trade, and domiciled in Louisiana ports. However, this exemption shall not apply to harbor, wharf, shed, and other port dues or to any vessel operated in the coastal trade of the states of the United States.

(D) (1) Raw materials, goods, commodities, and articles imported into this state from outside the states of the United States:

(a) so long as the imports remain on the public property or authority of docks or the common carrier where they shall be exempt from ad valorem taxation

(b) so long as the imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in their original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages, and raw materials held in bulk as all or a part of the new material inventory of manufacturers or processors, solely for manufacturing or processing; or

(c) so long as the imports are held by an importer in any public or private storage in the original form in bales,
termination of that value to implement this Article. This Section shall not apply to mortgages required to be levied for the payment of general obligation bonds.

Section 7. Revenue Sharing Fund

Section 7. (A) Creation of Fund. The Revenue Sharing Fund is created as a special fund in the state treasury. The amount of one and one-half million dollars is allocated annually from the state general fund to the revenue sharing fund. The legislature may appropriate additional sums to the fund.

(C) Distribution Formula. The revenue sharing fund shall be distributed annually as provided by law solely on the basis of population and number of homesteads in each parish in proportion to population and the number of homesteads throughout the state. Unless otherwise provided by law, population statistics of the last federal decennial census shall be utilized for this purpose. After deductions in each parish for retirement systems and liabilities as authorized by law, the remaining funds, to the extent available, shall be distributed by first priority to the tax residents bodies within the parish, as defined by law, to offset current losses because of homestead exemptions granted in this Article. Any balance remaining in a parish distribution shall be allocated to the municipalities and tax residents bodies within the parish as provided by law.

(D) Distributing Officer. The funds distributed to each parish as provided in Paragraph (C) shall be distributed to each parish by the city treasurer of New Orleans and in the absence of the city treasurer by the parish tax collector. The funds allocated to the Monroe City School Board or its successor shall be distributed to and by the city treasurer of Monroe.

(B) Bonded Debt. A political subdivision, as defined by Article VI of this constitution, may incur debt by issuing negotiable bonds and may pledge for the payment of all or part of the principal and interest of such bonds the proceeds derived or to be derived from that portion of the funds received from the revenue sharing fund, to offset current losses caused by homestead exemptions granted by this Article. Unless otherwise provided by law, no moneys allocated within any parish from the balance remaining in its distribution may be pledged to the payment of the principal or interest of any bonds. Bonds issued under this Paragraph shall be issued and sold as provided by law and shall require approval of the State Bond Commission or its successor prior to issuance and sale.

Section 8. Tax Assessors

Section 8. (A) Election; Term. A tax assessor shall be elected by the electors of each parish, Orleans Parish excepted. His term of office shall be four years. His election, duties, and compensation shall be as provided by law. There shall be seven assessors in New Orleans, who shall compose the Board of Assessors for Orleans Parish. One shall be elected from each municipal district of New Orleans, and each shall be a resident of the district from which he is elected. The assessors shall be elected at the same time as the municipal officers of New Orleans, for terms of four years each. Their duties and compensation shall be as provided by law.

(C) When a vacancy occurs in the office of tax assessor, the duties of the office, until filled by election as provided by law, shall be assumed by the chief deputy assessor, except in Orleans Parish where the Board of Assessors shall appoint an interim assessor.

Section 9. Tax Sales

Section 9. (A) Tax Sales. There shall be no forfeiture of property for nonpayment of taxes. However, at the expiration of the year in which the taxes are due, the collector shall sell immediately the least quantity of property which any bidder will buy for the amount of the taxes, interest, and costs. The sale shall be without appraisement. A tax deed by a tax collector shall be prima facie evidence that a valid sale was made.

(B) Redemption. The property sold shall be redeemable for three years after the date of recordation of the tax sale, by paying the price given, including costs, five percent penalty thereon, and interest at the rate of one percent per month until redemption.

(C) Annulment. No sale of property for taxes shall be set aside for any cause, except on proof of payment of the taxes prior to the date of the sale, unless the proceeding to annul is instituted within six months after service of notice of sale. A notice of sale shall not be served until the final day for redemption has ended. It must be served within five days after the date of the publication of the tax deed. If no notice is given. The fact that taxes were paid on a part of the property sold prior to the sale thereof, or that a part of the property was not subject to taxation, shall not be cause for nulling the sale of any part thereof on which the taxes for which it was sold were due and unpaid. No judgment annuling a tax sale shall have effect until the price and all taxes and costs are paid, and until ten percent per annum interest on the amount of the price and taxes paid from date of respective payments are paid to the purchaser; however, this shall not apply to sales annulled because the taxes were paid prior to the date of sale.

(D) Quieting Tax Title. The manner of notice and form of proceeding to quiet tax titles shall be provided by law.

(E) Movables; Tax Sales. When taxes on movables are delinquent, the tax collector shall seize and sell sufficient movable property of the delinquent taxpayer to pay the taxes, interest, and costs due from him, or not taxable property of the delinquent taxpayer which was assessed. Sale of the property shall be at public auction, without appraisement, after ten days advertisement, published within ten days after date of seizure. It shall be absolute and without redemption.

If the tax collector can find no corporeal movables of the delinquent to seize, he may levy on incorporeal rights, by notifying the debtor thereof, or he may proceed by summary rule in the courts to compel the delinquent to deliver for sale property in his possession under his control.

(F) Postponement of Taxes. The legislature may postpone the payment of taxes, but only in cases of overwork, general conflagration, general crop destruction, or other public calamity, and may provide for the levying, assessing, and collecting of such postponed taxes. In such cases, the legislature may authorize the borrowing of money by the state on its faith and credit, by bond issue or otherwise, and may levy taxes, or apply taxes already levied and not appropriated, to secure payment thereof, in order to create a fund from which loans may be made through the Interstate Emergency Board to the governing authority of the parish where the calamity occurs. The money loaned shall be applied to and shall not exceed the deficiency in revenue of the parish or political subdivision therein or in which the property is a part, caused by postponement of taxes. No loan shall be made to a parish governing authority without the approval of the Interstate Emergency Board.

Section 10. Effective Date

Section 10. Section 1 and Section 3 of this Article shall become effective January 1 of the year following the end of three years after the effective date of this constitution. Until that date, the provisions of the Constitution of 1921 governing matters covered by those Sections shall continue in effect, notwithstanding any contrary expiration date stated in any provision thereof concerning the veterans' homestead exemption.

Respectfully submitted,
MOISE W. DENNERY
Secretary.

The Proposal contained in the report was signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

On motion of Delegate Tobias, the Convention altered the Order of Business to take up reading and adoption of the Previous Day's Journal at this time.

Reading of the Journal

On motion of Delegate Tobias, the reading of the Journal was dispensed with.
On motion of Delegate Tobias, the Journal of yesterday was adopted.

Motion
On motion of Delegate Pugh the rules were suspended in order to discharge Committee Proposal No. 4 from the Committee on Style and Drafting.

Reconsideration
On motion of Delegate Pugh the vote by which Committee Proposal No. 4 was passed, was reconsidered.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Arnette, Brien, Denney, Duval, Gravel, Stovall and Tapper:

A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

Motion
On motion of Delegate Pugh the Rules were suspended in order to call from the table the motion to Reconsider the vote by which Committee Proposal No. 4, Section 5 for the limited purpose of offering an amendment thereto.

Reconsideration
On motion of Delegate Pugh the vote by which Committee Proposal No. 4, Section 5, was passed, was reconsidered.

Section 5. Powers and Duties of Governor

Section 5. (A) Executive Authority. The Governor shall be the chief executive officer of the state and shall faithfully support the constitution and laws of the state.

(B) Legislative Reports and Recommendations. The Governor shall, at the beginning of each regular session of the legislature, and at any other times, make reports and recommendations to the legislature concerning the affairs of state, including its complete financial condition.

(C) Reports and Information. Any department head shall provide the governor with reports and information, in writing or otherwise, when requested by him on any subject relating to such department, excepting matters relating to investigations of the governor's office.

(D) Operating Budget. The Governor shall prepare the state's annual operating budget, and shall transmit copies thereof to the legislature at least two weeks prior to the first day of each annual session. Upon adoption of the operating budget by the legislature, it shall become the official state budget and shall be executed and administered by the Governor. Total appropriations for the year shall not exceed anticipated annual revenues as projected by the governor in the operating budget.

(E) Capital Budget. The Governor shall prepare annually a five-year capital program and shall submit to each regular session of the legislature a proposed capital budget as provided by statute implementing the first year of the program. All capital projects approved by the legislature shall be made a part of the capital budget, and the operating budget for each year shall provide for amortization of the cost of each such capital project.

(F) Pardon, Commutation, Reprieve, Remission. Except in cases of conviction upon impeachment, the governor may re-

On motion of Delegate Pugh, the amendment was adopted.
Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 4, Section 5 was read, as amended.

Delegate Pugh moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Abraham</td>
<td>Goldman</td>
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<td>Alexander</td>
<td>Graham</td>
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<td>Arnette</td>
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<td>Assell</td>
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<td>Avant</td>
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<td>Badeaux</td>
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<td>Bergeron</td>
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<td>Blair</td>
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<td>Bollinger</td>
<td>Hernandez</td>
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<td>Jackson, J.</td>
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<td>Casey</td>
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<td>Chehardy</td>
<td>Kilbourne</td>
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<td>Conino</td>
<td>Kilpatrick</td>
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<td>Corne</td>
<td>Landrum</td>
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<td>Cowen</td>
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<tr>
<td>D'Gerolamo</td>
<td>Landry, E. J.</td>
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<tr>
<td>De Bleux</td>
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<td>Derbes</td>
<td>Leigh</td>
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<td>Deshotels</td>
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<td>Drew</td>
<td>Lowe</td>
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<td>Duval</td>
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<td>Elkins</td>
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<td>Gauthier</td>
<td>Orso</td>
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<tr>
<td>Glenn</td>
<td>Total—100.</td>
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</table>

Total—100.

NAYS

NOT VOTING

<table>
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<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Dennis</td>
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<td>Aeriiker</td>
<td>Dunlap</td>
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<td>Alario</td>
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<td>Dennery</td>
<td>Morris</td>
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<tr>
<td>Dennis</td>
<td>Munson</td>
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</table>

Total—32.

And the Chair declared that the above Section was finally passed.

The roll was called with the following result:

ROll CALL

The roll was called with the following result:

Delegates—

| Abraham    | Gisham |
| Alexander  | Gravel |
| Arnette    | Grier  |
| Assell     | Guariisco |
| Avant      | Haroei |
| Badeaux    | Hayes  |
| Bel        | Haynes |
| Bergeron   | Heine  |
| Blair      | Hernandez |
| Briien     | Jackson, A. |
| Burson     | Jackson, J. |
| Cannon     | Jenkins |
| Casey      | Jones  |
| Champagne  | Juneau |
| Chatelain  | Kelly  |
| Chehardy   | Kilbourne |
| Conino     | Kilpatrick |
| Corne      | Landrum |
| Cowen      | Landry, A. |
| D'Gerolamo | Landry, E. J. |
| De Bleux   | LeBleu |
| Derbes     | Leigh  |
| Deshotels  | Leithman |
| Drew       | Lowe   |
| Duval      | McDaniel |
| Elkins     | Maubert |
| Fayard     | Maybuce |
| Flory      | Miller |
| Fentenot   | Newton |
| Fowler     | Nunez  |
| Fulco      | O'NeilL |
| Gauthier   | Orso   |
| Glenn      | Total—100. |

Total—100.

NAYS

NOT VOTING

<table>
<thead>
<tr>
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<td>Morris</td>
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<tr>
<td>Conroy</td>
<td>Munson</td>
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</tbody>
</table>

Total—32.

And the Chair declared that the above Proposal was finally passed.

Motion to reconsider pending.

Motion

On motion of Delegate Tate the rules were suspended for the purposes of calling a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Tate, Chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Thursday, January 17, 1974, at 8:00 o'clock A.M. in the Treaty Room and will consider the following agenda:

AGENDA

Consider further final structuring of document.

Respectfully submitted,

ALBERT TATE,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly
posted as provided by the Rules of Procedure of the Convention.

<table>
<thead>
<tr>
<th>Leaves of Absence</th>
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<tr>
<td>Delegate Jack—1 day.</td>
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<td>Delegate Carmouche—1 day.</td>
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<tr>
<td>Delegate Thompson—½ day.</td>
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**Adjournment**

Delegate Bollinger moved that the Convention do now adjourn until Thursday, January 17, 1974, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, January 17, 1974, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk

1332
Prayer

Prayer was offered by Delegate Stovall.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Delegate Slay, the Journal of yesterday was adopted.

Regular Order

Reports of Committees

The following reports of committees were received and read:

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973

January 17, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

SUPPLEMENTAL REPORT:

COMMITTEE PROPOSAL No. 7—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Giehler, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Reiche, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham: A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Reported without amendments.

Respectfully submitted,

ALBERT TATE, JR.
Chairman.

Suspension of the Rules

On motion of Delegate Tate the rules were suspended in order to take up the Proposals contained in the Committee Report at this time.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 4—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Arnette, Brien, Denery, Duval, Gravel, Stovall and Tapper: A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office holding, a code of ethics, and impeachment.

Read.

COMMITTEE AMENDMENT

Amendment proposed by Committee on Style and Drafting to Committee Proposal No. 4 by Delegate Stovall, et al.
Amend re-enrolled final enrollment proposal as follows:

AMENDMENT No. 1—
On page 2, line 27, after the words "United States" and before the words "shall" delete the comma "."

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

Reports of Committees, Continued

The following reports of committees were received and read:

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention of 1973
January 17, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

DELEGATE PROPOSAL No. 98—
Introduced by Delegates Henry, Gravel, Graham, Pugh, A. Jackson, Juneau, Kelly, Leithman, Corne, Shannon, Deshotels, Fowler, Zerivgon, Riecke, Wattigny, Alario, Kilpatrick, Roemer, LeBleu, Conino, Warren, Guarisco, Arnette, Abraham, Badeaux, Anzalone, Fayer, Derbes, Gauthier, Bollinger, Willis, Newton, A. Landry, Goldman, Ginn, Ulio, Toomy, Sutherland, Stovall, Schmitt, Bergeron, Chatelain, Vick, Corroy, Miller, Casey, Deneney, Tobias, O'Neill and Weiss:
A PROPOSAL

To provide with respect to an alternative provision relative to education.

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolutions on second reading to be referred to Committees were taken up, read, and referred to Committees, as follows:

DELEGATE RESOLUTION No. 81—
Introduced by Delegate Avant:
A RESOLUTION

To amend Rule 37.1 of the Standing Rules of the Constitutional Convention to add a Paragraph F to provide for the vote requirement by the people to adopt an alternative to the proposed constitution.

Read.

Under the rules referred to the Committee on Rules, Credentials and Ethics.

Reconsideration

DELEGATE PROPOSAL No. 97—
A PROPOSAL

To provide with respect to an alternative provision relative to the Executive Branch.

Read.

On motion of Delegate Asself the vote by which the Proposal failed to pass on yesterday was reconsidered.

Returned to the Calendar under the rules.

Unfinished Business

The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:

Alternate Proposals on Final Passage

The following Alternate Proposals were taken up on final passage:

DELEGATE PROPOSAL No. 100—
To provide with respect to an alternative provision relative to the Executive Branch prohibiting a person elected as governor from being his own immediate successor. 

Read. 

Section 1. There shall be placed on the ballot to the people for the ratification of the proposed new constitution, as an alternative, the following propositions: 

A. FOR permitting the governor to serve two consecutive terms. 

B. AGAINST permitting the governor to serve two consecutive terms. 

Section 2. (A) If Alternative Proposition No. A permitting the governor to serve two consecutive terms is approved by the electors and if the proposed constitution is approved, then no change shall be made therein. 

(B) If Alternative Proposition No. B prohibiting the governor from serving two consecutive terms is approved by the electors and if the proposed constitution is approved by the electors, then Section 3(A) as set forth in Committee Proposal Number 4 shall be null, void, and of no effect, and shall be deleted from the proposed constitution and the following shall become Section 3(A) of Article IV of the new constitution: 

"ARTICLE IV. EXECUTIVE BRANCH * * * 

Section 3. Election and Terms 

Section 3. (A) The governor, lieutenant governor, secretary of state, attorney general, commissioner of agriculture, commissioner of elections, commissioner of insurance, superintendent of education, and treasurer shall each be elected for a term of four years by the electors of the state, at the time and place of voting for members of the legislature. After the first election of state officials following adoption of this constitution, no person shall be eligible as a candidate for nomination, election, or reelection to the office of governor for the term immediately following the term to which he was elected as governor; however, this provision shall not apply to the governor in office at the time of the adoption of this constitution, who shall be subject to law in effect at the time of his election."

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

FLOOR AMENDMENT 

Amendment proposed by Delegate De Blieux to Delegate Proposal No. 100 by Delegate McDaniel, et al. 

Amend printed proposal as follows: 

AMENDMENT No. 1— 

On page 2, delete lines 10 through 17, both inclusive, in their entirety. 

Delegate De Blieux moved the adoption of the amendment, Delegate McDaniel objected. 

By a vote of 36 yeas and 76 nays the amendment was rejected. 

Delegate McDaniel moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table. 

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

FLOOR AMENDMENT 

Amendment proposed by Delegate Alario to Delegate Proposal No. 100 by Delegate McDaniel, et al. 

Amend printed proposal as follows: 

AMENDMENT No. 1— 

Delete Delegate Alario as co-author, 

On motion of Delegate Alario the amendment was adopted. 

Delegate Alario moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table. 

The Proposal was read. 

Delegate McDaniel moved the final passage of the entire Proposal. 

ROLL CALL 

The roll was called with the following result: 

YEAS 

Delegate— 

Abraham Alario Bel Brien Burson Casey Chaillein Chehardy Comar Conroy Corne Denney Dunlap Duval Flory Graham 

Total—49. 

NAYS 

Delegate— 

B stress, Galloway, Garcia, Ginn, Guarisco, Haynes, Jack, Jones, Kilbourne, Lambert, Lebleu, O'Neill, Ours, Perez 

Total—38. 

And the Chair declared that the above Proposal failed to pass. 

Delegate Flory moved to reconsider the vote by which the above Proposal failed to pass, and, on his own motion, the motion to reconsider was laid on the table. 

Vice-Chairman Casey in the Chair 

DELEGATE PROPOSAL No. 101— 


A PROPOSAL 

To provide with respect to an alternative provision relative to Revenue and Finance. 

Read.

Passage 

The Proposal was read. 

Delegate McDaniel moved the final passage of the entire Proposal.
Section 1. There shall be placed on the ballot submitted to the people for the ratification of the proposed new constitution, as an alternative, the following propositions:

2A. FOR permitting local option property taxation assessment and homestead exemptions

2B. AGAINST permitting local option property taxation assessment and homestead exemptions.

Section 2. (A) If alternative Proposition No. 2A concerning local option property taxation assessment and homestead exemption is approved by the electors and if the proposition is approved by the electors, then all following sections shall become Sections 1 and 3 of Article XI of the new constitution and Sections 1 and 3 of Article XI as set forth in Committee Proposal Number 26 shall be null, void and of no effect and shall be deemed stricken from the proposed constitution.

"ARTICLE XI. REVENUE AND FINANCE

Section 1. Assessment of Property; Classification; Assessors; R.I.R. 4. taxpayer; Exemptions from Ad Valorem Property Taxation

Section 1. (A) Assessments. All property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation which shall be a percentage of its fair market value.

(B) Classification. All property subject to ad valorem taxation shall be assessed at fifteen percent of its fair market value; however, upon adoption of an ordinance by the governing authority of any parish and with subsequent approval by the governor the percentage in any parish may be increased to twenty-five percent or decreased to ten percent of fair market value.

(C) Valuation. Each assessor shall determine the fair market value of all property subject to taxation within his parish or district, except public service properties, which shall be assessed by the Louisiana Tax Commission. Fair market value and use value of property shall be determined in accordance with criteria which shall be established by the legislature.

(D) Review. The correctness of assessments by the assessor shall be subject to change by the parish governing authority, then by the Louisiana Tax Commission, and finally by the courts in accordance with procedures established by law.

(E) Use Value. Bona fide agricultural, horticultural, marsh, and timber lands, as defined by general law, shall be assessed for purposes of taxation at a percentage of use value rather than fair market value, as provided in Paragraph (B) hereof.

(F) Reappraisal. All property subject to taxation shall be reappraised and valued in accordance with the provisions of this Section at intervals of not more than four years.

(G) Multi-parish Districts. A board of assessors is created for each multi-parish district in which the assessed value of property of one of the parishes differs from any other to be composed of the assessor of each parish or part of a parish which is included within the boundaries of a multi-parish district. Such board of assessors for each multi-parish district shall determine the fair market value of all taxable property within the boundaries of said district and shall assess all property within the boundaries of such multi-parish district at the same percentage of fair market value fixed by the governing authority of each multi-parish district.

(H) Enforcement. The state treasurer shall disburse funds out of the state revenue sharing fund to the several local agencies and homestead exemptions on the Louisiana Tax Commission has certified that assessments in each parish fall no more than ten percent below the legal assessment ratio for the parish. Local agencies where assessments fall more than ten percent below the legal ratio shall receive only that proportion of revenue sharing funds that the assessment ratio in their parish represents of the legal assessment ratio for the parish. A period of three months will be allowed in which parish assessments may be brought into full conformity with the legal ratio, after which the withheld revenue shall be paid the respective local agencies. Thereafter, if such additional exemptions are not made, the funds shall revert to the state general fund.

Section 3. Homestead Exemption

Section 3. (A) Homeowners. (1) The bona fide homestead, consisting of a tract of land or two or more tracts of land with a residence on one tract and a field, pasture, or garden on the other tract or tracts, not exceeding one hundred sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by any person, shall be exempt from state, parish, and special ad valorem taxes to the extent of three thousand dollars of the assessed valuation.

(2) By the law enacted by two-thirds of the elected members of each house, the legislature may increase this homestead exemption to an amount which shall not exceed five thousand dollars of the assessed valuation.

(3) The homestead exemption of veterans of the armed forces of the United States, honorably discharged or separated from such services or other persons who served in said armed forces, as defined by general law, and of persons sixty-five years of age shall be five thousand dollars of the assessed valuation.

However, if the percentage of fair market or use value is changed in any parish as authorized in Paragraph (B) of Section 1 of this Article, the value of the homestead exemption for all eligible homeowners shall be adjusted to compensate for the change.

(4) The homestead exemption shall extend to the surviving spouse or minor children of a deceased owner and shall continue when the homestead is occupied as such and title to it is in either husband or wife but not to more than the full stead owned by the husband or wife.

(5) This exemption shall not extend to municipal taxes. However, the exemption shall apply (a) in Orleans Parish, to state, general city, school, levee, and levee district taxes and (b) to any municipal taxes levied for school purposes.

(B) Residential Lessees. Notwithstanding any contrary provisions in this constitution, the legislature may provide for tax relief to residential lessees in the form of credits or rebates in order to provide equitable tax relief similar to that provided homeowners through homestead exemptions.

2. (B) If Alternative Proposition No. 2A concerning local option property taxation assessment and homestead exemptions is not approved by the electors the proposed constitution is approved by the electors then no change shall be made therein.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Stagg to Delegate Proposal No. 101 by Delegate Stagg, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 4, at the end of line 26, delete the word "the" and at the beginning of line 27, delete the words "full stead" and insert in lieu thereof the words "one homestead"

On motion of Delegate Stagg the amendment was adopted.

Delegate Stagg moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Landrum to Delegate Proposal No. 101 by Delegate Stagg, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 2, delete lines 7 through 13, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Classification. The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each classification for the purpose of determining assessed valuation are as follows:
120th Days Proceedings—January 17, 1974

Classifications
1. Land 15%
2. Improvements for residential purposes 15%
3. Other property 20%

However, upon adoption of an ordinance by the governing authority of any parish and with subsequent approval by the legislature, the percentage in any parish may be increased to twenty-five percent or decreased to ten percent of fair market value.

AMENDMENT No. 2—
On page 2, line 28, after the words “taxation at” and before the words “of use” delete the words “a percentage” and insert in lieu thereof the words “fifteen percent”.

On motion of Delegate Landrum the amendment was withdrawn.

Acting Chairman Reeves in the Chair
Delegate Bollinger sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Bollinger to Delegate Proposal No. 101 by Delegate Stagg, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, line 10, after the word “parish” delete the remainder of the line and at the beginning of line 11, delete the words and punctuation “by the legislature,” and insert in lieu thereof the following: “and with approval by a majority of the electors of the parish voting on the question at an election held for that purpose.”

Delegate Bollinger moved the adoption of the amendment.

Delegate Avant objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<tr>
<th>Delegates</th>
<th>Duval</th>
<th>Newton</th>
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<td></td>
<td>Elkins</td>
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**NAYS**

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And the amendment was adopted.

Delegate Bollinger moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Chairman Henry in the Chair**

**Motion**

Delegate Stagg moved that the Convention recess until 1:30 o'clock P.M.

Delegate Chehardy objected.

By a vote of 46 yeas and 56 nays the Convention refused to recess until 3:30 o'clock P.M.

The Proposal was read, as amended.

Delegate Stagg moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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PAGE 6
120th Days Proceedings—January 17, 1974

Segura
Singletary
Slay
Stephenson
Stisinger
Tate
Total—83.

Delegates—
Gauthier
Glarruso
Guarisco
Jone
Kilpatrick
Lambert
Total—18.

And the Chair declared that the above Proposal failed to pass.

Delegate Chehardy moved to reconsider the vote by which the above Proposal failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

DELEGATE PROPOSAL No. 102


A PROPOSAL
To provide with respect to an alternative provision relative to the Judicial Branch.

Read.

Section 1. Section 8 of Article IV as set forth in Committee Proposal Number 4 as finally enrolled is hereby deleted from said proposal.

Section 2. There shall be placed on the ballot submitted to the people for the ratification of the proposed new constitution, as an alternative, the following propositions:

□ 2A. FOR authorizing the attorney general to institute, prosecute, or intervene in both civil and criminal suits to protect the interests of the state.

□ 2B. AGAINST authorizing the attorney general to institute, prosecute, or intervene in both civil and criminal suits to protect the interests of the state.

Section 3. (A) If Alternative Proposition No. 2A authorizing the attorney general to institute, prosecute, or intervene in both civil and criminal suits to protect the interests of the state is approved by the electors and if the proposed constitution is approved by the electors, then the following section shall become Section 8 of Article IV of the new constitution:

"ARTICLE IV. EXECUTIVE BRANCH

Section 8. Attorney General; Qualifications; Powers and Duties; Vacancies

The attorney general and the assistants shall be learned in the law and shall have actually resided and practiced law, as duly licensed attorneys, in the state for at least five years preceding their election and appointment. They, or one of them, shall attend to, and have charge of all legal matters in which the state has an interest, or to which the state is a party, with power and authority to institute and prosecute or to intervene in any and all suits or other proceedings, civil or criminal, as they may deem necessary for the assertion or protection of the rights and interests of the state. They shall exercise supervision over the several district attorneys throughout the state, and perform all other duties imposed by law.

In case of a vacancy in the office of attorney general, the first assistant attorney general shall perform the duties of the attorney general until his successor shall have been duly elected and qualified.

(B) If Alternative Proposition No. 2B authorizing the attorney general to institute, prosecute, or intervene in only civil suits to protect the interests of the state is approved by the electors and if the proposed constitution is approved by the electors, then the following section shall become Section 8 of Article IV of the new constitution:

"ARTICLE IV. EXECUTIVE BRANCH

Section 8. Attorney General; Powers and Duties

Section 8. There shall be a Department of Justice, headed by the attorney general, who shall be the chief legal officer of the state. The attorney general shall be elected for a term of four years at the state general election. The assistant attorney general shall be appointed by the attorney general to serve at his pleasure. As necessary for the assertion or protection of any right or interest of the state, the attorney general may:

(1) institute, prosecute, or intervene in any civil action or proceeding;

(2) advise and assist, upon the written request of a district attorney, in the prosecution of any criminal case; and

(3) for cause, when authorized by the court which would have original jurisdiction and subject to judicial review, (a) institute, prosecute, or intervene in any criminal action or proceeding, or (b) supersede any attorney representing the state in any civil or criminal action.

The attorney general shall exercise other powers and perform other duties authorized by this constitution or by law."

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Vick to Delegate Proposal No. 102 by Delegate Vick, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 17 through 32, both inclusive, in their entirety and on page 2, delete lines 1 through 3, both inclusive in their entirety and insert in lieu thereof the following:

"Section 1. There shall be placed on the ballot submitted to the people for the ratification of the proposed new constitution, as an alternative, the following propositions:

2A. FOR authorizing the attorney general to institute, prosecute, or intervene in both civil and criminal suits to protect the interests of the state.

2B. AGAINST authorizing the attorney general to institute, prosecute, or intervene in both civil and criminal suits to protect the interests of the state.

Section 2. (A) If Alternative Proposition No. 2A concerning authorizing the attorney general to institute, prosecute, or intervene in both civil and criminal suits to protect the interests of the state is approved by the electors and if the proposed constitution is approved by the electors, then the following sections shall become Section 8 of Article IV of the new constitution and Section 8 of Article IV as set forth in Committee Proposal No. 4 shall be null, void and of no effect and shall be deemed stricken from the proposed constitution."

AMENDMENT No. 2—

On page 2, delete lines 25 through 32, both inclusive, in their entirety and on page 3, delete lines 1 through 20, both inclusive in their entirety and insert in lieu thereof the following:

"(B) If Alternative Proposition No. 2A concerning authorizing the attorney general to institute, prosecute, or intervene in both civil and criminal suits to protect the interests of the state is not approved by the electors but the proposed constitution is approved by the electors then no change shall be made therein."

On motion of Delegate Vick the amendments were adopted.

Delegate Vick moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

The Proposal was read, as amended.

1338
Delegate Vick moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alexander
Arnette
Bel
Brown
Casey
De Bieuxe
Derbes
Duval
Foxy
Fulco
Giarrusso
Goldman
Total—36.

NAYS

Delegates—

Abraham
Anzalone
Aseff
Avent
Badeaux
Bergeron
Blair
Bollinger
Brien
Burns
Cannon
Carmouche
Champagne
Chatelain
Conino
Conroy
Cowan
Deshotels
Drew
Edwards
Elkins
Fayard
Fayard
Total—67.

NOT VOTING

Delegates—

Mr. Chairman
Aeriker
Alario
Chehardy
Comar
Corne
D’Gerulamo
Dennery
Dennis
Dunlap
Riecke

And the Chair declared that the above Proposal failed to pass.

Delegate Burson moved to reconsider the vote by which the above Proposal failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

DELEGATE PROPOSAL No. 103—


A PROPOSAL

To provide with respect to an alternative provision relative to the Legislative Branch.

Read.

Section 1. There shall be placed on the ballot submitted to the people for the ratification of the proposed new constitution, as an alternative, the following proposition:

☐ 2A. FOR reducing the number of days within which legislative sessions may be held.
☐ 2B. AGAINST reducing the number of days within which legislative sessions may be held.

Section 2(A). If Alternative Proposition No. 2A concerning the legislature and the legislative sessions is approved by the electors, and if the proposed constitution is approved by the electors, then the following Paragraph shall become Paragraph (A) of Section 2 of Article III of the new constitution and Paragraph (A) of Section 2 of Article III as set forth in Committee Proposal Number 3 shall be null, void and of no effect and shall be deemed stricken from the proposed constitution.

“ARTICLE III. LEGISLATIVE BRANCH
Section 2. Sessions
Section 2. (A) Annual Session. The legislature shall meet annually in regular session in the state capitol for not more than sixty calendar days. The legislature shall convene at noon on the second Monday in May. No new matter intended to have the effect of law shall be introduced or received by either house after midnight of the fifteenth calendar day, except by a favorable record vote of two-thirds of the elected members of each house. No measure levying a new tax or increasing an existing tax shall be introduced or enacted during a regular session held in an odd-numbered year.”

...*

“2(B) if Alternative Proposition No. 2A concerning the legislature and legislative sessions is not approved by the electors but the proposed constitution is approved by the electors then no change shall be made therein.”

Read.

Acting Chairman Lowe in the Chair

Motion

On motion of Delegate Flory the Proposal was withdrawn from the files of the Convention.

Chairman Henry in the Chair

Motion

Delegate Jenkins moved for a suspension of the rules in order to allow him ten minutes in which to explain a proposed amendment to Committee Proposal No. 26.

Delegate Roemer objected.

By a vote of 53 yea and 36 nays the Convention refused to suspend the rules at this time.

Motion

Delegate Schmitt moved for a suspension of the rules in order to discharge Committee Proposal No. 26 from the Committee on Style and Drafting.

Delegate Newton objected.

By a vote of 23 yea and 63 nays the Convention refused to suspend the rules at this time.

Explanation of Vote

Delegate A. Landry sent up the following Explanation of Vote with respect to the motion for a Rules Suspension proposed by Delegate Schmitt:

"I voted not to re-open Committee Proposal No. 26 to consider the Schmitt amendment, due to the fact that penalties are set out in the Statutes for faithful performance of their duties, by the Assesors."

Motion

On motion of Delegate Dennery, the Convention altered the Order of Business to take up other Orders of Business at this time.

Delegate Dennery, Secretary of the Constitutional Convention of 1972, submits the following report:
120th Days Proceedings—January 17, 1974

Constitutional Convention of 1973
State of Louisiana
January 17, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposals have been properly Re-enrolled in final form:

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Arnette, Brien, Denhery, Duval, Gravel, Stovall and Tapper:

A PROPOSAL

Providing for the executive branch of government, for the declaration and determination of inability of statewide elective officers, and related matters.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE IV. EXECUTIVE BRANCH

Section 1. Composition; Number of Departments; Reorganization

Section 1. (A) Composition. The executive branch shall consist of the governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, commissioner of elections, and all other executive offices, agencies, and instrumentalities of the state.

(B) Number of Departments. Except for the offices of governor and lieutenant governor, all offices, agencies, and other instrumentalities of the executive branch and their functions, powers, duties, and responsibilities shall be allocated to an office within not more than twenty departments. The powers, functions, and duties allocated by this constitution to any executive office or commission shall not be affected or diminished by the allocation provided herein except as authorized by Section 22 of this Article.

(C) Reorganization. Reallocation of the functions, powers, and duties of all departments, offices, agencies, and other instrumentalities of the executive branch, except those functions, powers, duties, and responsibilities allocated by this constitution, shall be as provided by law.

Section 2. Qualifications.

Section 2. To be eligible for any statewide elective office, a person, by the date of his qualification as a candidate, shall have attained the age of twenty-five years, be an elector, and have been a citizen of the United States and of this state for at least the preceding five years. In addition, the attorney general shall have been admitted to the practice of law in the state for at least the five years preceding his election. During his tenure in office, a statewide elective official shall hold no other public office except by virtue of his elected office.

Section 3. Election; Term

Section 3. (A) Election. The governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, and commissioner of elections of each office to be elected for a term of years by the electors of the state at the time and place of voting for members of the legislature. The term of each such official shall begin at noon on the second Monday in March next following the election.

(B) Limitation on Governor. A person who has served as governor for more than one and one-half terms in any two consecutive terms shall not be elected governor for the succeeding term.

(C) Additional Limitation. Except as provided by this constitution, no official shall be elected statewide.

Section 4. Compensation

Section 4. Except as otherwise provided by this constitution, the compensation of each statewide elected official shall be provided by law.

Section 5. Governor; Powers and Duties

Section 5. (A) Executive Authority. The governor shall be the chief executive officer of the state. He shall faithfully support the constitution and laws of the state and of the United States, and shall see that the laws are faithfully executed.

(B) Legislative Reports and Recommendations. The governor shall, at the beginning of each regular session, and may, at other times, make reports and recommendations and give information to the legislature concerning the affairs of the state, including its financial condition.

(C) Departmental Reports and Information. When requested by the governor, a department head shall provide him with reports and information, in writing or otherwise, on any subject relating to the department, except matters concerning investigations of the governor of the state.

(D) Operating Budget. The governor shall submit to the legislature, at a time fixed by law, a proposed state budget for the next fiscal year setting forth all proposed state expenditures and anticipated state revenues.

(E) Capital Budget. The governor shall submit to the legislature, at each regular session, a proposed five-year capital outlay program and shall request implementation of the first year of the program.

(F) Pardon, Commutation, Reprieve, and Remission; Board of Pardons. (1) The governor may grant reprieves to persons convicted of offenses against the state and, upon recommendation of the Board of Pardons, may commute sentences, pardon those convicted of offenses against the state, and remit fines imposed for such offenses. However, a first offender never previously convicted of a felony shall be pardoned automatically upon completion of his sentence, without a recommendation of the Board of Pardons and without the governor's approval.

(2) The Board of Pardons shall consist of five elected members appointed by the governor, subject to confirmation by the Senate. Each member of the board shall serve a term concurrent with that of the governor appointing him.

(G) Receipt of Bills from the Legislature. The date and hour when a bill finally passed by the legislature is delivered to the governor shall be recorded thereon.

(H) Item Veto. (1) Except as otherwise provided by this constitution, the governor may veto any line item in an appropriation bill. Any item vetoed shall be void unless the veto is overridden as provided for the passage of a bill over a veto.

(2) The governor may veto line items or use means provided in the bill so that total appropriations for the year shall not exceed anticipated revenues for that year.

(I) Appointments. (1) The governor shall appoint, subject to confirmation by the Senate, the head of each department in the executive branch whose election or appointment is not provided by this constitution and the members of each board and commission in the executive branch whose election or appointment is not provided by this constitution or by law.

(2) Should the legislature be in regular session, the governor shall submit for confirmation by the Senate the name of an appointee within forty-eight hours after the appointment is made. Failure of the Senate to confirm the appointment, prior to the end of the session, shall constitute rejection.

(3) If the legislature is not in regular session, the governor may make interim appointments, which shall expire at the end of the next regular session, unless submitted to and confirmed by the Senate during that session.

(4) A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature.

(J) Removal Power. The governor may remove from office a person he appoints, except a person appointed for a term fixed by this constitution or by law.

(K) Commander-in-Chief. The governor shall be commander-in-chief of the armed forces of the state, except when they are called into service of the federal government. He may call out these forces to preserve law and order, to suppress insurrection, to repel invasion, or in other times of emergency.

(L) Other Powers and Duties. The governor shall have other powers and duties authorized by this constitution or provided by law.

Section 6. Lieutenant Governor; Powers and Duties

Section 6. The lieutenant governor shall serve ex officio as a member of each committee, board, and commission on which the governor serves. He shall exercise the powers delegated to him by the governor and shall have other
powers and perform other duties in the executive branch authorized by this constitution or provided by law.

Section 7. Secretary of State; Powers and Duties

Section 7. There shall be a Department of State. The secretary of state shall head the department and shall be the chief executive officer of the state. He shall promulgate all laws enacted by the legislature and retain the original thereof; and countersign and keep an official registry of all commissions. He may administer oaths, and shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 8. Attorney General; Powers and Duties

Section 8. There shall be a Department of Justice, headed by the attorney general, who shall be the chief legal officer of the state. The attorney general shall be elected for a term of years on the same general election. The assistant attorney general shall be appointed by the attorney general to serve at his pleasure.

As necessary for the assertion or protection of any right or interest of the state, the attorney general shall have authority (1) to institute, prosecute, or intervene in any civil action or proceeding; (2) upon the written request of a district attorney, to advise and assist in the prosecution of any criminal case; and (3) for cause, when authorized by the court, to have original jurisdiction and subject to judicial review, (a) to institute, prosecute, or intervene in any criminal action or proceeding, or (b) to supersede any attorney representing the state in any civil or criminal action.

The attorney general shall exercise other powers and perform other duties authorized by this constitution or by law.

Section 9. Treasurer; Powers and Duties

Section 9. There shall be a Department of the Treasury. The treasurer shall head the department and shall be responsible for the custody, investment, and disbursement of the public funds of the state, except as otherwise provided by this constitution. He shall report annually to the governor and to the legislature at least one month before each regular session on the financial condition of the state, and shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 10. Commissioner of Agriculture; Powers and Duties

Section 10. There shall be a Department of Agriculture. The commissioner of agriculture shall head the department, and shall exercise all functions of the state relating to the promotion, protection, and advancement of agriculture, except rescue and educational functions expressly allocated by this constitution or by law to other state agencies. The department shall exercise such functions and the commissioner shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 11. Commissioner of Insurance; Powers and Duties

Section 11. There shall be a Department of Insurance, headed by the commissioner of insurance. The department shall exercise such functions and the commissioner shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 12. Commissioner of Elections; Powers and Duties

Section 12. There shall be a Department of Elections and Registration. The commissioner of elections shall head the department and shall administer the laws relating to the custody of voting machines and voter registration. He shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 13. First Assistants; Appointment

Once elected official except the governor and lieutenant governor, shall appoint a first assistant, subject to public confirmation by the Senate, and may remove him at his pleasure. The official shall submit the appointment to the Senate in the manner and subject to the procedures and limitations applicable to appointments submitted by the governor. The first assistant shall possess the qualifications required for election to the office.

Section 14. Vacancy in Office of Governor

Section 14. When a vacancy occurs in the office of governor, the order of succession shall be (1) the elected lieutenant governor, (2) the elected secretary of state, (3) the incumbent of the office, (4) the elected treasurer, (5) the presiding officer of the Senate, (6) the presiding officer of the House of Representatives, and then (7) as provided by law. The successor shall serve the remainder of the term for which the governor was elected.

Section 15. Vacancy in Office of Lieutenant Governor

Section 15. Should a vacancy occur in the office of lieutenant governor, the governor shall nominate a lieutenant governor, who shall take office upon confirmation by a majority vote of the elected members of each house of the legislature.

Section 16. Vacancies in Other Statewide Elective Offices

Section 16. A vacancy in a statewide elective office other than governor or lieutenant governor shall be filled by the first assistant. If the unexpired term exceeds one year, the office shall be filled by election at the next regularly scheduled congressional or statewide election, and the first assistant shall serve only until the person then elected shall be qualified to fill the vacancy.

Section 17. Other Vacancies

Section 17. (A) Gubernatorial Appointment; Election. If no other provision therefor is made by this constitution, by statute, by local government charter, by home rule charter, by ordinance, or by ordinance, the governor may fill a vacancy occurring in any elective office. When a vacancy occurs in the office and the unexpired portion of the term exceeds one year, the vacancy shall be filled at an election as provided by law, and the appointment shall be effective only until a successor takes office.

(B) Qualifications. Nothing in this Section shall change the qualifications for any office, and every appointee must be otherwise eligible to hold the office to which appointed.

Section 18. Definition of Vacancy

Section 18. A vacancy, as defined in this Article, shall occur in the event of death, resignation, removal by any means, or failure to take office for any reason.

Section 19. Declaration of Inability by Statewide Elected Official

Section 19. When a statewide elected official transmits to the presiding officers of the Senate and House of Representatives a written declaration of his inability to discharge the powers and duties of his office, and until he transmits a written declaration to the contrary, the person who would succeed to the office when a vacancy occurs shall continue to perform the powers and duties of the office as acting official.

Section 20. Determination of Inability of Statewide Elected Official

Section 20. (A) Declaration and Counter-Declaration. When a majority of the statewide elected officials determine that any other such official is unable to discharge the powers and duties of his office, they shall transmit a written declaration to this effect to the presiding officer of each house and to the official, and shall file a copy of the declaration in the office of the secretary of state. Thereafter, the constitutional successor shall assume the office as acting official until the written declaration is filed in the office of the secretary of state, the elected officials exercise the office and transmits to the presiding officer of each house his written counter-declaration of his ability to exercise the powers and perform the duties of his office.

(B) Determination by the Legislature. The legislature shall convene at noon on the third calendar day after the filing of any counter-declaration, which may be filed by any elected official. Within forty-eight hours of the filing, the elected members of each house shall vote on the declaration of the inability of the elected official to discharge the powers and duties of the office and a copy
of the resolution shall be transmitted forthwith to the su-
preme court.
(D) Determination by Supreme Court. By preference and
with priority over all other matters, the supreme court shall
determine the issue of inability after due notice and hear-
ing, by a majority vote of members elected to the court,
under such rules as it may adopt.
(E) Reconsideration by Supreme Court. A judgment of the
supreme court affirming inability may be reconsidered
by the court upon proper showing and by majority vote of its
elected members, the court may determine that no inability then exists, whereupon
the official shall immediately resume the powers and duties
of his office.
Section 21. Temporary Absences
Section 21. When the governor is temporarily absent from
the state, the lieutenant governor shall act as governor.
When any other statewide elected official is temporarily ab-
sent from the state, the appointed first assistant shall act
in his absence.
Section 22. Appointment of Officials; Merger, Consolidation
of Offices and Departments
Section 22. After the first election of state officials follow-
ing the effective date of this constitution, the legislature
may provide, by law enacted by two-thirds of the elected
members of the House of Representatives, for appointment, in lieu of elected
positions, of such official or department, and func-
tions with any other office or department in the executive
branch. No action of the legislature pursuant hereto shall result in the
removal or compensation of any incumbent elected
official. By law enacted by two-thirds of the elected mem-
bers of each house, the legislature may reestablish any such
office as elective and, in that event, shall prescribe qualifica-
tions.
COMMITTEE PROPOSAL No. 7—
Introduced by Delegate A.E. Kercher, Chairman, on behalf of
the Committee on Education and Welfare and Delegates Cowen, Birmingham, Flory, Hernandez, Landry, Segura, Sil-
erberg, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for education and necessary provisions
with respect thereto.
Be it adopted by the Constitutional Convention of Loui-
siana of 1973:
ARTICLE IX. EDUCATION
Preamble
The goal of the public educational system is to provide
learning environments and experiences, at all stages of hu-
manship, that are human, just, and designed to
promote excellence in order that every individual may be
afforded an equal opportunity to develop to his full potential.
Section 1. Public Educational System
Section 1. The legislature shall provide for the education
of the people of the state and shall establish and maintain
a public educational system.
Section 2. State Superintendent of Education
Section 2. There shall be a superintendent of education
for public elementary and secondary education who, subject
to provisions for appointment in lieu of election set forth
in Article IV, Section 22, of this constitution, shall be elected
for a term of four years. If the office is made appointive, the
State Board of Elementary and Secondary Education shall
make the appointment. He shall be the administrative head
of the Department of Education and shall develop and
implement the policies of the State Board of Elementary and
Secondary Education and the laws affecting schools under its juris-
diction. The qualifications and other powers, functions, du-
ties, and responsibilities of the superintendent shall be
provided by law.
Section 3. State Board of Elementary and Secondary Ed-
ucation
Section 3. (A) Creation; Functions. The State Board of
Elementary and Secondary Education is created as a body
corporate. It shall supervise and control the public elemen-
tary and secondary schools, vocational-technical training,
and institutions of higher education, and shall have juris-
diction over all schools, all as provided by law.
Section 5. School Board. The board shall have other powers, duties, and responsi-
ibilities as provided by this constitution and by law. It shall
control attendance and maintenance of public schools and city
school board or the selection or removal of its officers and
employees.
(B) Membership; Terms. The board shall consist of eight
members. The members shall be elected for overlapping terms of six years,
followed by initial terms of one year. Each board shall be
elected by law.
(C) Vacancy. A vacancy in the office of an elected
member, if the remaining portion of the term is more than one
year, shall be filled for the remainder of the term by elec-
tion, as provided by law. Other vacancies shall be filled for
the remainder of the term by appointment by the governor.
Section 4. Approval of Private Schools
Section 4. Upon application by a private elementary,
secondary, or proprietary school with a sustained curriculum
or specialized course of study of quality at least equal to
that prescribed for similar public schools, the State Board
of Elementary and Secondary Education shall approve the
private school. A certificate issued by an approved private
school shall carry the same privileges as one issued by a
state public school.
Section 5. Board of Regents
Section 5. (A) Creation; Functions. The Board of Regents
is created as a body corporate. It shall act, coordinate
budgetary and fiscal management, and have other powers,
duties, and responsibilities provided for in this Article or by
law.
(B) Membership; Terms. The board shall consist of fif-
teen members appointed by the governor, with consent of
the Senate, for overlapping terms of six years, following
initial terms which shall be fixed by law. At least one
member, but no more than two members, shall be appointed
from each congressional district.
(C) Vacancy. A vacancy occurring prior to the expiration
of a term shall be filled for the remainder of the unexpired
term by appointment by the governor, with consent of the
Senate.
(D) Powers. The Board of Regents shall meet with the
State Board of Elementary and Secondary Education at
least twice a year to coordinate programs of public ele-
mernary, secondary, vocational-technical, career, and higher
education. The Board of Regents shall have the following
powers, duties, and responsibilities relating to public institu-
tions of higher education:
(1) To formulate and make timely revision of a master
plan for higher education. As a minimum, the plan shall
include a formula for the distribution of funds to the
institutions of higher education.
(2) To require that every higher education board submit
to it, at a time it specifies, an annual budget proposal for
operational needs and for capital needs of each institution
under its control. If the plan of the Board of Regents
shall submit its budget recommendations for all institutions
of higher education the state, it shall recommend pri-
cities for capital construction and improvements.
(E) Powers Not Vested. Powers of management over pub-
lic institutions of higher education not specifically vested
by this Section in the Board of Regents are reserved to
1342
the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities, any other such board created pursuant to this Article, as to the institutions under the control of each.

Section 6. Board of Trustees for State Colleges and Universities

Section 6. (A) Creation; Functions. The Board of Trustees for State Colleges and Universities is created as a body corporate. Subject to powers vested by this Article in the Board of Regents, it shall have supervision and management of state-supported institutions administered by a higher education board created by or under this Article.

(B) Membership; Terms. The board shall be composed of two members from each congressional district and one member from the state at large, appointed by the governor with consent of the Senate. The members shall serve overlapping terms of six years, following initial terms fixed by law.

(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.

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

Section 7. (A) Creation; Powers. The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the Board of Supervisors of Southern University and Agricultural and Mechanical College are created as bodied corporate. Subject to powers vested by this Article in the Board of Regents, each shall supervise and manage the institutions, statewide agricultural programs, and other programs administered through its system.

(B) Membership; Terms. Each board shall be composed of two members from each congressional district and one member from the state at large, appointed by the governor with consent of the Senate. The members shall serve overlapping terms of six years, following initial terms fixed by law.

(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.

Section 8. Boards; Membership; Compensation.

Section 8. (A) Dual Membership. No person shall be eligible to serve as a trustee to more than one board created by or pursuant to this Article.

(B) Student Membership. The legislature may provide for the membership of one student on the boards created by Sections 6 and 7 of this Article. The term of a student must not exceed one year, and no student member shall be eligible to succeed himself. A student member shall have all of the privileges and rights of other board members except the right to vote.

(C) Compensation. A member of a board created by or pursuant to this Article shall serve without pay, but per diem and expenses may be provided by law.

Section 9. Parish School Boards; Parish Superintendents

Section 9. (A) Boards. The legislature shall create parish school boards and provide for the election of their members.

(B) Superintendents. Each parish board shall elect a superintendent of parish schools. The State Board of Elementary and Secondary Education shall fix the qualifications and the duties of the parish superintendent. He need not be a resident of the parish in which he serves.

Section 10. Existing Boards and Systems Recognized; Consolidation

Sections 10. (A) Recognition. Parish and city school board systems in existence on the effective date of this constitution are recognized, subject to control and supervision by the State Board of Elementary and Secondary Education and the power of the legislature to enact laws affecting them.

(B) Ouachita Parish and Monroe City School Systems; Board Membership. Only persons residing within the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Monroe City School Board.

Only persons residing in that portion of Ouachita Parish outside the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Ouachita Parish School Board. The number of such board shall be vacated when he no longer satisfies the requirements of this Paragraph. Notwithstanding any contrary provision of this constitution, this Paragraph shall apply to any other school system affected by this Article.

(C) Consolidation. Subject to approval by a majority of the voters voting, in each system affected, in an election held for that purpose, any two or more school systems may be consolidated as provided by law.

Section 11. Appropriations; State Boards

Section 11. The legislature shall appropriate funds for the operating and administrative expenses of the state boards created or pursuant to this Article.

Section 12. Appropriations; Higher Education

Section 12. Appropriations for the institutions of higher education shall be made to their managing boards. The funds appropriated shall be administered by the managing boards and used solely as provided by law.

Section 13. Funding; Apportionment

Section 13. (A) Free School Board. The legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of the state at the elementary and secondary levels.

(B) Minimum Foundation Program. The legislature shall appropriate funds sufficient to insure a minimum foundation program of education in all public elementary and secondary schools. The funds appropriated shall be allocated to parish and city school systems according to formulas adopted by the State Board of Elementary and Secondary Education and approved by the legislature prior to making the appropriation.

(C) Local Funds. Local funds for the support of elementary and secondary schools shall be derived from the following sources:

First: Each parish school board, Orleans Parish excepted, and each municipality or city school board actually operating, maintaining, or supporting a separate system of public schools, shall levy annually an ad valorem maintenance tax not to exceed five mills on the dollar of assessed valuation on property subject to such taxation within the parish or city, respectively.

Second: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar of the assessed valuation of property within the city of New Orleans assessed for city taxation, and shall certify the amount of the tax to the governing authority of the city. The governing authority shall have the tax entered on the city tax rolls. The tax shall be collected in the manner, under the conditions, and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid monthly to the Orleans Parish School Board.

Third: For giving additional support to public elementary and secondary schools, any parish, school district, or sub-school district, or any municipality or city school board which supports a separate city system of public schools may levy an ad valorem tax for a specific purpose, when authorized by a majority of the electors voting in the parish, municipality, district, or subdistrict in an election held for that purpose. The amount, duration, and purpose of such tax shall be in accord with any limitation imposed by the legislature.

(D) Municipal School Systems. For the effects and purposes of this Section, the municipalities of Monroe in Ouachita Parish, and Bogalusa in Washington Parish, and no others, shall be regarded and treated as parishes and shall have the authority granted parishes.

Section 14. Tulane University

Section 14. The Tulane University of Louisiana in New Orleans is hereby recognized and is to be developed in accordance with Act No. 43 approved July 5, 1884.

Respectfully submitted,

MOISE W. DERNER
Secretary.

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.
Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 17, 1974, Baton Rouge, La,

To the Chairman and Delegates of the Convention:
I submit the following report:

That the following Committee Proposal has been properly Re-Re-Enrolled in final form:

COMMITTEE PROPOSAL No. 4—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Alhammer, Alexander, Arnette, Brien, Dennery, Duval, Gravel, Stovall and Tapper:

A PROPOSAL
Providing for the executive branch of government, for the declaration and determination of inability of statewide elective officers, and related matters.
Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE IV. EXECUTIVE BRANCH

Section 1. Composition; Number of Departments; Reorganization

Section 1. (A) Composition. The executive branch shall consist of the governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, commissioner of elections, and all other executive officers, agencies, and instrumentalities of the state.

(B) Number of Departments. Except for the offices of governor and the lieutenant governor, all offices, agencies, and other instrumentalities of the executive branch and their functions, powers, duties, and responsibilities shall be allocated to function within not more than twenty departments. The powers, functions, and duties allocated by this constitution to any executive office or commission shall not be affected or diminished by the allocation provided herein except as authorized by Section 22 of this Article.

(C) Reorganization. Reallocation of the functions, powers and duties of all departments, offices, agencies, and other instrumentalities of the executive branch, except those functions, powers, duties, and responsibilities allocated by this constitution, shall be as provided by law.

Section 2. Qualifications

Section 2. To be eligible for any statewide elective office, a person, by the date of his qualification as a candidate, shall have attained the age of twenty-five years, be an elector, and have been a citizen of the United States and of this state for at least the preceding five years. In addition, the attorney general shall have been admitted to the practice of law in the state for at least the preceding five years. During his tenure in office, a statewide elected official shall hold no other public office except by virtue of his elected office.

Section 3. Election; Term

Section 3. (A) Election. The governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, and commissioner of elections elected to office shall be elected for a term of four years by the electors of the state at the time and place of voting for members of the legislature. The term of each such official shall begin at noon on the second Monday in March next following the election.

(B) Limitation on Governor. A person who has served as governor for more than one and one-half terms in two consecutive terms shall not be elected governor for the succeeding term.

(C) Additional Limitation. Except as provided by this constitution, no official shall be elected statewide.

Section 4. Compensation

Section 4. Except as otherwise provided by this constitution, the compensation of each statewide elected official shall be provided by law.

Section 5. Governor; Powers and Duties

Section 5. (A) Executive Authority. The governor shall be the chief executive officer of the state. He shall faithfully support the constitution and laws of the state and of the United States, and shall see that the laws are faithfully executed.

(B) Legislative Reports and Recommendations. The governor shall, at the beginning of each regular session, and at other times, make reports and recommendations and give information to the legislature concerning the affairs of the state, including its complete financial condition.

(C) Departmental Reports. Any information, when requested by the governor, a department head shall provide him with reports and information, in writing or otherwise, on any subject relating to the department, except matters concerning investigations of the governor's office.

(D) Operating Budget. The governor shall submit to the legislature, at a time fixed by law, a proposed state budget for the next fiscal year; setting forth all proposed state expenditures and anticipated state revenues.

(E) Capital Budget. The governor shall submit to the legislature, at each regular session, a proposed five-year capital outlay program and shall request implementation of the first year of the program.

(F) Pardon, Commutation, Reprieve, and Remission; Board of Pardons. (1) The governor may grant reprieves to persons convicted of offenses against the state and, upon recommendation of the Board of Pardons, may commute sentences, pardon those convicted of offenses against the state, and remit fines and forfeitures imposed for such offenses. However, a first offender never previously convicted of a felony shall be pardoned automatically upon completion of his sentence, without a recommendation of the Board of Pardons and without a hearing.

(2) The Board of Pardons shall consist of five electors appointed by the governor, subject to confirmation by the Senate. Each member of the board shall serve a term concurrent with that of the governor appointing him.

(G) Receipt of Bills from the Legislature. The date and hour when a bill finally passed by the legislature is delivered to the governor shall be endorsed thereon.

(H) Item Veto. (1) Except as otherwise provided by this constitution, the governor may veto any line item in an enacted bill. The governor may veto a bill unless the veto is overridden as prescribed for the passage of a bill over a veto.

(2) The governor shall veto line items or use means provided in the bill so that total appropriations for the year shall not exceed anticipated revenues for that year.

(I) Appointments. (1) The governor shall appoint, subject to confirmation by the Senate, the head of each department in the executive branch whose election or appointment is not provided for by this constitution. The governor shall appoint members of each board and commission in the executive branch whose election or appointment is not provided by this constitution or by law.

(2) Should the legislature be in regular session, the governor shall submit for confirmation by the Senate the name of an appointee within forty-eight hours after the appointment is made. Failure of the Senate to confirm the appointment, prior to the end of the session, shall constitute rejection.

(3) If the legislature is not in regular session, the governor may make interim appointments, which shall expire at the end of the next regular session, unless submitted to and confirmed by the Senate.

(4) A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature.

(L) Removal Power. The governor may remove from office a person he appoints, except a person appointed for a term fixed by this constitution or by law.

(K) Commander-in-Chief. The governor shall be commander-in-chief of the armed forces of the state, except when the state is involved in the service of the federal government. He may call out these forces to preserve law and order, to suppress insurrection, to repel invasion, or in other times of emergency.

(L) Other Powers and Duties. The governor shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 6. Lieutenant Governor; Powers and Duties

Section 6. The lieutenant governor shall serve as ex officio as a member of each committee, board, and commission on which the governor serves. He shall exercise the powers
may remove him at his pleasure. The official shall submit the appointment to the Senate in the manner and subject to the procedures and limitations applicable to appointments submitted by the governor. The first assistant shall possess the qualifications required for election to the office.

Section 14. Vacancy in Office of Governor

Section 14. When a vacancy occurs in the office of governor, the order of succession shall be (1) the lieutenant governor, (2) the elected secretary of state, (3) the elected attorney general, (4) the elected treasurer, (5) the presiding officer of the Senate, (6) the presiding officer of the House of Representatives, and then (7) as provided by law. The successor shall serve the remainder of the term for which the governor was elected.

Section 15. Vacancy in Office of Lieutenant Governor

Section 15. Should a vacancy occur in the office of lieutenant governor, the governor shall name a lieutenant governor, who shall take office upon confirmation by a majority vote of the elected members of each house of the legislature.

Section 16. Vacancies in Other statewide elective offices

Section 16. A vacancy in a statewide elective office other than that of governor or lieutenant governor shall be filled by the first assistant. If the unexpired term exceeds one year, the office shall be filled by election at the next regularly scheduled congressional or statewide election, and the assistant shall serve only until the person then elected takes office.

Section 17. Other Vacancies

Section 17. (A) Gubernatorial Appointment; Election. If no other provision therefor is made by this constitution, by statute, or by the rule of the executive branch, the governor shall have the power to fill any vacancy temporarily or for a term of less than one year. (B) Qualifications. Nothing in this section shall change the qualifications for any office, and every appointee must be otherwise eligible to hold the office to which appointed.

Section 18. Definition of Vacancy

Section 18. A vacancy, as used in this Article, shall occur in the event of death, resignation, removal by any means, or failure to take office for any reason.

Section 19. Declaration of Inability by Statewide Elected Officials

Section 19. When a statewide elected official transmits to the presiding officers of the Senate and House of Representatives a written declaration of his inability to discharge the duties and powers of his office, the official shall immediately assign to him a written declaration to the contrary, the person who would succeed to the office when a vacancy occurs shall assume the powers and duties of the office as acting official.

Section 20. Determination of Inability of Statewide Elected Official

Section 20. (A) Declaration and Counter-Declaration. When a majority of the statewide elected officials determine that any other such official is unable to discharge the powers and duties of his office, they shall transmit a written declaration to the presiding officer of each house and to the official, and shall file a copy of the declaration in the office of the secretary of state. Thereafter, the statewide elected official shall assign to him a written declaration to the contrary, the person who would assume to the office when a vacancy occurs shall assume the powers and duties of the office as acting official.

Section 21. (B) Determination by the Legislature. The legislature shall convene at noon on the third calendar day after the filing of any counter-declaration, shall set aside the office of the official at any time. Should two-thirds of the elected members of each house fail to adopt a resolution within seventy-two hours declaring probable justification for the determination that inability exists, the official shall continue in office.

Section 22. (C) Assumption of Office by Constitutional Successor. If two-thirds of the elected members of each house adopt a resolution declaring that probable justification exists for the declaration of inability, the constitutional successor shall assume the powers and duties of the office and a copy
of the resolution shall be transmitted forthwith to the supreme court.

(D) Determination by Supreme Court. By preference and with all other matters, the supreme court shall determine the issue of insanity after due notice and hearing, by a majority vote of members elected to the court, under such rules as it may adopt.

(E) Reconsideration by Supreme Court. A judgment of the supreme court affirming insanity may be reconsidered by the court, after due notice and hearing, either upon its own motion or upon the application of the official. Upon proper showing and by majority vote of its elected members, the court may determine that no insanity then exists, whereupon the official shall immediately restore the powers and duties of his office.

Section 21. Temporary Absences

Section 21. When the governor is temporarily absent from the state, the lieutenant governor shall act as governor. When any other statewide elected official is temporarily absent from the state, the appointed first assistant shall act in his absence.

Section 22. Appointment of Officials; Merger, Consolidation of Offices and Departments

Section 22. After the first election of state officials following the effective date of this constitution, the legislature may provide, by law enacted by two-thirds of the elected members of each house, for appointment, in lieu of election, of the commissioner of agriculture, the commissioner of insurance, the superintendent of education, the commissioner of elections, or any of them. In that event, the legislature shall prescribe qualifications and method of appointment and by similar vote, may provide by law for the merger or consolidation of any such office, its department, and functions with any other office or department in the executive branch. No action of the legislature pursuant hereto shall reduce the term or compensation of any incumbent elected official. By law enacted by two-thirds of the elected members of each house, the legislature may reestablish any such office as elective and, in that event, shall prescribe qualifications.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

The Proposal contained in the report was signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

January 17, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Delegate Proposal has been properly enrolled:

DELEGATE PROPOSAL No. 98—

Introduced by delegates Henry, Gravel, Graham, Pugh, A. Jackson, Junesu, Kelly, Leithman, Corne, Shannon, Deshetels, Fowler, Zervigon, Riecke, Wattigny, Alario, Kilpatrick, Roeber, LeBlanc, Conino, Warren, Guisardo, Arnette, Abraham, Boudet, Burto, Franklin, Davis, Gauthier, O'Neill, Weiss:

A PROPOSAL

To provide with respect to an alternative provision relative to education.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

There shall be placed on the ballot submitted to the people for the ratification of the proposed new constitution, as an alternative, the following propositions:

2A. FOR education article creating only a Board of Regents to govern higher education and no management boards.
2B. AGAINST education article creating only a Board of Regents to govern higher education and no management boards.

Section 2. (A) If Alternative Proposition No. 2A concerning education boards is approved by the electors and if the proposed constitution is approved by the electors, then the following Article shall become Article IX of the new constitution and Article IX as set forth in Committee Proposal Number 7 shall be null void and of no effect and shall be deemed stricken from the proposed constitution.

“ARTICLE IX. EDUCATION PREAMBLE

The goal of the public educational system is to provide learning environments and experiences, at all stages of human development, that are humane, just, and designed to promote excellence in order that every individual may be afforded an equal opportunity to develop to his full potential.

Section 1. Public Educational System

Section 1. The legislature shall provide for the education of the people of the state and shall establish and maintain a public educational system.

Section 2. State Superintendent of Education

Section 2. There shall be a superintendent of education who shall be appointed by the governor to a six-year term set forth in Article IV. Section 22, of this constitution, shall be elected for a term of four years. If the office is made appointive, the State Board of Elementary and Secondary Education and the Board of Regents shall make the appointive term the term of the State Board of Education and the Board of Regents and shall implement the policies of the State Board of Elementary and Secondary Education and the Board of Regents and the laws affecting schools under their jurisdiction. The qualifications and other powers, functions, duties, and responsibilities of the superintendent shall be provided by law.

Section 3. (A) Creation: Functions. The State Board of Elementary and Secondary Education shall be a body corporate. It shall supervise and control the public elementary and secondary schools, post-secondary vocational-technical schools, special schools under its jurisdiction and shall have budgetary responsibility for all funds appropriated or generated by the state for those schools, all as provided by law. The board shall have other powers, duties, and responsibilities as provided by this constitution or by law, but shall have no control over the business affairs of a parish or city school board or the selection or removal of its officers and employees.

(B) Membership; Terms. The board shall consist of eight members elected from single-member districts which shall be determined by law and three members appointed by the governor from the state at large, with consent of the Senate. Members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law.

(C) Vacancy. A vacancy in the office of an elected member, if the remaining portion of the term is more than one year, shall be filled for the remainder of the term by election, as provided by law. Other vacancies shall be filled for the remainder of the term by appointment by the governor.

Section 4. Approval of Private Schools

Section 4. Upon application by a private elementary, secondary, or proprietary school with a sustained curriculum or specialized course of study of quality at least equal to that prescribed for similar public schools, the State Board of Elementary and Secondary Education shall approve the private school. A certificate issued by an approved private school shall carry the same privileges as one issued by a state public school.

Section 5. Board of Regents

Section 5. (A) Creation: Functions. The Board of Regents is created as a body corporate. It shall plan, coordinate, and have budgetary responsibility for all public higher education and shall have other powers, duties, and responsibilities provided in this Section or by law.

(B) Membership; Terms. The board shall consist of seven members who shall be appointed by the governor, with consent of the Senate from the state at large, and eight members who shall be elected from single-member districts to be determined by the legislature. All members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law.
(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.

(D) Powers. The Board of Regents shall meet with the State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elementary, secondary, vocational-technical, career, and higher education. The Board of Regents shall have the following powers, duties, and responsibilities relating to public institutions of higher education:

(1) To eliminate an existing degree program, department of instruction, division, or similar subdivision.

(2) To approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.

(3) To study the need for and feasibility of any new institution or higher education and the continuation, branches of institutions and conversion of two-year institutions to institutions offering longer courses of study. If the creation of a new institution, or a management board for an institution or group of institutions is proposed, addition of another management board, or the transfer of an existing institution from one board to another is proposed, the Board of Regents shall report its written findings and recommendations to the legislature within one year. Only after the report has been filed, or, after one report has been filed, and the legislature has taken affirmative action on such a proposal and then only by law enacted by two-thirds of the elected members of each house.

(4) To formulate and make timely revision of a master plan for higher education. As a minimum, the plan shall include a formula for equitable distribution of funds to the institutions serving students.

(5) To require that every institution of higher education submit to it, at a time it specifies, an annual budget proposal for operational needs and for capital needs of each institution under the control of each board. The Board of Regents shall require its budget recommendations for all institutions of higher education in the state. It shall recommend priorities for capital construction and improvements.

Section 6. Boards; Membership; Compensation

Section 6. (A) Dual Membership. No person shall be eligible to serve simultaneously on more than one board created by or pursuant to this Article.

(B) Compensation. A member of a board created by or pursuant to this Article shall serve without pay, but per diem and expenses may be provided by law.

Section 7. Parish School Boards; Parish Superintendents

Section 7. (A) Boards. The legislature shall create parish school boards and provide for the election of their members.

(B) Superintendents. Parish school boards shall elect a superintendent of parish schools. The State Board of Elementary and Secondary Education shall fix the qualifications and prescribe the duties of the parish superintendent. He need not be a resident of the parish in which he serves.

Section 8. Existing Boards and Systems Recognized; Consolidation

Section 8. (A) Recognition. Parish and city school board systems in existence on the effective date of this constitution are recognized, subject to control and supervision by the State Board of Elementary and Secondary Education and the power of the legislature to enact laws affecting them.

(B) Ouachita Parish and Monroe City School Systems; Board Membership. Only persons residing within the jurisdiction of the Monroe City School Board shall be eligible to vote for the members of the Monroe City School Board. Only persons residing in that portion of Ouachita Parish outside the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Ouachita Parish School Board. The position of a member of either board shall be vacated when he no longer satisfies the requirements of this Paragraph. Notwithstanding any contrary provision of this constitution, this Paragraph shall remain effective upon the election of members to the Ouachita Parish School Board taking office in 1977 or upon the first reapportionment affecting the Ouachita Parish School Board, whichever event occurs earlier.

(C) Consolidation. Subject to approval by a majority of the electors voting, in each system affected, in an election held for that purpose, any two or more school systems may be consolidated as provided by law.

Section 9. Appropriations; State Boards

Section 9. The legislature shall appropriate funds for the operating and administrative expenses of the state boards created by or pursuant to this Article.

Section 10. Appropriations; Higher Education

Section 10. Appropriations for the Institutions of higher education and post-secondary vocational-technical training shall be made and administered as provided by law.

Section 11. Funding; Apportionment

Section 11. (A) Free School Books. The legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of this state at the elementary and secondary levels.

(B) Minimum Foundation Program. The legislature shall appropriate funds sufficient to insure a minimum foundation program of education in all public elementary and secondary schools. The funds appropriated shall be equitably allocated to parish and city school systems according to formulas adopted by the State Board of Elementary and Secondary Education and approved by the legislature prior to making the appropriation.

(C) Local Funds. Local funds for the support of elementary and secondary schools shall be derived from the following sources:

First: Each parish school board, Orleans Parish excepted, and each municipality or city school board actually operating, maintaining, or supporting a separate system of public schools, shall levy annually an ad valorem maintenance tax not to exceed five mills on the dollar of assessed valuation on property subject to such taxation within the parish or city, respectively.

Second: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar of the assessed valuation of property within the city of New Orleans assessed for city taxation, and shall certify the amount of the tax to the governing authority of the city. The governing authority shall have the tax entered on city tax rolls. The tax shall be collected in the manner, under the conditions, and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

Third: For giving additional support to public elementary and secondary schools, any parish, school district, or school board, or any municipality or city school board which supports a separate city system of public schools may levy an ad valorem tax for specific purpose, when authorized by a majority of the electors voting in the parish, municipality, district, or school in an election held for that purpose. The amount, duration, and purpose of the tax shall be in accord with any limitation imposed by the legislature.

(D) Municipal School Systems. For the effects and purposes of this Section, the municipalities of Monroe in Ouachita Parish, and the municipalities of Washington Parish, and no other parish, shall be regarded and treated as parishes and shall have the authority granted parishes.

Section 12. Tulane University

Section 12. The Tulane University of Louisiana in New Orleans is recognized as created and to be developed in accordance with Act No. 43 approved July 5, 1884."

2. (B) If alternative Proposition No. 2A concerning education boards is not approved by the electors but the proposed consolidation is approved by the electors then no change shall be made therein.

Read.

Respectfully submitted,

MOISE W. DENNERY

Secretary.

Delegate Dennerly, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 17, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Delegate Proposal has been properly enrolled in final form:
INTRODUCED BY DELEGATES GRACE, HAYDEN, GIBSON, PUGH, A. JACKSON, JUNCAU, KELLY, LEHMAN, CORSE, SHANNON, DESSETTER, DEXTER, BLOOM, SUGAR, ROEMER, ROEB, RIEBER, BIDEN, BAYOU, ARMS, ANZALONE, FAYARD, BEARDS, BOLLINGER, BRAY, BUCKELEY

A PROPOSAL

To provide with respect to an alternative provision relative to education.

Be it enacted by the Constitutional Convention of Louisiana of 1973:

Section 1. There shall be placed on the ballot submitted to the people for the ratification of the proposed new constitution, as an alternative, the following propositions:

2A. FOR education article creating only a Board of Regents to govern higher education and no management boards.

2B. AGAINST education article creating only a Board of Regents to govern higher education and no management boards.

Section 2. (A) If Alternative Proposition No. 2A concerning education boards is approved by the electors and if the proposed constitution is approved by the electors, then the following Article shall become Article IX of the new constitution and Article IX as set forth in Committee Proposal Number 7 shall be null, void and of no effect and be deemed stricken from the proposed constitution.

ARTICLE IX. EDUCATION

Preamble

The goal of the public educational system is to provide learning environments and experiences, at all stages of human development, that are beneficial to all students in order that every individual may be afforded an equal opportunity to develop to his full potential.

Section 1. Public Educational System

The legislature shall provide for the education of the people of the state and shall establish and maintain a public educational system.

Section 2. State Superintendent of Education

There shall be a superintendent of education who, subject to provisions for appointment in lieu of election set forth in Article IV, Section 22, of this constitution, shall be elected for a term of four years. If the office is made elective, the State Board of Elementary and Secondary Education and the Board of Regents shall make the appointment. He shall be the administrative head of the Department of Education and the Board of Regents and shall implement the policies of the State Board of Elementary and Secondary Education and the Board of Regents and the laws affecting schools under their jurisdiction. The qualifications and other powers, duties, and responsibilities of the superintendent shall be provided by law.

Section 3. State Board of Elementary and Secondary Education

Section 3. (A) Creation; Functions. The State Board of Elementary and Secondary Education is created as a body corporate, the State Board of Elementary and Secondary Education and the Board of Regents and the laws affecting schools under their jurisdiction and shall have budgetary responsibility for all funds appropriate or allocated by the state for those schools, all as provided by law. The board shall have other powers, duties, and responsibilities as provided by this constitution or by law, but shall have no control over the business affairs of a parish or city school board or the selection or removal of its officers and employees.

(B) Membership; Terms. The board shall consist of eight members elected from single-member districts which shall be determined by law and three members appointed by the governor from the state at large, with consent of the Senate. Members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law.

(C) Vacancy. A vacancy in the office of an elected member, if the remaining portion of the term is more than one year, shall be filled for the remainder of the term by election, as provided by law. Other vacancies shall be filled for the remainder of the term by appointment by the governor.

Section 4. Approval of Private Schools

Section 4. Upon application by a private elementary, secondary, or proprietary school, or by any other person with a specialized course of study at least equal to that prescribed for similar public schools, the State Board of Elementary and Secondary Education shall approve the private school. A certificate issued by the approved private school shall carry the same privileges as one issued by a state public school.

Section 5. Board of Regents

Section 5. (A) Creation: Functions. The Board of Regents is created as a body corporate, it shall plan, coordinate, and have budgetary responsibility for all public higher education and shall have other powers, duties, and responsibilities provided in this Section or by law.

(B) Membership; Terms. The board shall consist of eight members elected from single-member districts which shall be determined by law and seven members appointed by the governor from the state at large, with consent of the Senate. Members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law.

(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.

(D) Powers. The Board of Regents shall meet with the State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elementary, secondary, vocational, and higher education. The Board of Regents shall have the following powers, duties, and responsibilities relating to public institutions of higher education:

1. To revise or eliminate an existing degree program, department of instruction, division, or similar subdivision.

2. To approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.

3. To study the need for and feasibility of any new institution of higher education, including branches of institutions and conversion of two-year institutions to institutions offering longer courses of study. If the creation of a new institution, or a management board for an institution or group of institutions is proposed, addition of another management board, or the transfer of an existing institution from one board to another is proposed, the Board of Regents shall report its written findings and recommendations to the legislature within one year. Only after the report has been filed, or, after one year if no membership, designation, or affirmative action on such a proposal and then only by law enacted by two-thirds of the elected members of each house.

4. To formulate and make timely revision of a master in higher education. A plan shall include a formula for equitable distribution of funds to the institutions of higher education.

5. To require that every institution of higher education submit to, at a time it specifies, an annual budget proposal for operational needs and for capital needs of each institution under the control of each board. The Board of Regents shall submit its budget recommendations for all institutions of higher education in the state. It shall recommend priorities for capital construction and improvements.

Section 8. Approval of Private Schools

Section 7. Board of Regents

(Signature)

Section 7. (A) Board of Regents; Parish School Boards

Section 7. (A) The legislature shall create parish school boards and provide for the election of their members.

(B) Superintendents. Each parish board shall elect a superintendent of parish schools. The State Board of Elementary and Secondary Education shall fix the qualifications and prescribe the duties of the parish superintendent. He need not be a resident of the parish in which he serves.

Section 8. Existing Boards and Systems Recognized; Consolidation

Section 8. (A) Recognition. Parish and city school board systems in existence on the effective date of this constitution are recognized, subject to control and supervision by the
State Board of Elementary and Secondary Education and the power of the legislature to enact laws affecting them;
(B) Ouachita Parish and Monroe City School Systems;
Board Membership. Only persons residing within the jurisdiction of the Monroe City School Board shall be eligible to vote for members of the Monroe City School Board. Only persons residing in that portion of Ouachita Parish outside the jurisdiction of the Monroe City School Board shall be eligible to vote for or members of the Ouachita Parish School Board. The position of a member of either board shall be considered non-contiguous if no longer satisfies the requirements of this Paragraph. Notwithstanding any contrary provision of this constitution, this Paragraph shall become operative upon the election of members to the Ouachita Parish School Board taking office in 1977 or upon the first reappraisal affecting the Ouachita Parish School Board, whichever occurs earlier.
(C) Consolidation. Subject to approval by a majority of the electors voting, in each school affected, in an election held for that purpose, any two or more school systems may be consolidated as provided by law.
Section 9. Appropriations; State Boards
Section 9. The legislature shall appropriate funds for the operation and administrative expenses of the state boards created or pursuant to this Article.
Section 10. Appropriations; Higher Education
Section 10. Appropriations for the institutions of higher education and the post-secondary vocational-technical training and career education shall be made and administered as provided by law.
Section 11. Funding; Apportionment
Section 11. (A) Free School Books. The legislature shall appropriate funds sufficient to insure a minimum foundation program of education in all public elementary and secondary schools. The funds appropriated shall be equitably allocated to parish and city school systems according to formulas adopted by the State Board of Elementary and Secondary Education and approved by the legislature prior to making the appropriation.
(C) Local Funds. Local funds for the support of elementary and secondary schools shall be derived from the following sources:
First: Each parish school board, Orleans Parish excepted, and each municipality or city school board actually operating, maintaining, or supporting a separate system of public schools, shall levy annually an ad valorem maintenance tax not to exceed five mills on the dollar of assessed valuation on property subject to such taxation within the parish or city, respectively.
Second: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar of the assessed valuation of property within the city of New Orleans assessed for city taxation, and shall certify the amount of the tax to the governing authority of the city. The governing authority shall have the tax entered on city tax rolls. The tax shall be collected in the manner, under the conditions, and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.
Third: For giving additional support to public elementary and secondary schools, any parish, school district, or school within any municipality or city school board which supports a separate city system of public schools may levy an ad valorem tax for a specific purpose, when authorized by a majority of the electors voting in the parish, municipality, or school district, for that purpose. The amount, duration, and purpose of the tax shall be in accord with any limitation imposed by the legislature.
(D) Municipal School Systems. For the effects and purposes of this Section, the municipalities of Monroe in Ouachita Parish, and Bogalusa in Washington Parish, and no others, shall be regarded and treated as parishes and shall have the authority granted parishes.
Section 12. Tulane University
Section 12. The Tulane University of Louisiana in New Orleans is recognized as created and to be developed in accordance with Section 43, Article 2 of the Constitution, as amended by Act No. 42, 1968, as amended.
2.(B) If alternative Proposition No. 2A concerning education boards is not approved by the electors but the proposed constitution is approved by the electors then no change shall be made therein.
Respectfully submitted,
MOISE W. DENNERY
Secretary.

The Proposal contained in the report was submitted by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
January 17, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:
I submit the following report:
That the following Committee Proposal has been properly Re-enrolled in final form:

COMMITTEE PROPOSAL No. 26—
Introductory by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Mau- berget, Mire, Nunez, Planchar, Slay and Winchester:

Making provisions for property taxation.
Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XI REVENUE AND FINANCE

Section 1. Ad Valorem Taxes
Section 1. (A) Assessments. Property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation, which, except as provided in Paragraph (C), shall be a percentage of its fair market value. The percentage of fair market value shall be uniform throughout the state upon the same class of property.

(B) Classification. The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each classification for the purpose of determining assessed valuation are as follows:

Classifications

Percentages

1. Land
10%

2. Improvements for residential purposes
10%

3. Other property
15%

(C) Use Value. Bona fide agricultural, horticultural, marsh, and timber lands, as defined by general law, shall be assessed for tax purposes at ten percent of use value rather than fair market value. The legislature may provide by law similarly for buildings of historic architectural importance.

(D) Valuation. Each assessor shall determine the fair market value of all property subject to taxation within his respective parish or district except public service properties, which shall be valued at fair market value by the Louisiana Tax Commission or its successor. Each assessor shall determine the use value of property, which is to be so assessed under the provisions of Paragraph (C). Pair market value and use value of property shall be determined in accordance with criteria which shall be established by law

(E) Reappraisal. All property subject to taxation shall be reappraised and valued in accordance with this Section, at intervals of not more than four years.

Section 2. State Property Taxation; Rate Limitation
Section 2. State taxation on property for all purposes shall not exceed an annual rate of five and three-quarter mills on the dollar of assessed valuations.

1849
Section 3. Homestead Exemption

Section 3. (A) Homeowners.

(1) The bona fide homestead, consisting of a tract of land or two adjoining parcels of land, a residence house, yard, and a field, pasture, or garden on the other tract or tracts, not exceeding one hundred sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by the homestead owner, shall be exempt from state, parish, and special ad valorem taxes to the extent of three thousand dollars of the assessed valuation.

(2) By law enacted by two-thirds of the elected members of the legislature, the legislature may increase this homestead exemption to an amount which shall not exceed five thousand dollars of the assessed valuation.

(3) The homestead exemption of veterans of the armed forces of the United States, honorably discharged or separated from such services or other persons who served in said armed forces, as defined by general law, and of persons sixty-five years of age or older shall be five thousand dollars of the assessed valuation.

(4) The homestead exemption shall extend to the surviving spouse or minor children of a deceased owner and shall apply when the homestead is occupied as such and to it if in either husband or wife but not more than one homestead owned by the husband or wife.

(5) This subsection shall not extend to municipal taxes. However, the exemption shall apply (a) in Orleans Parish, to state, general city, school, levee, and levee district taxes and (b) to any municipal taxes levied for school purposes.

Section 4. Other Property Exemptions

Section 4. In addition to the homestead exemption provided for in Section 3 of this Article, the following property and no other shall be exempt from ad valorem taxation:

(B) Public lands; other public property used for public purposes.

(1) Property owned by a nonprofit corporation or association organized and operated exclusively for religious, dedicated places of burial, charitable, health, welfare, fraternal, or educational purposes, no part of the net earnings of which inure to the benefit of any private shareholder or member thereof and which is declared to be exempt from federal or state income tax;

(2) Property of a bona fide labor organization representing its members or affiliates in collective bargaining efforts; and

(3) Property of an organization such as a lodge or club organized and operated for fraternal purposes and devoted to promoting travel, trade, and commerce, and also property of a trade, business, industry or professional society or association, if that property is owned by a nonprofit corporation or association organized under the laws of this state for such purposes.

None of the property listed in Paragraph (B) shall be exempt if owned, operated, leased, or used for commercial purposes, unless the property is directly devoted to the exempt purposes of the corporation or association.

(C) (1) Cash on hand or deposit;

(2) Stocks and bonds, except bank stocks, the tax on which shall be paid by the banking institution;

(3) Obligations secured by mortgage on property located in Louisiana and the notes or other evidence thereof;

(4) Loans by life insurance companies to policyholders, if secured solely by their policies;

(5) Loans by a homestead or building and loan association to its members, if secured solely by stock of the association;

(6) Debts due for merchandise or other articles of commerce or services rendered;

(7) Obligations of the state or its political subdivisions;

(8) Personal property used in the home or on loan in a public place;

(9) Irrevocably dedicated places of burial held by individuals for purposes of burial of themselves or members of their families;

(10) Agricultural products while owned by the producer, agricultural machinery and other implements used exclusively for agricultural purposes, animals on farms, and property belonging to an agricultural fair association;

(11) Property used for cultural, Mardi Gras carnival, or civic activities and not operated for profit to the owners;

(12) Rights-of-way granted to the State Department of Highways;

(13) Beasts using gasoline as motor fuel;

(14) Commercial vessels used for gathering seafood for human consumption; and

(15) Ships and other towing tugs, towboats, and barges engaged in international trade and domiciled in Louisiana ports. However, this exemption shall not apply to harbor, wharf, shed, and other port dues or to any vessel operated in the coastal trade of the states of the United States.

(D) (1) Raw materials or agricultural products, other than livestock, imported into this state from outside the states of the United States:

(a) so long as the imports remain on the public property of the port authority or docks of the common carrier where they first entered this state;

(b) so long as the imports (other than meal and ores of the same kind as any meal or produced in this state and manufactured articles, are held in this state in the original form by bond, for stock, or for such commodities, or raw materials, or raw materials held in bulk as a part of the new raw material inventory of manufacturers or processors, solely for manufacturing or processing; or

(c) so long as the imports are held by an importer in any public or private storage in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages and agricultural products in bulk. This exemption shall not extend to livestock or any refrigerated or cold storage facilities.

(2) Raw materials, goods, commodities, and articles other than livestock being held on the public property of a port authority, on docks of any common carrier, or in a warehouse, grain elevator, dock, wharf, or public storage facility in this state for export to a point outside the states of the United States.

(3) (a) Goods, commodities, and personal property in public or private storage while in transit through this state or on the move from one location to another within the territory of the state or which are in public or private storage within Louisiana, having been shipped from outside Louisiana for storage in transit to a final destination outside Louisiana, whether such destination was specified when transportation began or afterward.

(b) Property described in Paragraph (D), whether or not entitled to exemption, shall be reported to the proper taxing authority on the forms required by law.

(E) Motor vehicles used on the public highways of this state, from state, parish, and special ad valorem taxes. This exemption shall not extend to any gasoline or special tax levied by a municipal governing authority, or by a district created by it, unless the governing authority thereof provides for the exemption by ordinance or resolution.

(F) Notwithstanding any contrary provision of this Section, the state board of commerce and industry or its successor, with the approval of the governor, may enter into contracts for the exemption from ad valorem taxes of any new manufacturing establishment or an addition to any existing manufacturing establishment, on such terms and conditions as the board or the successor, as the case may be, deems to be in the best interest of the state.

The exemption shall be for an initial term of no more than two years, and may be renewed for an additional term, provided that no property exempted under this provision shall be listed on the assessment rolls and submitted to the legislature before the expiration of the initial term of such exemption.

The terms "manufacturing establishment" and "addition" as used herein mean a new, existing, or extended manufacturing establishment or an addition or additions to any existing manufacturing establishment which engages in the business of working raw materials into wares suitable for use or which gives new shapes, qualities, or new characteristics to materials which already have gone through some artificial process.

Section 5. No Impairment of Existing Taxes or Obligations

Section 5. This Article shall not be applied in a manner which will (a) invalidate taxes authorized and imposed prior to the effective date of this constitution or (b) impair the obligations, validity, or security of any bonds or other
debt obligations authorized prior to the effective date of this constitution.

Section 6. Adjustment of Ad Valorem Tax Millages

Section 6. Prior to the end of the third year after the effective date of this constitution, the assessors and the Louisiana Tax Commission or its successor, shall determine and set the fair market value or the use value of all property subject to taxation within each parish for use in implementing this Article. Except as provided in this Paragraph, the total amount of ad valorem taxes collected by any city in the state, as provided by Sections 3 and 4 of this Article are implemented shall not be increased or decreased, because of their provisions, above or below ad valorem taxes collected by that taxing authority in the year prior to its implementation. To accomplish this result, it shall be mandatory for each affected taxing authority, in the year in which Sections 1 and 3 of this Article are implemented, to adjust millages upwards or downwards without regard to millage limitations contained in this constitution and the maximum authorized millages shall be increased or decreased, without further voter approval, in proportion to the amount of the adjustment upward or downward. Thereafter, such millages shall remain in effect. In the event changes are adopted by voter approval in Nothing herein shall prohibit a taxing authority from collecting, in the year in which Sections 1 and 3 of this Article are implemented or in any subsequent year, a larger dollar amount of ad valorem taxes by raising an existing millage, increasing a millage or by law; (b) placing additional property on the tax rolls; or (c) increases in the fair market or use value of property after the first determination of that value to implement this Article. This Section shall not apply to millages required to be levied for the payment of general obligation bonds.

Section 7. Revenue Sharing Fund

Section 7. (A) Creation of Fund. The Revenue Sharing Fund is created as a special fund in the office of the state treasurer. The legislative appropriation for this purpose may be made in, or by the state treasury.

(D) Appropriations. The sum of ninety million dollars is allocated annually from the state general fund to the revenue sharing fund. The legislature may appropriate additional sums to the fund.

(C) Distribution Formula. The revenue sharing fund shall be distributed annually as provided by law solely on the basis of population and number of homesteads in each parish in proportion to its population and the number of homesteaders throughout the state. Uniformity of assessment by law, population statistics of the last federal decennial census shall be utilized for this purpose. After deductions in each parish for retirement systems and commissions as authorized by law, the remaining funds, to the extent available, shall be distributed by first priority to the revenue recipient bodies within the parish, as defined by law, to offset current losses caused by the homestead exemptions granted in this Article. Any balance remaining in a parish distribution shall be allocated among the districts and tax recipient bodies within each parish, as provided by law.

(E) Distributing Officer. The funds distributed to each parish as provided in Paragraph (C) shall be distributed in Orleans Parish by the city treasurer of New Orleans and in all other parishes by the parish tax collector. The funds allocated to the Monroe City School Board or its successor shall be distributed to and by the city treasurer of Monroe.

(Bonded Debt. A political subdivision, as defined by Article VI of this constitution, may incur debt by issuing negotiable bonds and may pledge for the payment of all or any part of the principal and interest of such bonds the proceeds derived, or to be derived from that portion of the funds received by it from the revenue sharing fund, to offset current losses caused by the homestead exemptions granted by this Article. Unless otherwise provided by law, no moneys allocated within any parish from the homestead exemption remaining in the revenue sharing fund may be pledged to the payment of the principal or interest of any bonds. Bonds issued under this Paragraph shall be issued and sold as provided by law, and shall require approval of the State Bond Commission on its sufficiency, amount and sale.

Section 8. Tax Assessors

Section 8. (A) Election. Term. A tax assessor shall be elected by the electors of each parish, Orleans Parish excepted. His term of office shall be four years. His election, duties, and compensation shall be as provided by law.

(B) Orleans Parish. There shall be seven assessors in Orleans Parish, who shall be elected by the Board of Assessors for Orleans Parish. One shall be elected from each municipal district of New Orleans, and each shall be a resident of the district from which he is elected. The assessors shall be elected at the same time as the municipal officers of Orleans Parish, for terms of four years each. Their duties and compensation shall be as provided by law.

(C) Vacancy. When a vacancy occurs in the office of tax assessor, the duties of the office, until filled by election as provided by law, shall be performed by the chief deputy assessor, except in Orleans Parish where the Board of Assessors shall appoint an interim assessor.

Section 9. Tax Sales

Section 9. (A) To Sales. There shall be no sale of property for nonpayment of taxes. However, at the expiration of the year in which the taxes are due, the collector, without suit, and after giving notice to the delinquent in the manner provided by law, shall advertise for sale the property on which the taxes are due. The advertisement shall be published in the official journal of the parish or municipality, or, if there is no official journal, as provided by law for sheriffs sales, in the manner provided for judicial sales. On the day of sale, the collector shall sell the portion of the property which the debtor points out. If the debtor does not point out sufficient property, the collector shall sell the immediately the least quantity of property which approximates the amount, interest, and costs. The sale shall be without appraisement. A tax deed by a tax collector shall be prima facie evidence that a valid sale was made.

(B) Redemption. The property sold shall be redeemable for three years after the date of recordation of the tax sale, by paying the price given, including costs, five percent penalty thereon, and interest at the rate of one percent per month until redemption.

(C) Annulment. No sale of property for taxes shall be set aside for any cause, except on proof of payment of the taxes prior to the date of the sale, unless the proceedings to annul are instituted within six months after service of notice and no prior sale shall not be served until the final day for redemption has ended. It must be served within five years after the date of the recordation of the tax sale if no notice is given. The fact that taxes were paid on a part of the property sold prior to the sales thereof, or that a part of the property was not subject to taxation, shall not be cause for annulling the sale of any part thereof on which the taxes for which it was sold were due and unpaid. No judgment annulling a tax sale shall have effect until after a tax sale is paid, and until ten percent per annum interest on the amounts of taxes paid from date of respective payments are paid to the purchaser; however, this shall not apply to sales annulled because the taxes were paid prior to the date of sale.

(D) Quiet Title Sale. The manner of notice and form of proceeding to quiet title sales shall be provided by law.

(E) Movables; Tax Sales. When taxes on movables are delinquent, the tax collector shall seize and sell sufficient movable property of the delinquent taxpayer to pay the tax, whether or not the property seized is the property which was assessed. Sale of the property shall be at public auction, without appraisement, after ten days advertisement, published within ten days after date of seizure. It shall be sold without and without redemption.

(F) Postponement of Taxes. The legislature may postpone the payment of taxes, but only in cases of overflow, general conflagration, general crop destruction, or other public calamity, and may provide for the levying, assessing, and collecting taxes on any taxable property in the state. The legislature may authorize the borrowing of money by the state on its faith and credit, by bond issue or otherwise, and may levy taxes, or apply taxes already levied and not appropriated to secure payment thereof, in order to create a fund or funds from which loans may be made to austin Emergency Board to the governing authority of the parish where the calamity occurs. The money loaned shall be applied to and shall not exceed the deficiency in revenue of
the parish or a political subdivision therein or of which the parish is a part, caused by postponement of taxes. No loan shall be made to a parish governing authority without the approval of the Interim Emergency Board.

Section 10. Effective Date
Section 10. Section 1 and Section 3 of this Article shall become effective January 1 of the year following the end of three years after the effective date of this constitution. Until that date, the provisions of the Constitution of 1921 governing matters covered by those Sections shall continue to apply, notwithstanding any contrary expiration date stated in any provision thereof concerning the veterans' homestead exemption.

Respectfully submitted,
MOISE W. DENNERY
Secretary.

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Leave of Absence
Delegate Jack—1 day.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Friday, January 18, 1974, at 9:00 o'clock, A.M. Which motion was agreed to.
And Chairman Henry declared the Convention adjourned to Friday, January 18, 1974, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT

<table>
<thead>
<tr>
<th>Delegates</th>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fulco</td>
<td>O'Neill</td>
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<tr>
<td>Abraham</td>
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<td>Fowler</td>
<td>Nunez</td>
<td>Zervigon</td>
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Delegates—

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<tr>
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<td>Segura</td>
<td>Wall</td>
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<tr>
<td>Riecke</td>
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<tr>
<td>Total—4.</td>
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</tbody>
</table>

The Chairman announced that there were 128 members present and a quorum.

Prayer

Prayer was offered by Delegate Wisham.

Pledge of Allegiance

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

Reading of the Journal

On motion of Delegate O'Neill, the reading of the Journal was dispensed with.

On motion of Delegate O'Neill, the Journal of yesterday was adopted.

Regular Order

Proposals, Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 38—

Introduced by Delegate Zervigon, Chairperson, Committee on Legislative Liaison and Constitutional Measures, and Delegates Casey, Comar, D'Gerolamo, Drew, Hardie, J. Jackson, Jones, Lanier, Rayburn, Smith, Thompson, Vick and Womanek:

A PROPOSAL

Making provisions relative to transitional provisions.

Read.

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.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 36 by Delegate Zervigon, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 12 through 17, both inclusive, in their entirety.

Delegate Conroy moved the adoption of the amendment.

Delegate Avant objected.

By a vote of 17 ayes and 78 nays the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Zervigon to Committee Proposal No. 36 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 1, line 14, after the words "as to" delete the remainder of the line and insert in lieu thereof the following: "supersede or invalidate any provision of the foregoing"

On motion of Delegate Zervigon the amendment was adopted.

Delegate Zervigon moved to reconsider the vote by which
the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Avant and Gravel to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 14, after the word "invalidate" contained in the text of Floor Amendment No. 1 proposed by Mrs. Zervigon and adopted by the Convention on January 18, 1974, insert a comma ",” and add the following: "or limit or change the word of"

Delegate Avant moved the adoption of the amendment.

Delegate Kean objected.

By a vote of 95 yeas and 6 nays the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Tate to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, between lines 11 and 12, insert the following: "PART II."

**AMENDMENT No. 2—**

On page 1, line 13, after the word "this" and before the word "shall" delete the word "Article" and insert in lieu thereof the word "Part"

On motion of Delegate Tate the amendments were adopted.

Delegate Tate moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Duval to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 15, after the words "only to" and before the word "and" delete the word "supplement" and insert in lieu thereof the word "implement"

On motion of Delegate Duval the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Perez to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 15, delete the words "to supplement and" after the word "only"

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 38, Section 1, was read.

Delegate Zervigon moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate—

Abraham 
Aertker 
Alario 
Alexander 
Asseff 
Avant 
Badeaux 
Bel 
Bergeron 
Blair 
Bollinger 
Brien 
Brown 
Burns 
Burson 
Cannon 
Carmouche 
Casey 
Chatelain 
Chehardy 
Conar 
Conino 
Corne 
D'Gerolamo 
DeBlieux 
Denenery 
Dennis 
Deshotels 
Drew 
Dunlap 
Duval 
Edwards 
Total—96.

Delegate—

Elkins 
Fayard 
Floyer 
Fontenot 
Fowler 
Fulco 
Gauthier 
Grarruso 
Goldman 
Graham 
Grier 
Hardee 
Haynes 
Heine 
Hernandez 
Jackson, A. 
Jackson, J. 
Jenkins 
Jones 
Juneau 
Kelly 
Kiblourne 
Landrum 
Landry, A. 
Landry, E. J. 
Lanier 
LeBlu 
Leigh 
Leifman 
Lowe 
McDaniel 
Martin 
Zervigon

**NAYS**

Delegate—

Perkins 
Tobias 
Total—6.

Delegate—

Mr. Chairman 
Anzalone 
Arnette 
Champagne 
Cowan 
Barbas 
Ginn 
Gravel 
Guarisco 
Hayes 
Total—30.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

**Motion**

On motion of Delegate Casey the rules were suspended for the purpose of calling a meeting of the Executive Committee without giving the required 24 hours notice.

**COMMITTEE NOTICE**

Delegate Henry, chairman of the Executive Committee, sent up the following notice:

The Executive Committee will meet on Friday, January 18,
1974, at Noon Recess in Committee Room 1 and will consider the following agenda:

AGENDA

Committee Business.

Respectfully submitted,

E. L. HENRY,
Chairman of the Executive Committee

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 1, between lines 17 and 18, insert the following: "Part III"

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 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.

Passage

Committee Proposal No. 38, Section 2 was read.

Delegate Zervigon moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—


Marlin Mauberret Maybuce Miller Mire Morris Newton Nunzi O'Neil Oursou Planlard Pugh Rachal Rayburn Roemer Roy Schmitt Shannon Singletary Slay Smith Stagg Stephenson Stinson Stovall Sutherland Tate Thistlewaite Thompson

Delegates—

Toca Tommy Ulo Velazquez Vesich

Total—106.

NAYS

Delegates—

Mr. Chairman Badeaux Brown Burson Conroy Dennis Deshotels Dunlap Edwards

Total—26.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

Section 3. Effect of Titles

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.

Delegate O'Neil sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate O'Neil to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 1, line 24, after the word "or" and before the word "table" insert the word "reference"

On motion of Delegate O'Neil the amendment was withdrawn.

Passage

Committee Proposal No. 38, Section 3, was read.

Delegate Zervigon moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham Aertker Alexander Alario Arnette Asseff Avard Bel Bergeron Blair Bollinger Brien Burns Cannon Carmouche Casey Champagne Chatelain Chehardy Comar Comin Corne Cowen D'Gerolamo De Blieux

Denner Rayburn Denery Dennis Derbes Drew Duval Elkins

Jackson, J. Jenkins Juneau Kilbourne Landrum Landry, A. Landry, E. J. Lanier LeBlanc Mcdaniel Martin Mauberret Maybuce Miller Mire Morris Newton Nunzi Oursou Planlard Pugh Rachal Rayburn

Delegates—

Vick Warren Wattigny Weiss Willis

Winchester Wisham Zervigon
### FLOOR AMENDMENT

Amendment proposed by Delegates Conroy and Duval to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 9, after the partial word "feeted" delete the remainder of the line, and on line 10, delete the partial word "lion"

Delegate Duval moved the adoption of the amendment.

Delegate De Bileux objected.

By a vivi voce vote the amendment was adopted.

Delegate Duval moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

#### FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 2, at the end of line 11, delete the period "," and add a comma "," and the following: "subject, however, to the provisions relative to pardon, parole, and commutation of sentence existing at the time this constitution becomes effective.

On motion of Delegate Pugh the amendment was withdrawn.

### Passage

Committee Proposal No. 38, Section 5 was read as amended.

Delegate Zervigon moved the final passage of the Section.

#### ROLL CALL

The roll was called with the following result:

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<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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1856
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<td>Sanchez</td>
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</tbody>
</table>

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

### Explanation of Vote

Delegate Pugh sent up the following explanation of his vote on Committee Proposal No. 28, Section 5:

I voted against the adoption of this Section for the reason that, in my opinion, the last sentence deprives a person under sentence, for a crime, the benefits of pardon, parole and commutation of sentence available to him under the law at the time this Proposal becomes effective.

### 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:

Read.

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

### FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 28 by Delegate Zervigon.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 2, at the end of line 16, delete the words "The provis. and delete lines 17 through 19, both inclusive, in their entirety.

On motion of Delegate Jenkins the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

### Passage

Committee Proposal No. 38, Section 6 was read, as amended.

Delegate Zervigon moved the final passage of the Section.

### ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>DELEGATES—</th>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Champagne</td>
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<td>Aertker</td>
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<td>Alexander</td>
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<td>Hernandez</td>
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<td>Jackson, A.</td>
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<td>Jackson, J.</td>
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<td>Jones</td>
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<td>Juneau</td>
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<td>Kean</td>
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<td>Wall</td>
<td>Wall</td>
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<tr>
<td>Zervigon</td>
<td>Zervigon</td>
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</table>

Total—111.

Total—0.

### NAYS

Delegates—

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<thead>
<tr>
<th>NOT VOTING</th>
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</thead>
<tbody>
<tr>
<td>Edwards</td>
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<tr>
<td>Fowler</td>
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<td>Gauthier</td>
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<td>Hardee</td>
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<td>Hayes</td>
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<td>Hawkins</td>
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<tr>
<td>Munson</td>
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<td>Total—21</td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

### Section 7. Impairment of Debt Obligations 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 bond or other debt obligations authorized under the Constitution of 1921.

### Passage

Committee Proposal No. 38, Section 7 was read.

Delegate Zervigon moved the final passage of the Section.

### ROLL CALL

The roll was called with the following result:
Juneau  Morris  Stephenson
Kean   Newton  Stinson
Kelly  Nunez  Stovall
Kilbourne  O'Neill  Tappert
Kilpatrick  Ousro  Teter
Lambert  Perkins  Thistlethwaite
Landrum  Planhard  Tobias
Landry, A.  Pugh  Toca
Landry, E. J.  Rachal  Toomy
Lanier  Rayburn  Ulo
LeBlanc  Reeves  Velazquez
Leigh  Roy  Warren
Leithman  Schmit  Wattigny
Lowe  Shannon  Weis
McDaniel  Singletary  Willis
Mauberret  Slay  Winchester
Maybue  Smith  Wisham
Miller  Soniat  Womack
Mire  Stagg  Zervignon
Total—111.

Total—0.

NOT VOTING

Delegates—
Mr. Chairman  Edwards  Roemer
Alario  Fowler  Sanchez
Burson  Hardee  Segura
Cannon  Hayes  Thompson
Conroy  Haynes  Vesch
Dennis  Munson  Vick
Dunlap  Riecke  Wall

Total—21.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Casey, Lanier, Tate, Flory, Avant, Conroy, Perez, Zervignon, Kean and Jenkins to Committee Proposal No. 38 by Delegate Zervignon.

Amend Printed Proposal as follows:

On page 5, between lines 7 and 8, insert the following: PART III

On motion of Delegate Casey the amendment was adopted.

Delegate Casey moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Zervignon the Convention took up Section 12, out of its regular order, and acted upon as follows:

Section 12. Constitution Not Retroactive

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.

Passage

Committee Proposal No. 38, Section 12 was read.

Delegate Zervignon moved the final passage of the Section.
Delegate Zervigon sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Zervigon to Committee Proposal No. 38 by Delegate Zervigon.

Amend Printed Proposal as follows:

**AMENDMENT No. 1—**

On page 5, line 22, delete the period “.” and add the following:

“and each session thereafter.”

On motion of Delegate Zervigon the amendment was adopted.

Delegate Zervigon moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 38, Section 13 was read.

Delegate Zervigon moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

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<thead>
<tr>
<th>YEAS</th>
<th>NOT VOTING</th>
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<td>Delegates</td>
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<td>Abraham</td>
<td>Gravel</td>
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<td>Total—0.</td>
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</tbody>
</table>
121st Days Proceedings—January 18, 1974

Kilpatrick
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leigh
Lowe
McDaniel
Martin
Mau berret
May bue
Miller
Morris
Newton
Nunez
Ors o
Perez
Perkins
Total—109.

NOT VOTING

Delegates—
Mr. Chairman
Alario
Burson
Cannon
Chehardy
Conroy
Dunlap
Edwards
Fayard
Gravel
Hayes
Jackson, J.
Lambert
Leithman
Mire

Total—23.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Zervigon to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 7, delete lines 13 through 17, both inclusive, in their entirety and insert in lieu thereof the following: "Section 19, Statewide Elected Officials

Section 19. Officials elected statewide in 1976 under the provisions of this constitution shall take office on the second Monday in May of that year. Thereafter, statewide elected officials shall take office on the second Monday in March as provided in this constitution."

On motion of Delegate Zervigon the amendment was adopted.

Delegate Zervigon moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 38, Section 19, was read.

Delegate Zervigon moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aerker
Albert
Alderman
Anderson
Arnette
Aspert
Avant
Badeaux
Bel
Berge
Blair
Bollinger
Brien
Brown
Burns
Cannon
Carmouche
Casey
Champagne
Chatelein
Chehardy
Conino
Coven
D'Gerolamo
De Billeux
Denery
Dennis
Derbes
Deshotel
Drew
Duval
Elkins
Fayard
Flory
Fonterrot
Fowler
Fulco
Gauthier

Total—115.

NAYS

Delegates—

Garrusso
Ginn
Goldman
Graham
Gravel
Grier
Gusisko
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Jones
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leigh
Leithman
Lowe
McDaniel
Martin
Mauberret
Maybue
Miller
Mire
Morris
Newton
Nunez

Total—38.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.
Motion

On motion of Delegate Zervigon Committee Proposal No. 38, Section 21, was taken up out of its regular order, and acted upon as follows:

Section 21. Pardon Board

Section 21. 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.

Passage

Committee Proposal No. 38, Section 21 was read.

Delegate Zervigon moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham—Graham
Aertker—Gravel
Alexander—Grief
Anzalone—Guarisco
Arnette—Hayes
Aseff—Haynes
Avant—Heine
Badeaux—Hernandez
Bel—Jackson, A.
Blair—Jackson, J.
Brown—Jenkins
BURNS—Jones
Cannon—Juneau
Carmouche—Kean
Carr—Kelley
Casey—Kilbourne
Champagne—Kilpatrick
Chehardy—Landrum
Conino—Landry, A.
Cowan—Landry, E. J.
De Blieux—LeBleu
Denner—LeBlanc
Dennis—LeBlanc
Denney—LeBlanc
Dennis—LeBlanc
Derbes—LeBlanc
Deshotels—Lowe
Duval—Martin
Eikins—Maubert
Elkins—Mayague
Flory—Miller
Fontenot—Mire
Fowler—Morris
Fulco—Newton
Gauthier—Nunez
GIarrusso—O’Neill
Ginn—Ours
Goldman—Perez

Total—109.

NAYS

NOT VOTING

Delegates—
Mr. Chairman—D’Gerolamo
Alario—Drew
Bergeron—Dunlap
BURDON—Edwards
Chatenel—Hardee
Comar—Lambert
Conroy—McDaniel
CORNE—Monson
Total—23.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

Section 22. Levee Districts; Compensation for Property

Section 22. 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 43 of this constitution.

Passage

Committee Proposal No. 38, Section 22 was read.

Delegate Lanier moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham—Giarrusso
Aertker—Ginn
Alexander—Goldman
Anzalone—Graham
Arnette—Gravel
Aseff—Grief
Avant—Guarisco
Badeaux—Hayes
Bel—Haynes
Bergeron—Heine
Blair—Hernandez
Bollinger—Jack
Brien—Jackson, A.
Brown—Jackson, J.
Cannon—Jones
Carmouche—Juneau
Casey—Kean
Champagne—Kelly
Chehardy—Kilbourne
Comar—Kilpatrick
Conino—Landrum
Cong—Landry, A.
Conroy—Landry, E. J.
Cowen—LeBlanc
D’Gerolamo—LeBlanc
De Bliex—LeBlanc
Denner—LeBlanc
Dennis—LeBlanc
Derbes—LeBlanc
Deshotels—LeBlanc
Duval—LeBlanc
Eikins—LeBlanc
Elkins—LeBlanc
Flory—LeBlanc
Fontenot—LeBlanc
Fowler—LeBlanc
Fulco—LeBlanc
Gauthier—LeBlanc
Total—116.

NAYS

Total—0.

NOT VOTING

Delegates—
Mr. Chairman—Fontenot
Alario—Hardee
BURDON—Lambert
Chatenel—Monson
Comar—Monson
Conroy—Monson
CORNE—O’Neill
Dunlap—O’Neill
Edwards—O’Neill
Total—16.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

On motion of Delegate Zervigon Committee Proposal No. 38, Section 20 was taken up out of its regular order, and acted upon as follows:

1861
Section 20, Commissioner of Elections

Section 20. The commissioner of elections, as provided by Article IV, first elected under this constitution shall be elected to office in 1976. The custodian of voting machines in office on the effective date of the constitution shall continue to exercise the functions of that office, without change, until the expiration of his term.

 Passage

Committee Proposal No. 38, Section 20 was read.
Delegate Zervigon moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham  Goldman  Perez
Aertker  Graham  Perkins
Alexander  Gravel  Planchar
Anzalone  Grier  Pugh
Arnette  Guerisco  Rachal
Asseff  Hayes  Rayburn
Avant  Haynes  Reeves
Badeaux  Heine  Roy
Bel  Hernandez  Sandoz
Bergeron  Jack  Shannon
Blair  Jackson, A.  Singletary
Bollinger  Jackson, J.  Slay
Brien  Jenkins  Smith
Brown  Jones  Soniat
Burns  Juneau  Stagg
Cannon  Kean  Stephens
Carmouche  Kelly  Stoner
Casey  Kilbourne  Stovall
Champagne  Kilpatrick  Sutherland
Chatelain  Landry, A.  Tapper
Conio  Landry, E. J.  Tate
Conroy  Lanier  Thistlethwaite
Cowan  LeBlanc  Thompson
D'Gerolamo  Leah  Tobias
De Bieux  Leithman  Toca
Denzey  Lowe  Tommy
Dennis  McDaniel  Ulo
Derbes  Martin  Velazquez
Deshotels  Maugerbet  Vick
Drew  Mayhew  Warren
Duval  Miller  Watlington
Elkins  Mire  Weiss
Fayard  Morris  Willis
Flory  Newton  Winchester
Fowler  Nunez  Wisham
Fulco  O'Neill  Womack
Gauthier  Oruso  Zervigon

Total—112.

NAYS

Delegates—
Ginn

Total—1.

NOT VOTING

Delegates—
Mr. Chairman  Edwards  Munson
Alario  Fontenot  Richee
Burson  Girrussio  Roemer
Chehardy  Hardee  Segura
Comar  Lambert  Vesich
Corne  Landrum  Wall
Dunlap

Total—19.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

Motion to reconsider pending.

Motion to reconsider pending.

Motion to reconsider pending.
Section 25. Effective Date

Section 25. This constitution shall become effective at twelve o'clock midnight on January 1, 1975. The Secretary of State shall promulgate the results of the election on the thirtieth day prior thereto; however, he shall announce the results of the election within thirty days after the date of the election at which the constitution is submitted to the people.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Gravel to Committee Proposal No. 38 by Delegate Zervignon.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 8, line 27, after the word “on” and before the period “.” delete “January 1, 1975” and insert in lieu thereof “December 31, 1974”

AMENDMENT No. 2—
On page 8, line 28, after the word “election” and before the word “on” insert “by publication in the official state journal”

On request of Delegate Gravel a division of the question was ordered.

Delegate Gravel moved the adoption of Amendment No. 1.

Delegate Anzalone objected.

By a vote of 101 yeas and 8 nays the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel moved the adoption of Amendment No. 2.

Delegate Schmitt objected.

By a vote of 101 yeas and 8 nays the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 38, Section 25 was read, as amended.

Delegate Zervignon moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham- Carmouche- Deshotels
Aertker- Casey- Drew
Anzalone- Champagne- Duval
Arnette- Chatelain- Elkins
Assie- Chehardy- Fayan
Avant- Conino- Flory
Badeaux- Ccroy- Fontenot
Bel- Corne- Fowler
Bergeron- Cowen- Fulco
Blair- D'Gerolamo- Gauthier
Bollinger- De Bileux- Ginn
Brein- Donnery- Goldman
Brown- Dennis- Graham
Burns- Derbes- Gravel

NAYS

Delegates—

McDaniel- Martin
Mauberret- Maybue
Miller- Morris
Newton- Nunez
Ourso- Perez
Perkins- Planchar
Pugh- Raichal
Rayburn- Reeves
Roemer- Roy
Sandoz- Schmitt
Shannon- Singletary
Slay- Smith

Total—113.

NAYS

Total—0.

NOT VOTING

Delegates—

Riecke
Segura
Vestich
Wall
Wattigny

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

Section 26. Extraordinary Legislative Session

Section 26. 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.

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

FLOOR AMENDMENT

Amendments proposed by Delegates Flory, Avant, Conroy, Perez, Zervignon, Kean, Jenkins, Casey, Lanier, Tate and Amore to Committee Proposal No. 38 by Delegate Zervignon, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 9, delete lines 1 through 6, both inclusive, in their entirety.

Delegate Zervignon moved the adoption of the amendment.

Delegate Schmitt objected.

By a vivi voce vote the amendment was adopted.

Delegate Zervignon moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Avant, Conroy, Perez, Zervignon, Kean, Jenkins, Casey, Lanier, Tate and Flory to Committee Proposal No. 38 by Delegate Zervignon.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 24 and 25 insert the following:

"PART II"
121st Days Proceedings—January 18, 1974

On motion of Delegate Zervigon the amendment was adopted.

Delegate Zervigon moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Zervigon Committee Proposal No. 38, Section 8, was taken up out of its regular order, and acted upon as follows:

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, his successor takes office or the office is vacated, 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.

Passage

Committee Proposal No. 38, Section 8 was read, as amended.

Delegate Zervigon moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Abraham
Aerket
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Blair
Bollinger
Brien
Brown
Burns
Cannon
Cannone
Casey
Champagne
Chatelain
Coomar
Cowen
D'Gerolamo
De Blieux
Dennery
Derbes
Deshotels
Duval
Fayard
Flory
Fontenot
Fowlwe
Fulco
Gauthier
Glarusso
Ginn
Goldman
Graham
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Jones
Juneau
Kelly
Kilbourne
Kilpatrick
Landrum
Landry, J.
Landry, A.
Landry, E. J.
LaBlanc
LeBlanc
Leigh
Leithman
Lowe
McDaniel
Mardis
Maubert
Maybuc
Miller
Mitch
Morris
Morris
Nunex
Ours
Perez
Perkins
Pugh
Rayburn
Reeves
Roemer
Roy
Sandoz
Schmitt
Shannon
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Thisslethwaite
Thompson
Tobias
Toca
Toomy
Ullo
Valdez
Vick
Warren
Wattingay
Weiss
Willis
Winchester
Wisham
Wommack
Zervigon

NAYS

Munson
O'Neill
Riecke
Segura
Vesich
Wall

Total—112.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

Section 9. Provisions of 1921 Constitution Made Statutory

Section 9. (A) Provisions Continued as Statutes. Subject to change by law or as otherwise provided in this constitution, and except as any of them conflicts with this constitution, the following provisions of the Constitution of 1921 are continued as statutes, but restricted to the same effect as on the effective date of this constitution:

1. Article V, Sections 2, 7, 18, 20, and 21.
3. Article V-A, Sections 1 through 14, except any dedications therein contained.
4. Article VII, Sections 8, 12, 13, 20, 21, 28, 31, 31.1, 31.2, 33, 46 through 51, 51(a), 52, 53, 55, 58, 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(1), 2(2), 6, 10(A), 15, and 23.
7. Article X-A, Sections 3 and 4.
8. Article XII, Sections 18, 19 through 22, 25, and 28.
9. Article XIV, Sections 3(b), 3(c) (first), 6, 10, 12, 14, 19, 21, 22(A), 23, 23.1 through 23.43, 24, 24.2 through 24.23, 25, 25.1, 26 through 28, 30, 30.1, 30.3, 30.4, 30.5, 31, 31.1, 31.3, 31.6, 31.7, 32, 33, 34, 35, 36, 37.1, 38, 39, 39.1, 43, 44, 44.1, 45, 47, and 48.
10. Article XV, Section 1, 3, and 4.
11. Article XVI, Sections 1, 4, 6, 7, 8, and 8(a).
12. Article XVII, Sections 3 and 4.
13. Article XVIII, Sections 4 and 5.
14. Article XIX, Sections 6, 18, 19, 19(a), 20, and 27.
15. Article VI, Sections 22, 23 except any dedications therein contained, and 23.1; Article VI-A, Sections 1 through 14, except any dedications therein contained; Article V, Sections 7 and 9; Article X, Sections 7, 9, 16, and 21; Article XIV, Section 15.1, except Paragraph (34); and Article XVII, Section 13, 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.

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

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

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

FLOOR AMENDMENT

Amendment proposed by Delegates Conroy, Perez, Zervigon, Keen, Jenkins, Casey, Lanier, Tate, Flory and Avant to Committee Proposal No. 38 by Delegate Zervigon.

Amend Printed Proposal as follows:

AMENDMENT No. 1—

On page 3, delete line 11 and insert in lieu thereof the following:

"1. Article V, Sections 2, 7, 9, 18, 20, and 21.""

On motion of Delegate Conroy the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Conroy, Perez, Zervi-
PAGE 13
121st Days Proceedings—January 18, 1974

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy, Perez, Zervigon, Kean, Jenkins, Casey, Lanier, Tate, Flory and Avant to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 3, delete lines 12 and 13 in their entirety, and insert in lieu thereof the following:


On motion of Delegate Conroy the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Dennis to Committee Proposal No. 36 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 3, line 18, strike out the number and punctuation "8," and insert in lieu thereof:

"7, 8.

On motion of Delegate Dennis the amendment was adopted.

Delegate Dennis moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Conroy, Perez, Zervigon, Kean, Jenkins, Casey, Lanier, Tate, Flory and Avant to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 3, delete lines 20 and 21, in their entirety and insert in lieu thereof the following:

"6. Article X, Sections 1, 2, 6, 7, 9, 10A, 15, 16, and 23; except any dedications contained therein."

On motion of Delegate Conroy the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Conroy, Perez, Zervigon, Kean, Jenkins, Casey, Lanier, Tate, Flory and Avant to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 3, line 25, after the number and punctuation "21," and before the number "23" delete the number and punctuation "22(A),"

On motion of Delegate Conroy the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Conroy, Perez, Zervigon, Kean, Jenkins, Casey, Lanier, Tate, Flory and Avant to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 4, between lines 9 and 10, insert the following:

"18. Article IV, Sections 2(6), 12-b, and 12-c."

AMENDMENT No. 2—
On page 4, between lines 9 and 10, insert the following:

"16. Article XIII, Section 6."

On request of Delegate Bollinger a division of the question was ordered.

Delegate Perkins moved the adoption of Amendment No. 1.

On motion of Delegate Perkins the amendment was adopted.

Delegate Perkins moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

On motion of Delegate Perkins Amendment No. 2 was withdrawn.

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

Amendment proposed by Delegates Conroy, Perez, Zervigon, Kean, Jenkins, Casey, Lanier, Tate, Flory and Avant to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 4, delete lines 10 through 16, both inclusive, in their entirety and insert in lieu thereof the following: "(B) Arrangement. The provisions made statutory in this Article shall be arranged in proper statutory form and recommendations made for additional laws and modifications as provided in R.S. 24:201 through 256, or as otherwise provided by law."

On motion of Delegate Conroy the amendment was withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Conroy, Perez, Zervigon, Kean, Jenkins, Casey, Lanier, Tate, Flory and Avant to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 4, delete lines 10 through 16, both inclusive, in their entirety and insert in lieu thereof the following: "(B) Arrangement. The provisions made statutory in this Article shall be arranged in proper statutory form and recommendations made for additional laws and modifications as provided in R.S. 24:201 through 256, or as otherwise provided by law."

On motion of Delegate Conroy the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 38, Section 9 was read, as amended.

Delegate Zervigon moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aerkker
Alexander
Anzalone
Arnette
Avant
Badeaux
Bel
Brien
Brown
Burns
Burson
Cannon
Casey
Champagne
Chatclain
Chehardy
Conmar
Conno
Conroy
Conrue
D’Gerolamo
DeBleux
DeRoemer
Roy
Schmitt
Shannen
Slay
Smith
Soniat
Stagg
Stephenson
Slinson
Total—107.

NAYS

Delegate Asseff
Total—1.

NOT VOTING

Delegates—
Mr. Chairman
Alario
Carmouche
Cowan
Dunlap
Edwards
Garrusso
Gravel
Total—24.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

Section 10. Provisions of Constitution of 1921 Repealed

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

Read.

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

FLOOR AMENDMENTS

Amendments proposed by Delegates Perez, Zervigon, Kean, Jenkins, Casey, Lanier, Tate, Flory, Avant and Conroy to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 4, line 18, after the word "as" and before the word "retained" insert the following: "provided in this Article and except as"

AMENDMENT No. 2—
On page 4, line 19, after the word and punctuation "constitution," and before the word "provisions" delete the word "all other" and insert in lieu thereof the word "the"

AMENDMENT No. 3—
On page 4, line 20 immediately after the word "repealed" change the comma "i" to a period "i" and delete the remainder of the line and delete lines 21 through 25, both inclusive, in their entirety

On motion of Delegate Kean the amendments were withdrawn.

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

FLOOR AMENDMENTS

Amendments proposed by Delegates Perez, Zervigon, Kean, Jenkins, Casey, Lanier, Tate, Flory, Avant and Conroy to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 4, line 18, after the word "except" and before the word "as" insert the following: "to the extent provided in this Article and except"
AMENDMENT No. 2—
On page 4, line 19, after the word and punctuation “constitution,” and before the word “provisions” delete the word “all other” and insert in lieu thereof the word “the”

AMENDMENT No. 3—
On page 4, line 20 immediately after the word “repealed” change the comma “,” to a period “.” and delete the remainder of the line and delete lines 21 through 25, both inclusive, in their entirety

On motion of Delegate Perez the amendments were adopted.

Delegate Perez moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 38, Section 10 was read.
Delegate Zervigon moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Abraham
Alexander
Arnette
Avant
Badeaux
Bel
Bergeron
Blair
Brien
Burns
Burson
Casey
Champagne
Chateiain
Chehardy
Conine
Conroy
Corne
De Bleuex
Dennery
Dennis
Deshotel
Drew
Elkins
Fiori
Fowler
Fulco
Gauthier
Gill
Goldman

Total—91.

NAYS

Delegates—

NOT VOTING

Aertker
Alario
Anzalone
Bollinger
Brown
Cannon
Carmouche
Comar
Cowan
D’Gerolamo
Derbes
Dunlap
Duval
Edwards

Total—40.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

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 authority which enacted them or until they expire by their own limitation.

(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.

Read.

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

FLOOR AMENDMENTS

Amendments proposed by Delegates Conroy, Perez, Zervigon, Kean, Jenkins, Casey, Lanier, Tate, Fiori and Avant to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 4, line 29, after the word “not” and before the word “with” delete the word “inconsistent” and insert in lieu thereof the words “in conflict”

AMENDMENT No. 2—
On page 4, line 30, after the word “repealed” delete the remainder of the line and at the beginning of line 31, delete the words which “enacted them”

AMENDMENT No. 3—
On page 5, line 3, after the word and punctuation “date,” “in-” and at the beginning of line 2, delete the word “consistent” and insert in lieu thereof the words “in conflict”

AMENDMENT No. 4—
On page 5, line 3, after the word and punctuation “date,” “in-” delete the remainder of the line and delete lines 4 through 7, both inclusive in their entirety

On motion of Delegate Perez the amendments were withdrawn.

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

FLOOR AMENDMENTS

Amendments proposed by Delegates Conroy, Perez, Zervigon, Kean, Casey, Lanier, Tate, Fiori and Avant to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 4, line 29, after the word “not” and before the word “with” delete the word “inconsistent” and insert in lieu thereof the words “in conflict”

AMENDMENT No. 2—
On page 4, line 30, after the word “repealed” delete the remainder of the line and at the beginning of line 31, delete the words which “enacted them”

AMENDMENT No. 3—
On page 5, at the end of line 1, delete the partial word “in-” and at the beginning of line 2, delete the word “consistent” and insert in lieu thereof the words “in conflict”

AMENDMENT No. 4—
On page 5, line 3, after the word and punctuation “date” delete the remainder of the line and delete lines 4 through 7, both inclusive in their entirety

AMENDMENT No. 5—
On page 5, line 1, after the words “Expiration of” strike
out the word “Inconsistent” and insert in lieu thereof “conflicting.”

On motion of Delegate Perez the amendments were adopted.

Delegate Perez moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 38, Section 11 was read, as amended.

Delegate Zervigon moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

| YEAS | 
|------|---|
| Abraham Goldman | Perkins Planchard |
| Alexander Graham Grier | Pugh Rayburn |
| Arnette Hardee Hayes Haynes | Reeves Roemer |
| Avant Heine Hernandez Jack | Roy Schmitt |
| Badeaux Jackson, A. Jackson, J. | Shannon Singletary |
| Bel Jenkins Jones Juneau Klipatrick | Slay Smith |
| Bergeron Landrum Landry, A. Landry, E. J. | Sonat Stagg |
| Blair Lanier LeBluex | Stephens Stephenson |
| Brien LeBluex | Stovall Sutherland |
| Burns LeBluex | Tate Thompson |
| Casey Little | Thistlethwaite |
| Champagné Lowe | Tobias |
| Chelardy Mire | Toca |
| Conino Newcomb | Toomy |
| Conroy O'Neill Perkins | Ulo Velazquez |
| Corne Phillips | Warren Weiss |
| DeBlieux Plaque | Willis Whisman |
| Dennis Porter | Womack Zervigon |

NAYS

| 
| Total—95. | 
| Delegates— | 
| Mr. Chairman Goldman | Perkins |
| Abraham Gauthier | Perez |
| Alexander Glenn | Pugh |
| Arnette Goldman | Planchard |
| Asseff Grier | Pugh |
| Avant Hardee | Rayburn |
| Badeaux Hayes Haynes | Reeves |
| Bel Heine Hernandez Jack | Roemer |
| Bergeron Jackson, A. Jackson, J. | Roy |
| Blair Jenkins Jones | Schmitt |
| Brien Juneau Klipatrick | Shannon |
| Burns Landrum Landry, A. | Singletary |
| Burson LeBluex | Slay |
| Casey Little | Smith |
| Champagne Lowe | Sonat |
| Chelardy Mire | Stagg |
| Conino Newcomb | Stephens |
| Conroy O'Neill Perkins | Stovall |
| Corne Phillips | Tocca |
| DeBlieux Plaque | Thistlethwaite |
| Dennis Phillips | Thompson |
| Derbes Phillips | Toomy |
| Deshotels Phillips | Ulo Velazquez |
| Drew Lowe | Velazquez |
| Elkins McDaniel | Vick |
| Flory Martin | Warren |
| Fontenot Maybuck | Weiss |
| Fowler Miller | Willis |
| Fulco Mire | Whisman |
| Gauthier Newcomb | Womack |
| Glenn O'Neill | Zervigon |
| Total—95. | 

Delegates—

NOT VOTING

| 
| Total—36. | 
| Delegates— | 
| Mr. Chairman Edwards | Ourso |
| Aertker Fayard | Rachal |
| Alario Giarrusso | Riecke |
| Anzalone Gravel | Sandoz |
| Ballinger Guarisco | Segura |
| Brown Kean | Slanson |
| Cannon Kelly | Tapper |
| Carmouche Klipatrick | Vesich |
| Comar Lambert | Vick |
| Cowen Mauberret | Wall |
| Dunlap Morris | Wattigney |
| Duval Munson | Winchester |

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

Section 16, Ports; Transition to Statutes

Section 16. All provisions of Article VI, Sections 16, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 17, 23, 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.

Read.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Jenkins, Casey, Lanler, Tate, Flory, Avant, Conroy, Perez, Zervigon and Kean to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 6, between lines 23 and 24, insert the following: "PART II"

On motion of Delegate Jenkins the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 38, Section 16 was read, as amended.

Delegate Zervigon moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

| YEAS | 
|------|---|
| Mr. Chairman Fulco | O'Neill |
| Abraham Gauthier | Perez |
| Alexander Glenn | Pugh |
| Arnette Goldman | Planchard |
| Asseff Grier | Pugh |
| Avant Hardee | Rayburn |
| Badeaux Hayes | Reeves |
| Bel Heine | Roemer |
| Bergeron Jackson, A. Jackson, J. | Roy |
| Blair Jenkins | Schmitt |
| Brien Juneau | Shannon |
| Burns Landrum | Singletary |
| Burson LeBluex | Slay |
| Casey Little | Smith |
| Champagne Lowe | Sonat |
| Chelardy Mire | Stagg |
| Conino Newcomb | Stephens |
| Conroy Phillips | Stovall |
| Corne Phillips | Tocca |
| DeBlieux Phillips | Thistlethwaite |
| Dennis Phillips | Thompson |
| Derbes Phillips | Toomy |
| Deshotels Phillips | Ulo Velazquez |
| Drew Lowe | Velazquez |
| Elkins McDaniel | Vick |
| Flory Martin | Warren |
| Fontenot Maybuck | Weiss |
| Fowler Miller | Willis |
| Fulco Mire | Whisman |
| Gauthier Newcomb | Womack |
| Glenn O'Neill | Zervigon |
| Total—99. | 

NAYS

| 
| Total—0. | 
| Delegates— | 
| Aertker Bollinger | Comar |
| Alario Brown | Cowen |
| Anzalone Carmouche | Dunlap |
ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman—Gauthier—O'Neill
Abraham—Ginn—Perez
Aertker—Goldman—Pere
Alexander—Graham—Pianchard
Arnette—Gravel—Pugh
Asseff—Grier—Rayburn
Avant—Hardee—Reeves
Badeaux—Hayes—Roy
Bel—Haynes—Schmitt
Bergeron—Heine—Shannon
Blair—Hernandez—Singletary
Brien—Jack—Slay
Burns—Jackson, A.—Smith
Burzon—Jackson, J.—Soniat
Cannon—Jenkins—Stagg
Casey—Jones—Stephenson
Champagne—Kean—Stovall
Chatelain—Kilpatrick—Sutherland
Chehardy—Landry, A.—Tate
Conino—Landry, E. J.—Thistlethwaite
Conroy—Lanier—Thompson
Corne—LeBleu—Tobias
De Bieux—Leigh—Toca
Denner—Leithman—Toomy
Dennis—Lowe—Ullo
Derbee—McDaniel—Velasquez
Deshotels—Martin—Warren
Duval—Maybuke—Weiss
Eikins—Miller—Willis
Flory—Mire—Wisham
Fontenot—Morris—Womack
Fowler—Newton—Zervigon
Fulco—Nunez

Total—98.

NAYS

Total—0.

NOT VOTING

Delegates—
Alario—Giarrusso—Roemer
Anzalone—Guarisco—Sandoz
Bollinger—Juneau—Segura
Brown—Kelly—Stinson
Carmouche—Kilbourne—Tapper
Comar—Lambert—Vesich
Cowen—Landrum—Vick
D'Gerolamo—Maurer—Wall
Drew—Mauherret—Watigny
Dunlap—Ours—Winchester
Edwards—Rachal—
Fayard—Riecke—

Total—34.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

Section 23. Suits Against the State; Effective Date

Section 23. 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.

Read.

Passage

Committee Proposal No. 38, Section 23, was read.

Delegates Zervigon moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman—Aertker—Arnette
Abraham—Alexander—Asseff

1869
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman — Avant
Abraham — Bergeron
Aertker — Blair
Alexander — Bums
Anzalone — Burns
Arnette — Burson
Asselt — Cannon
Avant — Casey
Bel — Chehardy
Bergeron — Conino
Blair — Conroy
Bums — Corne
Burns — Cowen
Burson — DeBlieux
Champagne — Dennery
Chatelain — Dennis
Chehardy — Derbes
Cherbonnier — Deshotels
Chesire — Drew
Cohn — Elkins
Goldman — Flory
Graham — Fowler
Gruen — Fuoco
Gruen — Gauthier
Gruen — Glenn
Gruen — Goldman

Total—98.

**NOT VOTING**

Delegates—

Alario — Girrasso
Anzalone — Guarisco
Bollinger — Kean
Brown — Kelly
Carmouche — Kilbourne
Comar — Lambert
D’Gerolamo — Maubertret
Duval — Munson
Edwards — Oursou
Fayard — Rauch
Fontenot — Riecke

Total—36.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate J. Jackson to Committee Proposal No. 36 by Delegate Zervigon.

Amend printed proposal as follows:

**AMENDMENT No. 1**

On page 9, between lines 6 and 7, insert a new Section as follows:

"Part I

Section 27. Board of Supervisors of Southern University
Section 27. At the next session of the legislature following the effective date of this constitution, the governor shall submit to the Senate for its consent the names of his appointees to the Board of Supervisors of Southern University and Agricultural and Mechanical College in accordance with and to effectuate Article IX, Section 7."

Delegate J. Jackson moved the adoption of the amendment.

Delegate Schmitt objected.

Delegates—

Alario — Fayard
Badeaux — Girrasso
Bollinger — Guarisco
Brown — Hernandez
Carmouche — Juneau
Comar — Kelly
Conroy — Kilbourne
D’Gerolamo — Lambert
Deshotels — Maubertret
Drew — Munson
Duval — Oursou
Edwards — Rauch
Fayard — Riecke

Total—41.

The amendment having received a majority vote of the total membership of the Convention necessary to add a Section to a Proposal, was passed.

Delegate J. Jackson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Committee Proposal No. 38 Section 27 was read.**

Delegate J. Jackson moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman — Avant
Abraham — Bergeron
Aertker — Blair
Alexander — Bums
Arnette — Burson
Asselt — Cannon
Casey — Champagne
Chatelain — Chehardy

Total—98.

**NOT VOTING**

Delegates—

Alario — Girrasso
Badeaux — Guarisco
Bollinger — Hernandez
Brown — Kelly
Carmouche — Kilbourne
Comar — Kelly
Conroy — Kilbourne
D’Gerolamo — Lambert
Deshotels — Maubertret
Drew — Monson
Duval — Oursou
Edwards — Rauch
Fayard — Riecke

Total—41.
Delegate Schmitt
Total—1.

NOT VOTING

Delegates—
Alario
Anzalone
Badeaux
Bel
Bollinger
Brown
Carmouche
Comar
Conroy
D'Gerolamo
Deshotels
Drew
Dunlap
Duval

NAYS
Roy
Shannon
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stovall
Sutherland
Tate
Thistlethwaite
Tobias
Toca
Toomy
Ullo
Velazquez
Womack
Zervigon

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

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

Amendment proposed by Delegates Tobias, Pugh, Derbes, Zervigon, and Denney to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 9, after Convention Floor Amendment No. 1 proposed by Mr. Jackson and adopted by the Convention on January 18, 1974, insert the following:

"PART III
"Section 28. Effect of Adoption
Section 28. Notwithstanding any contrary provision of any law or the prior constitution, this constitution when approved in accordance with Delegate Resolution Number 52 of the Constitutional Convention established by Act 2 of 1972 of the Louisiana Legislature, as amended, shall be the Constitution of the State of Louisiana.

Delegate Tobias moved the adoption of the amendment.

Delegate Rayburn objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Alexander
Arnette
Badeaux
Bergeron
Casey
Chatelain
Conroy
Corne
De Blieux
Denney
Derbes
Deshotels
Fontenot
Fulco

NAYS

Delegates—
Aertker
Asseff
Avant
Baldwin
Blair
Brien
Brown
Burson
Champagne
Chehardy
Cenino
Cowan
D'Gerolamo
Dennis

Gauthier
Goldman
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(3) On the effective date of this constitution the Louisiana Coordinating Council for Higher Education is abolished and on such date all powers, duties, and functions thereof not inconsistent with this constitution shall be merged and consolidated into the Board of Regents.

(4) On the effective date of this constitution, all functions of the State Board of Education with respect to the governance, supervision, management, administration, and direction of institutions of higher education not inconsistent with this constitution shall be transferred to the Board of Regents, and in all other respects the functions of the State Board of Education not inconsistent with this constitution shall be performed by and with authority vested in the State Board of Elementary and Secondary Education.

On motion of Delegate Leitham the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Leitham and Juneau to Committee Proposal No. 38 by Delegate Zervigon.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 9, after the language added by Convention Floor Amendment No. 1 proposed by Mr. J. Jackson and adopted by the Convention on January 16, 1974, add the following:

"PART I.

Section 26. Transition to Board of Regents and State Board of Elementary and Secondary Education.

Section 28. (A) If Alternative Proposition 2A concerning education boards is approved by the electorate and if the proposed constitution is approved by the electorate, then this Section shall become Section 2 of Article XIV of the new constitution and Sections 28 and 29 of Article XIV shall be null, void, and of no effect. If Alternative Proposition 2A is not approved this Section shall be null and void and of no effect.

(B) (1) On the effective date of this constitution, each member of the Louisiana Coordinating Council for Higher Education whose term has not expired shall become a member of the Board of Regents. The legislation shall provide by law the procedure to effectuate the transition to the board, and the secretary of state shall通知 of those elections which must be held, and the governor notified of the appointments which must be made to complete the membership of the board.

The elections and appointments shall be made in accordance with and to effectuate Article IX, Section 5 of Alternative Proposition No. 28, adopted as Delegate Proposal No. 98, by Delegates Henry, et al.

(2) On the effective date of this constitution, each member of the State Board of Education whose term has not expired shall become a member of the State Board of Elementary and Secondary Education. 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 board. The elections and appointments shall be made in accordance with and to effectuate Article IX, Sections 3 and 5 of Alternative Proposition No. 28, adopted as Delegate Proposal No. 98, by Delegates Henry, et al.

(3) On the effective date of this constitution the Louisiana Coordinating Council for Higher Education is abolished, and on such date all powers, duties, and functions thereof not inconsistent with this constitution shall be merged and consolidated into the Board of Regents.

(4) On the effective date of this constitution, all functions of the State Board of Education with respect to the governance, supervision, management, administration, and direction of institutions of higher education not inconsistent with this constitution shall be transferred to the Board of Regents, and in all other respects the functions of the State Board of Education not inconsistent with this constitution shall be performed by and with authority vested in the State Board of Elementary and Secondary Education.

Subject to change by law and except as in conflict with this Alternative Proposition and Act 2 of 1972, the provisions
of Article XII, Section 7A of the Constitution of 1921 are continued as a statute, but the powers of the board shall be limited to the management of the daily operations of the Louisiana State University system.

Delegate Leithman moved the adoption of the amendment. Delegate J. Jackson objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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<tr>
<th>Delegates</th>
<th>Duval</th>
<th>Morris</th>
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<td>Mr. Chairman</td>
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<td>Newton</td>
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Total—84.

NAYS

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NOT VOTING

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Total—24.

The amendment having received a majority vote of the total membership of the Convention, necessary to add a Section to a Proposal, was passed.

Delegate Leithman moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 38, Section 28 was read.
the federal courts as provided by law, that provision or section shall be null and void and shall not affect the validity of the entire constitution or any of its other provisions or sections.

Delegate Lanier moved the adoption of the amendment.

Delegate Casey objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Fulco</th>
<th>Miller</th>
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NOT VOTING

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<tr>
<td>Mr. Chairman</td>
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<td>Alario</td>
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</table>

The amendment not having received a majority vote of the total membership of the Convention required to add a Section to a Proposal, failed to pass.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Kean, Conroy and Pugh to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 9, line 7, insert the following:

Section 29. Notwithstanding any contrary provision of any law or the prior constitution, this constitution when approved by the electors of this state shall be the Constitution of the State of Louisiana upon the effective date as provided in Section 25 of this Article.

Delegate Pugh moved the adoption of the amendment.

Delegate Asseff objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Grier</th>
<th>Pugh</th>
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<td>Mr. Chairman</td>
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NOT VOTING

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<td>Total</td>
<td>40</td>
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</tr>
</tbody>
</table>
The amendment having received a majority vote of the total membership of the Convention required to add a Section to a Proposal, was passed.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 38, Section 29 was read.

Delegate Pugh moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Alexander
Arnette
Avant
Badeaux
Bel
Bergeron
Brien
Burns
Cannon
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cown
D’Gerolamo
De Blieux
Denney
Deshotels
Eikins
Flory
Fontenot
Fowler
Fulco
Gian
Goldman
Graham
Total—95.

NAYS

Delegates—
Asseff
Dennis
Total—2.

NOT VOTING

Delegates—
Aertker
Alario
Anzalone
Blair
Bollinger
Brown
Burson
Carmouche
Derbes
Drew
Dunlap
Duval
Graham
Total—33.

And the Chair declared that the above Section was finally passed.

Motion to reconsider pending.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
Or page 9, line 8, delete Floor Amendment No. 1 proposed by Delegates Pugh, et al., and adopted by the convention on January 18, 1974, and insert in lieu thereof the following:

"Section 30. Severability Clause
Section 30. If any provision of this constitution is declared invalid for any reason, that provision shall not affect the validity of the entire constitution or any other provision thereof."

Delegate Jenkins moved the adoption of the amendment.

Delegate Asseff objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Alexander
Arnette
Avant
Badeaux
Bel
Bergeron
Brien
Burns
Cannon
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cown
D’Gerolamo
De Blieux
Denney
Deshotels
Eikins
Flory
Fontenot
Fowler
Fulco
Gian
Goldman
Graham
Total—91.

NAYS

Delegates—
Asseff
Total—2.

NOT VOTING

Delegates—
Mr. Chairman
Aertker
Alario
Anzalone
Blair
Bollinger
Brown
Burson
Carmouche
Chehardy
Dunlap
Duval
Drew
Total—39.

1875
The amendment having received a majority vote of the total membership of the Convention required to add a Section to a Proposal, was passed.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Committee Proposal No. 33, Section 39** was read.

Delegate Jenkins moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

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<tr>
<td>Kelly</td>
<td>Soniat</td>
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<tr>
<td>Aseff</td>
<td>Warren</td>
</tr>
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</table>

**NOT VOTING**

- Alario
- Anzalone
- Blair
- Bollinger
- Brown
- Burson
- Carmouche
- Chehardy
- D'Gerolamo
- Drew
- Dunlap
- Duval

**Total—93.**

At the January 17, 1974, meeting of the 121st Convention, Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
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<td>Hernandez</td>
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<td>Jackson</td>
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<td>Juneau</td>
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<td>Kean</td>
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<td>Kilpatrick</td>
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<td>Landry</td>
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<tbody>
<tr>
<td>Kelly</td>
<td>Soniat</td>
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<tr>
<td>Aseff</td>
<td>Warren</td>
</tr>
</tbody>
</table>

**NOT VOTING**

- Alario
- Anzalone
- Blair
- Bollinger
- Brown
- Burson
- Carmouche
- Chehardy
- D'Gerolamo
- Drew
- Dunlap
- Duval
- Edwards
- Fayard
- Gauthier

**Total—35.**

And the Chair declared that the above Section was finally passed.

**Motion to reconsider pending.**

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

**Constitutional Convention of 1973**

**State of Louisiana**

**January 17, 1974, Baton Rouge, La.**

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly Re-Re-enrolled in final form:

**COMMITTEE PROPOSAL No. 15—**

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Chapman, Chehardy, Conroy, De Blieux, Edwards, Fontenot, Lowe, D'Gerolamo, Maubreel, Mire, Newton, Nunez, Planchard, Roemer, Schmell, Slay, Smith, Triche and Winchester:
A PROPOSAL

Relative to the tax structure of the state and to public finance.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XI. REVENUE AND FINANCE

Section 1. Power to Tax; Public Purpose

Section 1. Except as otherwise provided by this constitution, the power of taxation shall be vested in the legislature, shall never be surrendered, suspended, or contracted away, and shall be held for public purposes only.

Section 2. Power to Tax; Limitation

Section 2. The levy of a new tax, an increase in an existing tax, or a repeal of an existing tax exemption shall require the enactment of a law by two-thirds of the elected members of each house of the legislature.

Section 3. Collection of Taxes

Section 3. The legislature shall prohibit the issuance of process to restrain the collection of any tax. It shall provide a convenient and adequate remedy for the prompt recovery of an illegal tax paid by a taxpayer.

Section 4. Income Tax; Severance Tax; Political Subdivisions

Section 4. (A) Income Tax. Equal and uniform taxes may be levied on net incomes, and these taxes may be graduated according to the amount of net income. However, the state individual and joint income tax schedule of rates shall never exceed the rates set forth in Title 47, Section 32 of the Louisiana Revised Statutes of 1974. Federal income taxes paid shall be allowed as a deductible item in computing state income taxes for the same period.

(B) Severance Tax. Taxes may be levied on natural resources severed from the soil or water, to be paid proportionately to the price of the material at the time of severance. Natural resources may be classified for the purpose of taxation. Such taxes may be predicated upon either the quantity or value of the products at the time and place of severance.

(C) Severance Tax; Political Subdivisions. A political subdivision may not levy a severance tax, income tax, or tax on motor fuel.

(D) Severance Tax Allocation. One-third of the sulphur severance tax, but not to exceed one hundred thousand dollars; one-fifth of the severance tax on all natural resources, other than sulphur or timber, but not to exceed five hundred thousand dollars; and three-fourths of the timber severance tax shall be remitted to the governing authority of the parish in which severance or production occurs.

(E) Royalties Allocation. One-tenth of the royalties from mineral leases on state-owned lands, lakes and river beds and other water bottoms belonging to the state or the title to which is in the public for mineral development shall be remitted to the governing authority of the parish in which severance or production occurs. The parish governing authority may fund these royalties into general obligation bonds of the parish in accordance with law. The provisions of this Paragraph shall not apply to properties comprising the Russell Sage Wildlife and Game Refuge.

Section 5. The legislature shall impose an annual license tax of three dollars on automobiles for private use, and on other motor vehicles, an annual license tax based upon horsepower, carrying capacity, weight, or any of these. No parish or municiplity may impose a license fee on motor vehicles.

Section 6. State Debt, Full Faith and Credit Obligations

Section 6. (A) Authorization. Unless otherwise authorized by this constitution, the state shall have no power, directly or by contract, or through its political subdivisions, to incur debt, or issue bonds except by law enacted by two-thirds of the elected members of each house of the legislature. The debt may be incurred or the bonds issued only if the funds are to be used to repel invasion; suppress insurrection; provide for the protection of the state from foreign or domestic enemies; refund outstanding indebtedness at the same or a lower effective interest rate; or make capital improvements, but only in accordance with a comprehensive capital budget, which the legislature shall adopt.

(B) Capital Improvements. If the purpose is to make capital improvements, the nature and location, and if more than one project, the amount allocated to each and the order of priority shall be stated in the comprehensive capital budget, which the legislature shall adopt.

(C) Full Faith and Credit. The full faith and credit of the state shall be pledged to the repayment of all obligations or other evidences of indebtedness issued by the state directly or through any state board, agency, or commission pursuant to the provisions of Paragraphs (A) and (B) hereof. The full faith and credit of the state is not hereby pledged to the repayment of bonds of a levee district, political subdivision, or local public agency. In addition, any state board, agency, or commission shall not authorize to issue bonds in the manner so authorized and with the approval of the State Bond Commission or its successor, may issue bonds which are payable from fees, rates, rentals, tolls, charges, grants, or other receipts or income derived by or in connection with an undertaking or activity exclusively financed from an appropriate source, and have a pledge of the full faith and credit of the state. Such revenue bonds may, but are not required to, be issued in accordance with the provisions of Paragraphs (A) and (B) hereof. If issued other than as provided in Paragraphs (A) and (B), such revenue bonds shall not carry the pledge of the full faith and credit of the state and the issuance of the bonds shall not constitute the incurring of state debt under this constitution. The rights granted to deep-water port commissions or deep-water ports in the state, or political subdivisions under this constitution shall not be impaired by this Section.

(D) Referendum. The legislature, by law enacted by two-thirds of the elected members of each house, may propose a statewide public referendum to authorize incurring of debt for any purpose for which the legislature is not herein authorized to incur debt.

(E) Exception. Nothing in this Section shall apply to any levies, taxes, political subdivision, or local public agency unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district, political subdivision, or local public agency.

Section 7. State Debt; Interim Emergency Board

Section 7. (A) Composition. The Interim Emergency Board shall be composed of the governor, lieutenant governor, state treasurer, and the president of the House of Representatives in office after the elections of 1974. The governor shall designate one of the members to serve as chairman of the board.

(B) Powers. Under authority of law provided by the legislature, the board may acquire or otherwise obtain and hold, maintain, use, and operate any property, asset, facility, or project for the purpose of carrying out the purposes of this constitution or any other purpose and, in carrying out any of the duties and powers provided by law, may do all things necessary and expedient to carry out the purposes of this constitution as an event or occurrence not reasonably anticipated by the legislature.

Section 8. State Bond Commission

Section 8. (A) Creation. The State Bond Commission is created. Its membership and authority shall be determined by law.

(B) Approval of Bonds. No bonds or other obligations shall
be issued or sold by the state, directly or through any state board, agency, or commission, or by any political subdivision of the state, unless prior written approval of the bond commission is obtained.

(C) Contesting State Bonds. Bonds, notes, certificates, or other evidences of indebtedness of the state (hereafter referred to as "bonds") shall not be invalid because of any irregularity or defect in the proceedings or in the issuance and sale thereof and shall be incontestable in the hands of a bona fide purchaser or holder. The issuing agency, after authorizing the issuance of bonds by resolution, shall publish once in the official journal of the state, as provided by law, a notice of intention to issue the bonds. The notice shall include a description of the bonds and the security therefor. Within thirty days after the publication, any person in interest may contest the legality of the resolution, any provision of the bonds to be issued pursuant to it, the provisions securing the bonds, and the validity of all other provisions and proceedings relating to the authorization and issuance of the bonds. If no action or proceeding is instituted within the thirty days, no person may contest the validity of the bonds, the terms and conditions thereof in which the bonds were issued, the security of the bonds, or the validity of any other provisions or proceedings relating to their authorization and issuance, and the bonds shall be presumed conclusively to be legal. Thereafter no court shall have authority to question such matters.

Section 9. State Funds

Section 9. (A) Deposit in State Treasury. All money received by the state or by any state board, agency, or commission deposited immediately upon receipt in the state treasury, except that received:

(1) as a result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise;

(2) by the employment security administration fund or its successor;

(3) by retirement system funds;

(4) by state agencies operating under authority of this constitution preponderantly from fees and charges for the shipment of goods in international maritime trade and commerce; and

(5) by a state board, agency, or commission, but pledged by it in connection with the issuance of revenue bonds as provided in Paragraph (C) of Section 6 of this Article, other than any surplus as may be defined in the law authorizing such revenue bonds.

(B) Bond Security and Redemption Fund. Subject to contractual obligations existing on the effective date of this constitution, all interest money deposited in the state treasury shall be credited to a special fund designated as the Bond Security and Redemption Fund, except money received as the result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise. In each fiscal year an amount is allocated from the bond security and redemption fund sufficient to pay all obligations which are secured by the full faith and credit of the state and which become due and payable within the current fiscal year, including principal, interest, premiums, sinking or reserve fund, and other requirements. Thereafter, except as otherwise provided by law, money remaining in the fund shall be credited to the state general fund.

(C) Exception. Nothing in this Section shall apply to a levee district or political subdivision unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district or political subdivision.

Section 10. Expenditure of State Funds

Section 10. (A) Appropriations. Except as otherwise provided by this constitution, money shall be drawn from the state treasury only pursuant to an appropriation made in accordance with law.

(B) Balanced Budget. Total appropriations by the legislature for any fiscal year shall not exceed anticipated state revenues for that fiscal year.

(C) Publication. The legislature shall have published a regular statement of receipts and expenditures of all state money at intervals of not more than one year.

(D) Public Purpose. No appropriation shall be made except for a public purpose.

Section 11. (A) Operating Budget. The governor shall submit to the legislature, at a time fixed by law, a budget estimate for the next fiscal year setting forth all proposed state expenditures and anticipated state revenues. He shall cause (1) a statement of any proposed five-year capital outlay program and request implementation of the first year of the program. Capital outlay projects approved by the legislature shall be made a part of the comprehensive state capital budget, which shall be adopted by the legislature.

Section 12. Reports and Records

Section 12. Reports and records of the collection, expenditure, investment, and use of state money and those relating to state obligations shall be matters of public record, except returns of taxpayers and matters pertaining to those returns.

Section 13. Investment of State Funds

Section 13. All money in the custody of the state treasurer which is available for investment shall be invested as provided by law.

Section 14. Donation, Loan, or Pledge of Public Credit

Section 14. (A) Prohibited Uses. Except as otherwise provided by this constitution, the funds, credit, property, or things of value of the state or of any political subdivision that are loaned, pledged, or otherwise pledged, or sold by or to any person, association, or corporation, public or private. Neither the state nor a political subdivision shall subscribe to or purchase the stock of a corporation or association or for any private enterprise.

(B) Authorized Uses. Nothing in this Section shall prevent

(1) the use of public funds for programs of social welfare for the aid and support of the needy;

(2) contributions of public funds to pension and insurance programs for the benefit of public employees;

(3) the pledge of public funds, credit, property, or things of value for public purposes with respect to the issuance of bonds or other evidences of indebtedness to meet public obligations as provided by law.

(C) Cooperative Endeavors. For a public purpose, the state and its political subdivisions or political corporations may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation, or individual.

Obligations. Funds, credit, property, or things of value of the state or of a political subdivision heretofore loaned, pledged, dedicated, or granted by prior state law or authorized to be loaned, pledged, dedicated, or granted by the prior laws and constitution of this state shall remain for the full term as provided by the prior laws and constitution and for the full term as provided by any contract, unless the authorization is revoked by law enacted by two-thirds of the elected members of each house of the legislature prior to the vesting of any contractual rights pursuant to this Section.

Section 15. Release of Obligations to State, Parish, or Municipality

Section 15. (A) Release. The legislature shall have no power to release, extinguish, or authorize the releasing or extinguishing of any indebtedness, liability, or obligation of a corporation or individual to the state, a parish, or a municipality. However, the legislature, by law, may establish a fund or funds under which claims by the state or a political subdivision may be compromised, and may provide for the release of heirs to confiscated property from taxes due thereon at the date of its reversion to them.

(B) Exception. Whenever any immovable property has been forfeited or adjudicated to the state for nonpayment of taxes of any kind prior to January 1, 1890, and the state did not sell or dispose of it or dispossess the tax debtor or his heirs, successors, or assigns prior to the adoption of the Constitution of 1921, it shall be presumed conclusively that the forfeiture or adjudication was invalid and null or that the property has been redeemed. The state and its assign shall be estopped forever from claiming any title to the property because of such forfeiture or adjudication.

Section 16. Taxes; Prescription

Section 16. (A) Prescription. Taxes, except real property
taxes, and licenses shall prescribe in three years after the thirty-first day of December in the year in which they are due, but prescription may be interrupted or suspended as provided by law:

(B) Tidelands. No state, district, parish, or other tax, license, fee, or assessment of any kind, and interest charges and penalties attaching thereto, which are imposed, due, or collectible on any property, minerals or the severance therefrom, or due or payable by any person, firm, or corporation on any business operation or activity within the tidelands are in dispute between the state and the United States and within the state's historic gulfland boundary three leagues from coast, as established and defined by the Act of Congress of April 8, 1862, entitled, "An Act to establish a commission to settle the boundary between the United States and the State of Louisiana, and to make rules and regulations in connection therewith."

Respectfully submitted,

MOISE W. DENNERY
Secretary.

The Proposals contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention of 1973
January 18, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

In accordance with the Rules of the Convention all proposals previously adopted by the Convention, excepting Committee Proposal No. 38, Delegate Proposal 108 and certain Sections of the proposed Article XIV are hereby reported with final styling amendments as a proposed Constitution for the State of Louisiana.

COMMITTEE AMENDMENT

Amendments proposed by Committee on Style and Drafting

AMENDMENT No. 1—

The organization of the constitution of 1974 shall be as follows:

"CONSTITUTION OF THE STATE OF LOUISIANA OF 1974"

PREAMBLE

I. DECLARATION OF RIGHTS

II. DISTRIBUTION OF POWERS

III. LEGISLATIVE BRANCH

IV. EXECUTIVE BRANCH

V. JUDICIAL BRANCH

VI. LOCAL GOVERNMENT

PART I. General Provisions

PART II. Finance

PART III. Levee Districts

PART IV. Port Commissions and Districts

PART V. Definitions

VII. REVENUE AND FINANCE

PART I. General Provisions

PART II. Property Taxation

PART III. Revenue Sharing

VIII. EDUCATION

IX. NATURAL RESOURCES

X. PUBLIC OFFICIALS AND EMPLOYEES

PART I. State and City Civil Service

PART II. Fire and Police Civil Service

PART III. Other Provisions

XI. ELECTIONS

XII. GENERAL PROVISIONS

XIII. CONSTITUTIONAL REVISION

XIV. TRANSITIONAL PROVISIONS

PART I.

PART II.

PART III.”

AMENDMENT No. 2—

Delete Section 18 of Committee Proposal Number 3 and insert in lieu thereof the following:

"Section 16. Appropriations

Section 16. (A) Specific Appropriation for One Year. Except as otherwise provided by this constitution, no money shall be withdrawn from the state treasury except through specific appropriation, and no appropriation shall be made under the heading of contingencies or for longer than one year.

(B) Origin in House of Representatives. All bills for raising revenue or appropriating money shall originate in the House of Representatives, but the Senate may propose or consent to amendments, as in other bills.

(C) General Appropriation Bill. Limitations. The general appropriation bill shall be itemized and shall contain only appropriations for the ordinary operating expenses of government, public charities, pensions, and the public debt or interest thereon.

(D) Specific Purpose and Amount. All other bills for appropriating money shall be for a specific purpose and amount.

Extraordinary Session. Except for expenses of the legislature, a bill appropriating money in an extraordinary session convened after final adjournment of the regular session in the last year of the term of office of a governor shall require the favorable vote of three-fourths of the elected members of each house.

AMENDMENT No. 3—

Delete Paragraphs (D) and (E) of Section 5 of Committee Proposal Number 4 and insert in lieu thereof the following and re-letter the succeeding paragraphs of Section 5 appropriately:

(D) Operating and Capital Budget. The governor shall submit to the legislature an operating budget and a capital budget, as provided by Article VII, Section 11 of this constitution.

AMENDMENT No. 3A—

In Section 18 of Committee Proposal No. 4, delete the word "Article" and insert in lieu thereof the word "constitution"

AMENDMENT No. 4—

Delete the text of Committee Proposal No. 11 and make the following Section 29 in Part III of Article X:

"Section 29. Retirement and Survivor's Benefits

Section 29. (A) Public School Employees. The legislature shall provide for retirement of teachers and other employees of the public educational system through establishment of one or more retirement systems. Membership in such a retirement system shall be a contractual relationship between employee and employer, and the state shall guarantee benefits payable to a member or retiree or to his lawful beneficiary upon his death.

(B) Other Officials and Employees. The legislature shall enact laws providing for retirement of officials and employees of the state, its agencies, and its political subdivisions, including prisons, employees employed jointly by state and federal agencies other than those in military service, through the establishment of one or more retirement systems. Membership in any retirement system of the state of a political subdivision thereof shall be a contractual relationship between employee and employer, and the state shall guarantee benefits payable to a member of a state retirement system or retiree or to his lawful beneficiary upon his death.

(C) Retirement Systems; Change; Notice. No proposal to effect any change in existing laws or constitutional pro-
visions relating to any retirement system for public employees shall be introduced in the legislature unless notice of intention to introduce the proposal has been published, without cost to the state, in the official state journal on two occasions. The last such publication shall be at least thirty days before introduction of the bill. The notice shall state the substance of the contemplated law or proposal, and the bill shall contain a recital that the notice has been given.

(D) Compensation for Survivors of Law Enforcement Officers and Firemen. The legislature shall establish a system, including the expenditure of public funds, for compensating the surviving spouses and dependent children of law enforcement officers and firemen, as defined by law, who die, or who died after June 30, 1972, as a result of injury sustained in the performance of official duties or in the protection of life or property while on or off duty."

AMENDMENT No. 5—
In Committee Proposal No. 15, Section 15 delete "(A) Release." and delete Paragraph (B) of Section 15 and make the following Section 12 of Article XIV:
"Section 12. Forfeitures Prior to 1800
Section 12. Whenever any immovable property has been forfeited or adjudicated to the state for nonpayment of taxes due prior to January 1, 1800, and the state did not sell or otherwise dispose of the tax debtor or his heirs, successors, or assign, prior to the adoption of the Constitution of 1921, it shall be presumed conclusively that the forfeiture or adjudication was irregular and null or that the property has been redeemed. The state and its assigns shall be estopped forever from claiming any title to the property because of such forfeiture or adjudication."

AMENDMENT No. 6—
In Committee Proposal No. 15, Section 16 delete "(A) Prescription." and delete Paragraph (B) of Section 16 and make the following Section 11 of Article XIV:
"Section 11. Prescription; Tidelands Taxes
Section 11. No state, district, parish, or other tax, license, fee, or assessment of any kind, and interest charges and penalties attaching thereto, which are imposed, due, or collectible on any property, mineral or the severance thereof, or due or payable by any person, firm, or corporation on any business operation or activity within the tidelands area in dispute between the state and the United States and within the state's historic gulft boundary three leagues from coast, as established and defined by the Act of Congress of October 12, 1852, which permitted this state into the Union, and as redefined in Louisiana Act No. 33 of 1954, shall prescribe until three years after the thirty-first day of December in the year in which the controversy existing between the United States and this state over the state gulft boundary is finally resolved and settled in accordance with law. However, no interest charge or penalty shall be assessed or collected on any such tax, license, fee, or assessment if it is paid within one year after the thirty-first day of December in the year in which the controversy is finally resolved and settled."

AMENDMENT No. 7—
Delete Section 43 of Committee Proposal No. 17 and insert in lieu thereof the following:
"Section 42. Compensation for Property Used or Destroyed; Tax
Section 42. (A) Compensation. Notwithstanding any contrary provision of this constitution, lands and improvements thereon hereafter actually used or destroyed for levee or levee drainage purposes shall be paid for as provided by law. Nothing herein contained shall be construed to apply to compensation for lands and improvements shall apply to be paid for, or to property the control of which is vested in the state or any political subdivision for the purpose of commerce. If the district has no other funds or resources from which the payment can be made, it shall levy on all taxable property within the district a tax sufficient to pay for property used or destroyed to be used solely in the district where collected.
(B) Number of Judges. The legislature may change the number of judges in any judicial district by law enacted by two-thirds of the elected members of each house."

AMENDMENT No. 8—
Delete Section 15 of Committee Proposal Number 21 and insert in lieu thereof the following:
"Section 15. Courts; Retention; Jurisdiction; Judicial District Changes; Terms
Section 15. (A) Court Retention; Trial Courts of Limited Jurisdiction. The district, family, juvenile, parish, city, and magistrate courts existing on the effective date of this constitution are retained. Subject to the limitations in Sections 16 and 21 of this Article, the legislature by law may abolish or merge trial courts of limited or specialized jurisdiction. The legislature by law may establish trial courts of limited jurisdiction with parishwide territorial jurisdiction and subject matter jurisdiction which shall be uniform throughout the state. The office of city marshal is continued until the city court serves is abolished. (B) Judicial Districts. The judicial districts existing on the effective date of this constitution are retained. Subject to the limitations in Section 21 of this Article, the legislature may establish, divide, or merge judicial districts with approval in a referendum in each district and parish affected.
(C) Term. The term of a district, parish, or city court judge shall be six years.
(D) Number of Judges. The legislature may change the number of judges in any judicial district by law enacted by two-thirds of the elected members of each house."

AMENDMENT No. 9—
Delete Section 10 of Committee Proposal No. 26 and insert the following as Section 13 in Part I of Article XIV:
"Section 13. Effective Date of Property Tax Provisions
Section 13. Effective Date of Property Tax Provisions
Section 13. and Section 20 of Article VII shall become effective January 1 of the year following the end of three years after the effective date of this constitution. Until that date, the provisions of the Constitution of 1921 governing matters covered by those Sections shall continue to apply, notwithstanding any contrary expiration date stated in any provision thereof concerning the veterans' homestead exemption."

AMENDMENT No. 10—
Delete Section 7 of Committee Proposal No. 35 and insert the following as Section 14 of Article XII:
"Section 14. Administrative Agency Codes
Section 14. Rules, regulations, and procedures adopted by all state administrative and quasi-judicial agencies, boards, and commissions shall be published in one or more codes and made available to the public."

AMENDMENT No. 11—
Change the title of Paragraph (A) of Section 24 of Committee Proposal No. 3 from "(A) Persons liable." to "(A) Persons Liable."

AMENDMENT No. 12—
Change the title of Section 17 of Committee Proposal No. 4 from "Section 17. Other Vacancies" to "Section 17. Filling of Vacancies."

AMENDMENT No. 13—
Change the title of Section 18 of Committee Proposal No. 21 from "Section 18. Juvenile Courts; Jurisdiction" to "Section 18. Juvenile and Family Courts; Jurisdiction."

AMENDMENT No. 14—
Change the title of Section 1 of Delegate Proposal No. 28 from "Section 1. Transition; Civil Service Commission; State; Cities" to "Section 8. Civil Service Commission; State; Cities" and insert in Part I of Article XIV

AMENDMENT No. 15—
Change the title of Section 2 of Delegate Proposal No. 28 from "Section 2. Transition; Civil Service Officers; Employees; State; Cities" to "Section 9. Civil Service Officers; Employees; State; Cities" and insert in Part I of Article XIV

AMENDMENT No. 16—
In Paragraph (B) of Section 1 of Committee Proposal Number 4 change the reference from Section 22 to Section 20 in the text of the Paragraph.

AMENDMENT No. 17—
In Section 2 of Committee Proposal Number 7 change the reference from Section 22 to Section 20 in the text of the Section.
AMENDMENT No. 18—
In Subparagraph (3) of Paragraph (D) of Section 4 in Committee Proposal 26 delete the letter "(a)" and "(b)"

AMENDMENT No. 19—
In Section 4 of Committee Proposal Number 26 change the reference from Section 3 to Section 20 in the text of the Section.

AMENDMENT No. 20—
In Section 5 of Committee Proposal No. 26, delete the word "Article" and insert in lieu thereof the word "Part."

AMENDMENT No. 21—
In Section 8 of Committee Proposal Number 26 change the references from Section 1 to Section 18 in the text of the Section and change the references from Section 3 to Section 20 in the text of the Section.

AMENDMENT No. 22—
In Section 10 of Committee Proposal Number 26 change the reference from Section 1 to Section 18 in the text of the Section and change the reference from Section 3 to Section 20 in the text of the Section.

AMENDMENT No. 23—
In Paragraph (A) of Section 1 of Delegate Proposal Number 28 change the reference from Article VII to Article X in the text of the Paragraph and change the reference from Section 1 to Section 3 in the text of the paragraph and delete reference to Paragraph (C).

AMENDMENT No. 24—
In Paragraph (B) of Section 1 of Delegate Proposal Number 28 change the reference from Article VII to Article X in the text of the Paragraph and change the reference to Paragraph (D) Section 1 to Section 4 in the text of the paragraph.

AMENDMENT No. 25—
Delete Section 5 of Committee Proposal No. 30 and make the following Section 5 of Article XIV:

"Section 5. Boards; New Appointments." Section 5. In making new appointments to a board created by Sections 5, 6, or 7 of Article VIII, the governor shall consider appropriate representation on the board by alumni of the institutions under the control of the board."

AMENDMENT No. 26—
In Committee Proposal Number 30 change all references from Section 9 to Section 8 in the text of the proposal.

AMENDMENT No. 27—
Delete the entire text of Committee Proposal No. 10 and insert the following as PART II of Article X:

PART II. FIRE AND POLICE CIVIL SERVICE

Section 16. Establishment of System

Section 16. A system of classified fire and police civil service is created and established. It shall apply to all municipalities having a population exceeding thirteen thousand and operating a regularly paid fire and municipal police department and to all parishes and fire protection districts operating a regularly paid fire department.

Section 17. Appointments and Promotions

Section 17. Permanent appointments and promotions in municipal fire and police civil service shall be made only after certification by the applicable municipal fire and police civil service board under a general system based upon merit, efficiency, length of service, and length of service as provided in Article XIV, Section 15.1 of the Constitution of 1921, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

Section 18. Prior Provisions

Section 18. Except as inconsistent with this Part, the provisions of Article XIV, Section 15.1 of the Constitution of 1921 are retained and continued in force and effect as statutes. In acting by two-thirds of the elected members of each house, the legislature may amend or otherwise modify any of those provisions, but it may not abolish the system of classified civil service for such firemen and municipal policemen or make the system inapplicable to any municipality having a population exceeding thirteen thousand and according to the latest decennial federal census or to any municipal fire protection district operating a regularly paid fire department. However, in a municipality having a population exceeding four hundred thousand, paid firemen and municipal policemen shall be included if a majority of the electors therein voting at an election held for that purpose approve their inclusion. Such an election shall be called by the governing authority of the affected city within one year after the effective date of this constitution.

Section 19. Exclusion

Section 19. Nothing in Part I of this Article authorizing cities or other political subdivisions to be placed under the provisions of said Part by election, act of the legislature, or ordinance of the local governing authority shall authorize the inclusion in a city civil service system of firemen and policemen in any municipality having a population greater than thirteen thousand but fewer than four hundred thousand and operating a regularly paid fire and municipal police department or in any parish or fire protection district regularly paid. Firemen and policemen are expressly excluded from any such system.

Section 20. Political Activities

Section 20. Article XIV, Section 15.1, Paragraph 34 of the Constitution of 1921 is retained and continued in force and effect.

AMENDMENT No. 28—
Delete the entire text of Committee Proposal No. 9 and insert the following as PART I of Article X:

"ARTICLE X. PUBLIC OFFICIALS AND EMPLOYEES"

PART I. STATE AND CITY CIVIL SERVICE

Section 1. Civil Service. The state civil service is established and includes all persons holding offices and positions of trust or employment in the employment of the state, or any instrumentality thereof, and any joint state and federal agency, joint state and parochial agency, or joint state and municipal agency, regardless of the source of the funds used to pay for such employment. It shall not include persons holding governmental offices and positions of any municipal board of health or local governmental subdivision.

(B) City Civil Service. The city civil service is established and includes all persons holding offices and positions of trust or employment in the employment of each city having over four hundred thousand population and in every municipal corporation. However, paid firemen and municipal policemen may be excluded if a majority of the electors in the affected city voting at an election held for that purpose approve their exclusion. The election shall be called by the municipal governing authority within one year after the effective date of this constitution.

Section 2. Classified and Unclassified Service

Section 2. (A) Classified Service. The state and city civil service is divided into the classified and the unclassified service. Persons not included in the classified service are included in the unclassified service.

(B) Unclassified Service. The unclassified service shall include the following officers and employees in the state and city civil service:

1. elected officials and persons appointed to fill vacancies in elective offices;
2. the heads of each principal executive department 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;
7. one person holding a confidential position and one principal assistant or deputy to any officer, board, commission, or authority mentioned in (1), (2), (4), and (6) above, except civil service departments;
8. members of the military or naval forces;
9. teaching and professional staffs, and administrative officers of schools, colleges, and universities of the state, and bona fide students of those institutions employed by state, parochial, or municipal agency;
10. employees, deputies, and officers of the legislature and of the offices of the governor, lieutenant governor, attorney general, each mayor and city attorney, of police juries, school boards, assessors, and of all offices provided for in Article V of this constitution, except the officers of the clerk of the municipal and traffic courts in New Orleans;
Section 5. Removal
Section 5. A member of the state or of a city civil service commission may be removed by the governor or the governing authority, as the case may be, for cause, after being served with written specifications of the charges against him and being afforded an opportunity for a public hearing thereon by the appointing authority.

Section 6. Department of Civil Service; Directors
Section 6. (A) State Department. A Department of State Civil Service is established in the executive branch of the State Government.

(B) City Departments. A department of city civil service shall exist in each city having a population exceeding four hundred thousand.

(C) Directors. Each commission shall appoint a director, as his representative, who shall be the executive head of the classified service. He shall be the administrative head of his department. Each director shall appoint personnel and exercise powers and duties to the extent prescribed by the commission appointing him.

Section 7. Appointments; Promotions
Section 7. Permanent appointments and promotions in the classified state and city service shall be made only after certification by the appropriate department of civil service under a general system based upon merit, fitness, and length of service, as ascertained by examination which, so far as practical, shall be competitive. The number to be certificated shall not be less than three; however, if more than one vacancy is to be filled, the name of one eligible employee for each vacancy shall be transferred to the next eligible employee; and if no one is eligible for that vacancy, the name of any other eligible employee may be transferred to the next eligible employee.

Section 8. Appeals
Section 8. (A) Disciplinary Actions. No person who has gained permanent status in the classified state or city service shall be subjected to disciplinary action except for cause expressed in writing. A classified employee subjected to such disciplinary action shall have the right of appeal to the appropriate commission. The burden of proof on appeal shall be on the appointing authority.

(B) Discrimination. No classified employee shall be discriminated against because of his political or religious beliefs, sex, or race. A classified employee so discriminated against shall have the right of appeal to the appropriate commission. The burden of proof on appeal shall be on the employee.

Section 9. Prohibitions Against Political Activities
Section 9. (A) Party Membership; Elections. No member of a classified service commission shall participate or engage in political activity; be a candidate for nomination or election to public office except to seek election as the classified state employee serving on the State Civil Service Commission; or be a member, officer, or candidate of a political party or faction; make or solicit contributions for any political party, faction, or candidate; or take active part in the management of the affairs of a political party, faction, candidate, or any political campaign, except to exercise his right as a citizen to express his opinion privately, to serve as a commissioner or official watcher at the polls, and to cast his vote as he desires.

(B) Contributions. No person shall solicit contributions for any political purpose from any classified employee or official or use or attempt to use his position in the state or city service to punish or coerce the political action of a classified employee.

(C) Political Activity Defined. As used in this Part, "political activity" means an effort to support or oppose the election of a candidate for political office or to support a particular political party in an election. The support of issues involving bonded indebtedness, tax referenda, or constitutional amendments.

Section 10. Rules; Investigations; Wages and Hours
Section 10. Rules. (1) Powers. Each commission is vested with broad and general rule-making and subpoena powers for the administration and regulation of the classified service, including the power to adopt rules for: regulating employment, promotion, demotion, suspension, reduction in pay, removal, certification, qualifications, political activities, employment conditions, compensation and disbursements to employees, and other personnel matters and transactions; to adopt a uniform pay and classification plan; to require an
appointing authority to institute an employee training and safety program; and generally to accomplish the objectives and purposes of the merit system of civil service as herein established. It may make recommendations with respect to employee training and safety. Nothing herein shall prevent the legislature from enacting laws supplementing these uniform pay plans for sworn, commissioned law enforcement officers of the Division of State Police, Department of Public Safety and regularly commissioned officers of the Enforcement Division of the Department of Wildlife and Fisheries.

(2) Veterans. The state and city civil service departments shall accord a five-point preference in original appointment to each person honorably discharged, or discharged under honorable conditions from the armed forces of the United States who served between the wartime dates of April 6, 1917 through November 11, 1918; or between September 16, 1940 through July 25, 1947; between June 27, 1950 through January 31, 1955; or in the Viet Nam Theater between July 1, 1956 through the date the United States government declares to be the date of termination of service for members of the armed forces to receive credit for the award of the Vietnam Service Medal; in a peacetime campaign or expedition for which campaign badges are authorized. The state and city civil service departments shall accord a ten-point preference in original appointment to each honorably discharged veteran who served either in peace or war and who is more disabled as determined by the Veterans Administration; to the spouse of each veteran whose physical condition precludes his or her appointment to a civil service job in his or her usual line of work; to the unremarried widowed parent of any person who died in active wartime or peacetime service or who suffered total and permanent disability as a result of such service; to the divorced or separated parents of any person who died in active wartime or peacetime service or who became totally and permanently disabled in wartime or peacetime service, where the veteran was in the armed forces as defined above, or in a peacetime campaign or expedition; or to the unremarried widowed parent of any person who died in active wartime or peacetime service or who suffered total and permanent disability as a result of such service, or who served at least one year on active duty in the armed forces and was discharged for reasons other than dishonor, to the veteran's widow or widower if a veteran died as a result of service-connected disabilities.

(3) Layoffs; Preference Employees. When a position in the classified service is abolished, or needs to be vacated because of stoppage of work from lack of funds or other causes, preference employees (ex-members of the armed forces and their dependents as described in this Section) whose length of service and efficiency ratings are at least equal to those of other competing employees shall be retained in preference to all other competing employees. However, while the function of a state agency is transferred to or when a state agency is replaced by, one or more other state agencies, every preference employee in classifications and performing functions transferred, or working in the state agency, shall be transferred to the state agency or agencies for employment in a position for which he is qualified before that state agency or agencies appoint additional employees for such positions from eligible lists. The appointing authority shall give the employee written notice of the proposed lay-off within a reasonable length of time before its effective date, and the director shall issue orders relating thereto which he considers necessary to secure compliance with the rules. No rule, regulation, or practice of the commission, of any agency or department, or of any official of the state or any political subdivision shall favor or discriminate against any applicant or employee because of his membership or non-membership in any private organization; but this shall not prohibit any state agency, department, or political subdivision from contracting with an employee organization with respect to wages, grievances and working conditions, or other conditions of employment in a manner not inconsistent with this constitution, a civil service law, or a valid rule or regulation of a commission.

Effect. Rules adopted pursuant hereto shall have the effect of law and be published and made available to the public. Each commission may impose penalties for violation of its rules by demotion in or suspension or discharge from position, with attendant loss of pay.

A. Investigation. The commission may investigate violations of this Part and the rules, statutes, or ordinances adopted pursuant hereto.

B. Wages and Hours. Any rule or determination affecting wages or hours shall have the effect of law and become effective only after approval by the governor or the appropriate governing authority.

Section 11. Penalties

Section 11. Willful violation of any provision of this Part by any person or agency or organization, any state or local department shall be a violation of the law, and shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

Section 12. Appeal

Section 12. Each commission shall have the exclusive power and authority to hear and decide all removal and disciplinary cases, with subpoena power and power to administer oaths. It may appoint a referee to take testimony, with subpoena power and power to administer oaths to witnesses. The decision of a commission shall be final unless it is sought to be reviewed by any question of law or fact upon appeal to the court of appeal wherein the commission is located, upon application filed with the commission within thirty calendar days after its decision becomes final.

13. Appropriations

13. A. State. The legislature shall make adequate annual appropriations to the State Civil Service Commission and to the Department of State Civil Service to enable them to implement this Part efficiently and effectively. The amount so appropriated shall not be subject to veto by the governor.

13. B. Cities. Each city subject to this Part shall make adequate annual appropriations to enable its civil service commission and department to implement this Part efficiently and effectively.

Section 14. Acceptance of Act; Other Cities, Parishes, City and Parish Governed Jointly

14. A. Local Option. Each city having a population exceeding ten thousand but not exceeding four hundred thousand, each parish, and each parish governed jointly with one or more cities under a plan of government, having a population exceeding ten thousand, according to the latest official decennial federal census, may elect to be governed by this Part, by a majority vote of its electors voting at an election held for that purpose. The election shall be ordered and held by the city, or the parish, or the city-parish, as the case may be, upon (a) the adoption of an ordinance by the governing authority calling the election; or (b) the presentation to the governing authority of a petition calling for such an election signed by electors equal in number to five percent of the registered voters of the city, the parish, or the city-parish, as the case may be.

14. B. Acceptance. If a majority of the electors vote to adopt this Part, its provisions shall apply permanently to the city, the parish, or the city-parish, as the case may be, and shall govern it as if this Part had originally applied to it. In such case, all officers and employees of the city, the parish, or the city-parish, as the case may be, who have acquired civil service status under the merit system established by legislative act, city charter, or otherwise, shall retain that status and thereafter shall be subject to and be governed by this Part and the rules and regulations adopted under it.

14. C. Rejection. If a majority of the electors vote against the adoption of this Part, the question of its adoption shall not be resubmitted to the voters of the political subdivision within one year thereafter.

Section 15. City, Parish Civil Service System; Creation; Provision

Section 15. Nothing in this Part shall prevent the establishment by the legislature, or by the respective parish governing authority, of a parish civil service system in one or more parishes, applicable to any or all parish employees, except teaching and professional staffs and administrative officers of schools, or the establishment by the
legislature or by the respective municipal governing authority of a municipal civil service system in one or more municipalities having a population of less than four hundred thousand, in any manner now or hereafter provided by law. However, paid firemen and paid municipal policemen in a municipality operating a regularly paid fire and police department and having a population exceeding thirteen thousand, and paid firemen in all parishes and in fire protection districts, are expressly excluded from such a civil service system.

Nothing in this Part shall permit inclusion in the local civil service of officials and employees listed in Section 2 of this Article.

No law shall be adopted after the effective date of this constitution establishing a civil service system applicable to one or more parishes or to one or more municipalities having a population of less than four hundred thousand shall be effective in any parish or in any municipality until approved by ordinance adopted by the governing authority of the parish or municipality."

**AMENDMENT No. 29—**
Renumber Sections 5, 6, 7, 8, 9, and 10 of Committee Proposal Number 3 as Sections 6, 7, 8, 9, 10, and 11 respectively.

**AMENDMENT No. 30—**
Make Section 11 of Committee Proposal Number 3, Section 23 in Part III of Article X.

**AMENDMENT No. 31—**
Make Section 14 of Committee Proposal Number 3, Section 16 of Article XII.

**AMENDMENT No. 32—**
Make Section 15 of Committee Proposal Number 3, Section 11 of Article XII.

**AMENDMENT No. 33—**
Renumber Sections 16, 17, 19, 20, 21, and 22 of Committee Proposal Number 3 as Sections 14, 15, 17, 18, 19, and 20 respectively.

**AMENDMENT No. 34—**
Make Section 23 of Committee Proposal Number 3, Section 12 of Article XII.

**AMENDMENT No. 35—**
Make Section 24 of Committee Proposal Number 3, Section 24 in Part III of Article X.

**AMENDMENT No. 36—**
Make Section 25 of Committee Proposal Number 3, Section 25 in Part III of Article X.

**AMENDMENT No. 37—**
Make Section 26 of Committee Proposal Number 3, Section 26 in Part III of Article X.

**AMENDMENT No. 38—**
Make Section 27 of Committee Proposal Number 3, Section 5 of Article III.

**AMENDMENT No. 39—**
Make Section 17 of Committee Proposal Number 4, Section 27 in Part III of Article X.

**AMENDMENT No. 40—**
Make Section 18 of Committee Proposal Number 4, Section 28 in Part III of Article X.

**AMENDMENT No. 41—**
Renumber Sections 19, 20, 21, and 22 of Committee Proposal Number 4 as Sections 17, 18, 19, and 20 respectively.

**AMENDMENT No. 42—**
Make Section 1 of Committee Proposal Number 12, Section 7 of Article XII.

**AMENDMENT No. 43—**
Make Section 2 of Committee Proposal Number 14, Section 8 of Article XII.

**AMENDMENT No. 44—**
Place Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 of Committee Proposal Number 15 in Part I of Article VII.

**AMENDMENT No. 45—**
Make Section 1 of Delegate Proposal Number 18, Section 9 of Article XII.

**AMENDMENT No. 46—**
Make Section 1 of Delegate Proposal No. 18 Section 7 in Part I of Article XIV.

**AMENDMENT No. 47—**
Make Section 12 of Delegate Proposal Number 17, Section 6 of Article XII.

**AMENDMENT No. 48—**
Make Section 25 of Committee Proposal Number 17, Section 13 of Article XII.

**AMENDMENT No. 49—**
Renumber Sections 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, and 45 of Committee Proposal Number 17 as Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 43, and 44 respectively.

**AMENDMENT No. 50—**
Renumber Sections 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 43, and 44 respectively.

**AMENDMENT No. 51—**
Make Section 1 of Delegate Proposal Number 22, Section 21 in Part III of Article X.

**AMENDMENT No. 52—**
Make the text of Committee Proposal Number 23, Section 22 in Part III of Article X.

**AMENDMENT No. 53—**
Place Sections 1, 2, 3, 4, 5, 6, 8, and 9 of Committee Proposal Number 26 in Part II of Article VII and renumber as Sections 18, 19, 20, 21, 22, 23, 24, and 25 respectively.

**AMENDMENT No. 54—**
Make Section 7 of Committee Proposal Number 26, Section 26 in Part III of Article VII.

**AMENDMENT No. 55—**
Make Section 7 of Committee Proposal Number 34, Section 10 of Article XIV.

**AMENDMENT No. 56—**
Make Section 8 of Committee Proposal Number 34, Section 7

**AMENDMENT No. 57—**
Make Section 9 of Committee Proposal Number 34, Section 8

**AMENDMENT No. 58—**
Make Section 3 of Article XII of Committee Proposal Number 35, Section 30 in Part III of Article X.

**AMENDMENT No. 59—**
Renumber Sections 4, 1, 2, 8, and 5 of Article XII of Committee Proposal Number 35 as Sections 1, 2, 3, 4, and 5 of Article XII respectively.

**AMENDMENT No. 60—**
Make Section 14 of Committee Proposal Number 37, Section 21 of Article IV.

**AMENDMENT No. 61—**
Make the text of Delegate Proposal Number 43, Section 19 of Article V.

**AMENDMENT No. 62—**
Make Section 1 of Committee Proposal No. 31 Section 6 in Part I of Article XIV

Respectfully submitted, ALBERT TATE, JR., Chairman.

**Adjournment**
Delegate Abraham moved that the Convention do now adjourn until Saturday, January 19, 1974 at 12:01 o'clock A.M. Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Saturday, January 19, 1974, at 12:01 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE STATE OF LOUISIANA

ONE HUNDRED TWENTY-SECOND DAY’S PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the
1972 Regular Session of the Legislature

Saturday, January 19, 1974, Baton Rouge, La.

The Convention was called to order at 12:01 o’clock a.m.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

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

PRESENT
Delegates—
Mr. Chairman  Fulco  Oursou
Abraham  Gauthier  Perez
Aeterer  Girardsou  Perkins
Alario  Ginn  Planchard
Alexander  Goldman  Pugh
Anzalone  Graham  Rachal
Arnette  Gravel  Rayburn
Aseff  Grier  Reeves
Avant  Guarisco  Reick
Badeaux  Hardee  Roemer
Bel  Hayes  Roy
Bergeron  Haynes  Sandoz
Blair  Hix  Schmidt
Bollinger  Hernandez  Segura
Brien  Jones  Shannon
Brown  Jackson, A.  Slay
Burns  Jackson, J.  Smil
Burson  Jenkins  Slinson
Cannon  Jones  Soniat
Carmouche  Juneau  Stagg
Casey  Kean  Stephenson
Champagne  Kelly  Stovall
Chatelain  Kilbourne  Sutherland
Chehardy  Kilpatrick  Tapper
Comar  Lambert  Tate
Conino  Landrum  Thistlethwaite
Controy  Landry, A.  Thompson
Corne  Landry, E. J.  Tobis
Cowen  Lanier  Ton
d’Gerolamo  LeBlue  Tou
De Bileux  Leigh  Tomiy
Denbery  Leithman  Ullo
Dennis  Lowe  Velaquez
Derbes  McDaniel  Vesci
Deshotsels  Martin  Vick
Drew  Mauberret  Warren
Dunlap  Maybuche  Wattigny
Duval  Miller  Weiss
Edwards  Mire  Willis
Elkins  Morris  Winchester
Feyard  Munson  Wisham
Flory  Newton  Womack
Fontenot  Nunez  Zervigon
Fowler  O’Neill

Total—131.

ABSENT
Delegate Wall
Total—1.

The Chairman announced that there were 131 members
present and a quorum.

Prayer
Prayer was offered by Delegate Tobias.

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

Motion
On motion of Delegate Stagg the Reading and Adoption of
the previous Day’s Journal was deferred at this time.

On motion of Delegate Tate, the Convention altered the
Order of Business to take up Amendments Proposed by the
Committee on Style and Drafting to the final document at
this time.

Style and Drafting Amendments
Proposed to Final Document
The following amendments reported by the Committee on
Style and Drafting to the final document were taken up and
acted upon as follows:

COMMITTEE AMENDMENT
Amendment proposed by Committee on Style and Drafting.

AMENDMENT No. 1—
The organization of the constitution of 1974 shall be as
follows:
"CONSTITUTION OF THE STATE OF LOUISIANA OF 1974
PREAMBLE
I. DECLARATION OF RIGHTS
II. DISTRIBUTION OF POWERS
III. LEGISLATIVE BRANCH
IV. EXECUTIVE BRANCH
V. JUDICIAL BRANCH
VI. LOCAL GOVERNMENT
PART I. General Provisions
PART II. Finance
PART III. Levee Districts
PART IV. Port Commissions and Districts
PART V. Definitions
VII. REVENUE AND FINANCE
PART I. General Provisions
PART II. Property Taxation
PART III. Revenue Sharing
VIII. EDUCATION
IX. NATURAL RESOURCES
X. PUBLIC OFFICIALS AND EMPLOYEES
PART I. State and City Civil Service
PART II. Fire and Police Civil Service
PART III. Other Provisions
XI. ELECTIONS
XII. GENERAL PROVISIONS
XIII. CONSTITUTIONAL REVISION
XIV. TRANSITIONAL PROVISIONS
PART I.
PART II.
PART III."

Read.

On motion of Delegate Tate Amendment No. 1 was adopted.

AMENDMENT No. 2—
Delete Section 18 of Committee Proposal Number 3 and
insert in lieu thereof the following:
"Section 16. Appropriations
(A) Origin in House of Representatives. All bills for rais-
ing revenue or appropriating money shall originate in the
House of Representatives, but the Senate may propose or
concur in amendments, as in other bills.
(C) General Appropriation Bill; Limitations. The gen-
eral appropriation bill shall be itemized and shall contain
only appropriations for the ordinary operating expenses of
government, public charities, pensions, and the public debt
or interest thereon.

1385
122nd Days Proceedings—January 19, 1974

(D) Specific Purpose and Amount. All other bills for appropriating money shall be for a specific purpose and amount.

(E) Extraordinary Session. Except for expenses of the legislature, a bill appropriating money in an extraordinary session convened after final adjournment of the regular session in the last year of the term of office of a governor shall require the favorable vote of three-fourths of the elected members of each house.

Read.

On motion of Delegate Tate Amendment No. 2 was adopted.

AMENDMENT No. 3—

 Delete Paragraphs (D) and (E) of Section 5 of Committee Proposal Number 4 and insert in lieu thereof the following and re-letter the succeeding paragraphs of Section 5 appropriately:

“(D) Operating and Capital Budget. The governor shall submit to the legislature an operating budget and a capital budget, as provided by Article VII, Section 11 of this constitution.”

Read.

On motion of Delegate Tate Amendment No. 3 was adopted.

AMENDMENT No. 3A—

 In Section 18 of Committee Proposal No. 4, delete the word “Article” and insert in lieu thereof the word “constitutions.”

Read.

On motion of Delegate Tate Amendment No. 3A was adopted.

AMENDMENT No. 4—

 Delete the text of Committee Proposal No. 11 and make the following Section 29 in Part III of Article X:

“Section 29. Retirement and Survivor’s Benefits.

Section 29. (A) Public School Employees. The legislature shall provide for retirement of teachers and other employees of the public educational system through establishment of one or more retirement systems. Membership in such a retirement system shall be a contractual relationship between employee and employer, and the state shall guarantee benefits payable to a member or retiree or to his lawful beneficiary upon his death.

(B) Other Officials and Employees. The legislature shall enact laws providing for retirement of officials and employees of the state, its agencies, and its political subdivisions, including persons employed jointly by state and federal agencies other than those in military service, through the establishment of one or more retirement systems. Membership in any retirement system of the state or of a political subdivision thereof shall be a contractual relationship between employee and employer, and the state shall guarantee benefits payable to a member of a state retirement system or retiree or to his lawful beneficiary upon his death.

(C) Retirement Systems: Change; Notice. No proposal to effect any change in existing laws or constitutional provisions relating to any retirement system for public employees shall be introduced in the legislature unless notice of intention to introduce the proposal has been published, without cost to the state, in the official state journal on two separate days. The last day of publication shall be at least thirty days before introduction of the bill. The notice shall state the substance of the contemplated law or proposal, and the bill shall contain a recital that the notice has been given.

(D) Compensation for Survivors of Law Enforcement Officers and Firemen. The legislature shall establish a system, including the expenditure of public funds, for compensating the surviving spouses and dependent children of law enforcement officers, firemen, and personnel, as defined by law, who die, or who died after June 30, 1972, as a result of injury sustained in the performance of official duties or in the protection of life or property while on or off duty.”

Read.

On motion of Delegate Tate Amendment No. 4 was adopted.

AMENDMENT No. 5—

 In Committee Proposal No. 15, Section 15 delete “(A) Result,” and delete Paragraph (B) of Section 15 and make the following Section 12 of Article XIV:

“Section 12. Forfeitures Prior to 1889.

Section 12. Whenever any immovable property has been forfeited or adjudicated to the state for nonpayment of taxes due prior to January 1, 1880, and the state did not sell or dispose of it or dispense the tax debtor or his heirs, successors, or assigns prior to the adoption of the Constitution of 1921, it shall be presumed conclusively that the forfeiture or adjudication was irregular and null or that the property has been redeemed. The state and its assigns shall be entitled forever to claiming any title to the property because of such forfeiture or adjudication.”

Read.

Delegate Tate moved the adoption of the amendment.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman

Abraham

Alexander

Amette

Aseff

Avant

Bel

Bergeron

Blair

Brien

Burson

Cannon

Casey

Chatelain

Chehardy

Comar

Conino

Conroy

Coven

D’Gerolamo

De Blixa

Dennery

Dennis

Dorbe

Deshotels

Elkins

Fiery

Fowler

Fulco

Total—35.

NAYS

Total—4.

NOT VOTING

Delegates—

Acrtker

Alario

Anzalone

Badeaux

Bollinger

Brown

Burns

Carmouche

Champagne

Corre

Dunlap

Duvall

Drew

Edwards

Fayard

Fontenot

Total—47.

And Amendment No. 5 was adopted.

AMENDMENT No. 6—

In Committee Proposal No. 15, Section 16 delete “(A) Pre-
scription," and delete Paragraph (B) of Section 16 and make the following Section 11 of Article XIV:

"Section 11. Prescription; Tidelands Taxes

Section 11. No state, district, parish, or other tax, license, fee, or interest of any kind, and interest charges and penalties attaching thereto, which are imposed, due, or collectible on any property, minerals or the severance thereof, or due or payable by any person, firm, or corporation on any business operation or activity within the tidelands area in dispute between the state and the United States and within the state's historic gulfward boundary three leagues from coast, as established and defined by the Act of Congress of April 8, 1812, which admitted this state into the Union, and as redefined in Louisiana Act No. 33 of 1954, shall prescribe until three years after the thirty-first day of December in the year in which the controversy existing between the United States and this state over the state gulfward boundary is finally resolved and settled in accordance with law. However, no interest charge or penalty shall be assessed or collected on any such tax, license, fee, or assessment if it is paid within one year after the thirty-first day of December in the year in which the controversy is finally resolved and settled."

Read.
Delegate Tate moved the adoption of the amendment.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates
Mr. Chairman
Abraham
Alexander
Annette
Assay
Avant
Bergeron
Blair
Brien
Burson
Cannon
Casey
Chatelain
Chehardy
Comar
Conino
Conroy
D'Guiliano
De Blieux
Dennery
Dennis
Dorbee
Elkins
Flory
Fowler
Fulco
Glin
Goldman
Graham
Grier
Hayes
Hayes
Heine
Jackson, A.
Jackson, J.
Jenkins
Jones
Juneau
Kean
Kelly
Kilpatrick
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
LeBlanc
Lowe
McDaniel
Martin
Morris
Newton
Nunez
O'Neil
Perez
Perkins
Planchard
Reeves
Roemer
Roy
Schmitt
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stowell
Taylor
Thompson
Tobias
Toomy
Ullom
Velasquez
Weiss
Willis
Winchester
Zervigon

Total—81.

NAYS

Delegates
Aerkker
Alario
Anzalone
Badeaux
Bel
Ballinger
Brown
Bruns
Carmouche
Champagne
Cope
Coxen
Deshotel
Drew
Dunlap
Duval
Edwards
Fayard
Fontenot
Gauthier
Girard
Gravel
Guasco
Hardee
Hernandez
Kilbourne
Kimbrough
Lambert
Mauberret
MaybuCe
Miller
Mire
Munson
Ours
Pugh
Rachal
Rayburn
Riecke
Sandor
Segura
Shannon
Sutherland
Tapper
Thistlethwaite
Toco
Vesich
Vick
Wall
Warren
Wattigny
Whislan
Womack

Total—51.

And Amendment No. 6 was adopted.

AMENDMENT No. 7—
Delete Section 43 of Committee Proposal No. 17 and insert in lieu thereof the following:

“Section 42. Compensation for Property Used or Destroyed by Tax

Section 42. (A) Compensation. Notwithstanding any contrary provision of this constitution, lands and improvements thereon hereafter actually used or destroyed for levee or levee drainage purposes shall be paid for as provided by law. However, nothing contained in this Paragraph with respect to compensation for lands and improvements shall apply to bateau or to property the control of which is vested in the state or any political subdivision for the purpose of commerce. If the district has no other funds or resources from which the payment can be made, it shall levy on all taxable property within the district a tax sufficient to pay for property used or destroyed to be used solely in the district where collected.

(B) Appropriation. Nothing in this Section shall prevent the appropriation of such property before payment.”

Read.
On motion of Delegate Tate Amendment No. 7 was adopted.

AMENDMENT No. 8—
Delete Section 15 of Committee Proposal Number 21 and insert in lieu thereof the following:

“Section 15. Courts; Retention; Jurisdiction; Judicial District Changes; Terms

Section 15. (A) Court Retention; Trial Courts of Limited Jurisdiction. The district, family, juvenile, parish, city, and magistrate courts existing on the effective date of this constitution are retained. Subject to the limitations in Sections 16 and 21 of this Article, the legislature by law may abolish or merge trial courts of limited or specialized jurisdiction. The legislature by law may establish trial courts of limited jurisdiction with parishwide territorial jurisdiction and subject matter jurisdiction which shall be uniform throughout the state. The office of city marshal is continued until the city court he serves is abolished.

(B) Judicial Districts. The judicial districts existing on the effective date of this constitution are retained. Subject to the limitations in Section 21 of this Article, the legislature by law may establish, divide, or merge judicial districts with approval in a referendum in each district and parish affected.

(C) Term. The term of a district, parish, or city court judge shall be six years.

(D) Number of Judges. The legislature may change the number of judges in any judicial district by law enacted by two-thirds of the elected members of each house.”

Read.
On motion of Delegate Tate Amendment No. 8 was adopted.

AMENDMENT No. 9—
Delete Section 10 of Committee Proposal No. 26 and insert the following as Section 13 in Part I of Article XIV:

“Section 13. Effective Date of Property Tax Provisions

Section 13. Section 18 and Section 20 of Article VII shall become effective January 1 of the year following the end of three years after the effective date of this constitution. Until that date, the provisions of the Constitution of 1921 governing matters covered by those Sections shall continue to apply, notwithstanding any contrary expiration date stated in any provision thereof concerning the veterans' homestead exemption.”

Read.
On motion of Delegate Tate Amendment No. 9 was adopted.
PAGE 4

122nd Days Proceedings—January 19, 1974

AMENDMENT No. 10—
Delete Section 7 of Committee Proposal No. 35 and insert the following as Section 14 of Article XII:
“Section 14. Administrative Agency Codes
Section 14. Rules, regulations, and procedures adopted by all state administrative and quasi-judicial agencies, boards, and commissions shall be published in one or more codes and made available to the public.”

Read.

On motion of Delegate Tate Amendment No. 10 was adopted.

AMENDMENT No. 11—
Change the title of Paragraph (A) of Section 24 of Committee Proposal No. 3 from “(A) Persons Liable,” to “(A) Persons Liable.”

Read.

On motion of Delegate Tate Amendment No. 11 was adopted.

AMENDMENT No. 12—
Change the title of Section 17 of Committee Proposal No. 4 from “Section 17, Other Vacancies” to “Section 17, Filling of Vacancies.”

Read.

On motion of Delegate Tate Amendment Nos. 11 and 12 were adopted.

AMENDMENT No. 13—
Change the title of Section 18 of Committee Proposal No. 21 from “Section 18. Juvenile Courts; Jurisdiction” to “Section 18. Juvenile and Family Courts; Jurisdiction”

Read.

On motion of Delegate Tate Amendment Nos. 13, 14 and 15 were adopted.

AMENDMENT No. 16—
In Paragraph (B) of Section 1 of Committee Proposal Number 4 change the reference from Section 22 to Section 20 in the text of the Paragraph.

Read.

On motion of Delegate Tate Amendment No. 16 was adopted.

AMENDMENT No. 17—
In Section 2 of Committee Proposal Number 7 change the reference from Section 22 to Section 20 in the text of the Section.

AMENDMENT No. 18—
In Subparagraph (3) of Paragraph (D) of Section 4 in Committee Proposal 26 delete the letter “(a)” and “(b)”

AMENDMENT No. 19—
In Section 4 of Committee Proposal Number 26 change the reference from Section 3 to Section 20 in the text of the Section.

AMENDMENT No. 20—
In Section 5 of Committee Proposal No. 26, delete the word “Article” and insert in lieu thereof the word “Part”

AMENDMENT No. 21—
In Section 6 of Committee Proposal Number 26 change the references from Section 1 to Section 18 in the text of the Section and change the references from Section 3 to Section 20 in the text of the Section.

AMENDMENT No. 22—
In Section 10 of Committee Proposal Number 26 change the reference from Section 1 to Section 18 in the text of the Section and change the reference from Section 3 to Section 20 in the text of the Section.

AMENDMENT No. 23—
In Paragraph (A) of Section 1 of Delegate Proposal Number 26 change the reference from Article VII to Article X in the text of the Paragraph and change the reference to Paragraph (B) of Section 1 to Paragraph A in the text of the paragraph and delete reference to Paragraph (C).

AMENDMENT No. 24—
In Paragraph (B) of Section 1 of Delegate Proposal Number 26 change the reference from Article VII to Article X in the text of the paragraph and change the reference to Paragraph (D) Section 1 to Section 4 in the text of the proposal.

Read.

On motion of Delegate Tate Amendment Nos. 17 through 24 were adopted

AMENDMENT No. 25—
Delete Section 5 of Committee Proposal No. 30 and make the following Section 5 of Article XIV:

“Section 5. Boards; New Appointments
Section 5. In making new appointments to a board created by Sections 6, or 7 of Article VIII, the governor shall consider appropriate representation on the board by alumni of the institutions under the control of the board.”

AMENDMENT No. 26—
In Committee Proposal Number 30 change all references from Section 9 to Section 8 in the text of the proposal.

Read.

On motion of Delegate Tate Amendment Nos. 25 and 26 were adopted.

AMENDMENT No. 27—
Delete the entire text of Committee Proposal No. 10 and insert the following as PART II of Article X:

PART II. FIRE AND POLICE CIVIL SERVICE

Section 16. Establishment of System
Section 16. A system of classified fire and police civil service is created and established. It shall apply to all municipalities having a population exceeding thirteen thousand and operating a regularly paid fire and municipal police department and to all parishes and fire protection districts operating a regularly paid fire department.

Section 17. Appointments and Promotions
Section 17. Permanent appointments and promotions in municipal fire and police civil service 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 Constitution of 1921, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

Section 18. Prior Provisions
Section 18. Except as inconsistent with this Part, the provisions of Article XIV, Section 15.1 of the Constitution of 1921 are retained and continued in force and effect as statutes. By law enacted by two-thirds of the elected members of each house, the legislature may amend or otherwise modify any of these provisions, but it may not abolish the system of classified civil service for such firemen and municipal policemen or make the system inapplicable to any municipality having a population exceeding thirteen thousand and according to the latest decennial federal census or to any parish or fire protection district operating a regularly paid fire department. However, in a municipality having a population exceeding four hundred thousand, paid firemen and municipal policemen shall be included if a majority of the electors therein voting at an election held for that purpose approve their inclusion. Such an election shall be called by the governing authority of the affected city within one year after the effective date of this constitution.

Section 19. Exclusion
Section 19. Nothing in Part I of this Article authorizing cities or other political subdivisions to be placed under the
provisions of said Part by election, act of the legislature, or ordinance of the local governing authority shall authorize the inclusion in a city civil service system of firemen and policemen in any municipality having a population greater than thirteen thousand but fewer than four hundred thousand and operating a regularly paid fire and municipal police department or in any parish or fire protection district operating a regularly paid fire department. Such firemen and policemen are expressly excluded from any such system.

Section 20. Political Activities
Section 20. Article XIV, Section 15.1, Paragraph 34 of the Constitution of 1921 is retained and continued in force and effect.

Read.

On motion of Delegate Tate Amendment No. 27 was adopted.

AMENDMENT No. 29—

Delete the entire text of Committee Proposal No. 9 and insert the following as PART I of Article X:

"ARTICLE X. PUBLIC OFFICIALS AND EMPLOYEES. PART I. STATE AND CITY CIVIL SERVICE

Section 1. State Civil Service. The state civil service is established and includes all persons holding offices and positions of trust or employment in the employ of the state, or any department thereof, and any joint state and federal agency, joint state and parochial agency, or joint state and municipal agency, regardless of the source of the funds used to pay for such employment. It shall not include persons holding offices and positions of any municipal board of health or local governmental subdivision.

(B) City Civil Service. The city civil service is established and includes all persons holding offices and positions of trust or employment in the employ of each city having a population of one hundred thousand or more, or in any city having a population of over forty thousand and there are a sufficient number of persons occupying positions for the estimated population within the city.

Section 2. Classified and Unclassified Service

Section 2. (A) Classified Service. The state and city civil service is divided into the classified and the unclassified service. Persons not included in the unclassified service are in the classified service.

(B) Unclassified Service. The unclassified service shall include the following officers and employees in the state and city civil service:

(1) all officials and persons appointed to fill vacancies in elective offices;
(2) the heads of each principal executive department 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 chief secretary to the president of each college or university;
(7) one person 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 systems;
(8) members of the military or naval forces;
(9) teaching and professional staffs, and administrative officers of schools, colleges, and universities of the state, and boards, institutions of those institutions employed by any state, parochial, or municipal agency;
(10) employees, deputies, and officers of the legislature and of the offices of the governor, lieutenant governor, attorney general, each mayor and city attorney, of police judges, school boards, assessors, and of all officers provided for in Article V of this constitution except the officers of clerk of the municipal and traffic courts in New Orleans;
(11) commissioners of elections, watchers, and custodians and deputy custodians of voting machines; and

(12) railroad employees whose working conditions and retirement benefits are regulated by federal agencies in accordance with federal law.

Additional positions may be added to the unclassified service and those positions may be revoked by rules adopted by a commission.

Section 3. State Civil Service Commission

Section 3. (A) Composition. The State Civil Service Commission is established and shall be domiciled in the state capital. It shall be composed of seven members who are elected by the electorate of the state, four of whom shall constitute a quorum.

(B) Appointment. The members shall be appointed by the governor, as hereinafter provided, for overlapping terms of three years.

Section 4. City Civil Service Commission

Section 4. (A) Creation; Membership; Domicile. A city civil service commission shall exist in each city having a population of over forty thousand and there are a sufficient number of positions for the estimated population within the city. Each commission shall be in the city it serves. Each commission shall be composed of five members, who are elected by the electorate of the city, three of whom shall constitute a quorum. The members shall serve overlapping terms of six years as hereinafter provided.

(B) New Orleans; Nomination and Appointment. In New Orleans, the presidents of Dillard University, Loyola University, St. Mary's Dominican College, Tulane University of Louisiana and Xavier University, after giving consideration to representation of all groups, each shall nominate three persons. The municipal governing authority shall appoint one member of the commission from the three persons nominated by each.

Other Cities; Nomination and Appointment. In each other city subject to this Section, the presidents of any five institutions of higher education in the state, selected by the governing authority of the respective city, shall each nominate three persons, after giving consideration to representation of all groups. The municipal governing authority shall appoint one member of the commission from the three persons nominated by each.

(D) Vacancies. A vacancy shall be filled by appointment in accordance with the procedure for the original appointment and from the same source. Within thirty days after a vacancy occurs, the president concerned shall submit the required nominations. Within thirty days thereafter, the governor shall make his appointment. If the governor fails to appoint within the time limited, within thirty days after a vacancy occurs, the president concerned shall submit the required nominations automatically shall become a member of the commission. If any nominating authority fails to submit nominations in the time required, or if one of the named institutions ceases to exist, the governor shall make the appointment to the commission.

Section 5. Removal

Section 5. A member of the state or of a city civil service commission may be removed by the governor or the president concerned, on recommendation of the commission concerned, being served with written specifications of the charges against him and being afforded an opportunity for a public hearing thereon by the appointing authority.

Section 6. Department of Civil Service; Directors
Section 6. (A) State Department. A Department of State Civil Service is established in the executive branch of the state government.

(B) City Departments. A Department of city civil service shall exist in each city having a population exceeding four hundred thousand.

(C) Directors. Each commission shall appoint a director, after competitive examination, who shall be in the classified service. He shall be the administrative head of his department. Each director shall appoint personnel and exercise powers and duties to the extent prescribed by the commission appointing him.

Section 7. Appointments; promotions

Section 7. Permanent appointments and promotions in the classified state and city civil service shall be made only after certification by the appropriate department of civil service under a general system based upon merit, efficiency, fitness, and length of service, as ascertained by examination which, so far as practical, shall be competitive. The number to be certified shall not be less than three; however, if more than one vacancy is to be filled, the name of one additional eligible for each vacancy may be certified. Each commission shall adopt rules for the method of certifying persons eligible for appointment, promotion, reemployment, and reinstatement and shall provide for appointments defined as emergency and temporary appointments if certification is not required.

Section 8. Appeals

Section 8. (A) Disciplinary Action. No person who has attained permanent status in the classified state or city civil service shall be subjected to disciplinary action except for cause expressed in writing. A classified employee subjected to such disciplinary action shall have the right of appeal to the appropriate commission. The burden of proof on appeal, as to the facts, shall be on the appointing authority.

(B) Discrimination. No classified employee shall be discriminated against because of his political or religious beliefs, sex, or race. A classified employee so discriminated against shall have the right of appeal to the appropriate commission. The burden of proof on appeal, as to the facts, shall be on the employee.

Section 9. Prohibitions Against Political Activities

Section 9. (A) Party Membership; Elections. No member of a civil service commission and no officer or employee in the classified civil service shall participate or engage in political activity; be a candidate for nomination or election to public office, seek election as the classified state employee serving on the State Civil Service Commission; or be a member of any national, state, or local committee of a political party or faction; make or solicit contributions for any political party, faction, or candidate; or take active part in the management of the affairs of a political party, faction, candidate, or any political campaign, except to exercise his right as a citizen to express his opinion privately, to serve as a commissioner or official watchman at the polls, and to cast his vote as he desires.

(B) Contributions. No person shall solicit contributions for political purposes from any classified employee or official or use or attempt to use his position in the state or city service to punish or coerce the political action of a classified employee.

(C) Political Activity Defined. As used in this Part, "political activity" means an effort to support or oppose the election of a candidate for political office or to support a political party in an election. The support of issues involving bond indebtedness, tax referenda, or constitutional amendments shall not be prohibited.

Section 10. Rules; Investigations; Wages and Hours

Section 10. Rules. (1) Powers. Each commission is vested with broad and general rule-making and subpoena powers for the administration and operation of the classified service. The classified service shall have the power to adopt rules for regulating employment, promotion, demotion, suspension, reduction in pay, removal, certification, qualifications, political activities, employment conditions, compensation and disbursements to employees; establish an impartial classification plan; to adopt a uniform pay and classification plan; to require an appointing authority to institute an employee training and safety program; and generally to accomplish the objectives and purposes of the merit system of civil service as herein established. It may make recommendations with respect to police training and safety. Nothing herein shall prevent the legislature from enacting laws supplemental to these unifying pay plans for classified law enforcement officers of the Division of State Police, Department of Public Safety and regularly commissioned officers of the Enforcement Division of the Department of Wildlife and Fisheries.

(2) Veterans. The state and city civil service departments shall accord a five-point preference in original appointment to each person honorably discharged, or discharged under honorable conditions from the armed forces of the United States who served between the wartime dates of April 6, 1917 through November 11, 1918; or between September 16, 1940 through July 25, 1947; between June 27, 1950 through January 31, 1955; or in the Viet Nam Theater between July 1, 1965 through the end of the calendar year declaring the date of termination for members of the armed forces to receive credit for the award of the Viet Nam Service Medal, in a peace campaign or expedition for which campaign badges are authorized. The state and city civil service departments shall accord a ten-point preference in original appointment to each honorably discharged veteran who served either in peace or in war and who has one or more disabilities recognized as service-connected by the Veterans Administration or by the dependents of a veteran whose physical condition precludes him or her appointment to a civil service job in his or her usual line of work; to the unmarried widow of any deceased veteran who died serving in the United States armed forces; or in a peace campaign or expedition; to the unmarried widowed parent of any person who died in active wartime or peacetime service or who suffered total and permanent disability in active wartime or peacetime service; or the unremarried widowed parent of any person who has attained at least the minimum score required on each test and who has received at least the minimum rating required for eligibility.

(3) Layoffs; Preference Employees. When a position in the classified service is abolished, or needs to be vacated because of completion of work for lack of funds or other causes, preference employees (ex-members, non-members, and their dependents as described in this Section) whose length of service and efficiency ratings are at least equal to those of other competing employees shall be retained in preference to all other competing employees. However, when any function of a state agency is transferred to, or when a state agency is replaced by, one or more other state agencies, every preference employee in classifications and performing functions transferred, or working in the state agency replaced, shall be transferred to the replacing agency or agencies for employment in a position for which he is qualified before that state agency or agencies appoint additional employees for such positions from eligible lists. The appointing authority shall give the director of the assigned agency the power to pay layoff charges in a reasonable length of time before its effective date, and the director shall issue orders relating thereto which he considers necessary to secure compliance with the rules. No rule, regulation, or practice of the commission of any agency or department, or of any official of the state or any political subdivision shall favor or discriminate against any applicant or employee because of his membership or non-membership in any private organization; but the commission shall prohibit any political subdivision from contracting with an employee organization with respect to wages, hours, grievances, working conditions, or other conditions of employment in a manner not inconsistent with the provision of a collective bargaining agreement, a service law, or a valid rule or regulation of a commission.

(4) Effect. Rules adopted pursuant hereto shall have the effect of law and be published and made available to the public. Each commission may impose penalties for viola-
tion of its rules by demotion in or suspension or discharge from position, with attendant loss of pay.

(B) Investigations. Each commission may investigate violations of the rules, statutes, or ordinances adopted pursuant hereto.

(C) Wages and Hours. Any rule or determination affecting wages or hours shall have the effect of law and become effective only after approval by the governor or the appropriate governing authority.

Section 11. Penalties

Section 11. Willful violation of any provision of this Part shall be a misdemeanor punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

Section 12. Appeal

Section 12. Each commission shall have the exclusive power and authority to hear and decide all removal and disciplinary cases, with subpoena power and power to administer oaths. It may appoint a referee to take testimony, with subpoena power and power to administer oaths to witnesses. The decision of a commission shall be subject to review on any question of law or fact upon appeal to the court of appeal within thirty calendar days after its decision becomes final.

Section 13. Appropriations

Section 13. (A) State. The legislature shall make adequate annual appropriations to the State Civil Service Commission and to the Department of State Civil Service to enable them to implement this Part efficiently and effectively. The amount so appropriated shall not be subject to veto by the governor.

(B) Cities. Each city subject to this Part shall make adequate annual appropriations to enable its civil service commission and department to implement this Part efficiently and effectively.

Section 14. Acceptance of Act; Other Cities, Parishes, City and Parish Governed Jointly

Section 14. (A) Local Option. Each city having a population exceeding ten thousand but not exceeding four hundred thousand, each parish, and each parish governed jointly with one or more cities under a plan of government, having a population exceeding ten thousand, according to the latest official decennial federal census, may elect to be governed by this Part by a majority vote of its electors voting at an election held for that purpose. The election shall be ordered and held by the city, the parish, or the city-parish, as the case may be, upon (a) the adoption of an ordinance by the governing authority calling the election; or (b) the presentation to the governing authority of a petition calling for such an election signed by electors equal in number to five percent of the registered voters of the city, the parish, or the city-parish, as the case may be.

(B) Assignment. If a majority of the electors vote to adopt this Part, its provisions shall apply permanently to the city, the parish, or the city-parish, as the case may be, and shall govern it as if this Part had originally applied to it. In such case, all officers and employees of the city, the parish, or the city-parish, as the case may be, who have acquired civil service status under a civil service system established by legislative act, city charter, or otherwise, shall retain that status and thereafter shall be subject to and governed by this Part and the rules and regulations adopted under it.

(C) Rejection. If a majority of the electors vote against the adoption of this Part, the question of its adoption shall not be resubmitted to the voters of the political subdivision within one year thereafter.

Section 15. City, Parish Civil Service System; Creation

Section 15. Nothing in this Part shall prevent the establishment by the legislature, or by the respective parish governing authority, of a parish civil service system in one or more parishes, or the establishment by the legislature or by the respective municipal governing authority of a municipal civil service system in one or more municipalities having a population of less than four hundred thousand, in any manner now or hereafter provided by law. However, paid firemen and paid municipal policemen in a municipality operating a regularly paid fire and police department and having a population exceeding thirteen thousand, and paid firemen in all parishes and in fire protection districts, are expressly excluded from such a civil service system.

Nothing in this Part shall permit inclusion in the local civil service of officials and employees listed in Section 2 of this Article.

A law enacted after the effective date of this constitution establishing a civil service system applicable to one or more parishes or to one or more municipalities having a population of less than four hundred thousand shall be effective in any parish or in any municipality until approved by ordinance adopted by the governing authority of the parish or municipality.

Read.

On motion of Delegate Tate Amendment No. 28 was adopted.

AMENDMENT No. 29—

Renumber Sections 5, 6, 7, 8, 9, and 10 of Committee Proposal Number 3 as Sections 6, 7, 8, 9, 10, and 11 respectively.

AMENDMENT No. 30—

Make Section 11 of Committee Proposal Number 3, Section 23 in Part III of Article X.

AMENDMENT No. 31—

Make Section 14 of Committee Proposal Number 3, Section 10 of Article XII.

AMENDMENT No. 32—

Make Section 15 of Committee Proposal Number 3, Section 11 of Article XII.

AMENDMENT No. 33—

Renumber Sections 16, 17, 19, 20, 21, and 22 of Committee Proposal Number 3 as Sections 14, 15, 17, 18, 19, and 20 respectively.

AMENDMENT No. 34—

Make Section 23 of Committee Proposal Number 3, Section 12 of Article XII.

AMENDMENT No. 35—

Make Section 24 of Committee Proposal Number 3, Section 24 in Part III of Article X.

AMENDMENT No. 36—

Make Section 25 of Committee Proposal Number 3, Section 25 in Part III of Article X.

AMENDMENT No. 37—

Make Section 26 of Committee Proposal Number 3, Section 26 in Part III of Article X.

AMENDMENT No. 38—

Make Section 27 of Committee Proposal Number 3, Section 5 of Article III.

AMENDMENT No. 39—

Make Section 17 of Committee Proposal Number 4, Section 27 in Part III of Article X.

AMENDMENT No. 40—

Make Section 18 of Committee Proposal Number 4, Section 28 in Part III of Article X.

AMENDMENT No. 41—

Renumber Sections 19, 20, 21, and 22 of Committee Proposal Number 4 as Sections 17, 18, 19, and 20 respectively.

AMENDMENT No. 42—

Make Section 1 of Committee Proposal Number 12, Section 7 of Article XII.

AMENDMENT No. 43—

Make Section 2 of Committee Proposal Number 14, Section 8 of Article XII.

AMENDMENT No. 44—

Place Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 of Committee Proposal Number 18 in Part I of Article VII.
Motion

On motion of Delegate Tobias the rules were suspended for the purpose of calling a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Saturday, January 19, at 8:00 o'clock A.M. in the Treaty Room and will consider the following agenda:

AGENDA

Committee Proposal No. 38.

Respectfully submitted,

ALBERT TATE, JR.,
Chairman of the Committee on Style and Drafting.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Recess

On motion of Delegate Tobias the Convention recessed until 9:30 o'clock A.M.

After Recess

The Chairman called the Convention to order at 9:30 o'clock A.M.

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

PRESENT

Delegates—

Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Assett
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Bren
Brown
Burns
Buxton
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conin
Conroy
Corne
Coven
D'Gerolamo
De Blieux
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler

Total—131.

Ourso
Perez
Perkins
Planchard
Pugh
Rachal
Rayburn
Reeves
Riecke
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Thistlethwaite
Thompson
Tobias
Toca
Tommy
Ulo
Velazquez
Vesch
Vick
Warren
Watlington
Weiss
Wills
Winchester
Wisham
Womack
Zervigon

18392
delegate Wall
Total—1.
And the Chairman announced that there were 131 delegates present and a quorum.

Prayer

Prayer was offered by Delegate A. Landry.

Pledge of Allegiance

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

Motion

On motion of Delegate Stovall, the Convention altered the Order of Business to take up reading and adoption of the previous day's Journal at this time.

Reading of the Journal

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

On motion of Delegate Chatelain, the Journal of yesterday was adopted.

Motion

On motion of Delegate Stovall the Clerk of the Convention was authorized to correct the last day's Journal of the Convention.

Motion

On motion of Delegate Pugh, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

Introduction of Resolutions, Delegate and Committee Resolution

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 52—
Introduction by Delegate Pugh: A RESOLUTION

To provide:
(A) For the form and manner for the submission to the electors of the state of a proposed new constitution, together with alternative proposals relating to education, and the delegation of authority relating thereto to the appropriate officers of the convention;
(B) For the use of the facilities and services of boards, commissions, departments and agencies of the state and of the political subdivisions of the state;
(C) With respect to the disbursement of funds appropriated to the convention;
(D) A method of reconvening the convention without per diem for any purpose consistent with law; and
(E) For the supremacy of this Resolution over other actions of the convention.

WHEREAS:
(A) By law this convention has been granted full authority to determine the form and manner in which the proposed constitution, together with any Alternative Proposals, shall be submitted to the electors;
(B) By law this convention has been granted full authority to use the facilities and services of any board, commission, department or agency of the state and of any political subdivision of the state, and all such instrumentalities are charged by law to cooperate with this convention to the fullest extent in furnishing services, facilities and employees to this convention upon request;
(C) This convention may be required, after January 19, 1974, to expend some of the remaining funds appropriated to it, consistent with the duties and obligations imposed upon it by law; and
(D) It may be necessary to reconvene this convention after January 19, 1974, without per diem to take further action in regard to the responsibilities imposed upon it by law other than those directly relating to the drafting of a constitution and its Alternate Proposals.

(2) All rules and other actions inconsistent with the provisions of this Resolution must be suspended in so far as they may conflict herewith.

THEREFORE, BE IT RESOLVED (1) that all electors duly qualified to vote in this state at the time of the election shall be entitled to vote without regard to party affiliation in their respective precincts on the proposition for or against adoption of the constitution and on the question of adoption of one of two alternative provisions relating to education, on official ballots printed and distributed at public expense, to read as follows:

"The Constitution of 1974 shall be adopted if a majority of those casting votes on the proposition is in favor thereof."

"FOR the Constitution of 1974, as drafted by the Constitutional Convention and exclusive of either of the alternative provisions relating to education."

D. AGAINST the Constitution of 1974, as drafted by the Constitutional Convention and exclusive of either of the alternative provisions relating to education."

A majority of those casting votes on the following alternative provisions shall be determinative of which alternative proposition shall be a part of the Constitution of 1974 if adopted. You may vote for only one of the alternatives:"

"(A) The alternative provision drafted by the Constitutional Convention which provides for five constitutional boards for the governance of education."

"(B) The alternative provision drafted by the Constitutional Convention which provides for two constitutional boards for the governance of education;"

(2) Thirty days prior to the election the board of supervisors of elections in each parish shall appoint three commissioners, and one clerk to preside over the election of each polling precinct, each of whom shall be a qualified voter of the ward in which the polling precinct is located. If the election is held as a special election, no watchers shall be used. If the election is held at a general election the commissioners, clerks and watchers appointed therefor shall be used, notwithstanding any of the provisions hereof;

(3) Voting machines (booths) shall be used for the conduct of the election and insofar as practical the provisions of R.S. 18:1071 through 18:1198 shall be applicable;

(4) Absentee voting is authorized in the election and insofar as practical the provisions of R.S. 18:1071 through 18:1198 shall be applicable.

The convention chairman and secretary, or either of them, are hereby jointly and severally granted the full power and authority to do all things which they or either of them may deem necessary effectively to carry out the provisions of this Resolution, including but not limited to the right to make any and all interpretations of the intent and meaning of this Resolution, subject only to judicial review, and to act for and in behalf of the convention in regard to, but solely limited to, the manner of the election, including when necessary the changing of any of the provisions hereof, and they shall have the convention's unlimited authority to call upon any instrumentality of the state or its political subdivisions to cooperate in the furnishing of services, facilities and employees for the purpose of carrying out the conventions responsibilities of the convention in providing for the manner of the election;

(6) The cost of printing of tally sheets, cards of instruction to the commissioners, clerks, voters and any other persons shall be paid by the state and shall be prepaid and distributed by the state officials normally having responsibility therefor. All expenses imposed by law upon the parish governing authorities and accordingly paid in connection with the election shall be reimbursed to the parish governing authorities by the state upon warrant of the parish treasurer drawn on the state auditor, supported by such proof as the state auditor requires;

(7) The polls for the election shall be opened at 6:00 a.m. and closed at 8:00 p.m. All persons within the barriers or buildings where the polls are being held shall be closed at 12:00 midnight on the election day. Before, during and after these hours, the commissioners, clerks and others mentioned hereof or provided for shall have all of the powers and duties granted and shall be subject to the obligations
Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegates Kean, Sandoz, Cowen, Lowe, Champagne, McDaniel, Avant and Leigh to Delegate Resolution No. 52 by Delegate Pugh.

Amend original resolution as follows:

AMENDMENT No. 1—

On page 2, line 13, delete the words “one of two” and insert in lieu thereof the word “an” and delete the word “provisions” and insert in lieu thereof the word “provision”

AMENDMENT No. 2—

On page 2, line 19, delete the words “and exclusive of” and delete line 20 in its entirety.

AMENDMENT No. 3—

On page 2, line 22, delete the words “and exclusive of” and delete line 23 in its entirety.

AMENDMENT No. 4—

On page 2, delete lines 24 through 35 inclusive in their entirety, and on page 3, delete lines 1 and 2 in their entirety, and insert in lieu thereof the following:

“The proposed constitution will include a provision for the creation of a single coordinating board for higher education with appointed members, and creation of three boards for the management of state colleges and universities unless a majority of those voting in favor of the constitution vote for the following alternate. Therefore, those electors who vote for the constitution may also vote on the following: To have a single board for higher education, with both elected and appointed members.”

AMENDMENT No. 5—

On page 4, line 22, delete the abbreviated word “sions” and insert in lieu thereof the abbreviated word “sion”

AMENDMENT No. 6—

On page 4, between lines 33 and 34, add the following:

“The Custodian of Voting Machines shall arrange the ballot and the voting machines in such a manner that those electors who vote against the constitution will not be permitted to vote on the alternative proposal set forth in this resolution.”

Motion

Delegate Roy moved that debate on the amendments be limited to 30 minutes for the proponents and 30 minutes for the opponents.

Delegate Conroy objected.

As a substitute Delegate Smith moved that debate on the amendment be limited to 15 minutes for the proponents and 15 minutes for the opponents.

Delegate Chatelain objected.

The vote recurred on the substitute motion.

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

ROLL CALL

The roll was called with the following result:

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The proposed Constitution will include one Board of Regents with appointed members and three management boards for governance of higher education unless a majority of those voting on the alternative vote for Alternate 2B.

2. (Vote for One)

- 2A FOR One Board of Regents for higher education with appointed members and three management boards.
- OR
- 2B FOR One Board of Regents for higher education with appointed and elected members and no management boards.

**Motion**

Delegate Roy moved that debate on the amendment on the amendment be limited to 10 minutes for the proponents and 10 minutes for the opponents.

Delegate Chatelain objected.

By a vote of 64 yeas and 40 nays debate was limited to 10 minutes for the proponents and 10 minutes for the opponents.

Delegate Burson moved the adoption of the amendment.

Delegate Comar objected.

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

**ROLL CALL**

The roll was called with the following result:

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And debate was limited to 15 minutes for the proponents and 15 minutes for the opponents.

**Motion**

Delegate Chatelain moved that each speaker on the amendments be limited to 3 minutes.

Delegate De Blieux objected.

By a vote of 80 yeas and 40 nays each speaker on the amendments were limited to 3 minutes.

On motion of Delegate Kean the amendments were withdrawn.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Burson to Delegate Resolution No. 52 by Delegate Pugh.

Amend original resolution as follows:

**AMENDMENT No. 1**

On page 2, delete lines 16 through 35, both inclusive, in their entirety, and on page 3, delete lines 1 and 2 in their entirety, and insert in lieu thereof the following:  

"OFFICIAL BALLOT"

The full text of the proposed constitution and the alternate proposition is available for inspection at your polling place.

If the proposed constitution fails to receive a majority of the votes cast, alternate issues also fail.

**PLEASE VOTE ON BOTH ISSUES 1 AND 2**

1. (Vote for One)

- FOR the proposed 1974 Constitution
- AGAINST the proposed 1974 Constitution

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## FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Delegate Resolution No. 52 by Delegate Pugh.

Amend original resolution as follows:

### AMENDMENT No. 1—

On page 2, delete lines 16 through 35, both inclusive, in their entirety and on page 3, delete lines 1 and 2, in their entirety and strike out Floor Amendment No. 1 proposed by Mr. Burson and adopted by the Convention on January 19, 1974, and insert in lieu thereof the following:

### OFFICIAL BALLOT

(Instructions to voters: Place an "X" in the boxes which express your preferences. The full text of the proposed Constitution and the alternative propositions are available for inspection at the polling place. If the proposed Constitution receives a majority of the votes cast thereon, it shall become the Constitution of Louisiana and the alternative proposition which receives the higher number of votes shall be included in the new Constitution. If the proposed Constitution fails to receive a majority of the votes cast thereon, both the alternative propositions shall fail.)

1. Do you favor or oppose the adoption of the proposed 1974 Constitution?
   - (Vote for one)
   - FOR adoption of the proposed 1974 Constitution...☐
   - AGAINST adoption of the proposed 1974 Constitution...☐

2. If the proposed 1974 Constitution is adopted, do you prefer inclusion of (A) the governance of higher education by a Board of Regents and management boards for the LSU system, the Southern University system, and all other state colleges and universities, or (B) the governance of higher education solely by a Board of Regents?
   - (Vote for one)
   - (A) Governance of higher education by a Board of Regents and management boards for the LSU system, the Southern University system, and all other state colleges and universities ☐
   - (B) Governance of higher education solely by a Board of Regents ☐

Delegate Jenkins moved the adoption of the amendment.

Delegate Kean objected.

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

### ROLL CALL

The roll was called with the following result:

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And the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

## FLOOR AMENDMENT

Amendment proposed by Delegate Kean to Delegate Resolution No. 52 by Delegate Pugh.

Amend printed proposal as follows:

### AMENDMENT No. 1—

On page 2, delete lines 13 through 35, in their entirety, and at the top of page 3, delete lines 1 and 2, in their entirety, and strike out Convention Floor Amendment No. 1 proposed by Mr. Jenkins and adopted by the Convention on January 19, 1974 and insert in lieu thereof the following:

"of one of two alternative provisions relating to education, on official ballots, printed and distributed at public expense, to read as follows:

"The Constitution of 1974 shall be adopted if a majority of those casting votes on the proposal is in favor thereof."

☐ FOR the Constitution of 1974, as drafted by the Constitutional Convention
☐ AGAINST the Constitution of 1974, as drafted by the Constitutional Convention.

The proposed Constitution includes a provision for the creation of a single coordinating board for higher education with appointed members, and creation of three boards for the management of state colleges and universities unless a majority of those voting in this election vote for Alternate 2A.
Delegate Fontenot objected to tabling the motion to reconsider.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
AERTKer
Alario
Annette
Askett
Avant
Bel
Blair
Brien
Burns
Cannon
Carmouche
Champagne
Chehary
Comar
Cowan
D’Gerolamo
Dennis
Drew
Duval
Edwards

Elkins
Flore
Fontenot
Girard
Grier
Hardee
Haynes
Hernandez
Jackson, J.
Keen
Kilbourne
Landrum
Leigh
Lowe
McDaniel
Martin
Maubenret
Maybuce

Mire
Morris
Nunez
Ousso
Perez
Planchar
Racah
Sandoz
Segura
Stagg
Stinson
Tapper
Thistletwaite
Thompson
Vesich
Vick
Wattigny
Winchester
Wisam

Total—67.

NAYS

Delegates—

Mr. Chairman
Alexander
Anzalone
Badeaux
Bergeron
Bollinger
Burson
Casey
Chatelain
Conlin
Conroy
Corne
De Bieux
Dennery
Derbes
Deshotels
Fayard
Fowler
Gauthier
Ginn
Goldman

Graham
Guarisco
Jackson, A.
Jenkins
Jones
Juneau
Kelly
Kilpatrick
Landry, A.
Landry, E. J.
LaNier
LeBlanc
Leithman
Miller
Newton
Pugh
Rayburn
Reeves
Riecke

Roemer
Roy
Schmitt
Shannon
Siegley
Slay
Smith
Soniet
Stephenson
Skeval
Sutherland
Thistletwaite
Tsiazik
Vick
Weiss
Willis
Wisham
Zervigon

Total—61.

NOT VOTING

Delegates—

Brown
Dunlap
Gravel
Hayes

Lambert
Munson
O’Neill
Tate

Wall
Womack

Total—10.

And the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Drew to Delegate Resolution No. 52 by Delegate Pugh.
Amend original resolution as follows:

AMENDMENT No. 1—

On page 2, delete lines 16 through 35, both inclusive, in their entirety, and on page 3, delete lines 1 and 2 in their entirety, and strike out Convention Floor Amendment No. 1 proposed by Mr. Jenkie and adopted by the Convention on January 19, 1974, and insert in lieu thereof the following:

"OFFICIAL BALLOT"

The full text of the proposed constitution and the alternate proposition is available for inspection at your polling place.
If the proposed constitution fails to receive a majority of the votes cast thereon, alternate issues also fail; PLEASE VOTE ON BOTH ISSUES 1 AND 2

1. (Vote for One)

☐ FOR the proposed 1974 Constitution
☐ AGAINST the proposed 1974 Constitution

The proposed Constitution will include one Board of Regents with appointed members and three management boards for governance of higher education unless the alternative is adopted by a majority of those voting on it.

2. The Alternative is:

☐ FOR One Board of Regents for higher education with appointed and elected members and no management boards.
☐ AGAINST One Board of Regents for higher education with appointed and elected members and no management boards.

On motion of Delegate Drew the amendment was withdrawn.

Motion

On motion of Delegate Jack debate on this, and all other amendments affecting the ballot was limited to 5 minutes for the proponents and 5 minutes for the opponents.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Drew to Delegate Resolution No. 52 by Delegate Pugh.

Amend original resolution as follows:

AMENDMENT No. 1—

On page 2, delete lines 18 through 36, both inclusive, in their entirety, and strike out Convention Floor Amendment No. 1 proposed by Mr. Jenkins and adopted by the Convention on January 19, 1974, and insert in lieu thereof the following:

"OFFICIAL BALLOT"

The full text of the proposed constitution and the alternate proposition is available for inspection at your polling place. If the proposed constitution fails to receive a majority of the votes cast thereon, alternate issues also fail; PLEASE VOTE ON BOTH ISSUES 1 AND 2

1. (Vote for One)

☐ FOR the proposed 1974 Constitution
☐ AGAINST the proposed 1974 Constitution

The proposed Constitution will include one Board of Regents with all appointed members and three management boards for governance of higher education unless the alternative is adopted by a majority of those voting on the alternative.

2. The Alternative is:

(Vote for One)

☐ FOR One Board of Regents for higher education with appointed and elected members and no management boards.
☐ AGAINST One Board of Regents for higher education with appointed and elected members and no management boards.

Delegate Drew moved the adoption of the amendment.

Delegate Blair objected.

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

ROLL CALL

The roll was called with the following result:

Delegates—

Mr. Chairman
Abraham
Apolo
Avant
Bel
Bergeron
Bollinger
Burson
Casey
Chataelan
Comar
Conlin
Conroy
Dennery
Denis
Drew
Duval
Flory
Gauthier

Total—52.

DELEGATES—

Mr. Chairman
Abraham
Apolo
Avant
Bel
Bergeron
Bollinger
Burson
Casey
Chataelan
Comar
Conlin
Conroy
Dennery
Denis
Drew
Duval
Flory
Gauthier

Total—52.

YES

Grilusso
Ginn
Grier
Hayes
Haynes
Heine
Juneau
Killbourne
Landrum
Landry
Landry
Leblanc
Leibman
Martin
Mauberret
Maybury
Newton
Nunez
Perez
Planchard

Total—62.

NAYS

Fulco
Goldman
Graham
Gravel
Guarisco
Hardee
Hernandez
Jack
Jackson
Jackson
Jenkins
Jones
Kean
Kelly
Kilpatrick
Leigh
Lowe
McDaniel
Miller
Mire
Morris

Total—63.

NOT VOTING

Brown
Dunlap
Edwards

Total—7.

And the amendment was rejected.

Delegate Blair moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Delegate Resolution No. 52 by Delegate Pugh.

Amend original resolution as follows:

AMENDMENT No. 1—

On page 2, line 16, in Floor Amendment No. 1 proposed by Delegate Jenkins and adopted by the convention on January 19, 1974, on line 25, after the language added by said amendment add the following:

"with the superintendent of education as its administrative head who shall implement the policies of the board of regents,"

Delegate Avant moved the adoption of the amendment.

Delegate Roy objected.

By a vote of 38 yeas and 81 nays the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the
amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Delegate Resolution No. 52 by Delegate Pugh.

Amend original resolution as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 16 through 35, both inclusive, in their entirety, and on page 3, delete lines 1 and 2, in their entirety and all Floor Amendments thereto and insert in lieu thereof the following:

**OFFICIAL BALLOT**

(Instructions to voters: Place an “X” in the boxes which express your preferences. The full text of the proposed constitution and the alternative propositions are available for inspection at the polling place. If the proposed constitution receives a majority of the votes cast thereon and Alternative 2A below receives a majority of the votes cast on the alternative propositions, the proposed constitution shall become the Constitution of Louisiana. If the proposed constitution receives a majority of the votes cast thereon and Alternative 2B receives a majority of the votes cast on the alternative propositions, the proposed constitution shall become the Constitution of Louisiana, except that Article VIII of the proposed Constitution shall be deleted therefrom and Alternative 2B shall be inserted in lieu thereof. If the proposed constitution fails to receive a majority of the votes cast thereon, both of the alternative propositions shall also fail.)

1. Do you favor or oppose the adoption of the proposed 1974 Constitution?

   (Vote for one)

   FOR adoption of the proposed 1974 Constitution □
   or
   AGAINST adoption of the proposed 1974 Constitution □

2. If the proposed 1974 Constitution is adopted, do you prefer

   (A) the governance of higher education by a Board of Regents and management boards for the LSU system, the Southern University system, and all other state colleges and universities, or
   (B) the governance of higher education solely by a Board of Regents?

   (Vote for one)

   (A) For governance of higher education by a Board of Regents and management boards for the LSU system, the Southern University system, and all other state colleges and universities □
   or
   (B) For governance of higher education solely by a Board of Regents □

On motion of Delegate Jenkins the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Anzalone, Fayard and Rayburn to Delegate Resolution No. 52 by Delegate Pugh.

Amend original resolution as follows:

**AMENDMENT No. 1—**

On page 3, between lines 2 and 3, insert the following paragraph:

“(2) The secretary of state shall designate in numerical sequence each ‘FOR’ and ‘AGAINST’ item to be voted on in the order that each appears on the ballot.”

**AMENDMENT No. 2—**

On page 3, line 3, change the “(2)” to “(3)”
FLOOR AMENDMENT

Amendment proposed by Delegates Flory, Gravel, Pugh, Fulco and Lanier to Delegate Resolution No. 52 by Delegate Pugh.

Amend original resolution as follows:

AMENDMENT No. 1—
On page 3, delete lines 18 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

“§ The Executive Committee of the convention is hereby granted the full power and authority to do all things which it may deem necessary to carry out the provisions of this resolution and they shall have the convention's unlimited authority to call upon any instrumentality of the state or its political subdivisions to cooperate in the furnishing of services, facilities, and employees for the purpose of carrying out the responsibilities of the convention in providing for the manner of the election.”

On motion of Delegate Flory the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

FLOOR AMENDMENTS

Amendments proposed by Delegate Jones to Delegate Resolution No. 52 by Delegate Pugh.

Amend original resolution as follows:

AMENDMENT No. 1—
On page 1 between lines 4 and 5 insert the following:

“Part I”

AMENDMENT No. 2—
On page 1, delete lines 18 and 19 in their entirety.

AMENDMENT No. 3—
On page 1, between lines 19 and 20 insert the following:

“Part II”

AMENDMENT No. 4—
On page 3, delete lines 29 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

“BE IT FURTHER RESOLVED that the provisions of this resolution shall take preference and priority over and shall be paramount to any rule, provision or resolution herefore adopted or taken by the convention relating to the matters in Part I of this resolution.”

On motion of Delegate Jones the amendments were withdrawn.

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

FLOOR AMENDMENT

Amendment proposed by Delegates Perez, Gravel, Stovall and Carmouche to Delegate Resolution No. 52 by Delegate Pugh.

Amend original resolution as follows:

AMENDMENT No. 1—
On page 3, line 18, delete Floor Amendment No. 1 proposed by Delegate Jenkins and adopted by the convention on January 16, 1974, and insert in lieu thereof the following:

“OFFICIAL BALLOT
The full text of the proposed constitution including the alternate proposal on education is available for inspection at your polling place.

(Vote for one)

1. FOR the proposed 1974 Constitution including the education proposal with one Board of Regents for higher education with appointed and elected members and three management boards.

2. AGAINST the proposed 1974 Constitution. The votes cast in favor of propositions 1 and 2 shall be added together and if such total constitutes a majority of the full votes cast in the election on the constitution, the constitution shall be adopted. Whichever proposition receives the greater number of votes shall become the constitution of the State of Louisiana.

Motion

On motion of Delegate Jack debate on the amendment was limited to 15 minutes for proponents and 15 minutes for the opponents.

Delegate Perez moved the adoption of the amendment.

Delegate Roemer objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Achter
Alexander
Avant
Bel
Brien
Cannon
Carmouche
Champagne
Comar
Conroy
Cowen
Derbes
Edwards
Elkins
Flory
Fontenot
Fulco
Giarrusso
Goldman
Gravel
Hardee
Total—64.

NAYS

Delegates—
Mr. Chairman
Abraham
Alario
Anzalone
Arnette
Asseff
Badeaux
Bergeron
Bollinger
Burns
Buson
Casey
Chatelain
Chehardy
Conino
Corne
D'Gerolamo
DeBlieux
Denner
Denis
Total—99.

NOT VOTING

Delegates—
Brown
Dunlap
Kilbourne
Total—9.

And the amendment was adopted.

Delegate Perez moved to reconsider the vote by thich
the amendment was adopted, and to lay the motion to reconsider on the table.

Delegate Arnette objected to tabling the motion to reconsider.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<td>Munson</td>
<td>Nunez</td>
<td>Oursu</td>
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<td>Perkins</td>
<td>Planchard</td>
<td>Jackson</td>
<td>Roy</td>
<td>Sandoz</td>
<td>Schmitt</td>
<td>Segura</td>
<td>Slay</td>
<td>Stinson</td>
<td>Stovall</td>
<td>Thistlethwaite</td>
<td>Thompson</td>
<td>Tobias</td>
<td>Willis</td>
<td>Winchester</td>
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**NAYS**

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<tr>
<th>Delegate</th>
<th>Abraham</th>
<th>Alario</th>
<th>Anzalone</th>
<th>Arnette</th>
<th>Asseff</th>
<th>Badeaux</th>
<th>Bergeron</th>
<th>Bollinger</th>
<th>Burns</th>
<th>Burson</th>
<th>Casey</th>
<th>Chatelain</th>
<th>Chehardy</th>
<th>Conino</th>
<th>D’Gerolamo</th>
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<td>Rayburn</td>
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<td>Smith</td>
<td>Soniat</td>
<td>Stagg</td>
<td>Stephenson</td>
<td>Sutherland</td>
<td>Toca</td>
<td>Toony</td>
<td>Ulo</td>
<td>Velmazquez</td>
<td>Vick</td>
<td>Warren</td>
<td>Wattigny</td>
<td>Weiss</td>
<td>Zervigon</td>
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**NOT VOTING**

<table>
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<tr>
<th>Delegate</th>
<th>Mr. Chairman</th>
<th>Brown</th>
<th>Dunlap</th>
<th>Kilbourne</th>
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<tr>
<td></td>
<td>Lambert</td>
<td>Riecke</td>
<td>Tupper</td>
<td>Tate</td>
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</table>

And the motion to reconsider was tabled.

**Explanation of Vote**

Delegate Robert Pugh sent the following explanation of his vote on amendment to Delegate Resolution No. 52, proposed by Delegate Perez, et al:

As I had advised the convention in my opening remarks in the presentation of delegate proposal 52, I had considered but rejected this concept. From the practical standpoint, if the vote against the constitution was greater than each of the total votes for the constitution, the proposition would fail. If a majority vote is received for the constitution by adding both of the total votes of the alternate proposals, then a person who wants 2 boards or nothing and one who wants 5 boards or nothing have each been deprived of his right to an alternative choice which would, in my opinion, cause the election to be unconstitutionally held. For these reasons I have voted against the amendment.

**Motion**

Delegate O’Neill moved the previous question on the Resolution.

Delegate Burson objected.

By a vote of 47 yeas and 73 nays the Convention refused to order the previous question at this time.

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

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Jones and Pugh to Delegate Resolution No. 52 by Delegate Pugh.

Amend original resolution as follows:

**AMENDMENT No. 1**—

On page 1, line 18, after the word “over” delete the word “other” and insert in lieu thereof the word “inconsistent”

**AMENDMENT No. 2**—

On page 5, line 32, after the word “convention” delete the remainder of the line and delete line 33 in its entirety and insert in lieu thereof the following:

"", but only insofar as the same may be in conflict with the particular provisions of this Resolution."

On motion of Delegate Jones the amendment was adopted.

Delegate Jones moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Burson, Kean, Fayard, McDaniel and Lowe to Delegate Resolution No. 52 by Delegate Pugh.

Amend original proposal as follows:

**AMENDMENT No. 1**—

On page 2, delete lines 16 through 35, both inclusive, in their entirety, and on page 3, delete lines 1 and 2 in their entirety, including all amendments adopted thereto, and insert in lieu thereof the following:

"OFFICIAL BALLOT"

The full text of the proposed constitution and the alternate proposition is available for inspection at your polling place. If the proposed constitution fails to receive a majority of the votes cast, alternate issues also fall:

PLEASE VOTE ON BOTH ISSUES 1 AND 2.

1. (Vote for One)

- FOR the proposed 1974 Constitution
- AGAINST the proposed 1974 Constitution

The proposed Constitution includes one Board of Regents with all appointed members and three management boards for governance of higher education. If the following alternative is adopted by a vote which is at least a majority of those voting in favor of the constitution, it shall replace the education article in the proposed Constitution.

2. The Alternative Is:

- One Board of Regents for higher education with elected and appointed members and no management boards.
- FOR
- AGAINST

Delegate Burson moved the adoption of the amendment. Delegate Nunez objected.

By a vote of 102 yeas and 17 nays the amendment was adopted.

Delegate Burson moved to reconsider the vote by which
the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Explanation of Vote

Delegate Robert Pugh sent up the following explanation of his vote to an amendment to Delegate Resolution No. 52, proposed by Delegate Burson, et al.

1. I have voted against this amendment for two reasons. First I believe it is unconstitutional when it provides that the two board concept would carry if it received a majority of the votes cast FOR the constitution rather than a majority of the votes cast both FOR and AGAINST the constitution. Second it does not allow those who prefer a two board concept a fair manner of achieving said result. Both those in favor of the two board concept and those in favor of the five board concept would be prone to vote for the constitution, those in favor of a five board concept would join with those who had voted against the constitution (or most of them) and vote against the two board concept, meanwhile those who were for the two board concept would not only be voting by themselves but they would have the burden of overcoming their own vote for the constitution in that to win the two board concept would have to obtain a majority of the votes cast for the constitution which included their own vote in favor thereof.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Delegate Resolution No. 52 by Delegate Pugh.

**Amend original resolution as follows:**

**AMENDMENT No. 1**

On page 4, line 17, immediately after the figures and punctuation "681," and before "and 658" insert "671(C),"

On motion of Delegate Pugh the amendment was adopted.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegate Hernandez to Delegate Resolution No. 52 by Delegate Pugh

**Amend original proposal as follows:**

**AMENDMENT No. 1**

On page 2, line 16, in Floor Amendment No. 1 proposed by Delegate Burson, et al., and adopted by the Convention on January 19, 1974, delete the text of the amendment which appears in the box immediately below the propositions "FOR" or "AGAINST" the Constitution and insert in lieu thereof the following:

"The proposed Constitution includes one Board of Regents with all appointed members, three management boards for the governance of higher education, and a board of elementary and secondary education. If the following alternative is adopted by a vote which is at least a majority of those voting in favor of the constitution, it shall replace the education article in the proposed Constitution."

On motion of Delegate Hernandez the amendment was withdrawn.

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

**FLOOR AMENDMENT**

Amendments proposed by Delegate Hernandez to Delegate Resolution No. 52 by Delegate Pugh

**Amend original resolution as follows:**

**AMENDMENT No. 1**

On page 2, line 16, in Floor Amendment No. 1 proposed by Delegate Burson, et al., and adopted by the Convention on January 19, 1974, delete the text of the amendment which appears in the box immediately below the propositions "FOR" or "AGAINST" the Constitution and insert in lieu thereof the following:

"The proposed Constitution includes one Board of Regents with all appointed members, three management boards for governance of higher education, and a board of elementary and secondary education. If the following alternative is adopted by a vote which is at least a majority of those voting in favor of the constitution, it shall replace the education article in the proposed Constitution."

**AMENDMENT No. 2**

On page 2, line 16, in Floor Amendment No. 1 proposed by Delegate Burson and adopted by the Convention on January 19, 1974, strike out the sentence immediately following the words and punctuation "The Alternative is:" and insert insert in lieu thereof the following:

"One Board of Regents for higher education with elected and appointed members, and no management boards, and a board of elementary and secondary education."

Delegate Hernandez moved the adoption of the amendment.

Delegate Mire objected.

By a vote of 38 yeas and 79 nays the amendment was rejected.

Delegate Tobias moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

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

**FLOOR AMENDMENT**

Amendment proposed by Delegates Jenkins and Drew to Delegate Resolution No. 52 by Delegate Pugh.

**Amend original resolution as follows:**

**AMENDMENT No. 1**

On page 2, delete lines 16 through 35, both inclusive, in their entirety, and on page 2, delete lines 1 and 2, in their entirety and all Floor Amendments thereto and insert in lieu thereof the following:

**OFFICIAL BALLOT**

(Instructions to voters: Place an "X" in the boxes which express your preferences. The full text of the proposed constitution and the alternative propositions are available for inspection at the polling place. If the proposed constitution receives a majority of the votes cast thereon and Alternative 2A below receives a majority of the votes cast on the alternative propositions, the proposed constitution shall become the Constitution of Louisiana. If the proposed constitution receives a majority of the votes cast thereon and Alternative 2B receives a majority of the votes cast on the alternative propositions, the proposed constitution shall become the Constitution of Louisiana, except that Article VIII of the proposed Constitution shall be deleted therefrom and Alternative 2B shall be inserted in lieu thereof. If the proposed constitution fails to receive a majority of the votes cast thereon, both of the alternative propositions shall also fail.)

1. Do you favor or oppose the adoption of the proposed 1974 Constitution? (Vote for one)

   FOR adoption of the proposed 1974 Constitution ..... [ ]

   AGAINST adoption of the proposed 1974 Constitution... [ ]

**ALTERNATIVE PROPOSITION**

2. If the proposed 1974 Constitution is adopted, do you prefer (A) the governance of higher education by a Board of Regents and management boards for the LSU system, the Southern University system, and all other state colleges and universities, or (B) the governance of higher education solely by a Board of Regents?

   (Vote for one)

   (A) For governance of higher education by a Board of Regents and management boards for the LSU system, the
122nd Days Proceedings—January 19, 1974

Southern University system, and all other state colleges and universities ──────[3]

(B) For governance of higher education solely by a Board of Regents ──────[1]

AMENDMENT No. 2 ─
Strike out Convention Floor Amendment No. 1 proposed by Mr. Pugh to page 4, line 17.

Delegate Jenkins moved the adoption of the amendments.
Delegate Kean objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Delegates─
Mr. Chairman
Fayard
Fowler
Perez
Pugh
Rayburn

Mr. Chairman
Abraham
Champlin
Fowler
Pugh
Rayburn

Mr. Chairman
Alario
Gauthier
Reeves
Roemer

Mr. Chairman
Alexander
Giarrusso

Mr. Chairman
Anzalone

Mr. Chairman
Arnette

Mr. Chairman
Asseff

Mr. Chairman
Badeaux

Mr. Chairman
Bel

Mr. Chairman
Bergeron

Mr. Chairman
Blair

Mr. Chairman
Bollinger

Mr. Chairman
Brown

Mr. Chairman
Burns

Mr. Chairman
Burnson

Mr. Chairman
Cannan

Mr. Chairman
Casey

Mr. Chairman
Chetelain

Mr. Chairman
Chehardy

Mr. Chairman
Conine

Mr. Chairman
Conroy

Mr. Chairman
Conroy

Mr. Chairman
Corne

Mr. Chairman
Covens

Mr. Chairman
D’Gerolamo

Mr. Chairman
D’Elietuz

Mr. Chairman
Dennery

Mr. Chairman
Dennis

Mr. Chairman
Derbes

Mr. Chairman
Drew

Mr. Chairman
Duval

Mr. Chairman
Edwards

Total—95.

NAYS

Delegates─

Mr. Chairman
Grier
Nunez
Planach

Mr. Chairman
Hardee

Mr. Chairman
Hayes

Mr. Chairman
Hernandez

Mr. Chairman
Kenn

Mr. Chairman
Leigh

Mr. Chairman
Lowe

Mr. Chairman
McDaniel

Mr. Chairman
Mire

Total—23.

NOT VOTING

Delegates─

Mr. Chairman
Morris

Mr. Chairman
O’Neill

Mr. Chairman
Riecke

Mr. Chairman
Stovall

Total—12.

And the amendments were adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins moved to reconsider the vote by which the Resolution was adopted, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:
PAGE 20

122nd Days Proceedings—January 19, 1974

Constitutional Convention of 1973
State of Louisiana

January 18, 1974, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

Constitutional Convention of Louisiana of 1973

COMMITTEE PROPOSAL No. 38—

Introduced by Delegate Zervigon, Chairperson, Committee on Legislative Liaison and Transitional Measures, and Delegates Casey, Comar, D'Gerolamo, Drew, Hardec, J. Jackson, Jones, Lanier, Rayburn, Smith, Thompson, Vick, and Womack:

A PROPOSAL

Making provisions relative to transitional provisions.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XIV. TRANSITIONAL PROVISIONS

PART II.

Section 1. Limitation on Transitional Provisions

Section 1. Nothing in this Part shall be construed or applied in such a manner as to supersede or invalidate, or limit or change the meaning of any provision of the foregoing Articles of this constitution, but only to provide for an orderly transition from the Constitution of 1921.

PART III

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

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 5. Continuation of Actions and Rights

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. 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 political subdivision levied and collectible under the Constitution of 1921 and valid laws enacted thereunder shall inure to the entity entitled thereto.

Section 7. Impairment of Debt Obligations 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.

PART II

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, his successor takes office or the office is vacated, 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

Section 9. (A) Provisions Continued as Statutes. Subject to change by law or as otherwise provided in this constitution, and except as any of them conflicts with this constitution, all provisions of the Constitution of 1921 are continued as statutes, but restricted to the same effect as on the effective date of this constitution:

1. Article V, Sections 2, 7, 18, 20, and 21.


3. Article VI-A, Sections 1 through 14, except any dedications therein contained.

4. Article VII, Sections 7, 8, 9, 12.1, 13, 20, 21, 28, 31, 31.1, 31.2, 33, 46 through 51.51(a), 52, 53, 55, 80, 81, 82, 83, 85, 89, through 92, and 94 through 97.

5. Article IX, Sections 1 and 2.

6. Article X, Sections 1, 2, 6, 7, 9, 10A, 15, 16, and 23; except any dedications contained therein.

7. Article X-A, Sections 3 and 4.

8. Article XII, Sections 18, 19 through 22, 25, and 26.

9. Article XIV, Sections 3(b), 3(d) (first), 5, 6, 10, 12, 14, 19, 21, 23, 23.1 through 23.43, 24, 24.2 through 24.25, 25, 25.1, 26 through 26, 30, 30.1, 30.3, 30.4, 30.5, 31, 31.1, 31.3, 31.5, 31.6, 32, 33, 34, 35, 36, 37.1, 38, 38.1, 39, 39.1, 43, 44, 44.1, 45, 47, and 48.

10. Article XV, Sections 1, 3, and 4.

11. Article XVI, Sections 1, 4, 6, 7, 8, and 8(a).

12. Article XVII, Sections 3 and 4.

13. Article XVIII, Sections 4, 8, and 13.

14. Article XIX, Sections 6, 14(a), 20, and 27.

15. Article XIV, Sections 2(c), 12-b, and 12-c.

(B) Arrangement. The provisions made statutory in this Article shall be arranged in proper statutory form and recommendations made for additional laws and modifications as provided in R.S. 24:201 through 258, or as otherwise provided by law.

Section 10. Provisions of Constitution of 1921 Repealed

Section 10. Except to the extent provided in this Article and except as retained in Articles I through XIII of this constitution, the provisions of the Constitution of 1921 are repealed.

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 in conflict with this constitution, shall remain in effect until altered or repealed or until they expire by their own limitation.

(B) Expiration of Conflicting Laws. Laws which are in conflict with this constitution shall cease upon its effective date.

PART III

Section 12. Constitution Not Retroactive

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.

Section 13. Legislative Provisions

Section 13. (A) 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.

(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 and each session thereafter. 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.

(C) Legislative Auditor. 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.

(D) 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.

Section 15. Judiciary Commission

Section 15. 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 14. 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.

PART II

Section 16. Powers; Transition to Statutes
Section 16. All provisions of Article VI, Sections 16, 18.1, 18.2, 18.5, 18.6, 18.7, 21, 25, 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 18. Public Service Commission
Section 18. 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).

PART III

Section 19. Statewide Elected Officials
Section 19. Officials elected statewide in 1976 under the provisions of this constitution shall take office on the second Monday in March of that year. Thereafter, statewide elected officials shall take office on the second Monday in March as provided in this constitution.

Section 20. Commissioner of Elections
Section 20. The commissioner of elections, as provided by Article VIII, Section 14(A) of 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.

Section 21. Pardon Board
Section 21. 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.

Section 22. Levee Districts; Compensation for Property
Section 22. The provisions of Article XVI, Section 8 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 43 of this constitution.

Section 23. Suits Against the State; Effective Date
Section 23. 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.

Section 24. Tax Schedule
Section 24. (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 XI of the Constitution of 1921 shall be continued as a statute until the legislature enacts the law required by Article XI, Section 1 (Delegate Proposal No. 16) of this constitution, but the amount of the exemption shall be fifteen thousand dollars in value until otherwise fixed by law.

Section 25. Effective Date
Section 25. This constitution shall become effective at twelve o'clock midnight on December 31, 1974. The secretary of state shall promulgate the results of the election by publication in the official state journal on the thirtieth day prior thereto; however, he shall announce the results of the election within thirty days after the date of the election at which the constitution is submitted to the people.

Part I

Section 27. Board of Supervisors of Southern University
Section 27. At the next session of the legislature following the effective date of this constitution, the governor shall submit to the Senate for its consent the names of his appointees to the Board of Supervisors of Southern University and Agricultural and Mechanical College in accordance with and to effectuate Article IX, Section 7.

PART I

Section 28. Transition to the Board of Regents and State Board of Elementary and Secondary Education
Section 28. (A) If Alternative Proposition...concerning education boards is approved by the electors and if the proposed constitution is approved by the electors, then this Section shall become Section...of Article XIV of the new constitution and Sections...., and...of Article XIV shall be null, void, and of no effect. If Alternative Proposition...is not approved this Section shall be null and void and of no effect.

(B) (1) On the effective date of this constitution, each member of the Louisiana Coordinating Council for Higher Education whose term has not expired shall become a member of the Board of Regents. The legislature shall provide by law the procedure to effectuate the transition to the board, 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 board.

The elections and appointments shall be made in accordance with and to effectuate Article IX, Section 5 of Alternative Proposition No..., adopted as Delegate Proposal No. 98, by Delegates Henry, et al.

(2) On the effective date of this constitution, each member of the State Board of Education whose term has not expired shall become a member of either the State Board of Elementary and Secondary Education or the Board of Regents. 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 by 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 5 of Alternative Proposition No. , adopted as Delegate Proposal No. 98, by Delegates Henry, et al.

(3) On the effective date of this constitution the Louisiana Coordinating Council for Higher Education is abolished, and on such date all powers, duties, and functions thereof not inconsistent with this constitution shall be merged and consolidated into the Board of Regents.

(4) On the effective date of this constitution, all functions of the State Board of Education with respect to the governance, supervision, management, administration, and direction of institutions of higher education not inconsistent with this constitution shall be transferred to the Board of Regents, in so far as respects the functions of the State Board of Education not inconsistent with this constitution shall be transferred to and be exercised by the State Board of Elementary and Secondary Education.

(5) Subject to change by law and except as in conflict with the Alternative Proposition and Act 2 of 1972, the provisions of Article XII, Section 7A of the Constitution of 1921 are continued as a statute, but the powers of the board shall be limited to the management of the daily operations of the Louisiana State University System.

Section 29. Effect of Adoption
Section 29. Notwithstanding any contrary provision of any law or the prior constitution, this constitution when approved by the electors of this state shall be the Constitution of the State of Louisiana upon the effective date as provided in Section 25 of this Article.

Section 30. Severability Clause
Section 30. If any provision of this constitution is declared invalid for any reason, that provision shall not affect the validity of the entire constitution or any other provision thereof.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

Suspension of the Rules

On motion of Delegate Tate the rules were suspended in order to take up Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

1405
Delegate Tate, chairman on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

COMMITTEE PROPOSAL No. 38—

Introduced by Delegate Zervigon, Chairperson, Committee on Legislative Liaison and Transitional Measures, and Delgates Casey, Comar, D'Geralamo, Drew, Hardee, J. Jackson, Jones, Lanier, Rayburn, Smith, Thompson, Vick and Womack:

A PROPOSAL

Making provisions relative to transitional provisions.

Reported with amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—

In Section 13 of Committee Proposal No. 38, change the reference in Paragraph (D) from "Section 5" to "Section 6"

AMENDMENT No. 2—

In Section 15 of Committee Proposal No. 38, change the references from "Section 24" to "Section 25"

AMENDMENT No. 3—

In Section 16 of Committee Proposal No. 38 change the reference from "Section 44" to "Section 43"

AMENDMENT No. 4—

In Section 18 of Committee Proposal No. 38 change the references from "Article VIII" to "Article IV" and change "Section 14(A)" to "Section 21(A)"

AMENDMENT No. 5—

In Section 23 of Committee Proposal No. 38, change the reference in the text from "Section 43" to "Section 42"

AMENDMENT No. 6—

In Section 23 of Committee Proposal No. 36, change the reference from "Article III, Section 14" to "Article XII, Section 10"

AMENDMENT No. 7—

In Paragraph (A) of Section 24 of Committee Proposal No. 38 change the references from "Article XI" to "Article VII" and in Paragraph (B) change the reference from "Article XII" to "Article XI" and change the reference from "Section 1" to "Section 9" and delete "(Delegate Proposal No. 16)"

AMENDMENT No. 8—

In Section 29 of Committee Proposal No. 38, change the reference from "Section 25" to "Section 35"

AMENDMENT No. 9—

Make subparagraph 15, of Paragraph (A) of Section 9 of Committee Proposal No. 38 subparagraph 1 thereof and renumber the succeeding subparagraphs appropriately.

AMENDMENT No. 10—

Make Section 27 of Committee Proposal No. 38, Section 3 in Part I of Article XIV and change the reference in the text of the Section from "Article IX" to "Article VIII" and renumber appropriately the succeeding sections of Part I

AMENDMENT No. 11—

Renumber Sections 1, 2, 9, 10, 11, 16 and 18 of Committee Proposal No. 33 and place them in Part II of Article XIV as Sections 14, 15, 16, 17, 18, 19 and 20 respectively.

AMENDMENT No. 12—

In Committee Proposal No. 38 make Sections 2, 3, 5, 6, 7, 12, 13, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37 in Part III of Article XIV respectively.

AMENDMENT No. 13—

On page 1, line 18, at the end of the line, delete the words "the foregoing" and on line 19 after the word "Articles" and before the word "of" insert "I through XIII"

AMENDMENT No. 14—

On page 5, line 32, after the word "effect" insert a period "." and delete the remainder of the line.

AMENDMENT No. 15—

On page 6, delete lines 17 through 35, both inclusive in their entirety and on page 7 delete lines 1 and 2 and all Committee Amendments proposed by the Committee on Style and Drafting thereto and adopted this date and in lieu thereof the following:

"Section 34. Exemption from Seizure and Sale.

Section 34. The provisions of Article XI of the Constitution of 1921 shall be continued as a statute until the legislature enacts the law required by Article XII, Section 9 of this constitution, but the amount of the exemption shall be fifteen thousand dollars in value until otherwise fixed by law."

Respectfully submitted,

ALBERT TATE, JR.
Chairman.

Suspension of the Rules

On motion of Delegate Tate the rules were suspended in order to take up the Proposal contained in the Committee Report at this time.

Proposals on Calendar for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 38—

Introduced by Delegate Zervigon, Chairperson, Committee on Legislative Liaison and Transitional Measures, and Delgates Casey, Comar, D'Geralamo, Drew, Hardee, J. Jackson, Jones, Lanier, Rayburn, Smith, Thompson, Vick and Womack:

A PROPOSAL

Making provisions relative to transitional provisions.

Read.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend first enrolled proposal as follows:

AMENDMENT No. 1—

In Section 13 of Committee Proposal No. 38, change the reference in Paragraph (D) from "Section 5" to "Section 6"

AMENDMENT No. 2—

In Section 15 of Committee Proposal No. 38, change the references from "Section 24" to "Section 25"

AMENDMENT No. 3—

In Section 16 of Committee Proposal No. 38 change the reference from "Section 44" to "Section 43"

AMENDMENT No. 4—

In Section 18 of Committee Proposal No. 38 change the references from "Article VIII" to "Article IV" and change "Section 14(A)" to "Section 21(A)"

AMENDMENT No. 5—

In Section 23 of Committee Proposal No. 38, change the reference in the text from "Section 43" to "Section 42"

AMENDMENT No. 6—

In Section 23 of Committee Proposal No. 36, change the reference from "Article III, Section 14" to "Article XII, Section 10"

AMENDMENT No. 7—

In Paragraph (A) of Section 24 of Committee Proposal No. 38 change the references from "Article XI" to "Article VII" and in Paragraph (B) change the reference from "Article XII" to "Article XI" and change the reference from "Section 1" to "Section 9" and delete "(Delegate Proposal No. 16)"

AMENDMENT No. 8—

In Section 29 of Committee Proposal No. 38, change the reference from "Section 25" to "Section 35"

AMENDMENT No. 9—

Make subparagraph 15, of Paragraph (A) of Section 9 of Committee Proposal No. 38 subparagraph 1 thereof and renumber the succeeding subparagraphs appropriately.

AMENDMENT No. 10—

Make Section 27 of Committee Proposal No. 38, Section 3 in Part I of Article XIV and change the reference in the text of the Section from "Article IX" to "Article VIII" and renumber appropriately the succeeding sections of Part I

AMENDMENT No. 11—

Renumber Sections 1, 2, 9, 10, 11, 16 and 18 of Committee Proposal No. 33 and place them in Part II of Article XIV as Sections 14, 15, 16, 17, 18, 19 and 20 respectively.

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VII" and in Paragraph (B) change the reference from "Article XI" to "Article XII" and change the reference from "Section 1" to "Section 9" and delete "(Delegate Proposal No. 16)"

AMENDMENT No. 8—
In Section 29 of Committee Proposal No. 38, change the reference from "Section 23" to "Section 35"

AMENDMENT No. 9—
Make subparagraph 15, of Paragraph (A) of Section 9 of Committee Proposal No. 38 subparagraph 1. thereof and renumber the succeeding subparagraphs appropriately.

AMENDMENT No. 10—
Make Section 27 of Committee Proposal No. 38, Section 3 in Part I of Article XIV and change the reference in the text of the Section from "Article IX" to "Article VIII" and renumber appropriately the succeeding sections of Part I

AMENDMENT No. 11—
Renumber Sections 1, 8, 9, 10, 11, 16 and 18 of Committee Proposal No. 38 and place them in Part II of Article XIV as Sections 14, 15, 16, 17, 18, 19 and 20 respectively

AMENDMENT No. 12—
In Committee Proposal No. 38 make Sections 2, 3, 5, 6, 7, 12, 13, 15, 19, 20, 21, 22, 23, 24, 25, 29, and 30, Sections 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37 in Part III of Article XIV respectively.

AMENDMENT No. 13—
On page 1, line 18, at the end of the line, delete the words "the foregoing" and on line 19 after the word "Articles" and before the word "of" insert "I through XIII"

AMENDMENT No. 14—
On page 6, line 32, after the word "effect" insert a period "." and delete the remainder of the line.

Read.

On motion of Delegate Tate Amendment Nos. 1 through 14 were adopted.

AMENDMENT No. 15—
On page 6, delete lines 17 through 35, both inclusive in their entirety and on page 7 delete lines 1 and 2 and all Committee Amendments proposed by the Committee on Style and Drafting thereto and adopted this date and insert in lieu thereof the following:

"Section 34. Exemption from Seizure and Sale—Section 34. The provisions of Article XI of the Constitution of 1921 shall be continued as a statute until the legislature enacts the law required by Article XII, Section 9 of this constitution, but the amount of the exemption shall be fifteen thousand dollars in value until otherwise fixed by law."

Read.

On motion of Delegate Tate Amendment No. 15 was adopted.

Motion

On motion of Delegate Tate, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

DELEGATE RESOLUTION No. 53—
Introductory by Delegate Dennery;
A RESOLUTION
Relative to the printing and distribution of copies of the constitution throughout the state.
BE IT RESOLVED by the Constitutional Convention of Louisiana of 1973 that the publication of the constitution in the official journal of the state, prior to the election, and the printing and distribution of copies of the constitution throughout the state, prior to the election shall be accomplished and paid for by the convention, and the Executive Committee is directed to do all things necessary and proper to accomplish the same."

Read.

Motion

On motion of Delegate Dennery the rules were suspended in order to consider the adoption of the resolution.

On motion of Delegate Dennery the Resolution was adopted.

Motion

On motion of Delegate Tate the rules were suspended for the purpose of calling a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Saturday, January 19, 1974, at 7:45 o’clock, P. M. in Senate Lounge and will consider the following agenda:

AGENDA
Committee business
Respectfully submitted,
ALBERT TATE,
Chairman of the Committee on Style and Drafting.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Henry the rules were suspended for the purpose of calling a meeting of the Executive Committee without giving the required 24 hours notice.

Delegate Henry, chairman of the Executive Committee, sent up the following notice:

The Executive Committee will meet on Saturday, January 19, 1974, at 7:45 o’clock, P. M. in Committee Room No. 1 and will consider the following agenda:

AGENDA
Committee Business
Respectfully submitted,
E. L. HENRY
Chairman of the Executive Committee

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Dennery the remarks of Delegate Willis, delivered on the floor of the Convention on Saturday, January 19, 1974, were ordered inserted in the Official Journal as follows:

Mr. Chairman, E. L. Henry:

With unanimous consent to my last personal privilege here, I speak with a deep sense of humility on this occasion. With great personal satisfaction and pride and pleasure, I announce that I am fully mandated to voice the grateful sentiments of your colleagues regarding your chairmanship. Real gratitude, like joy, is a feeling that can neither be concealed, nor suppressed. It has to be expressed. Words cannot be sufficient recompense, because words cannot pay the debt we and our state owe for your grateful stewardship but they are our most honest recompense.
You have opened the doors of courtesy to let in the fresh air of friendship, the garment of good will.

One of the treasures of our lives is that we were privileged to have served together here. The close friendships which we have created and the ties that bind us together, will enable us to cherish as our fondest memory and priceless possession.

We vividly realize the depth of our love for each other at this hour nearing final adjournment and cannot express our appreciation of your contribution to our great confraternity and our pleasant, productive, and constructive relationships which were facilitated by your stewardship.

You have made us tolerant of variety in opinions.

Because your authority was respected and never in the face of doubt, it was never resisted and cheerfully obeyed. Your rulings made common sense, and common sense is as rare as genius. Your genius for leadership continues to manifest itself strategically, directly, and forthrightly at the heart of the target. You were always in the arena. We have all looked to you for wise counsel, and rigid standards of integrity and conciliatory and mutually just decisions in the "mududdle." Throughout the storms of one emergency after another, of some clinging to the status quo and others to imaginative measures, your counsel and firm guidance brought us through to reasonable accomplishment.

Our constitution, which will favorably alter the face of Louisiana, was hammered out under your gavel to its final form by the most democratic process under brilliant lights and while all the eyes and ears of Louisiana were upon us. Under your capable guidance we never lost the fact that we were in the presence of a tried, true, fair, and good commander, whether we had your agreement or opposition or whether you had ours. How wonderful it was to know that, whether we agreed with you or not, you had time for us. You knew the minority must be heard even if the majority must prevail, although God is not always on the side of the biggest squadrons.

You never manifested the arrogance of power and you are not astounded by pomp and beauty. The indelible fact is that neither opportunity nor circumstance to the abuse of power ever tempted you.

Your spirit saw to that because your use of persuasion was more pronounced than your use of power. You adhered to my first prayer opening a day's session.

The benevolence of your love, guidance, and leadership is written in our document, and your shadow will reach across the length and breadth of our state as this document is compiled by our people, because no man can add or detract from your accomplishments here. Your scales of decision were not altered to accommodate the majesty of any other power; or prestige than righteousness under your rule.

Your decisions on questions of order were prompt and impartial. Our parliamentary inquiries received full and fair response; personal privilege was allowed to any to puff; you never prompted the previous question; so, your deportment toward the delegation was with patience, good temper, some levity, yet dignified, and for the dispatch of the business of the convention, allowing fair exhibition of every subject presented for consideration.

In this month, from which no deliberative assembly is exempt, and which, to our credit, never resulted in physical combat, you were unshaken and firm and fair amidst the storms of sharp exchanges and, with the learned assistance of our esteemed clerk, who also served gracefully, you guarded our rules from being sacrificed to the transitory pride, passion, prejudice, or interest of any delegate. You need not look back or have misgivings of your rulings or by the heart of conflicting ambitions. You have acquired yourself royally and are custodians of the highest and most priceless royalty in America. If we had, you would be a prince.

Your outstanding parliamentary skill enhanced our image of dignity and tradition as a diligently-deliberative body, which is an honor to improve, esteem, and affection, and which all of us who had the privilege and honor to have served with you, hold for you today.

Mr. Chairman, this is an historic occasion. Louisiana history is being made here today and you have been our chief architect, because history-making is habitual with you.

Generations yet unborn will reap the harvest of your faithful devotion to and capable discharge of duty.

In simplicity, but with deep sincerity, we all join in paying this deserved tribute to a great Louisianian and a great American, indeed an All-American!

My regret is that I cannot vote for you in your district, but my wish is that someday I might when, I hope, your sphere is enlarged. At the pace you grow in governmental— and now constitutional— stature, I believe I might, as I consider all of you, in the House. and this convention, have bestowed the highest office it was and our privilege to bestow on you—the leadership of the people's chambers.

We need not sell this constitution to our people. A sale harbors all the ingredients of the thing, the price, and the consent. The people have the thing, our document; they have paid the price; we now only need their consent.

Reckoning that we, of this generation, are the living link between the past and the future because we are the present, I, as one of "We the people" again give my consent to it here and now. I did not sign my name to it to make it more ornate. As delegate, lawyer, and citizen, I recommend and will recommend it to all Louisianians with the best of interest.

I express premonitions that those who are hesitant will do likewise when more reliably advised and sincerely informed and will raise their own hue and cry of advice and consent.

The prologue to this assembly, the second act of our legislature in 1972, the men at the podium opening the debates on proposals and amendments, and the dialogues between the podium and interrogations from the floor maturing the debates will, I trust, entitle us to an epilogue of praise from our people when we present them our precise printed plan of governmental.

It is not and was never expected to be perfect. It is not the Ark of the Convenant. It is a better if it is not the best constitution for our state and one which any unselfish Louisianian may embrace.

Finally, Mr. Chairman. and before I return to my chair, I seize this last opportunity at the podium to express our profound thanks for your stewardship, and bid you farewell with bon voyage; and bid to our entire, intelligent and industrious staff, adieu; and bid to all of you, my fellow delegates, au revoir.

**Motion**

On motion of Delegate Casey, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

**Introduction of Proposals**

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by the titles and placed on the Calendar for their second reading.

**DELEGATE RESOLUTION No. 34**

Joseph Rausch, Reginald Ringuet, Bernice Roberts, Michael Wascom and Jay Zainey; Machine Operators Shirley Corley, Marvin Dorsey, Howard Gist and Terry Toyney; and Messengers Willie Lunink and Brenda Smith, for their faithful dedication and the high quality of the work and the work which they have performed toward the successful completion of a new constitution for the State of Louisiana and its people.

BE IT FURTHER RESOLVED, that this Resolution be spread upon the official journal of the convention and that a copy hereof be distributed to each of the persons named herein.

Read.

On motion of Delegate Casey, and under a suspension of the rules, the resolution was adopted.

DELEGATE RESOLUTION No. 55—

On motion of Delegate Casey, and under a suspension of the rules, the resolution was adopted.

DELEGATE RESOLUTION No. 56—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to Jane French, Chief Clerk, Official Transcript Office and her staff for the valuable services rendered the convention.

WHEREAS, the accuracy of the official transcripts of the convention has been largely due to the dedicated and skillful performance of Jane French, Chief Clerk, Official Transcript Office and her staff; and

WHEREAS, Jane French and her staff, Peggy Burgess, Barbara Clingo, Mary Crochet, Nancy Cross, Dorothy Flory, Carleen Huffsticker, Mike Lafleur, Marva Tuminello, Mary Weiss, Nancy Womack, Dorothy Young, have given tirelessly of themselves to provide the necessary assistance which has greatly benefitted the smooth operation of the office of the clerk of the convention.

BE IT FURTHER RESOLVED that this Resolution be spread upon the official journal of the convention and that a copy hereof be distributed to the persons named herein.

Read.

On motion of Delegate Casey, and under a suspension of the rules, the resolution was adopted.

DELEGATE RESOLUTION No. 58—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to the Legislature of the State of Louisiana.

WHEREAS, the enactment of Act 2 of 1972 by the members of the Legislature of the State of Louisiana made the Constitutional Convention of Louisiana of 1973 a reality; and

WHEREAS, the legislature has been very generous in its support of the convention by appropriating sufficient funds for its operations; and

WHEREAS, the legislature has made its own facilities available for the use of the convention when necessary; and

WHEREAS, the delegates to the Constitutional Convention of Louisiana of 1973 very much appreciate the support of the legislature; and

WHEREAS, delegates to the Constitutional Convention of Louisiana of 1973 and members of the Legislature of the
State of Louisiana have a deep and abiding interest in the future of our state.

THEREFORE, BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 commend and express its appreciation to the Legislature of the State of Louisiana and its members individually, in this manner, for their invaluable contributions to the deliberations of this convention.

Read.

On motion of Delegate Casey, and under a suspension of the rules, the resolution was adopted.

DELEGATE RESOLUTION No. 59—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to Richard L. Barrios, Jr., Chief Sergeant-at-Arms, and his staff for the services rendered the convention.

WHEREAS, since its inception, the Constitutional Convention of Louisiana of 1973 has had the efficient and courteous services of Richard L. Barrios, Jr., as its Chief Sergeant-at-Arms; and

WHEREAS, the convention has been able to conduct its deliberations in an orderly and decorous manner because of the efficient work of Mr. Barrios and his staff, Sergeants-at-Arms Wilmer Baudoin, L. G. Brassett, E. O. Callietteau, Dan Campbell, Ellis Daigle, Joe Dazio, Freddie Donald, Macon Gean, David Hamilton, Raymond Holloway, Eddie Joe, Heywood Jeffers, Joseph Keith, Bill Middleton, Steve Mogabgab, Joseph Richard, Mike Skinner, Charles Taylor; Security Personnel Wilson Chaney, Van Foster, Glenn Koepp, Lemmie Walker, and messengers.


BE IT FURTHER RESOLVED, that this Resolution be spread upon the official journal of the convention and that a copy hereof be distributed to the persons named herein.

Read.

On motion of Delegate Casey, and under a suspension of the rules, the resolution was adopted.

DELEGATE RESOLUTION No. 61—


A RESOLUTION

To express appreciation to the official's, operators and messengers of South Central Bell Telephone Company for the telephone services provided to the delegates of the Constitutional Convention of Louisiana of 1973.

WHEREAS, the South Central Bell Telephone Company has provided excellent telephone services to the delegates of the Constitutional Convention of Louisiana of 1973; and

WHEREAS, it is a real public service to make available to delegates telephone facilities in that the service greatly facilitates communication between each delegate and the people of the state; and

WHEREAS, the convenience of providing telephone and messenger service to the Constitutional Convention of Lou-
Isisiana of 1973 has helped tremendously in lessening the burden of performing our delegated duties, particularly since the service has been furnished with such competence and courtesy.

THEREFORE, BE IT RESOLVED, that the officials of the South Central Bell Telephone Company and the operators and messengers furnished by South Central Bell are hereby extended the official appreciation of the Constitutional Convention of Louisiana of 1973 and sincere personal commendation of each delegate thereof for their distinguished performance of a much needed service.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to South Central Bell Telephone Company.

Read.

On motion of Delegate Casey, and under a suspension of the rules, the resolution was adopted.

DELEGATE RESOLUTION No. 62—


A RESOLUTION

To commend the members of the news media for their service to the public during the Constitutional Convention of Louisiana of 1973.

WHEREAS, the members of the news media of Louisiana, including the newspapers, radio, and television, have reported the actions and deliberations of the convention in its sessions and committee hearings for the past twelve months with a sense of responsibility to the public and to their profession; and

WHEREAS, the members of the news media are to be commended for a job well done in relating the proceedings of this convention accurately and with a sense of history; and

WHEREAS, the people of this state have been informed of the progress and accomplishments of the convention.

THEREFORE, BE IT RESOLVED, by the Constitutional Convention of Louisiana of 1973, that the delegates of the convention take this means of commending the members of the news media for their excellent coverage of the events of this convention.

Read.

On motion of Delegate Casey and under a suspension of the rules, the resolution was adopted.

DELEGATE RESOLUTION No. 63—


A RESOLUTION

To commend and express sincere gratitude and appreciation to the Louisiana AFL-CIO for the use of equipment and workers.

WHEREAS, the Louisiana AFL-CIO has provided the most modern remote public address, audio, and recording equipment available for the use and convenience of the Constitutional Convention, and

WHEREAS, the Louisiana AFL-CIO has provided workers to operate said equipment, and

WHEREAS, these workers have spent many long hours operating and maintaining this equipment, and

WHEREAS, said equipment and workers have been indispensable to the effective and efficient operation of the Convention, and

WHEREAS, said equipment and workers would have been available to the Convention only at considerable expense to the Convention and their provision by the Louisiana AFL-CIO has resulted in great savings to the Convention, and

WHEREAS, this action on the part of the Louisiana AFL-CIO has been a great service to the Constitutional Convention and the people of the State of Louisiana.

THEREFORE, BE IT RESOLVED, by the Constitutional Convention of Louisiana of 1973 commends and expresses its sincere gratitude and appreciation to the Louisiana AFL-CIO.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Louisiana AFL-CIO.

Read.

On motion of Delegate Casey and under a suspension of the rules, the resolution was adopted.

DELEGATE RESOLUTION No. 64—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to Louisiana State University and Agricultural and Mechanical College and the Louisiana State University Law School, its dean, faculty, and staff for the use of its facilities.

WHEREAS, Louisiana State University and Agricultural and Mechanical College and the Louisiana State University Law School, have graciously extended their hospitality to the Constitutional Convention of Louisiana of 1973 by providing working space in the Law Center and the use of the library and other facilities to the research staff of the convention; and

WHEREAS, the working space in the Law Center and the use of the Law School Library's extensive legal collection and other facilities have been provided by Louisiana State University and Agricultural and Mechanical College and the Louisiana State University Law School without cost to the convention; and

WHEREAS, the dean, faculty, and staff members of the
PAGE 29

122nd Days Proceedings—January 19, 1974

Law School have graciously cooperated with the research staff and the Constitutional Convention of Louisiana of 1973.

WHEREAS, the counties which have so generously been supplied to the delegates to the Constitutional Convention of Louisiana of 1973 and express its appreciation to the delegation staff of the Louisiana State University and Mechanical College and the Louisiana State University Law School, its dean, faculty, and staff.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Louisiana State University and Agricultural and Mechanical College and the Louisiana State University Law School.

Read.

On motion of Delegate Casey, and under a suspension of the rules, the resolution was adopted.

DELEGATE RESOLUTION No. 65—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to the individuals who have assisted the convention.

WHEREAS, the task of writing a new constitution and the responsibilities of the delegates to the Constitutional Convention of Louisiana of 1973 have been complex and complicated; and

WHEREAS, the work of the convention would have been difficult without the aid and assistance of the many people who aided and assisted the Constitutional Convention of Louisiana of 1973 before and during its existence; and

WHEREAS, for many months prior to the convening of the Constitutional Convention of Louisiana of 1973 and continuing through the year of the convention's existence the Louisiana Legislative Council and its staff has given invaluable assistance to the convention and its staff; and

WHEREAS, this assistance has been in the form of untold numbers of hours of advice, counsel, research, and other forms of assistance given graciously and whenever called upon; and

WHEREAS, in its beginnings, the research staff of the convention had to rely almost exclusively on the resources of the Legislative Council for its research capabilities; and

WHEREAS, the Division of Administration has worked very closely with the convention and in particular the office of the treasurer of the convention; and

WHEREAS, the Division of Administration at the outset of the convention assigned Jim Falkner, a member of its staff to assist the treasurer of the convention; and

WHEREAS, the division and safety within the convention hall and the areas in close proximity to the convention could not have been assured but for the unceasing efforts of the State Police officers assigned to the Constitutional Convention of Louisiana of 1973; and

WHEREAS, the Speaker of the House and the Clerk of the House have rendered invaluable help and assistance to the convention and the delegates when called upon to do so; and

WHEREAS, the Secretary of State, the Attorney General, and the Custodian of Voting Machines and their staffs have responded promptly and fairly when called upon to aid the convention in resolving some of the problems confronting it.

THEREFORE, BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 and its delegates, individually, commend and express their sincere appreciation to the Honorable Edwin W. Edwards, Governor of the State of Louisiana, for his continuing interest and support of the successful completion of a new constitution for the State of Louisiana and its people.

BE IT FURTHER RESOLVED, that this Resolution be
spread upon the official journal of the convention and that a copy hereof be transmitted to Governor Edwards.

Read.

On motion of Delegate Casey, and under a suspension of the rules, the resolution was adopted.

**DELEGATE RESOLUTION No. 67—**

Introduced by Delegates Rayburn, Thompson, Brown, Reeves, Lambert and Nunez:

A RESOLUTION

relative to the distribution of public information concerning the proposed Louisiana Constitution of 1974.

BE IT RESOLVED by the Constitutional Convention of Louisiana of 1973 that in the event the Committee on Public Information determines that information shall be disseminated to the people of the state through the medium of newspapers, said committee is hereby authorized and directed to take such steps as are necessary to assure that, where space is purchased, the information is printed at least in the official journal of each parish, and in all events shall make every effort to disseminate information relative to the proposed new constitution in the weekly newspapers throughout the state as well as in daily newspapers.

Read.

On motion of Delegate Thompson the rules were suspended in order to consider the adoption of the rules.

**Motion**

Delegate Perez moved the previous question of the resolution.

Delegate Rayburn objected.

By a vote of 91 yeas and 30 nays the previous question was ordered.

Delegate Thompson moved the adoption of the Resolution.

Delegate Juneau objected.

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

**ROLL CALL**

The roll was called with the following result:

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<tr>
<th>Delegates—</th>
<th>YEAS</th>
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<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
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<td>Badeaux</td>
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<td>Landry, E. J.</td>
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<td>Assiff</td>
<td>Bollinger</td>
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<td>Casey</td>
<td>Chatelain</td>
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**Delegates—**

| Blair | Gravel |
| Carmouche | Hardee |
| Comar | Jackson, J. |
| Corne | Kelly |
| Dunlap | Kilbourne |
| Fontenot | Kilpatrick |
| Gauthier | McDaniel |
| Gavrasse | Maubernet |

**NOT VOTING**

| Jenkins | Sandoz |
| Jones | Schmitt |
| Juneau | Smith |
| Kean | Sutherland |
| Lanier | Tobias |
| LeBleu | Toca |
| Miller | Toomey |
| Newton | Ullo |
| Perez | Vick |
| Perkins | Weiss |
| Roy | Zerigvon |

And the Resolution was adopted.

**Motion**

On motion of Delegate Tate, the Convention altered the Order of Business to take up Reports of Committees at this time.

**Reports of Committees**

The following reports of committees were received and read:

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana

Constitutional Convention of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

**DELEGATE PROPOSAL No. 98—**

Introduced by Delegates Henry, Gravel, Graham, Pugh, A. Jackson, Juneau, Kelly, Leithman, Corne, Shannon, Deshotels, Fowler, Zervigon, Riecke, Wattigny, Alario, Kilpatrick, Roe-mer, LeBleu, Conino, Warren, Guarsse, Arnette, Abraham, Badeaux, Anzalone, Fayard, Derbes, Gauthier, Bollinger, Willis, Newton, A. Landry, Goldman, Ginn, Ullo, Toomey, Sutherland, Stovall, Schmitt, Bergeron, Chatelain, Vick, Con-roy, Miller, Casey, Denney, Tobias, O'Neil and Weiss:

A PROPOSAL

To provide with respect to an alternative provision relative to education.

Reported with amendments.

**COMMITTEE AMENDMENTS**

Amendments proposed by Committee on Style and Drafting to Delegate Proposal No. 98 by Delegate Henry, et al.

Amend Final Enrollment Proposal as follows:

**AMENDMENT No. 1—**

On page 1, in Paragraph (A) of Section 2 change all references from "Article IX" to "Article VIII"

**AMENDMENT No. 2—**

On page 1, change "ARTICLE IX. EDUCATION" to "ARTICLE VIII. EDUCATION"

**AMENDMENT No. 3—**

On page 2, line 13, change "Section 22" to "Section 20"

Respectfully submitted,

ALBERT TATE, JR.,
Chairman.
Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

SUPPLEMENTAL REPORT

DELEGATE PROPOSAL No. 98—


A PROPOSAL

To provide with respect to an alternative provision relative to education.

Reported with amendments.

Amendments proposed by Committee on Style and Drafting to Delegate Proposal No. 98 by Delegates Henry, et al.

Amend Final Enrollment Proposal as follows:

AMENDMENT No. 1—

In Delegate Proposal No. 98, in the Final Enrollment, Section 2, line 1, change “Section 2(A)” to “Section 30(A)” and after the word “Alternative” and before the word “con-” delete “Proposition No. 2A” and insert in lieu thereof “B” and on line 4, change “Article IX” to “Article VIII” and on line 5 change “Article IX” to “Article VIII” and after the word “in” delete the remainder of the line and insert “the proposed new constitution” and on line 6, delete “Number 7” and at the end of line 7, add “Alternative Article VIII shall be as follows” and on line 8 change “Article IX” to “Article VIII.”

AMENDMENT No. 2—

In Delegate Proposal No. 98, in the Final Enrollment, Section 2(B) on line 1, delete “2.” and after the word “alternative” and before the word “concerning” delete the word “Proposition No. 2A” and insert in lieu thereof “B.”

AMENDMENT No. 3—

Delete the text of Section 2 of Delegate Proposal No. 98 as amended and insert the said text as Section 39 in PART VI of Article XIV

AMENDMENT No. 4—

In Committee Amendment No. 1 proposed by the Committee on Style and Drafting and adopted by the convention January 19, 1974, setting forth the organization of the proposed constitution at the end of the amendment add “PART IV”

Respectfully submitted,

ALBERT TATE, JR., Chairman.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

SUPPLEMENTAL REPORT

COMMITTEE PROPOSAL No. 38—

Introduced by Delegate Zervigon, Chairperson, Committee on Legislative Liaison and Transitional Measures, and Delegates Casey, Comar, D’Geralamo, Drew, Hardee, J. Jackson, Jones, Lanier, Rayburn, Smith, Thompson, Vick and Woodward:

A PROPOSAL

Making provisions relative to transitional provisions.

Reported with amendments.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—

On page 7, line 20, change “Section 38” to “Section 40” and on line 22, change “Section 28 (A)” to “Section 40” and on line 22 after the word “Alternative” and before the word “concerning” delete “Proposition ……” and insert in lieu thereof “B”

AMENDMENT No. 2—

On page 7, line 25, at the beginning of the line, delete “…” and insert in lieu thereof the number “1” and after the word “Sections” delete the remainder of the line and insert in lieu thereof “1, 2, 3, 4, 5” and at the beginning of line 26 delete “and ……” and at the end of the line add the word “the” and delete line 27 in its entirety and insert in lieu thereof the following: “alternative is not approved, the following section shall be”

AMENDMENT No. 3—

On page 7, between lines 28 and 29 insert the following: “Section 1. Educational Boards”

AMENDMENT No. 4—

On page 7, line 29, at the beginning of the line, delete “(B)” and insert in lieu thereof “Section 1.”

AMENDMENT No. 5—

On page 8, delete lines 2, 3, and 4 and insert in lieu thereof the following: “and to effectuate Article VIII, Section 5 of the alternative as set forth in Sections 38 and 39 of this Article.”

AMENDMENT No. 6—

On page 8, line 14, delete “Article IX” and insert in lieu thereof “Article VIII.”

AMENDMENT No. 7—

On page 8, delete lines 15 and 16 and insert in lieu thereof the following: “3 and 5 of the alternative.”

AMENDMENT No. 8—

Delete Section 1 of Delegate Proposal No. 98 and insert in lieu thereof the following in PART IV of Article XIV: “Section 38. Alternative Proposition

Section 38. There shall be submitted to the people for the ratification of the proposed new constitution an official ballot containing the following propositions and instructions to voters:

OFFICIAL BALLOT

(Instructions to voters: Place an “X” in the boxes which express your preferences. The full text of the proposed constitution and the alternative propositions are available for inspection at the polling place. If the proposed constitution receives a majority of the votes cast thereon and Alternative A below receives a majority of the votes cast on the alternative propositions, the proposed constitution shall become the Constitution of Louisiana. If the proposed constitution receives a majority of the votes cast thereon and Alternative B receives a majority of the votes cast on the alternative propositions, the proposed constitution shall become the Constitution of Louisiana, except that Article VIII of the proposed Constitution shall be deleted therefrom and Alternative Article VIII shall be inserted in lieu thereof. If the proposed constitution fails to receive a majority of the votes cast thereon, both of the alternative propositions shall also fail.)
Do you favor or oppose the adoption of the proposed 1974 Constitution?

FOR adoption of the proposed 1974 Constitution

AGAINST adoption of the proposed 1974 Constitution

ALTERNATIVE PROPOSITIONS

If the proposed 1974 Constitution is adopted, do you prefer (A) the governance of higher education by a Board of Regents and management boards for the LSU system, the Southern University system, and all other state colleges and universities, or (B) the governance of higher education solely by a Board of Regents?

AMENDMENT No. 9—

Make Section 28 of Committee Proposal No. 38 as amended Section 40 in PART IV of Article XIV

Respectfully submitted,

ALBERT TATE, JR., Chairman.

Suspension of the Rules

On motion of Delegate Tate the rules were suspended in order to take up the proposal contained in the Committee Report at this time.

Proposals on Calender for Approval of Final Styling

The following Proposals returned from the Committee on Style and Drafting for approval of final styling were taken up and acted upon as follows:

DELEGATE PROPOSAL No. 98—

Introduced by Delegates Henry, Gravel, Graham, Pugh, A. Jackson, Juneau, Kelly, Leithman, Corne, Shannon, Deshotel, Fowler, Zervigon, Riecke, Wattigny, Alario, Kilpatrick, Roe-mer, LeBleu, Conino, Warren, Guarisco, Arnette, Abraham, Badexux, Anzalone, Fayard, Darbes, Gauthier, Bollinger, Willis, Newton, A. Landry, Goldman, Glen, Ullo, Tomly, Sutherland, Stovall, Schmitt, Bergeron, Chatelain, Vick, Conroy, Miller, Casey, Denney, Tobias, O'Neill and Weiss:

A PROPOSAL

To provide with respect to an alternative provision relative to education.

Read.

AMENDMENT No. 1—

In Delegate Proposal No. 98, in the Final Enrollment, Section 2, line 1, change "Section 2(A)" to "Section 39(A)" and after the word "Alternative" and before the partial word "con-" delete "Proposition No. 2A" and insert in lieu thereof "B" and on line 4, change "Article IX" to "Article VIII" and on line 5 change "Article IX" to "Article VIII" and after the word "in" delete the remainder of the line and insert "the proposed new constitution" and on line 6, delete "Number 7" and at the end of line 7, add "Alternative Article VIII shall be as follows:" and on line 8 change "Article IX." to "Article VIII."

Read.

AMENDMENT No. 2—

In Delegate Proposal No. 98, in the Final Enrollment, Section 2(B) on line 1, delete "2A" and after the word "alternative" and before the word "concerning" delete the word "Proposition No. 2A" and insert in lieu thereof "B".

AMENDMENT No. 3—

Delete the text of Section 2 of Delegate Proposal No. 98 as amended and insert the said text as Section 39 in PART VI of Article XIV

Read.

AMENDMENT No. 4—

In Committee Amendment No. 1 proposed by the Committee on Style and Drafting and adopted by the convention January 19, 1974, setting forth the organization of the proposed constitution at the end of the amendment add "PART IV"

Read.

On motion of Delegate Tate Amendment Nos. 1, 2, 3, and 4 were adopted.

COMMITTEE PROPOSAL No. 38—

Introduced by Delegate Zervigon, Chairperson, Committee on Legislative Liaison and Transitional Measures, and Delegates Casey, Comar, D'Geralamo, Drew, Hardie, J. Jackson, Jones, Lanier, Rayburn, Smith, Thompson, Vick and Womack:

A PROPOSAL

Making provisions relative to transitional provisions.

Read.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 38 by Delegate Zervigon, et al.

Amend First Enrollment Proposal as follows:

AMENDMENT No. 1—

On page 7, line 20, change "Section 28: 2" to "Section 40:" and on line 22, change "Section 28. (A)" to "Section 40:" and on line 24, after the word "Alternative" and before the word "concerning" delete "Proposition ....." and insert in lieu thereof "B"

AMENDMENT No. 2—

On page 7, line 25, at the beginning of the line, delete "....." and insert in lieu thereof the number "1" and after the word "Sections" delete the remainder of the line and insert in lieu thereof "1, 2, 3, 4, 5 and 6" and at the beginning of
line 26 delete "and ---" and at the end of the line add the word "the" and delete line 27 in its entirety and insert in lieu thereof the following: "alternative is not approved, the following section shall be"

AMENDMENT No. 3—
On page 7, between lines 23 and 29 insert the following: "Section 1, Education Boards"

AMENDMENT No. 4—
On page 7, line 29, at the beginning of the line, delete "(B)" and insert in lieu thereof "Section 1."

AMENDMENT No. 5—
On page 8, delete lines 2, 3, and 4 and insert in lieu thereof the following: "and to effectuate Article VIII, Section 5 of the alternative as set forth in Sections 38 and 39 of this Article."

AMENDMENT No. 6—
On page 8, line 14, delete "Article IX" and insert in lieu thereof "Article VIII"

AMENDMENT No. 7—
On page 8, delete lines 15 and 16 and insert in lieu thereof the following: "d and 5 of the alternative."

Read.

On motion of Delegate Tate Amendment Nos. 1 through 7 were adopted.

AMENDMENT No. 8—
Delete Section I of Delegate Proposal No. 98 and insert in lieu thereof the following in PART IV of Article XIV: "Section 38. Alternative Proposition
Section 38. There shall be submitted to the people for the ratification of the proposed new constitution an official ballot containing the following propositions and instructions to voters:

OFFICIAL BALLOT
(Instructions to voters: Place an "X" in the boxes which express your preferences. The full text of the proposed constitution and the alternative propositions are available for inspection at the polling place. If the proposed constitution receives a majority of the votes cast thereon and Alternative A below receives a majority of the votes cast on the alternative propositions, the proposed constitution shall become the Constitution of Louisiana. If the proposed constitution receives a majority of the votes cast thereon and Alternative B below receives a majority of the votes cast on the alternative propositions, the proposed constitution shall become the Constitution of Louisiana, except that Article VIII of the proposed Constitution shall be deleted therefrom and Alternative Article VIII shall be inserted in lieu thereof. If the proposed constitution fails to receive a majority of the votes cast thereon, both of the alternative propositions shall also fail.)

Do you favor or oppose the adoption of the proposed 1974 Constitution?

<table>
<thead>
<tr>
<th>FOR adoption of the proposed 1974 Constitution</th>
<th>AGAINST adoption of the proposed 1974 Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 □</td>
<td>2 □</td>
</tr>
</tbody>
</table>

ALTERNATIVE PROPOSITIONS
If the proposed 1974 Constitution is adopted, do you prefer (A) the governance of higher education by a Board of Regents and management boards for the LSU system, the Southern University system, and all other state colleges and universities, or (B) the governance of higher education solely by a Board of Regents?

(Vote for one)

Alternative A For governance of higher education by a Board of Regents and management boards for the LSU system, the Southern University system, and all other state colleges and universities ........................................... 3 □

or

Alternative B For governance of higher education solely by a Board of Regents ........................................... 4 □

Read.

On motion of Delegate Tate Amendment No. 8 was adopted.

AMENDMENT No. 9—
Make Section 28 of Committee Proposal No. 38 as amended Section 40 in PART IV of Article XIV

Read.

On motion of Delegate Tate Amendment No. 9 was adopted.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

**Constitutional Convention of 1973**
**State of Louisiana**


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following entitled Delegate Resolutions having been finally adopted by the Convention have been properly enrolled in final form:

Numbers: 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67

Respectfully submitted,

MOISE W. DENNERY
Secretary.

The Resolutions contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

**Constitutional Convention of 1973**
**State of Louisiana**


To the Chairman and Delegates of the Convention:

I am pleased to submit the following report:

That the following document constitutes the proposed constitution, including alternative propositions, of the Constitutional Convention of 1973 convened under the authority of Act No. 2 of the 1972 Regular Session of the Legislature, as amended, as that document is contained below the enacting clause of the several Committee and Delegate Proposals heretofore adopted by the Convention.
CONSTITUTION OF THE STATE OF LOUISIANA OF 1974

PREAMBLE

I. DECLARATION OF RIGHTS

II. DISTRIBUTION OF POWERS

III. LEGISLATIVE BRANCH

IV. EXECUTIVE BRANCH

V. JUDICIAL BRANCH

VI. LOCAL GOVERNMENT

VII. REVENUE AND FINANCE

VIII. EDUCATION

IX. NATURAL RESOURCES

X. PUBLIC OFFICIALS AND EMPLOYEES

XI. ELECTIONS

XII. GENERAL PROVISIONS

XIII. CONSTITUTIONAL REVISION

XIV. TRANSITIONAL PROVISIONS

PREAMBLE

We, the people of Louisiana, grateful to Almighty God for the civil, political, economic, and religious liberties we enjoy, and desiring to protect individual rights to life, liberty, and property; afford opportunity for the fullest development of the individual; assure equality of rights; promote 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.

ARTICLE I. DECLARATION OF RIGHTS

Section 1. Origin and Purpose of Government

Section 1. All government, of right, originates with the people, is founded on their will alone, and is instituted to protect the rights of the individual and for the good of the whole. Its only legitimate ends are to secure justice for all, preserve peace, protect the rights, and promote the happiness and general welfare of the people. The rights enumerated in this Article are inviolable by the state and shall be preserved inviolate by the state.

Section 2. Due Process of Law

Section 2. No person shall be deprived of life, liberty, or property, except by due process of law.

Section 3. Right to Individual Dignity

Section 3. No person shall be denied the equal protection of the laws. No law shall discriminate against a person because of race or religious ideas, beliefs, or affiliations. No law shall arbitrarily, capriciously, or unreasonably discriminate against a person because of birth, age, sex, culture, physical condition, or political ideas or affiliations.

Slavery and involuntary servitude are prohibited, except in the latter case as punishment for crime.

Section 4. Right to Property

Section 4. Every person has the right to acquire, own, control, use, enjoy, protect, and dispose of private property. This right is subject to reasonable statutory restrictions and the reasonable exercise of the police power.

Property shall not be taken or damaged by the state or its political subdivisions except for public purposes and with just compensation paid to the owner or into court for his benefit. Property shall not be taken or damaged by any private entity authorized by law to expropriate, except for a public and necessary purpose and with just compensation paid to the owner; in such proceedings, whether the purpose is public and necessary shall be a judicial question. In every expropriation, a party has the right to trial by jury to determine compensation, and the owner shall be compensated to the full extent of his loss. No business enterprise or any of its assets shall be taken for the purpose of operating that enterprise or halting competition with a government enterprise. However, a municipality may expropriate a utility within its jurisdiction. Personal effects, other than contraband, shall never be taken.

This Section shall not apply to appropiation of property necessary for levee and levee drainage purposes.

Section 5. Right to Privacy

Section 5. Every person shall be secure in his person, property, communications, houses, papers, and effects against unreasonable searches, seizures, or invasions of privacy. No warrant shall issue without probable cause supported by oath or affirmation, and particularly describing the place to be searched, the persons or things to be seized, and the lawful purpose or reason for the search. Any person adversely affected by a search or seizure conducted in violation of this Section shall have standing to raise its illegality in the appropriate court.

Section 6. Freedom from Intrusion

Section 6. No person shall be quartered in any house without the consent of the owner or lawful occupant.

Section 7. Freedom of Expression

Section 7. No law shall curtail or restrain the freedom of speech or of the press. Every person may speak, write, and publish his sentiments on any subject, but is responsible for abuse of that freedom.

Section 8. Freedom of Religion

Section 8. No law shall be enacted respecting an establishment of religion or prohibiting the free exercise thereof.

Section 9. Right of Assembly and Petition

Section 9. No law shall impair the right of any person to assemble peaceably or to petition government for a redress of grievances.

Section 10. Right to Vote

Section 10. Every citizen of the state, upon reaching eighteen years of age, shall have the right to register and vote, except that this right may be suspended while a person is interdicted and judicially declared mentally incompetent or is under an order of imprisonment for conviction of a felony.

Section 11. Right to Keep and Bear Arms

Section 11. The right of each citizen to keep and bear arms shall not be abridged, but this provision shall not prevent the passage of laws to prohibit the carrying of weapons concealed on the person.

Section 12. Freedom from Discrimination

Section 12. In access to public areas, accommodations, and facilities, every person shall be free from discrimination based on race, religion, or national ancestry and from arbitrary, capricious, or unreasonable discrimination based on age, sex, or physical condition.

Section 13. Rights of the Accused

Section 13. When any person has been arrested or detained in connection with the commission of any offense, he shall be advised fully of the reason for his arrest or detention, his right to remain silent, his right against self incrimination, his right to the assistance of counsel and, if indigent, his right to court appointed counsel. In a criminal prosecution, an accused shall be informed of
the nature and cause of the accusation against him. At each stage of the proceedings, every person is entitled to assistance of counsel of his choice, or appointed by the court if he is indigent and charged with an offense punishable by imprisonment. The legislature shall provide for a uniform system for securing and compensating qualified counsel for indigents.

Section 14. Right to Preliminary Examination
Section 14. The right to a preliminary examination shall not be denied in felony cases except when the accused is indicted by a grand jury.

Section 15. Initiation of Prosecution
Section 15. Prosecution of a felony shall be initiated by indictment or information, but no person shall be held to answer for a capital crime or a crime punishable by life imprisonment except on indictment by a grand jury. No person shall be twice placed in jeopardy for the same offense, except on his application for a new trial, when a mistrial is declared, or when a motion in arrest of judgment is sustained.

Section 16. Right to a Fair Trial
Section 16. Every person charged with a crime is presumed innocent until proven guilty and is entitled to a speedy, public, and impartial trial in the parish where the offense or an element of the offense occurred, unless venue is changed in accordance with law. No person shall be compelled to give evidence against himself. An accused is entitled to confront and cross-examine the witnesses against him, to compel the attendance of witnesses, to present a defense, and to testify in his own behalf.

Section 17. Jury Trial in Criminal Cases
Section 17. A criminal case in which the punishment may be capital shall be tried before a jury of twelve persons, all of whom must concur to render a verdict. A case in which the punishment is necessarily confinement at hard labor shall be tried before a jury of twelve persons, ten of whom must concur to render a verdict. A case in which the punishment may be confinement at hard labor or confinement without hard labor for more than six months shall be tried before a jury of six persons, five of whom must concur to render a verdict. The accused shall have the right to full voir dire examination of prospective jurors and to challenge jurors peremptorily. The number of challenges shall be fixed by law. Except in capital cases, a defendant may knowingly and intelligently waive his right to a trial by jury.

Section 18. Right to Ball
Section 18. Excessive bail shall not be required. Before and during a trial, a person shall be bailable by sufficient surety, except when he is charged with a capital offense and the proof is evident and the presumption of guilt is great. After conviction and before sentencing, a person shall be bailable if the maximum sentence which may be imposed is imprisonment for five years or less; and the judge may grant bail if the maximum sentence which may be imposed is imprisonment exceeding five years. After sentencing and until final judgment, a person shall be bailable if the sentence actually imposed is five years or less; and the judge may grant bail if the sentence actually imposed exceeds imprisonment for five years.

Section 19. Right to Judicial Review
Section 19. No person shall be subjected to imprisonment or forfeiture of property or privileges without the right to judicial review based upon a complete record of all evidence upon which the judgment is based. This right may be intelligently waived. The cost of transcribing the record shall be paid as provided by law.

Section 20. Right to Humane Treatment
Section 20. No law shall subject any person to euthanasia, to torture, or to cruel, excessive, or unusual punishment. Full rights of citizenship shall be restored upon termination of state and federal supervision following conviction for any offense.

Section 21. Writ of Habeas Corpus
Section 21. The writ of habeas corpus shall not be suspended.

Section 22. Access to Courts
Section 22. All courts shall be open, and every person shall have an adequate remedy by due process of law and justice, administered without denial, partiality, or unreasonable delay, for injury to him in his person, property, reputation, or other rights.

Section 23. Prohibited Laws
Section 23. No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be enacted.

Section 24. Unenumerated Rights
Section 24. The enumeration in this constitution of certain rights shall not deny or disparage other rights retained by the individual citizens of the state.

ARTICLE II. DISTRIBUTION OF POWERS

Section 1. Three Branches
Section 1. The powers of government of the state are divided into three separate branches: legislative, executive, and judicial.

Section 2. Limitations on Each Branch
Section 2. Except as otherwise provided by this constitution, no one of these branches, nor any person holding office in one of them, shall exercise power belonging to either of the others.

ARTICLE III. LEGISLATIVE BRANCH

Section 1. Legislative Power; Composition; Continuous Body
Section 1. (A) Legislative Power of State. The legislative power of the state is vested in a legislature, consisting of a Senate and a House of Representatives. The Senate shall be composed of one senator elected from each senatorial district. The House of Representatives shall be composed of one representative elected from each representative district.

(B) Continuous Body. The legislature is a continuous body during the term for which its members are elected; however, a bill or resolution not finally passed in any session shall be withdrawn from the files of the legislature.

Section 2. Sessions
Section 2. (A) Annual Session. The legislature shall meet annually in regular session in the state capital for not more than sixty legislative days during a period of eighty-five days. A legislative day is a calendar day on which either house is in session. No such session shall continue beyond the eighty-fifth calendar day after convening. The legislature shall convene at noon on the third Monday in April. No new matter intended to have the effect of law shall be introduced or received by either house after midnight of the fifteenth calendar day, except by a favorable record vote of two-thirds of the elected members of each house. No measure levying a new tax or increasing an existing tax shall be introduced or enacted during a regular session held in an odd-numbered year.

(B) Extraordinary Session. The legislature may be convened at other times by the governor and shall be convened by the presiding officers of both houses upon written petition of a majority of the elected members of each house. The form of the petition shall be provided by law. At least five days prior to convening the legislature in extraordinary session, the governor or the presiding officers, as the case may be, shall issue a proclamation stating the objects of the session, the date on which it shall convene, and the number of days for which it is convened. The power to legislate shall be limited, under penalty of nullity, to the objects specifically enumerated in the proclamation. The session shall be limited to the number of days stated therein, which shall not exceed thirty calendar days.

(C) Emergency Session. The governor may convene the legislature in extraordinary session without prior notice or proclamation in the event of public emergency caused by epidemic, enemy attack, or public catastrophe.
Section 3. Size
Section 3. The number of members of the legislature shall be provided by law, but the number of senators shall not exceed thirty-nine and the number of representatives, one hundred five.

Section 4. Qualifications; Residence and Domicile Requirements; Term; Vacancies
Section 4. (A) Age; Residence; Domicile. An elector who at the time of qualification as a candidate has attained the age of eighteen years, resided in the state for the preceding year in the legislative district from which he seeks election is eligible for membership in the legislature.

(B) Domicile; Special Provisions. However, at the next regular election for members of the legislature following legislative reapportionment, an elector may qualify as a candidate from any district created in whole or in part from a district existing prior to reapportionment if he was domiciled in the prior district for at least one year immediately preceding his qualification and was a resident of the state for the two years preceding his qualification. The seat of any member who changes his domicile from the district he represents or, if elected after reapportionment, whose domicile is in the district he represents at the time he is sworn into office, shall be vacated thereby, any declaration of retention of domicile to the contrary notwithstanding.

(C) Term. A member of the legislature shall be elected for a two-year term.

(D) Vacancy. A vacancy in the legislature shall be filled for the remainder of the term only by election by the electors of the respective district as provided by law.

Section 5. Taking Office
Section 5. (A) Full Term. Members of the legislature shall take office on the same day as the governor and other officials elected statewide.

(B) Filling Vacancies. A person elected to fill the remainder of an unexpired legislative term shall take office within thirty days after the secretary of state promulgates the election returns.

Section 6. Legislative Reapportionment; Reapportionment by Supreme Court; Procedure
Section 6. (A) Reapportionment by Legislature. By the end of the year following the year in which the population of this state is reported to the president of the United States for each decennial federal census, the legislature shall reapportion the representation in each house as equally as practicable on the basis of population shown by the census. Reapportionment by Supreme Court. If the legislature fails to reapportion as required in Paragraph (A), the supreme court, upon petition of any elector, shall reapportion the representation in each house as provided in Paragraph (A).

(C) Procedure. The procedure for review and for petition shall be provided by law.

Section 7. Judging Qualifications and Elections; Procedural Rules; Discipline; Expulsion; Subpoenas; Contempt; Officers
Section 7. (A) Judging Qualifications and Elections; Procedural Rules; Discipline; Expulsion. Each house shall be the judge of the qualifications and elections of its members; shall determine its rules of procedure, not inconsistent with the provisions of this constitution; may punish its members for disorderly conduct or contempt; and may expel a member with concurrence of two-thirds of its elected members. Expulsion creates a vacancy in the office.

(B) Subpoena Power; Contempt. Each house may compel the attendance and testimony of witnesses and the production of books and papers before it, before any committee thereof, or before joint committees of the houses and may punish those in willful disobedience of its orders for contempt.

(C) Officers. Each house shall choose its officers, including a Clerk and Speaker. The Speaker shall be the presiding officer selected from its membership. The presiding officers shall be the president of the Senate and the speaker of the House of Representatives. The clerical officers shall be the clerk of the House of Represent-
Section 13. Local or Special Laws; Notice of Intent; Publication
Section 13. No local or special law shall be enacted unless notice of the intent to introduce a bill to enact such a law has been published on two separate days, without cost to the state, in the official journal of the locality where the matter to be affected is situated. The last day of publication shall be at least thirty days prior to introduction of the bill. The notice shall state the substance of the contemplated law, and every such bill shall recite that notice has been given.

Section 14. Style of Laws; Enacting Clause
Section 14. The style of a law enacted by the legislature shall be, "Be it enacted by the Legislature of Louisiana." It shall be unnecessary to repeat the enacting clause after the first section of an act.

Section 15. Passage of Bills
Section 15. (A) Introduction; Title; Single Object; Public Meetings. The legislature shall enact no law except by a bill introduced that session. A bill proposing no constitutional amendment except by a joint resolution introduced during that session, which shall be processed as a bill. Every bill, except the general appropriation bill and bills for the enactment, rearrangement, codification, or revision of a system of laws, shall be confined to one object. Every bill shall contain a brief title indicative of its object. Action on any matter intended to have the effect of law shall be taken only in open, public meeting.
(B) Repealed. (C) Germane Amendments. A bill enacting, amending, or reviving a law shall set forth completely the provisions of the law enacted, amended, or revived. No system or code of laws shall be adopted by general reference to it.

Section 16. Appropriations
Section 16. (A) Specific Appropriation for One Year. Except as otherwise provided by this constitution, no money shall be withdrawn from the state treasury except through specific appropriation, and no appropriation shall be made under the heading of contingencies or for longer than one year.
(B) Origin in House of Representatives. All bills for raising revenue or appropriating money shall originate in the House of Representatives, but the Senate may propose or concur in amendments, as in other bills.
(C) General Appropriation Bill; Limitations. The general appropriation bill shall be itemized and shall contain only appropriations for the ordinary operating expenses of the governor, public charities, pensions, and the public debt or interest thereon.
(D) Specific Purpose and Amount. All other bills for appropriating money shall be for a specific purpose and amount.

Section 17. Signing of Bills; Delivery to Governor
Section 17. (A) Signing; Delivery. A bill passed by both houses shall be signed by the presiding officers and delivered to the governor within three days after passage.
(B) Resolutions. No joint, concurrent, or other resolution shall require the signature or other action of the governor to become effective.

Section 18. Signature of Governor on Bills; Veto
Section 18. (A) Gubernatorial Action. A bill, except a joint resolution, shall become law if the governor signs it or if he fails to sign or veto it within ten days after delivery to him if the legislature is in session, or within twenty days if the legislature is adjourned.
(B) Veto. If the governor does not approve a bill, he may veto it. When he vetoes a bill, he shall return it to the legislature, with his veto message, within twelve days after delivery to him if the legislature is in session. If the governor returns or vetoes a bill after the legislature adjourns, he shall return it, with his veto message, as provided by law.

Section 19. Effective Date of Laws
Section 19. All laws shall take effect on the sixtieth day after final adjournment of the session in which they were enacted, and shall be published prior thereto in the official journal of the state as provided by law. However, any bill may specify an earlier or later effective date.

Section 20. Suspension of Laws
Section 20. Only the legislature may suspend a law, and then only by the same vote and, except for gubernatorial time limitations for introduction, according to the same procedures and formalities required for enactment of that law. After the effective date of this constitution, every resolution suspending a law shall fix the period of suspension, which shall not extend beyond the sixtieth day after final adjournment of the next regular session.

ARTICLE IV. EXECUTIVE BRANCH

Section 1. Composition; Number of Departments; Reorganization
Section 1. (A) Composition. The executive branch shall consist of the governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of education, commissioner of elections, and all other executive officers, agencies, and instrumentalities of the state.
(B) Number of Departments. Except for the offices of governor and lieutenant governor, all offices, agencies, and other instrumentalities of the executive branch and their functions, powers, duties, and responsibilities shall be allocated according to function within not more than twenty departments. The powers, functions, and duties allocated within the departments shall not be affected or diminished by the allocation provided herein except as authorized by Section 20 of this Article.
(C) Reorganization. Reallocation of the functions, powers,
and duties of all departments, offices, agencies, and other instrumentalities of the executive branch, except those functions, powers, duties, and responsibilities allotted by this constitution, shall be as provided by law.

Section 2. Qualifications
Section 2. To be eligible for any statewide elective office, a person, by the date of his qualification as a candidate, shall have attained the age of twenty-five years, be an elector, and have been a citizen of the United States and of this state for at least the preceding five years. In addition, the attorney general shall have been admitted to the practice of law in the state for at least the five years preceding his election.

Section 3. Election; Term
Section 3. (A) Election. The governor, lieutenant governor, secretary of state, attorney general, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, and commissioner of elections each shall be elected for a term of four years by the electors of the state at the time and place of voting for members of the legislature. The term of each such official shall begin at noon on the second Monday in March next following the election.

(b) The Governor. Any person who has served as governor for more than one and one-half terms in two consecutive terms shall not be elected governor for the succeeding term.

(c) Additional Limitation. Except as provided by this constitution, no official shall be elected statewide.

Section 4. Compensation
Section 4. Except as otherwise provided by this constitution, the compensation of each statewide elected official shall be provided by law.

Section 5. Governor; Powers and Duties
Section 5. (A) Executive Authority. The governor shall be the chief executive officer of the state. He shall faithfully support the constitution and laws of the state and of the United States and shall see that the laws are faithfully executed.

(b) Legislative Reports and Recommendations. The governor shall, at the beginning of each regular session, and may, at other times, make reports and recommendations and give information to the legislature concerning the affairs of state, and shall, if necessary, recommend complete financial statements.

(c) Departmental Reports and Information. When requested by the governor, a department head shall provide him with reports and information, in writing or otherwise, on any subject relating to the department, except matters concerning the department finances.

(d) Operating and Capital Budget. The governor shall submit to the legislature an operating budget and a capital budget, as provided by Article VII, Section 11 of this constitution.

(e) Pardon, Commutation, Reprieve, and Remission. Board of Pardons. (1) The governor may grant reprieves to persons convicted of offenses against the state and, upon recommendation of the Board of Pardons, may commute sentences of those convicted of offenses against the state, and remit fines and forfeitures imposed for such offenses. However, a first offender never previously convicted of a felony shall be pardoned automatically upon completion of his sentence, without a recommendation of the Board of Pardons and without action by the governor.

(2) The Board of Pardons shall consist of five electors appointed by the governor, subject to confirmation by the Senate. The governor shall serve a term concurrent with that of the governor appointing him.

(F) Receipt of Bills from the Legislature. The date and hour when a bill finally passed by the legislature is delivered to the governor shall be noted thereon.

(G) Item Veto. (1) Except as otherwise provided by this constitution, the governor may veto any line item in an appropriation bill. Any item vetoed shall be void unless the veto is overridden as prescribed for the passage of a bill over a veto.

(2) The governor shall veto line items or use means provided in the bill so that total appropriations for the year shall not exceed anticipated revenues for that year.

(H) Appointments. (1) The governor shall appoint, subject to confirmation by the Senate, the head of each department in the executive branch whose election or appointment is not provided by this constitution and the members thereof and commissions in the executive branch whose election or appointment is not provided by this constitution or by law.

(2) Should the legislature be in regular session, the governor shall submit for confirmation by the Senate the name of an appointee within forty-eight hours after the appointment is made. Failure of the Senate to confirm the appointment, prior to the end of the session, shall constitute rejection.

(3) If the legislature is not in regular session, the governor may make interim appointments, which shall expire at the end of the next regular session, unless submitted to and confirmed by the Senate during that session.

(4) A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature.

(I) Removal Power. The governor may remove from office a person he appoints, except a person appointed for a term fixed by this constitution or by law.

(J) Commander-in-Chief. The governor shall be commander-in-chief of the armed forces of the state, except when they are called into service of the federal government. He may, in these forces, to preserve law and order, to suppress insurrection, to repel invasion, or in other times of emergency.

(K) Other Powers and Duties. The governor shall have such powers and perform such duties authorized by this constitution or provided by law.

Section 6. Lieutenant Governor; Powers and Duties
Section 6. The lieutenant governor shall serve ex officio as a member of each committee, board, and commission on which the governor serves. He shall exercise the powers delegated to him by the governor and shall have other powers and perform other duties in the executive branch authorized by this constitution or provided by law.

Section 7. Secretary of State; Powers and Duties
Section 7. There shall be a Department of State. The secretary of state shall head the department and shall be the chief election officer of the state. He shall prepare and certify the ballots for all elections, promulgate all election returns, and administer the election laws, except those relating to voter registration. He shall hold the state archives and maintain the state archives. He shall have responsibility for the custody of voting machines. He shall manage the state corporation and trademark laws; serve as keeper of the Great Seal of the State of Louisiana and attest therewith all official laws, documents, proclamations, and certificates; act as custodian of the official archives of the state; promulgate and publish all laws enacted by the legislature and retain the original thereof; and keep an official registry of all commissions. He may administer oaths, and shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 8. Attorney General; Powers and Duties
Section 8. There shall be a Department of Justice, headed by the attorney general, who shall be the chief legal officer of the state. The attorney general shall be elected for a term of four years at each state general election. The assistant attorneys general shall be appointed by the attorney general to serve at his pleasure.

As necessary for the assertion or protection of any right or interest of the state, the attorney general shall have authority (1) to institute, prosecute, or intervene in any civil action or proceeding; (2) upon the written request of a district attorney, to advise and assist in the prosecution of any criminal case; and (3) for cause, when authorized by the court which would have original jurisdiction and subject to the court's approval, to intervene in any criminal action or proceeding, or (b) to supercede any attorney representing the state in any civil or criminal action.

The attorney general shall exercise other powers and perform other duties authorized by this constitution or by law.

Section 9. Treasurer; Powers and Duties
Section 9. There shall be a Department of the Treasury.
The treasurer shall head the department and shall be responsible for the custody, investment, and disbursement of the public funds of the state, except as otherwise provided by this constitution. He shall report annually to the governor and to the legislature at least one month before each regular session on the financial condition of the state, and shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 10. Commissioner of Agriculture; Powers and Duties
Section 10. There shall be a Department of Agriculture. The commissioner of agriculture shall head the department and shall exercise all functions of the state relating to the promotion, protection, and advancement of agriculture, except research and educational functions expressly allocated by this constitution or law to other state agencies. The department shall exercise such functions and the commissioner shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 11. Commissioner of Insurance; Powers and Duties
Section 11. There shall be a Department of Insurance, headed by the commissioner of insurance. The department shall exercise such functions and the commissioner shall have powers and perform duties authorized by this constitution or provided by law.

Section 12. Commissioner of Elections; Powers and Duties
Section 12. There shall be a Department of Elections and Registration. The commissioner of elections shall head the department and shall administer the laws relating to custody of voting machines and voter registration. He shall have other powers and perform other duties authorized by this constitution or provided by law.

Section 13. First Assistant; Appointment
Section 13. Each statewide elected official except the governor and lieutenant governor shall appoint a first assistant, subject to public confirmation by the Senate, and may remove him at his pleasure. The official shall submit the appointment to the Senate in the manner and subject to the procedures and limitations applicable to appointments submitted by the governor. The first assistant shall possess the qualifications required for election to the office.

Section 14. Vacancy in Office of Governor
Section 14. When a vacancy occurs in the office of governor, the order of succession shall be: (1) the elected lieutenant governor, (2) the elected secretary of state, (3) the elected attorney general, (4) the elected treasurer, (5) the presiding officer of the Senate, (6) the presiding officer of the House of Representatives, and then (7) as provided by law. The successor shall serve the remainder of the term for which the governor was elected.

Section 15. Vacancy in Office of Lieutenant Governor
Section 15. Should a vacancy occur in the office of lieutenant governor, the governor shall nominate a lieutenant governor, who shall take office upon confirmation by a majority vote of the elected members of the house of the legislature.

Section 16. Vacancies in Other Statewide Elective Offices
Section 16. A vacancy in a statewide elective office other than that of governor or lieutenant governor shall be filled by the first assistant. If the unexpired term exceeds one year, the office shall be filled by the selection at a regularly scheduled congressional or statewide election, and the first assistant shall serve only until the person then elected takes office.

Section 17. Declaration of Inability by Statewide Elected Officials
Section 17. When a statewide elected official transmits to the presiding officers of the Senate and House of Representatives a written declaration of his incapacity to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, the person who would succeed to the office when a vacancy occurs shall assume the powers and duties of the office as acting official.

Section 18. Determination of Inability of Statewide Elected Official
Section 18. (A) Declaration and Counter-Declaration. Whenever a majority of the statewide elected officials determine that any other such official is unable to discharge the powers and duties of his office, they shall transmit a written declaration to this effect to the presiding officer of each house of the legislature, and shall file a copy of the declaration in the office of the secretary of state. A constitutional successor shall assume the office as acting official unless, within forty-eight hours after the declaration is filed in the office of the secretary of state, the elected official delivers in that office a written and signed declaration of his ability to exercise the powers and duties of his office.

Section 19. Temporary Absences
Section 19. When the governor is temporarily absent from the state, the lieutenant governor shall act as governor. When any other statewide elected official is temporarily absent from the state, the appointed first assistant shall act in his absence.

Section 20. Appointment of Officials; Merger, Consolidation of Offices and Departments
Section 20. After the first election of state officials following the effective date of this constitution, the legislature may provide, by law enacted by two-thirds of the elected members of each house, for reorganization of the executive department of the commissioner of agriculture, the commissioner of insurance, the superintendent of education, the commissioner of elections, or any of them. In that event, the legislature shall prescribe qualifications and method of appointment and by similar vote, may provide by law for the merger or consolidation of any such offices, its department, and functions with any other office or department in the executive branch. No action of the legislature pursuant hereto shall reduce the official term of or continuous eligibility of the elected official. By law enacted by two-thirds of the elected members of each house, the legislature may reestablish any such office as elective and, in that event, shall prescribe qualifications.

Section 21. Public Service Commission
Section 21. (A) Composition; Term; Domicile. There shall be a Public Service Commission in the executive branch. It shall consist of five members, who shall be elected for overlapping terms of six years at the time fixed for congressional elections from single member districts established by law. Each commissioner serving on the effective date of this constitution shall be the commissioner for the new term in which he was elected and shall serve for the term for which he was elected. The commission annually shall elect one member as chairman. It shall be domiciled at the state capital, but may meet, conduct investigations, and render orders elsewhere in this state.
Powers any duties, may change civil Appellate security all and defendant majority the panels A Each de- whole court finally A Scope this questions public circuit Supreme the judicial this part, be point The civil whole public least was a an Supervisory action enforce regulatory voting necessary to the operation of such utilities. (D) Applications, Petitions, and Schedules; Protective Bond and Security. (1) Within twenty days after a common carrier or public utility files a proposed rate schedule which would result in a change in rates, it shall give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable. (2) Within twelve months after the effective filing date, the jurisdiction of his court, shall render a final decision on each application, petition, and proposed rate schedule. (3) After the effective filing date of any proposed schedule by a public utility which would result in a rate increase, the commission may permit the proposed schedule to be put into effect, in whole or in part, pending its decision on the application for rate increase and subject to protective bond or security approved by the commission. If no decision is rendered on the application within twelve months after such filing date, the proposed increase may be put into effect, but only if and as provided by law and subject to protective bond or security requirements, until final action by a court of last resort. (4) If a proposed increase which has been put into effect is finally disallowed, in whole or in part, the utility shall make full refund, with legal interest thereon, within the time and in the manner prescribed by law. (E) Appeals, Appeal may be taken in the manner provided by any aggrieved party or intervenor to the district court of the domicile of the commission. A right of direct appeal from any judgment of the district court shall be allowed to the supreme court. These rights of appeal shall exist to any action by the commission, including but not limited to actions taken by the commission or by a public utility under the provisions of Subparagraph (3) of Paragraph (D) of this Section.

ARTICLE V. JUDICIAL BRANCH

Section 1. Judicial Power
Section 1. The judicial power is vested in a supreme court, courts of appeal, district courts, and other courts authorized by this Article.

Section 2. Habeas Corpus, Needful Writs, Orders and Process; Contempt
Section 2. A judge may issue writs of habeas corpus and all other needful writs, orders, and process in aid of the jurisdiction of his court. Exercise of this authority by a judge of the supreme court or of a court of appeal is subject to review by the whole court. The power to punish for contempt of court shall be limited by law.

Section 3. Supreme Court; Composition; Judgments; Terms
Section 3. The supreme court shall be composed of a chief justice and six associate justices, four of whom must concur to render judgment. The term of a supreme court judge shall be ten years.

Section 4. Supreme Court; Districts
Section 4. The state shall be divided into at least six supreme court districts, and at least one judge shall be elected from each. The districts and the number of judges assigned to each on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

Section 5. Supreme Court; Jurisdiction; Rule-Making Power; Assignment of Judges
Section 5. (A) Supervisory Jurisdiction. Rule-Making Power. The supreme court has general supervisory jurisdiction over all other courts. It may establish procedural and administrative rules not in conflict with law and may assign a sitting or retired judge to any court. (B) Original Jurisdiction. The supreme court has exclusive original jurisdiction of disciplinary proceedings against a member of the bar. (C) Scope of Review. Except as otherwise provided by this constitution, the jurisdiction of the supreme court in civil cases extends to both law and facts. In criminal matters, its appellate jurisdiction extends only to questions of law. (D) Appellate Jurisdiction. In addition to other appeals provided by this constitution, a case shall be appealable to the supreme court if (1) a law or ordinance has been declared unconstitutional; (2) the defendant has been convicted of a felony or a fine exceeding five hundred dollars or imprisonment exceeding six months actually has been imposed. (E) Other Criminal Cases; Review. In all criminal cases not provided in Paragraph (D) (2) of this Section, a defendant has no right of appeal or review as provided by law. (F) Appellate Jurisdiction; Civil Cases; Extent. Subject to the provisions in Paragraph (C), the supreme court has appellate jurisdiction over all issues involved in a civil action properly before it.

Section 6. Supreme Court; Chief Justice
Section 6. The judge oldest in point of service on the supreme court shall be chief justice. He is the chief administrative officer of the judicial system of the state, subject to rules adopted by the court.

Section 7. Supreme Court; Personnel
Section 7. The supreme court may select a judicial administrator, its clerks, and other personnel and prescribe their duties.

Section 8. Courts of Appeal; Circuits; Panels; Judgments; Terms
Section 8. (A) Circuits; Panels. The state shall be divided into at least four circuits, with one court of appeal in each. Each court shall sit in panels of at least three judges selected according to rules adopted by the court. (B) Judgments. A majority of the judges sitting in a court must concur to render judgment. However, when a judgment of a district court is to be modified or reversed and one judge dissents, the case shall be reargued before a panel of at least five judges prior to rendition of judgment, and a majority must concur to render judgment. (C) Terms. The term of a court of appeal judge shall be ten years.

Section 9. Courts of Appeal; Circuits and Districts
Section 9. Each circuit shall be divided into at least three districts, and at least one judge shall be elected from each. The circuits and districts and the number of judges as elected in each circuit on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

Section 10. Courts of Appeal; Jurisdiction
Section 10. (A) Jurisdiction. Except in cases appealable to the supreme court and except as otherwise provided by this constitution, a court of appeal has appellate jurisdiction of all (1) civil matters decided within its circuit and (2) matters appealed from family and juvenile courts, except criminal prosecutions of persons other than juveniles. It has supervisory jurisdiction over cases in which an appeal would lie to it. (B) Scope of Review. Except as limited to questions of law by this constitution, or as provided by law in the review of administrative agency determinations, appellate jurisdiction of a court of appeal extends to law and facts.

Section 11. Courts of Appeal; Certification
Section 11. A court of appeal may certify any question
of law before it to the supreme court, and the supreme court then may give its binding instruction or decide the case upon the whole record.

Section 12. Courts of Appeal; Chief Judge
Section 12. The judge oldest in point of service on each court of appeal shall be chief judge of that court and shall administer the court subject to rules adopted by it.

Section 13. Courts of Appeal; Personnel
Section 13. Each court of appeal may select its clerk and other personnel and prescribe their duties.

Section 14. District Courts; Judicial Districts
Section 14. The state shall be divided into judicial districts, each composed of at least one parish and served by at least one district judge.

Section 15. Courts; Retention; Jurisdiction; Judicial District Changes; Terms
Section 15. (A) Court Retention; Trial Courts of Limited Jurisdiction. The district, family, juvenile, parish, city, and magistrate courts existing on the effective date of this constitution are retained. Subject to the limitations in Sections 21 and 25 of this Article, the legislature by law may abolish or merge trial courts of limited or specialized jurisdiction.

Section 15. (B) Judicial Districts. The judicial districts existing on the effective date of this constitution are retained. Subject to the limitations in Section 21 of this Article, the legislature by law may establish, divide, or merge judicial districts with approval in a referendum in each district and parish affected.

Section 15. (C) Terms. The term of a district, parish, or city court judge shall be six years.

Section 15. (D) Number of Judges. The legislature may change the number of judges in any judicial district by law enacted by two-thirds of the elected members of each house.

Section 16. District Courts; Jurisdiction
Section 16. (A) Original Jurisdiction. Except as otherwise authorized by this constitution, a district court shall have original jurisdiction of all civil and criminal matters. It shall have exclusive original jurisdiction of felony cases and all cases involving title to immovable property; the right to own, use, and possess personal property; intellectual property rights; probate and succession matters; the state, a political corporation, or political subdivisions, or a successional estate, as a defendant; and the appointment of receivers or liquidators for corporations or partnerships.

Section 16. (B) Apppellate Jurisdiction. A district court shall have appellate jurisdiction as provided by law.

Section 17. District Courts; Chief Judge
Section 17. Each district court shall elect from its members a chief judge who shall exercise, for a term designated by the court, the administrative functions prescribed by rule of court.

Section 18. Juvenile and Family Courts; Jurisdiction
Section 18. Notwithstanding any contrary provision of Section 16 of this Article, juvenile and family courts shall have jurisdiction as provided by law.

Section 19. Special Juvenile Procedures
Section 19. Except for a person fifteen years of age or older who is alleged to have committed a capital offense or attempted aggravated rape, the determination of guilt or innocence, the detention, and the custody of a person who has been adjudged delinquent or neglected in his youth, or who is previously convicted of a felony prior to his seventeenth birthday shall be exclusively pursuant to special juvenile procedures which shall be provided by law. However, by law enacted by two-thirds of the elected members of each house, the legislature may, (1) lower the maximum age to persons to whom juvenile procedures would apply and (2) establish a procedure by which the court of original jurisdiction may waive such special juvenile procedures in order that adult procedures would apply in individual cases.

Section 20. Mayors' Courts; Justice of the Peace Courts
Section 20. Mayors' courts and justice of the peace courts existing on the effective date of this constitution are continued, subject to change by law.

Section 21. Judges; Decrease In Terms and Compensation Prohibited
Section 21. The term of office, retirement benefits, and compensation of a judge shall not be decreased during the term for which he is elected.

Section 22. Judges; Election; Vacancy
Section 22. (A) Election. Except as otherwise provided in this Section, all judges shall be elected. Election shall be at the regular congressional election.

Section 22. (B) Vacancy. A newly-created judgeship or a vacancy in the office of a judge shall be filled by special election called by the governor and held within six months after the day on which the vacancy occurs or the judgeship is established, except when the vacancy occurs in the last six months of an existing term. Until the vacancy is filled, the supreme court shall appoint a person meeting the qualifications for the office, other than domicile, to serve at its pleasure. The appointee shall be ineligible as a candidate at the election to fill the vacancy or the newly-created judicial office. No person serving as an appointed judge, other than a retired judge, shall be eligible for retirement benefits provided for the elected judiciary.

Section 22. (C) End of Term. A judge serving on the effective date of this constitution shall have until December thirty-first of the last year of his term or, if the last year of his term is not in the year of a regular congressional election, then through December thirty-first of the following year, the election to fill the vacancy which is for the remaining term shall be held in the year in which the term expires, as provided above.

Section 23. Judges; Retirement
Section 23. (A) Retirement System. Within two years after the effective date of this constitution, the legislature shall provide for a retirement system for judges which shall apply to a judge taking office after the effective date of the law enacting the system and in which a judge in office at that time may elect to become a member, with credit for all prior years of judicial service and without contribution therefor. The retirement benefits and judicial service rights of a judge in office or retired on the effective date of this constitution shall not be diminished, nor shall the benefits to which a surviving spouse is entitled be reduced.

Section 23. (B) Mandatory Retirement. Except as otherwise provided in this Section, a judge shall not remain in office beyond his seventieth birthday.

Section 24. Judges; Qualifications
Section 24. A judge of the supreme court, a court of appeal, district court, family court, or juvenile court shall have been admitted to the practice of law in this state for at least five years prior to his election, and shall have been domiciled in the respective district, circuit, or parish for the two years preceding election. He shall not practice law.

Section 25. Judiciary Commission
Section 25. (A) Composition. The judiciary commission shall consist of:

(1) one judge of the supreme court and two district court judges selected by the supreme court;

(2) two attorneys admitted to the practice of law for at least ten years and one attorney admitted to the practice of law for at least ten years but not more than ten years, selected by the Conference of Court of Appeal Judges or its successor. They shall not be judges, active or retired, or public officials, other than notaries public; and

(3) three citizens, not lawyers, judges active or retired, or public officials, selected by the Louisiana District Judges' Association or its successor.

Section 25. (B) Term; Vacancy. A member of the commission shall serve a four-year term and shall be ineligible to succeed himself until the occurrence of an event which would have made him ineligible for appointment. When a vacancy occurs, a successor shall be appointed for a four-year term by the authority which appointed his predecessor.

Section 25. (C) Powers. On recommendation of the judiciary commission, the supreme court may censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct relating to his official duty,
willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, conduct while in office which would constitute a felony, or conviction of a felony. On recommendation of the judiciary commission the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during pendency of proceedings in the supreme court. On recommendation of the judiciary commission, the supreme court may retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is or is likely to become permanent. The supreme court shall make rules implementing this Section and providing for confidentiality and privilege of commission proceedings.

(D) Other Disciplinary Action. Action against a judge under this Section shall not preclude disciplinary action against him concerning his license to practice law.

Section 26. District Attorneys
Section 26. (A) Election; Qualifications; Assistants. In each judicial district a district attorney shall be elected for a term of six years. He shall have been admitted to the practice of law in the state for at least five years prior to his election and shall have resided in the district for the two years preceding election. A district attorney may select assistants as authorized by law, and other personnel.

(B) Power. Except as otherwise provided by this constitution, a district attorney, or his designated assistant, shall have charge of every criminal prosecution by the state in his district, be the representative of the state before the grand jury in his district, and be the legal advisor to the grand jury. He shall perform other duties provided by law.

(C) Prohibition. No district attorney or assistant district attorney shall appear, plead, or in any way defend or assist in defending any criminal prosecution or charge. A violation of this Paragraph shall be cause for removal.

Section 27. Sheriffs
Section 27. In each parish a sheriff shall be elected for a term of four years. He shall be the chief law enforcement officer in the parish, except as otherwise provided by this constitution, and shall execute court orders and process. He shall be the collector of state and parish ad valorem taxes and such other taxes and license fees as provided by law. This Section shall not apply to Orleans Parish.

Section 28. Clerks of Court
Section 28. (A) Powers and Duties; Deputies. In each parish a clerk of the district court shall be elected for a term of four years. He shall be ex officio notary public and registrar of conveyances, mortgages, and other deeds and shall have other duties and powers provided by law. The clerk may appoint deputies with duties and powers provided by law and, with the approval of the district judges, he may appoint minute clerks with duties and powers provided by law.

(B) Office Hours. The legislature shall establish uniform statewide office hours for clerks of the district courts.

Section 29. Coroners
Section 29. In each parish a coroner shall be elected for a term of four years. He shall be a licensed physician and possess the other qualifications and perform the duties provided by law. In addition to the requirements that he be a licensed physician shall be inapplicable in any parish in which no licensed physician will accept the office.

Section 30. Vacancies
Section 30. When a vacancy occurs in the following offices, the duties of the office, until it is filled by election as provided by law, shall be assumed by the persons herein designated by the requirements of the office: (1) district attorney, by the first assistant; (2) district attorney, by the first assistant; (3) district attorney, by the chief deputy; (4) coroner, by the chief deputy. If there is no such person to assume the duties when the vacancy occurs, the governing authorities of the parish or parishes concerned shall appoint a qualified person to assume the duties of the office until filled by election.

Adopted such a home rule charter or plan of government

Section 31. Reduction of Salaries and Benefits Prohibited
Section 31. The salary and retirement benefits of an attorney general, district attorney, sheriff, coroner, or clerk of the district court shall not be diminished during his term of office.

Section 32. Orleans Parish Courts, Officials
Section 32. Except as provided relating to terms of office as provided elsewhere in this Article, and notwithstanding any other contrary provision of this constitution, the following courts and officers in Orleans Parish are continued, subject to change by law: the civil and criminal district courts; the city, municipal, traffic, and juvenile courts; the clerks of the civil and criminal district courts; the civil and criminal sheriffs; the constables and the clerks of the first and second city courts; the registrar of conveyances; and the recorder of mortgages.

Section 33. Jurors
Section 33. (A) Qualifications. A citizen of the state who has reached the age of majority is eligible to serve as a juror within the parish in which he is domiciled. The legislature may provide additional qualifications.

(B) Exemptions. The supreme court shall provide by rule for exemption of jurors.

Section 34. Grand Jury
Section 34. (A) Grand Jury. There shall be a grand jury of the grand jury of each parish, whose qualifications, duties, and responsibilities shall be provided by law. The secrecy of the proceedings, including the identity of witnesses, shall be provided by law.

(B) Right to Counsel. The legislature may establish by law terms and conditions under which a witness may have the right to the advice of counsel while testifying before the grand jury.

ARTICLE VI. LOCAL GOVERNMENT

PART I. GENERAL PROVISIONS

Section 1. Parishes
Section 1. (A) Parishes and Boundaries Ratified. Parishes and their boundaries as established on the effective date of this constitution are recognized and ratified.

(B) Creation; Dissolution; Merger; Boundaries. The legislature by law may establish and organize new parishes, dissolve and merge parishes, and change parish boundaries if approved by two-thirds of the voters in each parish affected voting therein at an election held for that purpose.

(C) Change of Parish Seat. The governing authority of a parish may call an election on the question of changing the parish seat. The parish seat shall be changed if approved by two-thirds of the voters therein voting thereon.

(D) Adjustment of Duties and Liabilities. When a parish is enlarged or established from contiguous territory, it shall be entitled to a just proportion of the property and assets and shall be liable for a just proportion of the existing debts and liabilities of the parish or parishes from which the territory is taken.

Section 2. Municipalities
Section 2. The legislature shall provide by general law for the incorporation, consolidation, merger, and government of municipalities. No local or special law shall create a municipal corporation or amend, modify, or repeal a municipal charter. However, a special legislative charter existing on the effective date of this constitution may be amended, modified, or repealed by local or special law.

Section 3. Classification
Section 3. The legislature may classify parishes or municipalities according to population or on any other reasonable basis related to the purpose of the classification. Legislation may be limited in its effect to any of such class or classes.

Section 4. Existing Home Rule Charters and Plans of Government
Section 3. Every home rule charter or plan of government existing or adopted when this constitution is adopted shall remain in effect and may be amended, modified, or repealed as provided therein. Except as inconsistent with this constitution, each local governmental subdivision which has
shall retain the powers, functions, and duties in effect when this constitution is adopted. If its charter permits, each of them also shall have the right to powers and functions granted to other local governmental subdivisions.

Section 5. Home Rule Charter
Section 5. (A) Authority to Adopt; Commission. Subject to and not inconsistent with this constitution, any local governmental subdivision may draft, adopt, or amend a home rule charter consistent with this section. The governing authority of a local governmental subdivision may appoint a commission to prepare and propose a charter or an alternate charter, or it may call an election to elect such a commission.

(B) Petition to Elect Commission. The governing authority shall call an election to elect such a commission when presented with a petition signed by not less than ten percent of the electors or ten thousand electors, whichever is fewer, who live within the boundaries of the affected subdivision, as certified by the registrar of voters.

(C) Adoption; Amendment; Repeal. A home rule charter shall be adopted, amended, or repealed when approved by a majority of the electors voting thereon at an election held for that purpose.

(D) Adoption by Two or More Local Governmental Subdivisions. Two or more local governmental subdivisions within the boundaries of one parish may adopt a home rule charter consistent with this section if approved by a majority of the electors in each affected local governmental subdivision voting thereon in an election held for that purpose. The legislature shall provide by law the method of appointment or election of commissioners to prepare and propose a charter consistent with Paragraph (A) of this Section and the method by which the electors may petition for an election consistent with Paragraph (B) of this Section. However, at least one member of the commission shall be elected or appointed from each affected local governmental subdivision.

(E) Structure and Organization; Powers; Functions. A home rule charter adopted under this Section shall provide the structure and organization, powers, and functions of the government of the local governmental subdivision, which may include the exercise of any power and performance of any function necessary, requisite, or proper for the management of its affairs, not denied by general law or inconsistent with this constitution.

(F) Additional Powers and Functions. Except as prohibited by its charter, a local governmental subdivision adopting a home rule charter under this Section shall have the additional powers and functions granted to local governmental subdivisions by other provisions of this constitution.

(G) Parish Officials and School Boards Not Affected. No home rule charter or plan of government shall contain any provision affecting a school board or the offices of district attorney, sheriff, assessor, clerk of a district court, or coroner, unless consistent with this constitution or law.

Section 6. Home Rule Charter or Plan of Government; Action by Legislature Prohibited
Section 6. The legislature shall enact no law the effect of which changes or affects the structure and organization or the particular distribution and redistribution of the powers and functions of any local governmental subdivision which operates under a home rule charter.

Section 7. Powers of Other Local Governmental Subdivisions
Section 7. (A) Powers and Functions. Subject to and not inconsistent with this constitution, the governing authority of a local governmental subdivision which has no home rule charter or plan of government may 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, if a majority of the electors voting in an election held for that purpose vote in favor of the proposition that the governing authority may exercise such general powers. Ordinances of the local governmental subdivision shall have the powers authorized by this constitution or by law.

(B) Parish Officials and School Boards Not Affected. Nothing in this Section shall affect the powers and functions of a school board or the offices of district attorney, sheriff, assessor, clerk of a district court, or coroner.

Section 8. Home Rule Parish; Incorporation of Cities, Towns, and Villages
Section 8. No parish plan of government or home rule charter shall prohibit the incorporation of a city, town, or village as provided by general law.

Section 9. Limitations of Local Governmental Subdivisions
Section 9. (A) Limitations. No local governmental subdivision shall (1) define and provide for the punishment of a felony; or (2) except as provided by law, enact an ordinance governing private or civil relationships.

(B) Police Power Not Abridged. Notwithstanding any provision of this Article, the police power of the state shall never be abridged.

Section 10. Codification of Ordinances
Section 10. Within two years after the effective date of this constitution, the governing authority of each political subdivision shall have a code prepared containing all of its general ordinances. When the code is prepared, the governing authority shall make an ordinance for the distribution of all general ordinances adopted before the approval of the code shall be amendments or additions to the code.

Section 11. Local Officials
Section 11. The electors of each local governmental subdivision shall have the exclusive right to elect their governing authority. Nothing herein shall be construed to provide for the election of the members from single-member districts.

Section 12. Local Officials; Compensation
Section 12. The compensation or method of fixing the compensation of an elected official of any local governmental subdivision which operates under a home rule charter or plan of government, as provided in Sections 4 and 5 of this Article, may be provided in its charter. The compensation or method of fixing the compensation of any other local governmental subdivision shall be provided by law. Compensation of a local official shall not be reduced during the term for which he is elected.

Section 13. Vacancies
Section 13. (A) Vacancy; Appointment. Except as otherwise provided by this constitution, a vacancy in any local official elected by election wholly within the boundaries of a local governmental subdivision or a school district shall be filled by appointment by the particular governing authority of the local governmental subdivision or school district in which the vacancy occurs, until it is filled by election as provided by law.

(B) Exception. This Section shall apply to each local governmental subdivision unless otherwise provided by its home rule charter or plan of government.

Section 14. Increasing Financial Burden of Political Subdivisions
Section 14. No law requiring increased expenditures for welfare, working conditions, or retirement benefits, vacation, or sick leave benefits of political subdivision employees, except a law providing for civil service, minimum wages, working conditions, and retirement benefits for firemen and municipal policemen, shall become effective until approved by ordinance enacted by the governing authority of the affected political subdivision or until the legislature appropriates funds for the purpose to the affected political subdivision and only to the extent and amount that such funds are provided. This Section shall not apply to a school board.

Section 15. Local Governmental Subdivisions; Control of Agencies
Section 15. The governing authority of a local governmental subdivision shall have general power over any agency heretofore or hereafter created by it, including, without limitation, the power to abolish the agency and require prior approval of any charge or tax levied or bond issued by the agency.

Section 16. Special Districts and Local Public Agencies
Section 16. (A) Consolidation. A local governmental subdivision shall not merge with itself or another governmental subdivision, thereby forming a special district or local public agency, except a school district, but if any special district or local public agency, except a school district, continues to and is vested with all of the rights, revenues, resources, ju-
risdiction, authority, and powers of the special district or local public agency. A consolidation and merger shall be effective only if approved by a majority of the electors voting thereon in the local governmental subdivision as a whole and by a majority of the electors voting thereon in the affected special district. A local public agency shall be consolidated and merged only if approved by a majority of the electors voting thereon in an election held for that purpose in the local governmental subdivision in which the agency is located.

(B) Assumption of Debt. If the special district or local public agency which is consolidated and merged has outstanding indebtedness, the authority provided by this Section shall not be exercised unless provision is made for the assumption of the indebtedness by the governing authority of the local governmental subdivision involved.

Section 17. Land Use; Zoning; Historic Preservation
Section 17. Subject to uniform procedures established by law, a local governmental subdivision may (1) adopt regulations for land use, zoning, and historic preservation, which authority is declared to be a public purpose; (2) create commissions and districts to implement those regulations; (3) review decisions of any such commission; and (4) adopt standards for use, construction, demolition, and modification of areas and structures. Existing constitutional authority for historic preservation commissions is retained.

Section 18. Industrial Areas
Section 18. (A) Authorization. The legislature by law may authorize parishes to create and define industrial areas within their boundaries in accordance with procedures and subject to regulations which it determines. An industrial area shall not be a political subdivision of the state. (B) Access by Public Road; Police Protection. When an industrial area is created, there shall be maintained access by public road to each entrance to the premises of every plant in the area, which is provided for use by employees of the company, or for use by employees of independent contractors working on the premises, or for delivery of materials or supplies, other than by rail or water transportation, to the premises. Police protection provided by any plant in an industrial area shall be confined to the premises of that plant.

Section 19. Special Districts; Creation
Section 19. Subject to and not inconsistent with this constitution, the legislature by general law or by local or special law, or by authorized creation of special districts, boards, agencies, commissions, and authorities of every type, define their powers, and grant to the special districts, boards, agencies, commissions, and authorities so created such rights and authorities as it deems proper, including, but not limited to, the power of taxation and the power to incur debt and issue bonds.

Section 20. Intergovernmental Cooperation
Section 20. Except as otherwise provided by law, a political subdivision may exercise and perform any authorized power and function, including financing, jointly or in cooperation with one or more political subdivisions, either within or without the state, or with the United States or its agencies.

Section 21. Assistance to Local Industry
Section 21. (A) Authorization. In order to (1) induce and encourage the location of or addition to industrial enterprises therein which would have economic impact upon the area and thereby the state, (2) provide for the establishment and furnishing of such industrial plant, or (3) provide movable or immovable property, or both, for pollution control facilities, the legislature by law may authorize, subject to restrictions, to impose, any special taxes, special privilege taxes, water port commission, or deep-water port, harbor, and terminal district to (a) issue bonds, subject to approval by the State Bond Commission or its successor, and use the funds derived from the sale of the bonds to acquire and improve industrial plant sites and other property necessary to the purposes thereof; (b) acquire, through purchase, donation, exchange, and (subject to Article I, Section 4) expropriation, and improve industrial plant buildings and industrial plant equipment, machinery, furnishings, and appurtenances; and (c) sell, lease, lease-purchase, or demolish all or any part of the foregoing.

(B) Property Expropriated; Sale to Aliens Prohibited. No property expropriated under the authority of this Section shall ever, directly or indirectly, be sold or donated to any foreign power, any alien, or any corporation in which the majority of the stock is controlled by any foreign power, alien corporation, or alien.

(C) Exception. This Section shall not apply to a school board.

Section 22. Procedure for Certain Special Elections
Section 22. When an election is required in a political subdivision under the provisions of this constitution which require submission to the electors of a proposition or question, the election for the submission of the election shall be held in accordance with the election laws, and the returns thereof,Canvased, in accordance with the procedures established by the law then in effect pertaining to elections for incurring bonded indebtedness and special taxes relative to local finance, or as may be otherwise provided by law.

Section 23. Acquisition of Property
Section 23. Subject to and not inconsistent with this constitution and subject to restrictions provided by general law, political subdivisions may acquire property for any public purpose by purchase, donation, expropriation, exchange, or otherwise.

Section 24. Servitudes of Way; Acquisition by Prescription
Section 24. The public, represented by local governmental subdivisions, may acquire servitudes of way by prescription in the manner prescribed by law.

Section 25. Courts Not Affected
Section 25. Notwithstanding any provision of this Article, courts and their officers may be established or affected only as provided in Article V of this constitution.

PART II. FINANCE

Section 26. Parish Ad Valorem Tax
Section 26. (A) Parish Tax for General Purposes; Millage Limits; Increase. The governing authority of a parish may levy annually an ad valorem tax for general purposes not to exceed four mills on the dollar of assessed valuation. However, in Orleans Parish the limitation shall be seven mills, and in Jackson Parish the limitation shall be five mills. Millage rates may be increased in any parish when approved by a majority of the electors voting thereon in an election held for that purpose.

(B) Millage Increase Not for General Purposes. When the millage increase is for other than general purposes, the proposition shall state the specific purpose or purposes for which the tax is to be levied and the length of time the tax is to remain in effect. All proceeds of the tax shall be solely for the purpose or purposes for which the proposition is framed.

(C) Parish Tax in Municipality. The amount of the parish tax for general purposes which any parish, except Orleans Parish, may levy, without a vote of the electors, on property located wholly within any municipality which has a population exceeding one thousand inhabitants according to the last federal decennial census, or other census authorized by law, and which provides and maintains a system of street paving, shall not exceed one-half the tax levy for general purposes.

(D) Withdrawal from Parish Taxing Authority. This Section shall not affect the withdrawal of property in a municipality from parish taxing authority, in whole or in part, by a provision of the legislative charter of a municipality in effect on the effective date of this constitution.

Section 27. Municipal Ad Valorem Tax
Section 27. (A) Municipal Tax for General Purposes; Millage Limits; Increase. The governing authority of a municipality may levy annually an ad valorem tax for general purposes not to exceed seven mills on the dollar of assessed valuation. However, if a municipality, by its charter or by law, is exempt from payment of parish taxes or, under legislative or constitutional authority, maintains its own public sewer, it may levy an additional tax, not to exceed ten mills, on the dollar of assessed valuation. Millage rates may be increased in any municipality when approved by a majority of the electors voting thereon in an election held for that purpose.
Section 28. Local Governmental Subdivisions; Occupation-
al License Tax

Section 28. The governing authority of a local government-
mental subdivision may impose an occupational license tax not
greater than that imposed by the state. Those who pay a
municipal occupational license tax shall be exempt from a
parish occupational license tax in the amount of the mu-
unicipal tax. The governing authority of a local government-
mental subdivision may impose an occupational license tax
greater than that imposed by the state when authorized
by law enacted by the favorable vote of two-thirds of the
elected members of each house of the legislature.

Section 29. Local Governmental Subdivisions and School
Boards; Sales Tax

Section 29. (A) Sales Tax Authorized. Except as otherwise
authorized in a home rule charter as provided for in Section 4
of this Act, a governing authority of any local govern-
mental subdivision or school board may levy and collect
a tax upon the sale at retail, the use, the lease or rental,
the consumption, and the storage for use or consumption,
of tangible personal property and on sales of services as
defined by law if approved by the majority of the electors
voting thereon in an election held for that purpose. The rate
thereof, when combined with the rate of all other sales and use
taxes, exclusive of state sales and use taxes, levied and col-
lected or, if any local governmental subdivision, shall not
exceed three percent.

(B) Additional Sales Tax Authorized. However, the legis-
lature, by general or by local or special law, may autho-
rize the imposition of additional sales and use taxes in
local governmental subdivisions or school boards, if approved
by a majority of the electors voting thereon in an election
held for that purpose.

(C) Bonds; Security. Nothing in this Section shall affect
any sales or use tax authorized or imposed on the effective
date of this constitution or affect or impair the security
of any bonds payable from the proceeds of the tax.

(D) Exemptions; Protection of Bonds. Except when bonds
secured thereby have been authorized, the legislature by
law may uniformly exempt or exclude any goods, tangible
personal property, or services from sales or use taxes levied
by local governmental subdivisions, school boards, and the
state.

Section 30. Political Subdivisions; Taxing Power

Section 30. A political subdivision may exercise the power
of taxation, subject to limitations elsewhere provided by
this constitution, under authority granted by the legislature
for parish, municipal, and other local purposes, strictly pub-
ic in their nature. This Section shall not affect similar grants
to political subdivisions under self-operative sections of this
constitution.

Section 31. Taxes; Ratification

Section 31. Any tax validly being levied by a political sub-
division under prior legislative or constitutional authority
on the effective date of this constitution is ratified.

Section 32. Special Taxes; Authorization

Section 32. For the purpose of acquiring, constructing,
 Improving, maintaining or operating any work of public
improvement, a political subdivision may levy special taxes
when authorized, licensed or the political
subdivision who vote thereon in an election held for that
purpose.

Section 33. Political Subdivisions; General Obligation
Bonds

Section 33. (A) Authorization. Subject to approval by the
State Bond Commission or its successor, general obligation
bonds may be issued only after authorization by a majority of
the electors voting on the proposition at an election in
the political subdivision issuing the bonds. Bonds to refund
outstanding indebtedness at the same or at a lower effective
rate of interest, even though payable at a future time, need not
be authorized at the election if the indebted-
ness refunded is paid or cancelled at the time of the
delivery of the refunding bonds, or if money, or securities
made eligible for such purpose by law, are deposited in
an escrow account for the redemption of the bonds, and
the proceeds collected on all taxable property in the political
subdivision at ad valorem taxes sufficient to pay principal and
interest and redemption premiums, if any, on such bonds as
they mature.

Section 34. Limitations on Bonded Indebtedness

Section 34. The legislature by law shall fix the limitation on
bonded indebtedness solely from ad valorem
taxes levied by political subdivisions.

Section 35. Contesting Political Subdivision Bonds

Section 35. (A) Contesting Election; Time Limit. For six-
ty days after promulgation of the result of an election held
to incur or assume debt, issue bonds, or levy a tax, any
person in the county may contest the legality of the elec-
tion, the bond issue provided for, or the tax authorized, for
any cause. After that time no one shall have any cause or right
of action to contest the regularity, formality, or legality
of the election, tax provisions, or bond authorization, for
any cause whatsoever. If the validity of any election, tax,
debt assumption, or bond issue authorized or provided for
is not raised within the sixty days, the authority to incur
or assume debt, levy the tax, or issue the bonds, the legality
of the election, or the tax provisions, may be conclusively
presumed to be valid, and no court shall have authority to inquire into such matters.

(B) Contesting Ordinance or Resolution; Time Limit. Ev-
ey ordinance or resolution authorizing the issuance of bonds
or other debt obligation by a political subdivision shall be
published at least once in the official journal of the political
subdivision or, if there is none, in a newspaper having
general circulation therein. For thirty days after the date
of publication, any person in the county may contest the
legality of the ordinance or resolution and of any provision
therein made for the security and payment of the bonds.
After that time, no one shall have any cause of action to
contest the regularity, formality, legality, or effectiveness
of the ordinance or resolution and provisions thereof for
any cause whatsoever. Thereafter, it shall be conclusively
presumed that every legal requirement for the issuance of the
bonds or other debt obligation, including all things pertaining
to the election, if, at any time, the bonds or other debt obli-
gation were authorized, has been complied with. No court
shall have authority to inquire into any of these matters
after the thirty days.

Section 36. Local Improvement Assessments

Section 36. (A) Authorization. The legislature shall pro-
vide for the general law on local or special assessments for
the purpose of acquiring, constructing, or improving works of public
improvement.

(B) Certificates of Indebtedness; Security. Certificates of
indebtedness may be issued to cover the cost of any such
public improvement. They shall be secured by the pledge of
the local or special assessments levied therefor and may be
secured, if so provided by the pledge of the full faith and credit
of the political subdivision.

(C) Exception. This Section shall not apply to a school
board.

Section 37. Revenue-Producing Property

Section 37. (A) Authorization. The legislature by law may
authorize political subdivisions to issue any debt, obligations to
construct, acquire, extend, or improve any revenue-producing public utility or work of public improve-
mint. The bonds or other debt obligations may be secured
Article 1. Power to Tax: Public Purpose

Section 1. Except as otherwise provided by this constitution, the power of taxation shall be vested in the legislature, shall never be surrendered, suspended, or contracted away, and shall be exercised for public purposes only.

Section 2. Power to Tax: Limitation

Section 2. The levy of a new tax, an increase in an existing tax, or a repeal of an existing tax exemption shall require the enactment of a law by two-thirds of the elected members of each house of the legislature.

Section 3. Collection of Taxes

Section 3. The legislature shall prohibit the issuance of process to restrain the collection of any tax. It shall provide...
Section 4. Income Tax; Severance Tax; Political Subdivisions

Section 4. (A) Income Tax. Equal and uniform taxes may be levied on net incomes, and these taxes may be graduated according to the amount of net income. However, the state individual and joint income tax schedule of rates shall never exceed the rates set forth in Title 52 of the Louisiana Revised Statutes on January 1, 1974. Federal income taxes paid shall be allowed as a deductible item in computing state income taxes for the same period.

(B) Severance Tax. Taxes may be levied on natural resources severed from the soil or water, to be paid proportionately by the owners thereof at the time of severance. Natural resources may be classified for the purpose of taxation. Such taxes may be predicated upon either the quantity or value of the products at the time and place of severance. No further or additional tax or license shall be levied or imposed upon oil, gas, or sulphur leases or rights. No additional value shall be added to the assessment of land by reason of the presence of oil, gas, or sulphur thereon or their production therefrom. However, sulphur in place shall be assessed for ad valorem taxation to the person, firm, or corporation having the right to mine or produce the same in the parish where located, at no more than twice the value of the adjusted value of the mineral properties subject to taxation, excluding the assessed value of sulphur above ground, as is used in sulphur operations in such parish. Likewise, the severance tax shall be the only tax on timber; however, standing timber shall be liable equally with the land on which it stands for ad valorem taxes levied on the land.

(C) Severance Tax; Political Subdivisions. A political subdivision of the state shall not levy a severance tax, income tax, or privilege tax on motor fuel.

(D) Severance Tax Allocation. One-third of the sulphur severance tax, but not to exceed one hundred thousand dollars; one-fifth of the severance tax on all natural resources, other than sulphur or timber, but not to exceed five hundred thousand dollars; and three-fourths of the timber severance tax shall be remitted to the governing authority of the parish in which severance or production occurs.

(E) Royalties and Ground Leases. On all of the oil and gas from minerals in the state-owned land, lake and river beds and other water bottoms belonging to the state or the title to which is in the public for mineral development shall be remitted to the governing authority of the parish in which severance occurs. Such state-owned governing authority may fund these royalties into general obligation bonds of the parish in accordance with law. The provisions of this Paragraph shall not apply to properties comprising the Russell Sage Wildlife and Game Refuge.

Section 5. Motor Vehicle License Tax

Section 5. The legislature shall impose an annual license tax of three dollars on automobiles for private use, and on other motor vehicles, an annual license tax based upon horsepower, carrying capacity, weight, or any of these. No parish or municipality may impose a license fee on motor vehicles.

Section 6. State Debt; Full Faith and Credit Obligations

Section 6. (A) Authorization. Unless otherwise authorized by this constitution, the state shall have no power, directly or indirectly, or through any state board, agency, commission, or otherwise, to incur debt or issue bonds except by law enacted by a majority of the members of each house of the legislature. The debt may be incurred or the bonds issued only if the funds are to be used to repel invasion; suppress insurrection; provide relief from natural catastrophes; or fund outstanding indebtedness at the same or a lower effective interest rate; or make capital improvements, but only in accordance with a comprehensive capital budget, which the legislature shall adopt.

(B) Capital Improvements. If the purpose is to make capital improvements, the nature and location and, if more than one project, the amount allocated to each and the order of priority shall be stated in the comprehensive capital budget which the legislature adopts.

(C) Full Faith and Credit. The full faith and credit of the state shall be pledged to the repayment of all bonds or other evidences of indebtedness issued by the state directly or through any state board, agency, or commission pursuant to the provisions of Paragraphs (A) and (B) hereof. The full faith and credit of the state is hereby pledged to the repayment of bonds of a levee district, political subdivision, or local public agency. In addition, any state board, agency, or commission authorized by law to issue bonds, in accordance with the provisions of Paragraphs (A) and (B) hereof, such revenue bonds shall not carry the pledge of the full faith and credit of the state and the issuance of the bonds shall not constitute the incurring of state debt under this constitution. The rights granted to deep-water port commissions or deep-water port, harbor, and terminal districts under this constitution shall not be impaired by this Section.

(D) Referendum. The legislature, by law enacted by two-thirds of the elected members of each house, may propose a statewide public referendum to authorize incurrence of debt for any purpose for which the legislature is not herein authorized to incur debt.

(E) Exception. Nothing in this Section shall apply to any levee district, political subdivision, or local public agency unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district, political subdivision, or local public agency.

Section 7. State Debt; Interim Emergency Board

Section 7. (A) Composition. The Interim Emergency Board is created. It shall be composed of the governor, lieutenant governor, state treasurer, state auditor, chairman of the legislature, chairman of the Senate Finance Committee, and chairman of the House Appropriations Committee, or their designees.

(B) Powers. Between sessions of the legislature, when the board by majority vote determines that an emergency exists, it may appropriate from the state general fund or borrow on the full faith and credit of the state an amount to meet emergency needs. The appropriation may be made from the state general fund only for a purpose for which the legislature may appropriate funds and then only after the board obtains, as provided by law, the written consent of two-thirds of the elected members of each house of the legislature. For the purpose of this provision, an emergency is an event or occurrence not reasonably anticipated by the legislature.

(C) Limits. The aggregate of indebtedness outstanding at any one time and in any one fiscal year may not exceed one-tenth of the state general fund for the current fiscal year under the authority of this Section shall not exceed one-tenth of percent of total state revenue receipts for the previous fiscal year.

(D) Allocation. An amount sufficient to pay indebtedness incurred during the preceding fiscal year under the authority of this Section is allocated, as a first priority, each year from the state general fund.

Section 8. State Bond Commission

Section 8. (A) Creation. The State Bond Commission is created. Its membership and authority shall be determined by the provisions hereof.

(B) Approval of Bonds. No bonds or other obligations shall be issued or sold by the state, directly or through any state board, agency, or commission, or by any political subdivision of the state, unless prior written approval of the bond commission is obtained.

(C) Contesting State Bonds. Bonds, notes, certificates, or other evidences of indebtedness of the state (hereafter referred to as "bonds") shall not be invalid because of any irregularity or defect in the proceedings or in the issuance and sale thereof and shall be incontrovertable in the hands of a bona fide purchaser or holder. The issuing agency, after authorizing the issuance of bonds by resolution, shall publish once in the official journal of the state, as provided by law, a notice of intention to issue the bonds. The notice
shall include a description of the bonds and the security therefor. Within thirty days after the publication, any person in interest may contest the legality of the resolution, any provision of the bonds to be issued pursuant to it, the provisions securing the bonds, and the validity of all other provisions and proceedings relating to the authorization and issuance of the bonds. If no action or proceeding is instituted within the thirty days, no person may contest the validity of the bonds, the provisions of the resolution pursuant to which the bonds were issued, the security of the bonds, or the validity of any other provisions or proceedings relating to their authorization and issuance, and the bonds shall be presumed conclusively to be legal. Thereafter no court shall have authority to inquire into such matters.

Section 9. State Funds

Section 9. (A) Deposit in State Treasury. All money received by the state or by any state board, agency, or commission shall be deposited immediately upon receipt in the state treasury, except that received:

(1) as a result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise;

(2) by trade or professional associations;

(3) by the employment security administration fund or its successor;

(4) by department system funds;

(5) by state agencies operating under authority of this constitution preponderantly from fees and charges for the shipment of goods in international maritime trade and commerce; and

(B) by a state board, agency, or commission, but pledged by it in connection with the issuance of revenue bonds as provided in Paragraph (C) of Section 6 of this Article, other than any surplus as may be defined in the law authorizing such revenue bonds.

Section 9. (B) Bond Security and Redemption Fund. Subject to contractual obligations existing on the effective date of this constitution, all state money deposited in the state treasury shall be credited to a special fund designated as the Bond Security and Redemption Fund, except money received as the result of grants or donations or other forms of assistance when the terms and conditions thereof or of agreements pertaining thereto require otherwise. In each fiscal year in which an amount is allocated from the bond security and redemption fund sufficient to pay all obligations which are secured by the full faith and credit of the state and which become due and payable within the current fiscal year, including principal, interest, premiums, sinking or reserve fund requirements, the legislature, except as otherwise provided by law, may credit the state general fund.

(C) Exception. Nothing in this Section shall apply to a levee district or political subdivision unless the full faith and credit of the state is pledged to the payment of the bonds of the levee district or political subdivision.

Section 10. Expenditure of State Funds

Section 10. (A) Appropriations. Except as otherwise provided by this constitution, money shall be drawn from the state treasury only pursuant to an appropriation made in accordance with the Balanced Budget. Total appropriations by the legislature for any fiscal year shall not exceed anticipated state revenues for that fiscal year.

(C) Publication. The legislature shall publish a regular statement of receipts and expenditures of all state money at intervals of not more than one year.

(D) Public Purpose. No appropriation shall be made except for a public purpose.

Section 11. Budgets

Section 11. (A) Operating Budget. The governor shall submit to the legislature, at a time fixed by law, a budget estimate for the next fiscal year setting forth all proposed state appropriations and anticipated state revenues. The budget shall be submitted to the general assembly at its first regular session in the year following its adoption by the legislature. It shall be submitted in such form and manner as the legislature may prescribe. The budget shall be subject to legislative approval or disapproval before it can become law. If the legislature approves the budget, it shall be a legal obligation of the state. The budget shall be submitted to the legislature at each regular session, a proposed five-year capital outlay program and request implementation of the first year of the program. Capital outlay projects approved by the legislature shall be made a part of the comprehensive state capital budget, which shall be adopted by the legislature.

Section 12. Reports and Records

Section 12. (A) Reports and records of the collection, expenditure, investment, and use of state money and those relating to state obligations shall be matters of public record, except returns of taxpayers and matters pertaining to those returns.

Section 12. Investment of State Funds

Section 13. All money in the custody of the state treasurer with which interest is capable of being earned shall be invested in public or private enterprises. The state treasurer shall have the power, with the advice and consent of the legislature, to purchase property, securities, or other investments, or any combination thereof, the money obtained by which will be available for the purpose of earning interest. Any such investment shall be kept in such form as shall be determined by the legislature, except that no investment shall consist of anything which is not subject to taxation under the laws of the United States or of any state. The state treasurer shall have power to invest in any manner in which the state auditor may invest money in his hands, and the state auditor shall have power to invest in any manner in which the state treasurer may invest money in his hands.

Section 14. Donations, Loan, or Pledge of Public Credit

Section 14. (A) Prohibited Uses. Except as otherwise provided by this constitution, the funds, credit, property, or things of value of the state or of any political subdivision shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private. Neither the state nor a political subdivision shall subscribe to or purchase the stock of a corporation or association or for any private enterprise.

Authorized Uses. Nothing in this Section shall prevent the use of public funds for programs of social welfare for the aid and support of the needy; (2) contributions of public funds to pension and insurance programs for the benefit of public employees; or (3) the pledge of public credit, revenue, or public property with respect to the issuance of bonds or other evidences of indebtedness to meet public obligations as provided by law.

Section 15. Release of Obligations to State, Parish, or Municipality

Section 15. The legislature shall have the power to release, extingush, or authorize the releasing or extinguishing of all obligations, liabilites, or obligation of a corporation or individual to the state, a parish, or a municipality. However, the legislature, by law, may establish a system under which claims by the state or a political subdivision may be compromised, and may provide for the release of heirs to confiscated property from taxes due thereon at the date of its reversion to them.

Section 16. Taxes; Prescription

Section 16. Taxes, except real property taxes, and licenses shall prescribe in three years after the thirty-first day of December in the year in which they are due, but prescription may be interrupted or suspended as provided by law.

Section 17. Legislation to Obtain Federal Aid

Section 17. The legislature may enact laws to enable the state and its agencies, any political subdivision and their agencies to comply with federal laws and regulations in order to secure federal participation in funding capital improvement projects.

PART II. PROPERTY TAXATION

Section 18. Ad Valorem Taxes

Section 18. (A) Assessments. Property subject to ad valorem taxation shall be assessed at its assessed valuation, which, except as provided in Paragraph (C), shall be a percentage of its fair market value. The percentage of fair market value shall be uniform throughout the state upon the same class of property.
dedicated places of burial, charitable, health, welfare, fraternal, or educational purposes, no part of the net earnings of which inure to the benefit of any private shareholder or member thereof and which is declared to be exempt from federal or state income tax; (2) property of a bona fide labor organization representing its members or affiliates in collective bargaining efforts; and (3) property of an organization such as a lodge or club organized for charitable and fraternal purposes and practicing the same, and property of a nonprofit corporation devoted to promoting trade, travel, and commerce, and also property of a trade, business, industry or professional society or association, if that property is owned by a nonprofit corporation or association organized under the laws of this state for such purposes.

1. The property described in Paragraph (B) shall be exempt if owned, operated, leased, or used for commercial purposes unrelated to the exempt purposes of the corporation or association.

(C) (1) Cash on hand or deposit; (2) stocks and bonds, except bank stocks, the tax on which shall be paid by the banking institution; (3) obligations secured by mortgage on property located in Louisiana and the notes or other evidence thereof; (4) shares of life insurance companies to policyholders, if secured solely by their policies; (5) the legal reserve of domestic life insurance companies; (6) loans by a homestead or building and loan association to its members, if secured solely by stock of the association; (7) debts due for merchandise or other articles of commerce or for services rendered; (8) obligations of the state or its political subdivisions; (9) personal property used in the home or on loan in a public place; (10) irrevocably dedicated places of burial held by individuals for purposes of burial of themselves or members of their families; (11) agricultural products while owned by the producer, agricultural machinery and other implements used exclusively for agricultural purposes, animals on the farm, and property belonging to an agricultural fair association; (12) property used for cultural, Mardi Gras carnival, or civic activities and not operated for profit to the owners; (13) rights-of-way granted to the State Department of Highways; (14) boats using gasoline as motor fuel; (15) commercial vessels used for gathering seafood for human consumption; and (16) ships and oceangoing tugboats, towboats, and barges engaged in international trade and domiciled in Louisiana ports. However, this exemption shall not apply to harbor, storage, and other port taxes or to any vessel operated in the coastal trade of the states of the United States.

(D) (1) Raw materials, goods, commodities, and articles imported into this state from outside the states of the United States; (a) so long as the imports remain on the public property of the port authority or docks of the common carrier where they first entered this state; (b) so long as the imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in the original form in bales, sacks, boxes, cartons, containers, or other original packages, and raw materials held as all or part of the inventory of manufacturers or processors, solely for manufacturing or processing; or (c) so long as the imports are held by an importer in any public or private storage in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages and agricultural products in bulk. This exemption shall not apply to these imports when held by a retail merchant as part of his stock-in-trade for sale at retail. (2) Raw materials, goods, commodities, and articles being held on the public property of a port authority, on docks of any common carrier, or in a warehouse, grain elevator, dock, wharf, or public storage facility in this state for export to a point outside the states of the United States; (a) so long as the imports remain on the public property of the port authority or docks of the common carrier where they first entered this state; (b) so long as the imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages and agricultural products in bulk. This exemption shall not apply to these imports when held by a retail merchant as part of his stock-in-trade for sale at retail. (3) Goods, commodities, and personal property in public or private storage while in transit through this state which are moving in interstate commerce through or over the territory of the state or which are in public or private storage
within Louisiana, having been shipped from outside Louisiana in transit to a final destination outside Louisiana, whether such destination was specified when transportation began or afterward.

Property described in Paragraph (D), whether or not entitled, shall be subject to the proper taxing authority on the forms required by law.

(E) Motor vehicles used on the public highways of this state, from state, parish, and special ad valorem taxes. This exemption shall not extend to any general or special taxes levied by a municipal governing authority, or by a district created by it, unless the governing authority thereof provides for the exemption by ordinance or resolution.

(F) Notwithstanding any contrary provision of this Section, the Board of Commerce and Industry or its successor, with the approval of the governor, may enter into contracts for the exemption from ad valorem taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the governor, deems in the best interest of the state.

The exemption shall be for an initial term of no more than five calendar years, and may be renewed for additional five year terms. All property accepted shall be removed from the assessment rolls and submitted to the Louisiana Tax Commission or its successor, but no taxes shall be collected thereon during the period of exemption.

The terms "manufacturing establishment" and "addition" as used herein mean a new plant or establishment or an addition or additions to any existing plant or establishment which engages in the business of working raw materials into wares suitable for use or which gives new shapes, qualities, or combinations to matter which already has gone through some artificial process.

Section 22. No Impairment of Existing Taxes or Obligations

Section 22. This Part shall not be applied in a manner which will (a) invalidate taxes authorized and imposed prior to the effective date of this constitution or (b) impair the obligations, validity, or security of any bonds or other debt obligations authorized prior to the effective date of this constitution.

Section 23. Adjustment of Ad Valorem Tax Millages

Section 23. Prior to the end of the third year after the effective date of this constitution, the assessors and the Louisiana Tax Commission or its successor shall complete determination of the fair market value or the use value of all property for ad valorem tax purposes in the State, and, in the year in which Sections 18 and 20 of this Article are implemented, shall not be increased or decreased, because of their provisions, above or below ad valorem taxes collected by that taxing authority in the year preceding implementation. To accomplish this result, it shall be mandatory for each taxing authority, in the year in which Sections 18 and 20 of this Article are implemented, to adjust millages upwards or downwards without regard to millage limitations contained in this constitution, and the maximum authorized millages shall be increased or decreased, without further voter approval, in proportion to the amount of the adjustment upward or downward. Thereafter, such millages shall remain in effect unless changed as permitted by this constitution. Nothing herein shall prohibit a taxing authority from collecting, in the year in which Sections 18 and 20 of this Article are implemented or in any subsequent year, a larger dollar amount of ad valorem taxes by (a) levying additional or increased millages as provided by law; (b) placing additional property on the tax rolls, or (c) reassessing properties in the future in accordance with this Article after the first determination of that value to implement this Article. This Section shall not apply to millages required to be levied for the payment of general obligation bonds.

Section 24. Tax Assessors

Section 24. (A) Election; Term. A tax assessor shall be elected by the electors of each parish, Orleans Parish excepted. His term of office shall be four years. His election, duties, and compensation shall be provided by law.

(B) Orleans Parish. There shall be seven assessors in New Orleans who shall hold their offices of assessor for Orleans Parish. One shall be elected from each municipal district of New Orleans, and each shall be a resident of the district from which he is elected. The assessors shall be elected at the same time as the municipal officers of New Orleans for terms of four years each. Their duties and compensation shall be as provided by law.

(C) Vacancy. When a vacancy occurs in the office of tax assessor, the duties of the office, until filled by election as provided by law, shall be assumed by the chief deputy assessor, except in Orleans Parish where the Board of Assessors shall appoint an interim assessor.

Section 25. Tax Sales

Section 25. (A) Tax Sales. There shall be no forfeiture of property for nonpayment of taxes. However, at the expiration of the year in which the taxes are due, the collector, without suit, and after giving notice to the delinquent in the manner provided by law, shall advertise for sale the property on which the taxes are due. The advertisement shall be published in the official journal of the parish or municipality, or, if there is no official journal, as provided by law for sheriffs sales, in the manner provided for judgments, within the time prescribed by law after the date of the tax sale. The sale shall be held at the principal tax collector's office. A tax deed by a tax collector shall be prima facie evidence that a valid sale was made.

(B) Redemption. The property sold shall be redeemable within five years after the tax sale, by paying the price given, including costs, five percent penalty thereon, and interest at the rate of one percent per month until redemption.

(C) Annulment. No sale of property for taxes shall be set aside for any cause, except on proof of payment of the taxes prior to the date of the sale, unless the proceeding to annul is instituted within six months after service of notice of sale. A notice of sale shall not be served until the final day for redemption has ended. It must be served within five years after the date of the recordation of the tax deed if no notice is given. The fact that taxes were paid on a part of the property sold prior to the sale thereof, or that a part of the property was not subject to taxation, shall not be cause for annulment of the sale of any part thereof on which the taxes for which it was sold were due and unpaid. No judgment annulling a tax sale shall have effect until the price and all taxes and costs are paid, and until ten percent paid, the interest of any part of the amount of the taxes paid from date of respective payments is paid to the purchaser; however, this shall not apply to sales annulled because the taxes were paid prior to the date of sale.

(D) Quieting Tax Title. The manner of notice and form of proceeding to quiet tax titles shall be provided by law.

(E) Movables; Tax Sales. When taxes on movables are delinquent, the tax collector shall seize and sell sufficient movable property of the delinquent taxpayer to pay the tax, whether or not the property seized is the property which was assessed. Sale of the property shall be at public auction, without appraisement, after ten days advertisement, published within ten days after date of seizure. It shall be absolute and without redemption.

(F) Postponement of Taxes. The legislature may postpone the payment of taxes, but only in cases of overflow, general conflagration, general crop destruction, or other public calamity, and may provide for the levying, assessing, and collection of taxes to be collected in a subsequent year. The legislature may authorize the borrowing of money by the state on its faith and credit, by bond issue or otherwise, and may levy taxes, or apply taxes already levied and not appropriated, to secure payment thereof. In order to create a fund from which loans may be made through the Interim Emergency Board to the governing authority of the parish where the calamity occurs. The money loaned shall be applied to and shall not exceed the deficiency in revenue of the parish
or a political subdivision therein or of which the parish is a part, caused by postponement of taxes. No loan shall be made to a parish governing authority without the approval of the Interim Emergency Board.

PART III. REVENUE SHARING

Section 26. Revenue Sharing Fund

Section 20. (A) Creation of Fund. The Revenue Sharing Fund is a special fund in the state treasury.

(B) Annual Allocation. The sum of ninety million dollars is allocated annually from the state general fund to the revenue sharing fund. The legislature may appropriate additional sums to the fund.

(C) Distribution Formula. The revenue sharing fund shall be distributed annually as provided by law solely on the basis of population and number of homesteads in each parish in proportion to population and the number of homesteads therein. Unless otherwise provided by law, population statistics of the last federal decennial census shall be utilized for this purpose. After deductions in each parish for retirement systems and commissions as authorized by law, the remaining funds, to the extent available, shall be distributed by first priority to the tax recipient bodies within the parish, as defined by law, to offset current losses because of homestead exemptions granted in this Article. Any balance remaining in a parish distribution shall be allocated to the municipal tax and tax recipient bodies within each parish as provided by law.

(D) Distributing Officer. The funds distributed to each parish as provided in Paragraph (C) shall be distributed in Orleans Parish by the city treasurer of New Orleans and in all other parishes by the parish tax collector. The funds allocated to the Monroe City School Board or its successor shall be distributed and by the city treasurer of Monroe.

(E) Bonded Debt. A political subdivision, as defined by Article VI of this constitution, may incur debt by issuing negotiable bonds and may pledge for the payment of all or part of the principal and interest of such bonds proceeds derived or to be derived from that portion of the funds received by it from the revenue sharing fund, to offset current losses caused by homestead exemptions granted by this Article. Unless otherwise provided by law, no moneys allocated within any parish from the balance remaining in its distribution may be pledged to the payment of the principal or interest of any bonds. Bonds issued under this Paragraph shall be issued and sold as provided by law, and shall require approval of the State Bond Commission or its successor prior to issuance and sale.

ARTICLE VIII. EDUCATION

Preamble

The goal of the public educational system is to provide learning environments and experiences, at all stages of human development, that are humane, just, and designed to promote excellence in order that every individual may be afforded an equal opportunity to develop to his full potential.

Section 1. Public Educational System

Section 1. The legislature shall provide for the education of the people of the state and shall establish and maintain a public educational system.

Section 2. State Superintendent of Education

Section 2. There shall be a superintendent of education for public elementary and secondary education who, subject to provisions for appointment in lieu of election set forth in Article IV, Section 20, of this constitution, shall be elected for a term of four years. If the office is made appointive, the State Board of Elementary and Secondary Education shall make the appointment. He shall be the administrative head of the Department of Education and shall implement the policies of the State Board of Elementary and Secondary Education and the laws affecting schools under its jurisdiction. The qualifications and other powers, functions, duties, and responsibilities of the superintendent shall be provided by law.

Section 3. State Board of Elementary and Secondary Education

Section 3. (A) Creation; Functions. The State Board of Elementary and Secondary Education is created as a body corporate. It shall supervise and control the public elementary and secondary schools, vocational-technical training and special schools under its jurisdiction, and shall have budgetary responsibility for all funds appropriated or allocated by the state for those schools, all as provided by law. The board shall have other powers, duties, and responsibilities as provided by this constitution or by law, but shall have no control over the business affairs of a parish or city school board or the selection or removal of its officers and employees.

(B) Membership; Terms. The board shall consist of eight members elected from single-member districts which shall be determined by law and three members appointed by the governor from the state at large, with consent of the Senate. Members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law.

(C) Vacancy. A vacancy in the office of an elected member, if the remaining portion of the term is more than one year, shall be filled for the remainder of the term by election, as provided by law. Other vacancies shall be filled for the remainder of the term by appointment by the governor.

Section 4. Approval of Private Schools

Section 4. Upon application by a private elementary, secondary, or proprietary school with a sustained curriculum or specialized course of study of quality at least equal to that in the public schools, the Board of Elementary and Secondary Education shall approve the private school. A certificate issued by an approved private school shall carry the same privileges as one issued by a state public school.

Section 5. Board of Regents

Section 5. (A) Creation; Functions. The Board of Regents is created as a body corporate. It shall plan, coordinate, and have budgetary responsibility for all public higher education and shall have other powers, duties, and responsibilities provided in this Section or by law.

(B) Membership. Terms. The board shall consist of fifteen elected members appointed by the governor, with consent of the Senate, for overlapping terms of six years, following initial terms which shall be fixed by law. At least one member, but no more than two members, shall be appointed from each congressional district.

(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.

(D) Powers. The Board of Regents shall meet with the State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elementary, secondary, vocational-technical, career, and higher education. The Board of Regents shall have the following powers, duties, and responsibilities relating to public institutions of higher education:

(1) To revise or eliminate an existing degree program, department of instruction, division, or similar subdivision.

(2) To approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.

(3) To study the need for and feasibility of any new institution of post-secondary education, including branches of institutions and conversion of two-year institutions to institutions offering longer courses of study. If the creation of a new institution, the addition of an existing institution, or the transfer of an existing institution from one board to another is proposed, the Board of Regents shall report its written findings and recommendations to the legislature within one year. Only after the report has been filed, after a report is filed, may the legislature take affirmative action on such a proposal and then only by law enacted by two-thirds of the elected members of each house.

(4) To formulate and make timely revision of a master plan for higher education. As a minimum, the plan shall include a formula for equitable distribution of funds to the institutions of higher education.

(5) To require that every higher education board submit to it, at a time it specifies, an annual budget proposal for
operational needs and for capital needs of each institution under the control of each board. The Board of Regents shall submit its budget recommendations for all institutions of higher education in the state. It shall recommend priorities for capital construction and improvements.

(E) Powers Not Vested. Powers of management over public institutions of higher education not specifically vested by this Section in the Board of Regents are reserved to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities, and any other such board created pursuant to this Article, as to the institutions under the control of each.

Section 6. Board of Trustees for State Colleges and Universities

Section 6. (A) Creation; Functions. The Board of Trustees for State Colleges and Universities is created as a body corporate, subject to powers vested in this Article in the Board of Regents, it shall have supervision and management of state colleges and universities not managed by a higher education board created by or under this Article.

(B) Membership; Terms. The board shall be composed of two members from each congressional district and one member from the state at large, appointed by the governor with the consent of the Senate. The members shall serve overlapping terms of six years, following initial terms fixed by law.

(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment of the governor, with the consent of the Senate.

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

Section 7. (A) Creation; Powers. The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the Board of Supervisors of Southern University and Agricultural and Mechanical College are created as bodies corporate, subject to powers vested by this Article in the Board of Regents, each shall supervise and manage the institutions, statewide agricultural programs, and other programs administered through its system.

(B) Membership; Terms. Each board shall be composed of two members from each congressional district and one member from the state at large, appointed by the governor with the consent of the Senate. The members shall serve overlapping terms of six years, following initial terms fixed by law.

(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment of the governor, with the consent of the Senate.

Section 8. Boards; Membership; Compensation

Section 8. (A) Dual Membership. No person shall be eligible to serve simultaneously on more than one board created by or pursuant to this Article.

(B) Student Membership. The legislature may provide for the membership of one student on the boards created by Sections 6 and 7 of this Article. The term of a student member shall not exceed one year, and no student member shall be eligible to succeed himself. A student member shall have all of the privileges and rights of other board members except the right to vote.

(C) Compensation. A member of a board created by or pursuant to this Article shall serve without pay, but per diem and expenses may be provided by law.

Section 9. Parish School Boards; Parish Superintendents

Section 9. (A) Boards. The legislature shall create parish school boards and provide for the election of their members.

(B) Superintendents. Each parish board shall elect a superintendent of parish schools. The State Board of Elementary and Secondary Education shall fix the qualifications and prescribe the duties of the parish superintendent. He need not be a resident of the parish in which he serves.

Section 10. Existing Boards and Systems Recognized; Consolidation

Section 10. (A) Recognition. Parish and city school board systems in existence on the effective date of this constitution and recognized, subject to control and supervision by the State Board of Elementary and Secondary Education and the power of the legislature to enact laws affecting them.

(B) Ouachita Parish and Monroe City School Systems; Board Membership. Only persons residing within the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Monroe City School Board.

(C) Consolidation. Subject to approval by a majority of the electors voting, in each system affected, in an election held for that purpose, any two or more school systems may be consolidated as provided by law.

Section 11. Appropriations; State Boards

Section 11. The legislature shall appropriate funds for the operating and administrative expenses of the state boards created by or pursuant to this Article.

Section 12. Appropriations; Higher Education

Section 12. Appropriations for the institutions of higher education shall be made to their managing boards. The funds appropriated shall be administered by the managing boards and used solely as provided by law.

Section 13. Funding; Apportionment

Section 13. (A) Free School Books. The legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of this state at the elementary and secondary levels.

(B) Minimum Foundation Program. The legislature shall appropriate funds sufficient to insure a minimum foundation program of education in all public elementary and secondary schools. The funds appropriated shall be equitably allocated to parish and city school systems according to formulas adopted by the State Board of Elementary and Secondary Education and approved by the legislature prior to making the appropriation.

The funds for the support of elementary and secondary schools shall be derived from the following sources:

First: Each parish school board, Orleans Parish excepted, and each municipality or city school board shall annually operating, maintaining, or supporting a separate system of public schools, shall levy annually an ad valorem maintenance tax not to exceed five mills on the dollar of assessed valuation on property subject to such taxation within the parish or city, respectively.

Second: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar of the assessed valuation of property within the city of New Orleans assessed for city taxation, and shall certify the amount of the tax to the governing authority of the city. The governing authority shall have the tax entered on city tax rolls. The tax shall be collected in the manner, under the conditions, and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

Third: For giving additional support to public elementary and secondary schools, any parish, school district, or school board may levy an ad valorem tax for a specific purpose, when authorized by a majority of the electors voting in the parish, school district, or school board, which supports a separate city system of public schools may levy an ad valorem tax for a specific purpose, when authorized by a majority of the electors voting in the parish, school district, or school board, and when an election held for that purpose. The amount, duration, and purpose of the tax shall be in accord with any limitation imposed by the legislature.

(D) Municipal School Systems. For the effects and purposes of this Section, the municipalities of Monroe in Ouachita Parish, and Bogalusa in Washington Parish, and no
others, shall be regarded and treated as parishes and shall have the authority granted parishes.

Section 14. Tulane University

Section 14. The Tulane University of Louisiana in New Orleans is recognized as a created and to be developed in accordance with Act No. 43 approved July 5, 1864.

ARTICLE IX. NATURAL RESOURCES

Section 1. Natural Resources and Environment; Public Policy

Section 1. The natural resources of the state, including air and water, and the healthful, scenic, historic, and estheti-

quality of the environment shall be protected, conserved, and replenished insofar as possible and consistent with the health, safety, and welfare. The legislature shall enact laws to implement this policy.

Section 2. Natural Gas

Section 2. (A) Public Policy: Regulation. Natural gas is declared to be affected with a public interest. Notwithstanding any provision of this constitution relative to the powers and duties of the Public Service Commission, the legislature shall provide by law for regulation of natural gas by a regulatory authority it designates. It may designate the Public Service Commission as the regulatory authority.

(B) Pipelines. No interstate natural gas pipeline or gas gathering line shall be connected with an interstate natural gas pipeline, and no interstate natural gas pipeline shall be connected with an intrastate natural gas pipeline, without a certificate of public convenience and necessity issued as provided by law after application for the connection and hearing thereon.

Section 3. Allocation of Water Bottoms

Section 3. The legislature shall neither allocate nor authorize the alienation of the bed of a navigable water body, except for purposes of reclamation by the riparian owner to recover land lost through erosion. This Section shall not prevent the leasing of state lands or water bottoms for mining, oil, and gas leases, or be construed to prohibit the provision in this Section, the bed of a navigable water body may be reclaimed only for public use.

Section 4. Reservation of Mineral Rights; Prescription

Section 4. (A) Reservation of Mineral Rights. The mineral rights on property sold by the state shall be reserved, except when the owner or person having the right to redeem the property sold or adjudicated to the state for taxes.

(B) Prescription. Lands and mineral interests of the state, of a school board, or of a levee district shall not be lost by prescription.

Section 5. Public Notice; Public Bidding Requirements

Section 5. No conveyance, lease, royalty agreement, or utilization agreement involving minerals or mineral rights owned by the state shall be affected without proper public notice or public bidding as shall be provided by law.

Section 6. Tidelands Ownership

Section 6. Revenues and royalties obtained from minerals located beyond the seaward boundary of the state belong to the state.

Section 7. Wildlife and Fisheries Commission

Section 7. (A) Members; Terms. The control and supervision of the wildlife of the state, including all aquatic life, is vested in the Louisiana Wildlife and Fisheries Commission. The commission shall be in the executive branch and shall consist of seven members appointed by the governor and confirmed by the Senate. Six members shall serve overlapping terms of years, and one member shall serve a term concurrent with that of the governor. Three members shall be elected by the coastal parishes and representatives of the commercial fishing and fur industries, and one shall be elected by the state at large other than representatives of the commercial fishing and fur industries, as provided by law. No member who has served six years or more shall be eligible for reappointment.

(B) Duties; Compensation. The functions, duties, and responsibilities of the commission, and the compensation of its members, shall be provided by law.

Section 8. Forestry

Section 8. (A) Forestry Acreage Taxes. Forestry shall be practiced in the state, and the legislature may enact laws therefor. It may authorize parish governing authorities to levy acreage taxes, not to exceed two cents per acre, for the purposes of this Section. The provisions of this constitution excluding homesteads from taxation shall apply to forestry acreage taxes.

(B) Forestry Commission. The practice of forestry is placed under the Louisiana Forestry Commission. The commission shall be in the executive branch and shall consist of seven members. The head of the Department of Forestry at Louisiana State University and Agricultural and Mechanical College and the director of the Wildlife, and Fisheries Commission shall serve ex officio as members. The governor shall appoint the remaining five members, subject to confirmation by the Senate, for overlapping terms of five years, as provided by law.

(C) State Forester. The commission shall appoint, a state forester shall be a graduate of an accredited school of forestry and have at least four years of forestry experience, as provided by law.

ARTICLE X. PUBLIC OFFICIALS AND EMPLOYEES

PART I. STATE AND CITY CIVIL SERVICE

Section 1. Civil Service Systems

Section 1. (A) State Civil Service. The state civil service system is established and includes all persons holding office and positions of trust or employment in the employ of the state, or any instrumentality thereof, and any joint state and federal agency, joint state and parochial agency, or joint state and municipal agency, regardless of the source of the funds used to pay the employees. It shall include persons holding offices and positions of any municipal board of health or local governmental subdivision.

(B) City Civil Service. The city civil service is established and includes all persons holding office and positions of trust or employment in the employ of each city having over four hundred thousand population and in every instrumentality thereof. However, paid firemen and municipal policemen may be excluded if it is found by the city civil service board that their services are indispensable to the city. The city shall be called by the municipal governing authority within one year after the effective date of this constitution.

Section 2. Classified and Unclassified Service

Section 2. (A) Classified Service. The state and city civil service is divided into the classified and the classified service. Persons not included in the classified service are in the classified service.

(B) Unclassified Service. The unclassified service shall include the following officers and employees in the state and city civil service:

1. elected officials and persons appointed to fill vacancies
2. the heads of each principal executive department 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. an executive secretary to the president of each college or university;
7. persons holding a confidential or special position and one principal assistant or deputy to any officer, board, commission, or authority mentioned in 1, 2, 4, or 5 of this subsection.
8. members of the military or naval forces;
9. teaching and professional staffs, and administrative officers of schools, colleges, and universities of the state, and bona fide students of those institutions employed by any state, parochial, or municipal agency;
10. employees, deputies, and officers of the legislature and of the offices of the governor, lieutenant governor, at-
torney general, each mayor and city attorney of police
juries, school boards, assessors, and of all offices provided
for in Article V of this constitution except the offices of
clerk of the municipal and traffic courts in New Orleans;
(1) commissioners of elections, watchers, and custodians
and deputy custodians of voting machines; and
(2) railroad employees whose working conditions and re-
tirement benefits are regulated by federal agencies in ac-
cordance with federal law.
Additional positions may be added to the unclassified ser-
vice and those positions may be revoked by rules adopted
by a commission.

Section 3. State Civil Service Commission
Section 3. (A) Composition. The State Civil Service Com-
mision is established and shall be domiciled in the state
capital. It shall be composed of seven members who are
electors of this state, four of whom shall constitute a quor-
um. No more than one appointed member shall be from
each congressional district.
(B) Appointment. The members shall be appointed by
the governor, as hereinafter provided, for overlapping terms
of six years.
(C) Nominations. The presidents of Centenary College at
Shreveport, Dillard University at New Orleans, Louisiana
College at Pineville, Loyola University at New Orleans, Tu-
lane University, Louisiana State University, Loyola Uni-
versity at New Orleans, after giving consideration to
representation of all groups, each shall nominate three per-
sons. The governor shall appoint one member of the com-
mission from the three persons nominated by each presi-
dent. One member of the commission shall be elected by
the classified employees of the state from their number as
provided by law. A vacancy for any cause shall be filled
by appointment or election in accordance with the proce-
dure during the unexpired term of the office or election
and from the same source. Within thirty days after a va-
cancy occurs, the president concerned shall submit the re-
quired nominations. Within thirty days thereafter, the
 governor shall make his appointment. If the governor fails
to appoint within thirty days, the nominee whose name is
first on the list of nominees automatically shall become a
member of the commission. If any nominating authority
fails to submit nominees in the time required, or if one of
the nominees ceases to exist, the governor shall make the
appointment to the commission.

Section 4. City Civil Service Commission
Section 4. (A) Creation; Membership; Domicile. A city
civil service commission shall be held in each city having a
population exceeding four hundred thousand. The domicile
of each commission shall be in the city it serves. Each
commission shall be composed of five members, who are
electors of the city, three of which shall constitute a quor-
um. The members shall serve overlapping terms of six
years as hereinafter provided.
(B) New Orleans; Nomination and Appointment. In New
Orleans, the presidents of Dillard University, Loyola Uni-
versity, St. Mary’s Dominican College, Tulane University
or Louisiana, and Xavier University, after giving considera-
tion to representation of all groups, each shall nominate three
persons. The municipal governing authority shall appoint
one member of the commission from the three persons nomi-
nated by each.
(C) Other Cities; Nomination and Appointment. In each
other city subject to this Section, the presidents of any
five or more higher educational institutions of the state, selected
by the governing authority of the respective city, each shall
nominate three persons, after giving consideration to re-
presentation of all groups. The municipal governing author-
ity shall appoint one member of the commission from the three
persons nominated by each.
(D) Vacancies. A vacancy shall be filled by appointment
in accordance with the procedure for the original appoint-
ment and from the same source. Within thirty days after
such a vacancy occurs, the municipal governing authority
shall submit the required nominations. Within thirty days there-
after, the municipal governing authority shall make the
appointment. If the municipal governing authority fails to ap-
point within the thirty days, the nominee whose name is
first on the list of nominees automatically shall become a
member of the commission. If one of the nominating au-
thorities fails to submit nominees in the time required, or
if one of the named institutions ceases to exist, the muni-
cipal governing authority shall make the appointment.

Section 5. Removal
Section 5. A member of the state or of a city civil service
commission may be removed by the governor or the govern-
ing authority, as the case may be, for cause, after being
served with written specifications of the charges against
him and being afforded an opportunity for a public hearing
thereon by the appointing authority.

Section 6. Department of Civil Service; Directors
Section 6. (A) State Department. A Department of State
Civil Service is established in the executive branch of the
state government.
(B) City Departments. A department of city civil service
shall exist in each city having a population exceeding four
hundred thousand.
(C) Directors. Each commission shall appoint a director,
after competitive examination, who shall be in the classified
service. He shall be the administrative head of his depart-
ment. Each director shall appoint personnel and exercise
powers and duties to the extent prescribed by the commis-
sion appointing him.

Section 7. Appointments; Promotions
Section 7. Permanent appointments and promotions in the
state and city civil service shall be made only after certifi-
cation by the appropriate department of the individual
under a general system based upon merit, efficiency, fit-
ess, and length of service, as ascertained by examination
which, so far as practical, shall be competitive. The number
to be certified shall not be less than three; however, if
more than one vacancy is to be filled, the name of one
additional eligible for each vacancy may be certified. Each
commission shall adopt rules for the method of certifying
employees eligible for classifications within service, reappointment,
reinstatement and shall provide for appointments de-
dined as emergency and temporary appointments if certifi-
cation is not required.

Section 8. Appeals
Section 8. (A) Disciplinary Actions. No person who has
gained permanent status in the classified state or city ser-
vice shall be subjected to disciplinary action except for
cause expressed in writing. A classified employee subjected
to suspensory disciplinary action shall have the right of appeal
to the appropriate commission. The burden of proof on ap-
pel, as to the facts, shall be on the appointing authority.
(B) Discrimination. No classified employee shall be dis-
advantaged, subjected to violence or his political or religious
beliefs, sex, or race. A classified employee subjected to dis-
advantage shall have the right of appeal to the appropriate
commission. The burden of proof on appeal, as to the facts,
shall be on the employee.

Section 9. Prohibitions Against Political Activities
Section 9. (A) Party Membership; Elections. No member
of a civil service commission and no officer or employee
in the classified service shall participate or engage in po-
itical activity; be a candidate for nomination or election
to public office except to seek election as the classified state
employee serving on the State Civil Service Commission;
or be a member of any national, state, or local committee of a
political party or faction; make or solicit contributions for
any political party, faction, or candidate; or take active
part in the management of the affairs of a political party,
faction, candidate, or any political campaign, except to ex-
ercise his right as a citizen to express his opinion privately,
to serve as a commissioner or official watch at the polls,
and to cast his vote as he desires.
(B) Contributions. No person shall solicit contributions
for political purposes from any classified employee or offi-
cial, and no person shall promise or give or attempt to use
his position in the state or city service to punish or coerce the political action of a
classified employee.
(C) Political Activity Defined. As used in this Part, "pol-
itical activity" means any effort to support or oppose the elec-
tion of a candidate for political office or to support a partic-
ular political party in an election. The support of issues in-
volving bonded indebtedness, tax referenda, or constitutional
amendments shall not be prohibited.
Section 10. Rules; Investigations; Wages and Hours

Section 10. (A) Rules. (1) Powers. Each commission is vested with broad and general rule-making and subpoena powers for the administration and regulation of the classified service. In exercising such powers, each commission adopts rules for regulating employment, promotion, demotion, suspension, or termination of state employees, and other personnel matters and transactions; to adopt and distribute rules and regulations; to establish, through the appointing authority, an employee training and safety program; and generally to accomplish the objectives and purposes of the merit system of civil service as herein established. Each commission may investigate grievances of employees and employee training and safety. Nothing herein shall prevent the legislature from enacting laws supplementing these uniform pay plans for sworn, commissioned, or uniformed officers of the Division of State Police, Department of Public Safety and regularly commissioned officers of the Enforcement Division of the Department of Wildlife and Fisheries.

(2) Veterans. The state and city civil service departments shall accord a five-point preference in original appointment to each person honorably discharged, or discharged under honorable conditions from the armed forces of the United States who served between the wartime dates of April 6, 1917 through November 11, 1918; or between September 18, 1940 through July 25, 1947; between June 27, 1950 through January 31, 1955; and July 1, 1955 through the date the United States government declares to be the date of termination of service for members of the armed forces to receive credit for the award of the Viet Nam Service Medal; in a peacetime campaign or expedition for which campaign badges are authorized. The state and city civil service departments shall accord a ten-point preference in original appointment to each honorably discharged veteran who served in a war, or who became Totally and Permanently Disabled as evidenced by the Veterans Administration; to the spouse of each veteran whose physical condition precludes his or her employment in a city or his or her usual line of work; to the unremarried widow of each deceased veteran served in a war, or whose line of work was because of his death, the preference shall be available to his or her spouse, unremarried widow, or eligible parent as defined above, in the order specified. However, any such preference may be given only to a person who has attained at least the minimum score required on each test and who has received at least the minimum rating required for eligibility.

(3) Layoffs; Preference Employees. When a position in the classified service is abolished, or needs to be vacated because of stoppage of work from lack of funds or other causes, preference employees (ex-members of the armed forces and their dependents as described in this Section) whose length of service and efficiency ratings are at least equal to those of other competing employees shall be retained in accordance with provisions of this paragraph. However, when any function of a state agency is transferred to, or when a state agency is replaced by, one or more other state agencies, every preference employee in classifications and performing functions transferred, or working in the state or city civil service, shall be considered eligible for appointment to employment in a position for which he is qualified before that state agency or agencies appoint additional employees for such positions from eligible lists. The appointing authority shall, give the director, written notice of any proposed lay-off with a reasonable length of time before its effective date, and the director shall issue orders retaining them which he considers necessary to secure compliance with the rules. No rule, regulation, or practice of the commission, of any agency or department, or of any official of the state or any political subdivision shall favor or discriminate against any employee because of membership or non-membership in any political organization; but this shall not prohibit any state agency, department, or political subdivision from contracting with an employee organization with respect to wages, hours, working conditions, and other conditions of employment in a manner not inconsistent with the constitution, a civil service law, or a valid rule or regulation of a commission.

(4) Effect. Rules adopted pursuant hereto shall have the effect of law and be published and made available to the public. Each commission may impose penalties for violation of its rules by demotion in or suspension or discharge from position, with attendant loss of pay. Each commission may investigate violations of this Part and the rules, statutes, or ordinances adopted pursuant hereto.

(C) Wages and Hours. Any rule or determination affecting wages or hours shall have the effect of law and be irrevocable only after approval by the governor or the appropriate governing authority.

Section 11. Penalties

Section 11. Willful violation of any provision of this Part shall be a misdemeanor punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

Section 12. Appeal

Section 12. Each commission shall have the exclusive power and authority to hear and decide all removal and disciplinary cases, cases connected with removals or disciplinary actions, cases of which there is a demand in writing, or in any case of which it is found that the regular procedures of the commission have been violated, or in which it is found that the commission has not convened. Appeals shall be to the courts of the United States, or to the Supreme Court of the United States, or to the court of the United States in which the appeal is presented. The decision of a commission shall be subject to review by any court of competent jurisdiction, and appeal to the court of a city or county within thirty days after its decision becomes final.

Section 13. Appropriations

Section 13. (A) State. The legislature shall make adequate annual appropriations to the State Civil Service Commission and to the Department of State Civil Service to enable them to implement this Part efficiently and effectively. The amount so appropriated shall not be subject to the veto by the governor.

(B) Cities. Each city subject to this Part shall make adequate annual appropriations to enable its civil service commission and department to implement this Part efficiently and effectively.

Section 14. Acceptance of Act; Other Cities, Parishes, Cities and Parish Governed Jointly

Section 14. (A) Local Option. Each city having a population exceeding ten thousand but not exceeding four hundred thousand, each parish, and each parish governed jointly with one or more cities under a plan of government, having a population exceeding ten thousand, according to the latest official decennial federal census, may elect to be governed by this Part by a majority vote of its voters voting at an election. If such an election is held by the city, the parish, or the city-parish, as the case may be, upon (a) the adoption of an ordinance by the governing authority calling the election; or (b) the presentation to the governing authority of a petition calling for such an election signed by registered voters equal in number to the majority of the registered voters of the city, the parish, or the city-parish, as the case may be.

(B) Acceptance. If a majority of the voters who cast a ballot on such a referendum in favor of acceptance of this Part, they shall be entitled to join with the city, the parish, or the city-parish, as the case may be, and shall govern it as if this Part had originally applied to it. In such case, all officers and employees of the city, the parish, or the city-parish, as the case may be, shall have statutory, civil service status. All service shall be governed by rules established by legislative act, city charter, or other wise, shall retain that status and thereafter shall be subject to and be governed by this Part and the rules and regulations adopted under it.

(C) Rejection. If a majority of the electors vote against
the adoption of this Part, the question of its adoption shall not be resubmitted to the voters of the political subdivision within one year thereafter.

Section 15. City, Parish Civil Service System; Creation; Prohibition
Section 15. Nothing in this Part shall prevent the establishment by the legislature, or by the respective parish governing authority, of a parish civil service system in one or more parishes, applicable to any or all parish employees, except teaching and professional staffs and administrative officials, or the establishment by the legislature or by the respective municipal governing authority of a municipal civil service system in one or more municipalities having a population of less than four hundred thousand, in any manner now or hereafter provided by law. However, paid firemen and paid municipal policemen in a municipality operating a regularly paid fire and police department and having a population exceeding thirteen thousand, and paid firemen in all parishes and in fire protection districts, are expressly excluded from such a civil service system.

Nothing in this Part shall permit inclusion in the local civil service of officials and employees listed in Section 2 of this Article.

No law enacted after the effective date of this constitution establishing a civil service system applicable to one or more parishes or to one or more municipalities having a population of less than four hundred thousand shall be defeated by the legislature of any parish or in any municipality until approved by ordinance adopted by the governing authority of the parish or municipality.

PART II. FIRE AND POLICE CIVIL SERVICE

Section 16. Establishment of System
Section 16. A system of classified fire and police civil service is created and established. It shall apply to all municipalities or fire protection districts exceeding thirteen thousand, and firemen and paid firemen and paid municipal policemen in a municipality operating a regularly paid fire and police department and to all parishes and fire protection districts operating a regularly paid fire department.

Section 17. Appointments and Promotions
Section 17. Permanent appointments and promotions in municipal fire and police civil service shall be made only after examination by the municipal or parochial 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 Constitution of 1921, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

Section 18. Prior Provisions
Section 18. Except as inconsistent with this Part, the provisions of Article XIV, Section 15.1 of the Constitution of 1921 are retained and continued in force and effect as statutes. By law enacted by two-thirds of the elected members of each house, the legislature may amend or otherwise modify any of those provisions, but it may not abolish the system of classified civil service for such firemen and municipal policemen or make the system inapplicable to any municipality having a population exceeding thirteen thousand according to the last decennial federal census or to any parish or fire protection district operating a regularly paid fire department. However, in a municipality having a population exceeding four hundred thousand, paid firemen and municipal policemen shall be included if a majority of the electors therein voting at an election held for that purpose approve their inclusion. Such an election shall be called by the governing authority of the affected city within one year after the effective date of this constitution.

Section 19. Exclusion
Section 19. Nothing in Part I of this Article authorizing cities or other political subdivisions to be placed under the provisions of said Part by election, act of the legislature, or ordinance of the local governing authority shall authorize the inclusion in a city civil service system of firemen and policemen in any municipality having a population greater than thirteen thousand but fewer than four hundred thousand and operating a regularly paid fire and municipal police department or in any parish or fire protection district operating a regularly paid fire department. Such firemen and policemen are expressly excluded from any such system.

Section 20. Political Activities
Section 20. Article XIV, Section 15.1, Paragraph 24 of the Constitution of 1921 is bhollandian and continued in force and effect.

PART III. OTHER PROVISIONS

Section 21. Code of Ethics
Section 21. The legislature shall enact, a code of ethics for all officials and employees of the state and its political subdivisions. The code shall be administered by one or more boards created by the legislature, to be appointed in terms consistent with the adoption of or changes in the code provided by law. Decisions of a board shall be appealable, and the legislature shall provide the method of appeal.

Section 22. Dual Employment and Dual Office Holding
Section 22. The legislature shall enact laws defining and regulating dual employment and defining, regulating, and prohibiting dual office holding in state and local government.

Section 23. Compensation of Elected Public Officials; Reduction
Section 23. The compensation of an elected public official shall not be reduced during the term for which he is elected.

Section 24. Impeachment
Section 24. (A) Persons Liable. A state or district official, whether elected or appointed, shall be liable to impeachment for commission or conviction, during his term of office of a felony or for malfeasance or gross misconduct while in such office.

(B) Procedure. Impeachment shall be by the House of Representatives and by the Senate, with senators under oath or affirmation for the trial. The concurrence of two-thirds of the elected members of the House or Senate shall be required to convict. The Senate may try an impeachment whether or not the House is in session and may adjourn when it deems proper. Conviction upon impeachment shall result in immediate removal from office. Nothing herein shall prevent other action, prosecution, or punishment authorized by law.

Section 25. Removal by Suit; Officials Subject
Section 25. For the causes enumerated in Paragraph (A) of Section 24 of this Article, the legislature shall provide by general law for the removal by suit of any state, district, parochial, ward, or municipal official except the governor, lieutenant governor, and judges of the courts of record.

Section 26. Recall
Section 26. The legislature shall provide by general law for the recall by election of any state, district, parochial, ward, or municipal official except judges of the courts of record. The sole issue at a recall election shall be whether the official shall be recalled.

Section 27. Filling of Vacancies
Section 27. (A) Gubernatorial Appointment; Election. If no other provision therefor is made by this Constitution, by statute, or local government charter, by home rule charter or plan of government, or by ordinance, the governor may fill a vacancy occurring in any elective office. When a vacancy occurs in the office and the unexpired portion of the term exceeds one year, the vacancy shall be filled at an election, as provided by law, and the appointment shall be effective only until a successor takes office.

(B) Qualifications. Nothing in this section shall change the qualifications for any office and every appointment must be otherwise eligible to hold the office to which appointed.

Section 28. Definition of Vacancy
Section 28. A vacancy, as used in this Constitution, shall occur in the event of death, resignation, removal by any means, or failure to take office for any reason.

Section 29. Retirement and Survivor’s Benefits
Section 29. (A) Public School Employees. The legislature shall provide for retirement of teachers and other employees of the public educational system through stab-
lishment of one or more retirement systems. Membership in such a retirement system shall be a contractual relationship between the employee and employer, and the state shall guarantee benefits payable to a member or retiree or to his lawful beneficiary upon his death.

(B) Other Officials and Employees. The legislature shall enact laws providing for retirement of officials and employees of the state, its agencies, and its political subdivisions, including persons employed jointly by state and federal agencies other than those in military service, through the establishment of one or more retirement systems. Members of any retirement system of the state or of a political subdivision thereof shall be a contractual relationship between employee and employer, and the state shall guarantee benefits payable to a member of a state retirement system or retiree or to his lawful beneficiary upon his death.

(C) Retirement Systems; Change; Notice. No proposal to effect any change in existing laws or constitutional provisions relating to any retirement system for public employees will be introduced by the legislature unless notice thereof is given sixty days before introduction of the bill. The notice shall state the substance of the contemplated law or proposal, and the bill shall contain a recital that the notice has been given.

(D) Compensation for Survivors of Law Enforcement Officers and Firemen. The legislature shall establish a system, including the expenditure of public funds, for compensating the surviving spouses and dependent children of law enforcement officers, firemen, and personnel, as defined by law, who die or, who died after June 30, 1972, as a result of the performance of official duties or in the protection of life or property while on or off duty.

Section 30, Oath of Office
Section 30. Every official shall take the following oath or affirmation: "I, . . . , do solemnly swear (or affirm) that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as . . . , according to the best of my ability and understanding, so help me God."

ARTICLE XI. ELECTIONS

Section 1. Election Code
Section 1. The legislature shall adopt an election code which shall provide for permanent registration of voters and for the conduct of all elections.

Section 2. Secret Ballot; Absentee Voting; Preservation of Ballot
Section 2. In all elections by the people, voting shall be by secret ballot. The legislature shall provide a method for absentee voting. The legislature may prohibit absentee voting. Ballots shall be counted publicly and preserved inviolate as provided by law until any election contests have been settled. In all elections by persons in a representative capacity, voting shall be viva-voce.

Section 3. Privilege from Arrest
Section 3. While going to and returning from voting and while exercising the right to vote, an elector shall be privileged from arrest, except for felony or breach of the peace.

Section 4. Prohibited Use of Public Funds
Section 4. No public funds shall be used to urge any elector to vote for or against any candidate or proposition, or be appropriated to a candidate or political organization. This provision shall not prohibit the use of public funds for dissemination of neutral information relative to a proposition appearing on an election ballot.

Section 5. Registrar of Voters
Section 5. The governing authority of each parish shall appoint a registrar of voters, whose compensation, removal from office for cause, bond, powers, and functions shall be provided by law. Upon qualifying as a candidate for other public office, a registrar shall forfeit his office. No law shall provide for the removal from office of a registrar by the appointing authority.

ARTICLE XII. GENERAL PROVISIONS

Section 1. State Capital
Section 1. The capital of Louisiana is the city of Baton Rouge.

Section 2. Civilian-Military Relations
Section 2. The military shall be subordinate to the civil power.

Section 3. Right to Direct Participation
Section 3. No person shall be denied the right to observe the deliberations of public bodies and examine public documents, except in cases established by law.

Section 4. Preservation of Linguistic and Cultural Origins
Section 4. The right of the people to preserve, foster, and promote their respective historic linguistic and cultural origins is recognized.

Section 5. Forced Heirship and Trusts
Section 5. No law shall abolish forced heirship. The determination of forced heirs, the amount of the forced portion, and the grounds for disinherison shall be provided by law. Trusts may be authorized by law, and a forced portion may be placed in trust.

Section 6. Lotteries; Gambling
Section 6. Neither the state nor any of its political subdivisions shall conduct a lottery. Gambling shall be defined and suppressed by the legislature.

Section 7. State Penitentiary Institutions; Reimbursement of Parish Expense
Section 7. The state shall reimburse a parish in which a state penitentiary institution is located for expenses the parish incurs arising from crime committed in the institution or by an inmate thereof.

Section 8. Welfare, Unemployment Compensation, and Health
Section 8. The legislature may establish a system of economic and social welfare, unemployment compensation, and public health.

Section 9. Exemptions From Seizure and Sale
Section 9. The legislature shall provide by law for exemptions from seizure and sale, as well as waivers of and exclusions from such exemptions. The exemption shall extend to at least fifteen thousand dollars in value of a homestead, as provided by law.

Section 10. Suits Against the State
Section 10. (A) No immunity in Contract and Tort. Neither the state, a state agency, nor a political subdivision shall be immune from suit and liability in contract or for injury to person or property.

(B) Waiver in Other Suits. The legislature may authorize other suits against the state, a state agency, or a political subdivision. A measure authorizing suit shall waive immunity from suit and liability.

(C) Procedure; Judgments. The legislature shall provide a procedure for suits against the state, a state agency, or a political subdivision. It shall provide for the effect of a judgment, but no public property or public funds shall be subject to seizure. No judgment against the state, a state agency, or a political subdivision shall be exigible, payable, or paid except from funds appropriated therefor by the legislature or by the political subdivision against which judgment is rendered.

Section 11. Continuity of Government
Section 11. The legislature shall provide for orderly and temporary continuity of state government, in periods of emergency, until normal processes of government can be reestablished in accordance with the constitution and laws of the state; and, except as otherwise provided by this constitution, for the prompt and temporary succession to the
powers and duties of public offices when incumbents become unavailable to perform their functions.

Section 12. Corporations; Perpetual or Indefinite Duration; Dissolution; Perpetual Franchise or Privileges
Section 12. Either the state or any political subdivision shall grant a perpetual franchise or privilege; however, the legislature may authorize the organization of corporations for perpetual or indefinite duration. Every corporation shall be subject to dissolution or forfeiture of its charter or franchise, as provided by general law.

Section 13. Prescription Against State
Section 13. Prescription shall not run against the state in any civil matter, unless otherwise provided in this constitution or expressly by law.

Section 14. Administrative Agency Codes
Section 14. Rules, regulations, and procedures adopted by all state administrative and quasi-judicial agencies, boards, and commissions shall be published in one or more codes and made available to the public.

ARTICLE XIII. CONSTITUTIONAL REVISION

Section 1. Amendments
Section 1. (A) Procedure. An amendment to this constitution may be proposed by joint resolution at any regular session of the legislature, but the resolution shall be prefixed, at least ten days before the beginning of the session, in accordance with the rules of the house in which introduced. An amendment to this constitution may be proposed at any extraordinary session of the legislature if it is within the object of the session and is introduced in the first five calendar days thereof. If two-thirds of the elected members of each house concur in the resolution, pursuant to all of the procedures and formalities required for passage of a bill except submission to the governor, the secretary of state shall have the proposed amendment published once in the official journal of each parish within not less than thirty nor more than sixty days preceding the election at which the proposed amendment is to be submitted to the voters. Each joint resolution shall specify the statewide election at which the proposed amendment shall be submitted. Special elections for submitting proposed amendments may be authorized by law.

(B) Form of Proposal. A proposed amendment shall have a title containing a brief summary of the changes proposed; shall be confined to one object; and shall set forth the entire article, or the sections or other subdivisions thereof, as proposed to be revised or only the article, sections, or other subdivisions proposed to be added. However, the legislature may propose, as one amendment, a revision of an entire article of this constitution which may contain multiple objects or changes. A section or other subdivision may be repealed by reference. When more than one amendment is submitted at the same election, each shall be submitted so as to enable the electors to vote on them separately.

(C) Ratification. If a majority of the electors voting on the proposed amendment approve it, the governor shall proclaim its adoption and it shall become a part of this constitution effective twenty days after the proclamation, unless the amendment provides otherwise. A proposed amendment directly affecting not more than five parishes or areas within not more than five parishes shall become part of this constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each affected parish. However, a proposed amendment directly affecting not more than five municipalities, and only such municipalities, shall become part of this constitution only when approved by a majority of the electors voting thereon in the state and also a majority of the electors voting thereon in each such municipality.

Section 2. Constitutional Convention
Section 2. Whenever the legislature considers it desirable to revise this constitution or propose a new constitution, it may provide for the calling of a constitutional convention by law enacted by two-thirds of the elected members of each house. The revision or the proposed constitution and any alternative propositions agreed upon by the convention shall be submitted to the people for their ratification or rejection. If the proposal is approved by a majority of the electors voting thereon, the governor shall proclaim it to be the Constitution of Louisiana.

Section 3. Laws Effectuating Amendments
Section 3. Whenever the legislature shall submit amendments to this constitution, it may at the same session enact laws carrying into effect or giving additional or operative when the proposed amendments have been ratified.

ARTICLE XIV. TRANSITIONAL PROVISIONS

PART I

Section 1. Board of Regents
Section 1. 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 respective term expires. The governor shall appoint additional members required in accordance with and to effectuate Article VIII, Section 5.

Section 2. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College
Section 2. 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 VIII, Section 7.

Section 3. Board of Supervisors of Southern University
Section 3. At the next session of the legislature following the effective date of this constitution, the governor shall submit to the Senate for its consent the names of his appointees to the Board of Supervisors of Southern University and Agricultural and Mechanical College in accordance with and to effectuate Article VIII, Section 7.

Section 4. State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities
Section 4. 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 VIII, Sections 3 and 6.

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

Section 6. Mandatory Reorganization of State Government
Section 6. The legislature shall allocate, within not more than twenty departments, the functions, powers, duties, and responsibilities of all departments, offices, agencies, and instrumentalities of the state, 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 7. Legislative Sessions
Section 7. 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.
Section 8. Civil Service Commission; State; Cities
Section 8. (A) State Commission. Each person who, on the effective date of this constitution, is a member of the State Civil Service Commission shall continue in such position for the remainder of the term to which he was appointed. Within thirty days after the effective date of this constitution, the president of the University of Louisiana shall submit three names to the governor for appointment to such positions as provided in Article X, Section 3. 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 from the number of names 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 X, Section 3. The term of this appointee shall be six years.

(B) City Commission. Each person who, on the effective date of this constitution, is a member of the New Orleans City Civil Service Commission shall continue in such position for the remainder of the term to which he was appointed. Within thirty days after the effective date of this constitution, the presidents of St. Mary's Dominican College and Xavier University of Louisiana shall submit three names to the governing body of the city for appointment to the commission as provided in Article X, Section 4. Within thirty days after the expiration of the term of the present member nominated by the governing body, 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 X, Section 4. The term of these appointees shall be six years.

Section 9. Civil Service Officers; Employees; State; Cities
Section 9. 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 shall thereafter be subject to and governed by the provisions of this constitution and the rules and regulations adopted under the authority hereof.

Section 10. Offshore Mineral Revenues; Use of Funds
Section 10. Funds derived from offshore mineral leases and held in escrow under agreement between the state and the United States pending settlement of the dispute between the parties shall be deposited in the state treasury when received. Upon such settlement, these funds and the interest from their investment, except the portion otherwise allocated to the Louisiana State University, shall be used by the state treasurer to purchase, retire, or pay in advance of maturity the existing bonded indebtedness of the state or shall be invested for that purpose. If any of these funds cannot be so expended within one year, the legislature may appropriate annually, for capital improvements or for the purchase of land, ten percent of the remaining funds, not to exceed ten million dollars in one year.

Section 11. Prescriptions; Tidelands Taxes
Section 11. No state, district, parish, or other tax, license, fee, or assessment of any kind, and interest charges and penalties attaching thereto, which are imposed, due, or collectible on any property, minerals or the severance thereof, or due or payable by any person, firm, or corporation on any business operation or activity within the tidelands area in dispute between the state and the United States and within the state's historic gulfland boundary three leagues from coast, as established and defined by the Act of Congress of April 30, 1821, shall be assessed or collected at any rate or in any manner, or at any time, as such taxes or assessments, penalties, or interest, were assessed or collected prior to the enactment of any law, or as such interest charge or penalty shall be assessed or collected on any such tax, license, fee, or assessment if it is paid within one year after the thirty-first day of December in the year in which the controversy is finally resolved and settled.

Section 12. Forfeitures Prior to 1880
Section 12. Whenever any immovable property has been forfeited or adjudicated to the state for nonpayment of taxes due prior to January 1, 1880, and the state did not sell or dispose of it or dispossess the tax debtor or his heirs, successors, or assigns prior to the adoption of the Constitution of 1921, it shall be presumed conclusively that the forfeiture or adjudication was irregular and null or that the property has been redeemed. The state and its assigns shall be estopped from claiming any title to the property because of such forfeiture or or to exercise any right in respect of the property.

Section 13. Effective Date of Property Tax Provisions
Section 13. Sections 18 and 20 of Article VII shall become effective January 1 of the year following the end of three years after the effective date of this constitution. Until that date, the provisions of the Constitution of 1921 governing matters covered by these Sections shall continue to apply, notwithstanding any contrary expiration date stated in any provision thereof concerning the veterans' homestead exemption.

PART II
Section 14. Limitation on Transitional Provisions
Section 14. Nothing in this Part shall be construed or applied in such a manner as to supersede or invalidate or limit or change the meaning of any provision of the foregoing Articles, Sections, and Provisions, or as to provide for an orderly transition from the Constitution of 1921.

Section 15. Existing Officials
Section 15. A person holding an office by election shall continue to exercise his powers and duties until his office is abolished, his successor takes office or the office is vacated, 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 16. Provisions of 1921 Constitution Made Statutory
Section 16. (A) Provisions Continued as Statutes. Subject to change by law or as otherwise provided in this constitution, and except as any of them conflicts with this constitution, the following provisions of the Constitution of 1921 are continued as statutes, binding on the state, to the same effect as on the effective date of this constitution:

1. Article IV, Sections 2(c), 12(b), and 12(c).
2. Article V, Sections 2, 7, 18, 20, and 21.
4. Article VI-A, Sections 1 through 14, except any dedications therein contained.
6. Article IX, Section 4.
7. Article X, Sections 1, 2, 6, 7, 9, 10A, 15, 16, and 23; except any dedications contained therein.
10. Article XIV, Sections 3(b), 3(d) (first), 6, 10, 12, 14, 19, and 21 through 23, 24, 24.5 through 24.23, 25, 25.1, 26 through 28, 30, 30.1, 30.3, 30.4, 30.5, 31, 31.3, 31.6, 31.7, 32, 33, 34, 35, 36, 37.1, 38, 38.1, 39, 39.1, 43, 44, 44.1, 45, 47, and 48.
11. Article XV, Sections 1, 3, and 4.
12. Article XVI, Sections 1, 4, 6, 7, 8, and 8(a).
13. Article XVII, Sections 3 and 4.
15. Article XIX, Sections 6, 19, 19(a), 20, and 27.
16. Article XX, Sections 1 through 28, except any dedications contained therein.

(B) Arrangement. The provisions made statutory in this Article shall be arranged in capital letters and recommendations for additional laws and modifications as provided in R.S. 24:201 through 256, or as otherwise provided by law.

Section 17. Provisions of Constitution of 1921 Repealed
Section 17. Except to the extent provided in this Article and except as retained in Articles I through XIII of this con-
in 1976 shall take office; otherwise, the legislature shall conduct that session as provided in Article III of this constitution.

(C) Legislative Auditor. 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.

(D) Legislative Reapportionment. The requirement for legislative reapportionment in Section 6 of Article III of this constitution shall apply to the reapportionment of the legislature following the decennial census of 1980, and thereafter.

Section 28. Judiciary Commission
Section 28. 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 29. The lawyer or lawyer, thereupon selected, shall be elected 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 25.

Section 29. Statewide Elected Officials
Section 29. Officials elected statewide in 1976 under the provisions of this constitution shall take office on the second Monday in May of that year. Thereafter, statewide elected officials shall take office on the second Monday in March as provided in this constitution.

Section 30. Commissioner of Elections
Section 30. The commissioner of elections, as provided by Article V, Section 23 hereunder, 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.

Section 31. Pardon Board
Section 31. 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.

Section 32. Levee Districts; Compensation for Property
Section 32. 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 herein required to be paid for property used or destroyed for levee or levee draining 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 42 of this constitution.

Section 33. Suits Against the State; Effective Date
Section 33. The provisions of Article XII, Section 10 waiving the immunity of the state, its agencies, or political subdivisions from suit and liability in contract or in tort to person or property only shall apply to a cause of action arising after the effective date of this constitution.

Section 34. Exemption from Seizure and Sale
Section 34. The provisions of Article XI of the Constitution of 1921 shall be continued as a statute until the legislature enacts the law required by Article XII, Section 9 of this constitution, but the amount of the exemption shall be fifteen thousand dollars in value until otherwise fixed by law.

Section 35. Effective Date
Section 35. This constitution shall become effective at twelve o'clock midnight on December 31, 1974. The secretaries of state shall promulgate the results of the election by publication in the official state journal on the thirtieth day prior thereto; however, he shall announce the results of the election within thirty days after the date of the election at which the constitution is submitted to the people.

Section 36. Effect of Adoption
Section 36. Notwithstanding any contrary provision of any law or the prior constitution, this constitution when approved by the electors of this state shall be the Constitution of the State of Louisiana effective as provided in Section 35 of this Article.

Section 37. Severability Clause
Section 37. If any provision of this constitution is declared
PART IV

Section 38. Alternative Proposition

Section 38. There shall be submitted to the people for the ratification of the following propositions an official ballot containing the following propositions and instructions to voters:

OFFICIAL BALLOT

(Instructions to voters: Place an "X" in the boxes which express your preferences. The full text of the proposed constitution and the alternative propositions are available for inspection at the polling place. If the proposed constitution receives a majority of the votes cast thereon and Alternative A below receives a majority of the votes cast on the alternative propositions, the proposed constitution shall become the Constitution of Louisiana. If the proposed constitution receives a majority of the votes cast thereon and Alternative B receives a majority of the votes cast on the alternative propositions, the proposed constitution shall become the Constitution of Louisiana, except that Article VIII of the proposed Constitution shall be deleted therefrom and Alternative Article VIII shall be inserted in lieu thereof. If the proposed constitution fails to receive a majority of the votes cast thereon and the alternative propositions shall also fail.)

Do you favor or oppose the adoption of the proposed 1974 Constitution?

FOR adoption of the proposed 1974 Constitution....1 □

AGAINST adoption of the proposed 1974 Constitution...2 □

ALTERNATIVE PROPOSITIONS.

If the proposed 1974 Constitution is adopted, do you prefer (A) the governance of higher education by a Board of Regents and management boards for the LSU system, the Southern University system, and all other state colleges and universities, or (B) the governance of higher education solely by a Board of Regents?

(Vote for one)

ALTERNATIVE A For governance of higher education by a Board of Regents and management boards for the LSU system, the Southern University system, and all other state colleges and universities........3 □

ALTERNATIVE B For governance of higher education solely by a Board of Regents....................4 □

Section 39. (A) If Alternative B concerning education boards is approved by the electors and if the proposed constitution is approved by the electors, then the following Article shall become Article VIII of the new constitution and Article VIII as set-forth in the proposed new constitution shall be null, void and of no effect and shall be deemed stricken from the proposed constitution. Alternative Article VIII shall be as follows:

ARTICLE VIII. EDUCATION

Preamble

The goal of the public educational system is to provide learning environments and experiences, at all stages of human development, that are humane, just, and designed to foster excellence in order that every individual may be afforded an equal opportunity to develop to his full potential.

Section 1. Public Educational System

Section 1. The legislature shall provide for the education of the people of the state and shall establish and maintain a public educational system.

Section 2. State Superintendent of Education

Section 2. There shall be a superintendent of education, who, subject to provisions for appointment in lieu of election set forth in Article IV, Section 20, of this constitution, shall be elected for a term of four years. If the office is made appointive, the State Board of Elementary and Secondary Education and the Board of Regents shall make the appointment. He shall be the administrative head of the Department of Education and the Board of Regents and shall implement the policies of the State Board of Elementary and Secondary Education and the Board of Regents and the laws affecting schools under their jurisdiction. The qualifications and other powers, functions, duties and responsibilities of the superintendent shall be provided by law.

Section 3. State Board of Elementary and Secondary Education

Section 3. (A) Creation; Functions. The State Board of Elementary and Secondary Education is created as a body corporate. It shall supervise and control the public elementary and secondary schools, post-secondary schools, special schools under its jurisdiction and shall have budgetary responsibility for all funds appropriated or allocated by the state for those schools, all as provided by law. The board shall have other powers, duties, and responsibilities as provided by this constitution or by law, but shall have no control over the business affairs of a parish or city school board or the selection or removal of its officers and employees.

(B) Membership; Terms. The board shall consist of eight members elected from single-member districts which shall be determined by law, and three members appointed by the governor from the state at large, with consent of the Senate. Members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law.

(C) Vacancy. A vacancy occurring prior to the expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.

Section 4. Approval of Private Schools

Section 4. Upon application by a private elementary, secondary, or proprietary school with a sustained curriculum or specialized course of study of at least equal to that prescribed for similar public schools, the State Board of Elementary and Secondary Education shall approve the private school. A certificate issued to a private school shall carry the same privileges as one issued by a state public school.

Section 5. Board of Regents

Section 5. (A) Creation; Functions. The Board of Regents is created as a body corporate. It shall plan, coordinate, and budgetary control, all public higher education and shall have other powers, duties, and responsibilities provided in this Section or by law.

(B) Membership; Terms. The board shall consist of eight members elected from single-member districts which shall be determined by law and shall be named by the governor from the state at large, with consent of the Senate. Members shall serve overlapping terms of six years, following the initial terms which shall be fixed by law.

(D) Powers. The Board of Regents shall meet with the State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elementary, secondary, vocational-technical, career, and higher education. The Board of Regents shall have the following powers, duties, and responsibilities relating to public institutions of higher education:

(1) To revise or eliminate an existing degree program, department of instruction, division, or similar subdivision.

(2) To approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.

(3) To study the need for and feasibility of any new institution of higher education, including branches of institutions now in existence or combinations of two or more institutions offering longer courses of study. If the creation of a new institution or a management board for an institution or group of institutions is proposed, addition of another management board, or transfer of an existing institution from one board to another is proposed, the Board of Regents shall report its written findings and recommendations to the legislature within one year. Only after the report has been filed, or, after
one year if no report is filed, may the legislature take affirmative action on such a proposal and then only by law enacted by two-thirds of the elected members of each house. (4) To increase funds to provide for special education or for higher education. As a minimum, the plan shall include a formula for equitable distribution of funds to the institutions of higher education.

(5) To require that every institution of higher education submit to it, at a time it specifies, an annual budget proposal for operational needs and for capital needs of each institution under the control of each board. The Board of Regents shall submit its budget recommendations for all institutions of higher education in the state. It shall recommend priorities for capital construction and improvements.

Section 6. Boards; Membership; Compensation
Section 6. (A) Dual Membership. No person shall be eligible to serve simultaneously on more than one board created by or pursuant to this Article.

(B) Compensation. A member of a board created by or pursuant to this Article shall serve without pay, but per diem and expenses may be provided by law.

Section 7. Parish School Boards; Parish Superintendents
Section 7. (A) Boards. The legislature shall create parish school boards and provide for the election of their members.

(B) Superintendents. Each parish board shall elect a superintendent of parish schools. The State Board of Education and the State Board of Elementary and Secondary Education and the power of the legislature to enact laws affecting them.

(C) Ouachita Parish and Monroe City School Systems; Board Membership. Only persons residing within the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Monroe City School Board. Only persons residing in that portion of Ouachita Parish outside the jurisdiction of the Monroe City School Board shall be eligible to vote for or be members of the Ouachita Parish School Board. The position of a member of either board shall be vacated when he no longer satisfies the requirements of this Paragraph.

(D) Consolidation. Subject to approval by a majority of the voters voting, in each system affected, in an election held for that purpose, any two or more school systems may be consolidated as provided by law.

Section 9. Appropriations; State Boards
Section 9. The legislature shall appropriate funds for the operating and administrative expenses of the state boards created by or pursuant to this Article.

Section 10. Appropriations; Higher Education
Section 10. Appropriations for the institutions of higher education and post-secondary vocational-technical training and career education shall be made and administered as provided by law.

Section 11. Funding; Apportionment
Section 11. (A) Free School Books. The legislature shall appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education to the children of this state at the elementary and secondary levels.

(B) Transition Program. The legislature shall appropriate funds sufficient to implement a minimum foundation program of education in all public elementary and secondary schools. The funds appropriated shall be equitably allocated to parish and city school systems according to formulas adopted by the State Board of Elementary and Secondary Education and approved by the legislature prior to making the appropriation.

(C) Local Funds. Local funds for the support of elementary and secondary schools shall be derived from the following sources:

First: Each parish school board, Orleans Parish excepted, and each municipality or city school board actually operating, maintaining, or supporting a separate system of public education may levy annually and collect a property tax not to exceed five mills on the dollar of assessed valuation on property subject to such taxation within the parish or city, respectively.

Second: The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar of the assessed valuation of property within the city of New Orleans assessed for city taxation, and shall certify the amount of the tax to the governing authority of the city. The governing authority shall have the tax entered on city tax rolls. The tax shall be collected in the manner, under the conditions, and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

Third: For giving additional support to public elementary and secondary schools, any parish, school district, or sub-district, or any municipality or city school board which supports a separate system of public schools may levy an additional tax for a specific purpose for a term not to exceed three years, and which shall be determined by a majority of the electors voting in the parish, municipality, district, or sub-district in an election held for that purpose. The amount, duration, and purpose of the tax shall be in accordance with any limitations imposed by the legislature.

(D) Municipal School Systems. For the effects and purposes of this Section the municipalities of Monroe in Ouachita Parish, and Bogalusa in Washington Parish, and no others, shall be regarded and treated as parishes and shall have the authority granted parishes.

Section 12. Tulane University
Section 12. The Tulane University of Louisiana in New Orleans is recognized as created and to be developed in accordance with Act No. 43 approved July 5, 1864."

(B) If Alternative B concerning education boards is not approved by the electors but the proposed constitution is approved by the electors then no change shall be made therein.

Section 40. Transition to Board of Regents and State Board of Elementary and Secondary Education
Section 40. (A) If Alternative B concerning education boards is approved by the electors and if the proposed constitution is approved by the electors, then the following Sections shall become Section 1 of Article XIV of the new constitution and Sections 1, 2, 3, 4, and 5 of Article XIV shall be null, void, and of no effect. If the alternative proposition is not approved, this Section shall be null and void and of no effect.

"Section 1. Educational Boards"
Section 1. (1) On the effective date of this constitution, each member of the Louisiana Coordinating Council for Higher Education whose term has not expired shall become a member of the Board of Regents. The legislature shall by law provide the procedure to effectuate the transition to the board, 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 board.

The elections and appointments shall be made in accordance with and to effectuate Article VIII, Section 5 of the alternative proposition as set forth in Sections 38 and 39 of this Article.

(2) On the effective date of this constitution, each member of the State Board of Education whose term has not expired shall become a member of the Board of Regents. He shall serve until the expiration of the term for which he was elected. The legislature shall provide by law the procedure 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 board. The elections and appointments shall be made in accordance with and to effectuate Article VIII, Sections 3 and 5 of the alternative proposition.

(3) On the effective date of this constitution the Louisiana
122nd Days Proceedings—January 19, 1974

Coordinating Council for Higher Education is abolished, and on such date all powers, duties, and functions thereof not inconsistent with this constitution shall be merged and consolidated into the Board of Regents.

(4) On the effective date of this constitution, all functions of the State Board of Education with respect to the governance, supervision, management, administration, and direction of institutions of higher education not inconsistent with this constitution shall be transferred to the Board of Regents, and in all other respects the functions of the State Board of Education not inconsistent with this constitution shall be transferred to and be exercised by the State Board of Elementary and Secondary Education.

(5) Subject to change by law and except as in conflict with this Alternative Proposition and Act 2 of 1972, the provisions of Article XII, Section 7A of the Constitution of 1921 are continued as a statute, but the powers of the board shall be limited to the management of the daily operations of the Louisiana State University System.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

Delegate J. Jackson moved that the above document contained in the report of the Secretary of the Convention be accepted and adopted as the proposed constitution, together with the proposed alternatives, of the Constitutional Convention of 1973 convened under the authority of Act No. 2 of the 1972 Regular Session of the Legislature, as amended.

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

ROLL CALL

The roll was called with the following result:

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Respectfully submitted,

MOISE W. DENNERY
Secretary.

Delegate Schmitt moved to reconsider the vote by which the final document was passed, and, on his own motion, the motion to reconsider was laid on the table.

Explanation of Vote

January 19, 1974

This is to certify that I was present when the proposed constitution was signed but refused to sign it and voted against final adoption because I do not feel that it is in the best interest of all of the people of Louisiana.

EMMETT ASSEFF
Delegate, District 7

Reasons for Not Voting on Final Passage of the 1974 Constitution:

I was appointed as a delegate to represent organized labor and as such have participated in each day's session and have voted on each issue. In order for my vote not to be misinterpreted, I chose not to cast my vote either for or against the final passage of the 1974 Constitution, but to await the final decision of the group that I was appointed to represent.

GORDON FLORY

Explanation of Vote

Delegate Kendall L. Vick sent up the following explanation of his vote on the proposed Constitution:

"I voted yes on final passage to forward the proposed Constitution to the Governor pursuant to Act 2 of 1972, however, I dissent in part for the following reasons.

The proposed section (Art. IV, Section 8) with regard to the Powers and Duties of the Attorney General has
(1) divested the Attorney General and his assistants of the power "to institute and prosecute or to intervene in criminal proceedings as they may deem necessary for the assertion or protection of the rights and interest of the State."
(2) divested the Attorney General and his assistants of the power to "exercise supervision over the several District Attorneys throughout the State."

The Attorney General requested Francis C. Sullivan, Associate Dean and Professor of Law at LSU Law School to analyze the so-called "compromise section" on the Attorney General and to compare the present powers of the office with those proposed. Dean Sullivan replied to the Attorney General in two letters dated December 14, 1973, copies of which are attached hereto and made a part hereof as though sent out in their entirety.

It should also be noted that the powers the Convention removed from the Attorney General the President's Commission on Law Enforcement and Administration of Justice recommended be included in the office of the Attorney General to strengthen the coordination of local prosecution. The report stated: (1) "In those states where the local prosecution is independently elected, the Attorney General should retain power to initiate prosecutions when, in his opinion, the interests of the state require. Experience demonstrates that such authority, when granted, is used only infrequently. (2) In those rare instances where local prosecutors are unable or unwilling to prosecute a case properly, the Attorney General should be able to enter the case and to assist or direct the prosecutor. Where such power presently exists, it is rarely exercised, but it should be available to the Attorney General."

1447
The power of the Attorney General to institute criminal prosecution vested in Article 6 of the present Constitution has been in the law of Louisiana since 1879. Therefore, I must respectfully dissent as to Section 8 of Article IV, as proposed.

Louisiana State University
Baton Rouge, Louisiana 70803
The Law School

December 14, 1973

Honorable William J. Guste, Jr.
Attorney General
State of Louisiana
P. O. Box 66323
Baton Rouge, La., 70806

Dear Mr. Attorney General:

At your request I have examined the so-called "compromise article" which would apparently be a possible substitute for the present proposed Section 27, Article V, as drafted by the Constitutional Convention. In connection with the grant of power and authority to the Attorney General in criminal cases, I would make the following comments.

Apart from minor changes in language which do not appear to be significant, only one change is made by the compromise article. The change would grant to the Attorney General the power to institute, prosecute or intervene in any criminal action or proceeding where the action is "for the cause" and, with the authorization of the appropriate court, the propriety of the action of the Attorney General is specifically made subject to judicial review.

It seems apparent that this power is essentially designed to supplement the power of supervision. Primarily this provision would serve to authorize an appropriate district judge to authorize the Attorney General to commence and conduct a prosecution in a situation where the prosecution had been initiated by the appropriate district attorney. The Attorney General would have been authorized by the judge to supersede the district attorney in the prosecution of the case. The problem envisioned is one where the district attorney wrongfully fails or refuses to prosecute a criminal violation.

Once the prosecution has been initiated by the district attorney the appropriate remedy for prosecutorial misconduct of any type would seem to be supersession. The power to intervene without the power to supervise would seem to be either meaningless or, at worst, productive of complete disruption of the proper prosecution of a case. I would call your attention to my previous comments concerning the inherent deficiencies of the power of supersession.

Two additional points I would raise. First, I would object to any attempt to answer, the serious problems involved in the grant to district judges of significant control over the initiation and conduct of criminal prosecutions.

Clearly the compromise article would deprive the Attorney General of the two key constitutional powers he now possesses in criminal cases: the independent power to institute, prosecute or intervene in criminal proceedings; and the power to supervise the district attorneys in the exercise of their criminal jurisdiction.

In my opinion the compromise article upon close examination proves to be no compromise at all.

FRANCIS C. SULLIVAN
Associate Dean

Louisiana State University
Baton Rouge, Louisiana 70803
The Law School

December 14, 1973

Honorable William J. Guste, Jr.
Attorney General
State of Louisiana
P. O. Box 66323
Baton Rouge, Louisiana 70806

Dear Mr. Attorney General:

Pursuant to your request for an opinion, I have examined the Constitution, statutes, jurisprudence and other legal materials of the State of Louisiana to determine the powers and responsibilities of the Attorney General in conducting criminal proceedings, and the law and under the proposed revision of the Louisiana Constitution as presently adopted by the Constitutional Convention. Specifically, three areas will be considered: 1) the original criminal jurisdiction of the Attorney General; 2) the powers of the Attorney General over the district attorneys; and 3) the power of the Attorney General to supersede a district attorney in a specific criminal prosecution.

(A) The Existing State of the Law

1. Original Criminal Jurisdiction

Section 56 of Article VII of the Constitution provides that the Attorney General "shall attend to, and have charge of, all legal matters in which the State has an interest, or to which the State is a party, with power and authority to institute and prosecute or to intervene in any and all suits or other proceedings, civil or criminal, as they may deem necessary for the assertion or protection of the rights and interests of the State." This can only be interpreted as a clear grant of authority to the Attorney General to institute, prosecute and intervene in any criminal prosecution brought in the name of the state in a court of criminal jurisdiction. Article 62 of the Code of Criminal Procedure provides that the attorney general has authority to institute and prosecute, or to intervene in any proceeding, as he may deem necessary for the assertion or protection of the rights and interests of the State.

Although these provisions would seem to leave no room for doubt that the Attorney General has complete original criminal jurisdiction in any case in which he chooses to exercise it, certain questions of Supreme decision as to whether this power conflicts with the powers of the district attorneys. Such question is raised, for instance, by the language of the Official Review Comment to Article 62 of the Code of Criminal Procedure: "The Attorney General has authority under this constitutional provision (Const. Art. VII, § 56) to supercede a district attorney and the attorney general under this constitutional provision (Const. Art. VII, § 56) are still somewhat hazy.

This problem, if indeed one really exists, arises from the decision in Kemp v. Stanley, 204 La. 110, 15 So. 2d 1 (1943). The sitting justice of the Supreme Court of Louisiana has aptly characterized the Kemp case as follows: "The opinion, by a bare majority, is repel with dieta. . . ." (Summers, Justice, dissenting in City of New Orleans v. Harrison, 257 La. 970, 244 So. 2d 738 (1970).) In the Kemp case, the Supreme Court on rehearing chose to find a constitutional basis for the prosecutorial power of the district attorneys: "While the Constitution does not enumerate the duties of the district attorney, it does empower the Attorney General to institute and prosecute criminal proceedings against persons charged with crime, if not expressly provided for, is clearly and necessarily implied from the Constitution." Briefly, the district attorneys are made prosecuting attorneys by the provisions of the Constitution. (15 So. 2d 1, 10.) In my opinion the Kemp case should be read to mean simply that the district attorneys share on an equal basis with the Attorney General the power to institute and prosecute criminal proceedings. This power of the district attorneys is, however, subject to the authority of the Attorney General to exercise supervision over the district attorneys as provided both by Section 56 of Article VII of the Constitution and Article 62 of the Code of Criminal Procedure. The power of supervision will be discussed later in this opinion.

It should be pointed out that this power of the Attorney General is a discretionary one which he may exercise or not, in the Constitutional language, "as (he) may deem necessary for the assertion or protection of the rights and interests of the State." Certain language in Kemp would indicate that this discretion may be reviewed by the courts: "the powers granted to him thereby . . . " (15 So. 2d 1, 12.) However, it is difficult to envision a situation in which the power of the Attorney General to institute and prosecute criminal proceedings could be found to be an arbitrary and unconstitutional exercise of discretion.

I conclude, therefore, that the Attorney General possesses the complete constitutional and statutory power and au-
authority to institute, prosecute or intervene in any criminal prosecution brought in the name of the state without the request, permission or agreement of the district attorney involved. I further find that the district attorneys of this state possess the same power and authority to institute and prosecute criminal proceedings, subject to the power of supervision of the Attorney General.

2) Power of Supervision
Section 56 of Article VII of the Constitution specifically empowers the Attorney General to "exercise supervision over the several attorneys throughout the State." This authority is restated in almost identical language in Article 62 of the Code of Criminal Procedure. From the language of Article 61, C.C.P.: "Subject to the supervision of the attorney general, the district attorney has entire charge and control of every criminal prosecution instituted pending in his district, and determines whom, when, and how he shall prosecute." It seems evident that the Legislature has implemented the constitutional provision by making the every act of the district attorney in a criminal case from decision to prosecute to the final disposition subject to the supervision of the Attorney General. This is obviously an area of potential difficulty since the term "supervision" is not subject to easy interpretation, and the keeping in mind that the Supreme Court in Kemp v. Stanley stated: "We refrain from attempting to state generally in this opinion the extent of the Attorney-General's powers.... Each case must be decided as it arises and is presented to us." (15 So. 2d 1, 16).

In my opinion both the Constitution and the Code of Criminal Procedure confer upon the Attorney General the final authority over the institution and conduct of all criminal proceedings in this State, and where the Attorney General chooses to invoke his power of supervision in any criminal case, the decision of the Attorney General must be considered as binding upon a district attorney should a dispute as to the judgment arise.

3) Power of Supersession
The power to supersede a district attorney in the prosecution of a specific criminal case is the power to "put him out of the proceedings entirely." (Kemp v. Stanley, supra, 15 So. 2d 1, 16.) No such power is conferred upon the Attorney General either by the Constitution or by statute. It should also be noted that a former Attorney General of this State issued an opinion on March 21, 1960 to the effect that an Attorney General "has no legal authority to relieve, supersede or direct a district attorney, willing to perform his duties." (Report and Opinions of the Attorney General of Louisiana, March 1, 1962 to March 1, 1964, p. 48.)

In view of the broad power of supervision available to the Attorney General, it would seem that the present absence of a power to supersede is a matter of little, if any, concern.

B.) Proposed Constitutional Revision

1) Original Criminal Jurisdiction
The present proposed revision of the Constitution, as adopted by the Constitutional Convention, establishes the powers and duties of the Attorney General in Section 27 of Article V. A substantial change is made from the provisions of the 1921 Constitution in that the power to institute, prosecute or intervene in criminal proceedings is eliminated. (Art. V, §27.) Clearly this reduces the power of the Attorney General to manage, control and direct the criminal cases remaining under the supervision of the district attorney. This represents a very significant change in the policy which has heretofore been a part of the basic law of this State.

It should be noted that the proposed revision does not specify the powers and duties of district attorneys (See Art. V, §28,29). This was also the case in the 1921 Constitution. However it must be remembered that the Supreme Court of Louisiana in Kemp v. Stanley found that the district attorneys possess the right and authority under the 1921 Constitution to institute and prosecute criminal cases. This would be the authority for the Court to hold in some future case that similar powers are created by the revision, should it be adopted.

Even though Section 27 of the proposed revision provides that the Attorney General "shall have such other powers and perform such other duties as may be provided by statute," it would seem that the Legislature could not enlarge the power of the Attorney General to initiate and prosecute criminal cases in the face of a specific provision limiting such power.

2) Power of Supervision
The power of the Attorney General to supervise the district attorneys is eliminated completely from the proposed constitutional revision. This again represents a very significant change in the policy which was expressed in the 1921 Constitution. Should the revision become effective the district attorneys would have complete control over all criminal prosecutions and would be completely free of all control or direction by the Attorney General. In my opinion this would also require the repeal of Article 62 of the Code of Criminal Procedure and the elimination of the supervisory power of the Attorney General from Article 61.

3) Power of Supersession
A new power is granted to the Attorney General to supersede a district attorney in any criminal action by Section 27(A)(3) of the proposed constitutional revision. Apparently in keeping with the implications of Kemp v. Stanley, this authority has been limited to those situations where the power to supersede is "for cause" and is further limited to those cases in which the supervisory power is authorized by the court of original jurisdiction in which the case is pending. The authority is specifically made subject to judicial review. The very difficult task of defining "for cause" is left either to the Legislature or the Supreme Court acting on a case by case basis. In view of the limitations created, it is my opinion that any attempted exercise of this power would produce such difficulty and protracted litigation as to make it ineffective in any practical sense. Although outside of the scope of this opinion, I should be noted that any dispute arising over the attempted exercise of this power which would require protracted judicial review might well have an adverse effect on the right to a speedy trial of the defendant in the particular criminal proceeding and thus be in violation of rights guaranteed by the United States Constitution.

FRANCIS C. SULLIVAN
Associate Dean and Professor of Law

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following entitled Delegate Resolutions having been finally adopted by the Convention have been properly enrolled in final form:

DELEGATE RESOLUTION No. 52—
Introduced by Delegate Fugh:
A RESOLUTION

To provide:
(A) For the form and manner for the submission to the electorate of the State of a proposed new constitution, together with alternative proposals for change, and the delegation of authority relating thereto to the appropriate officers of the convention;
(B) For the use of the facilities and services of boards, commissions, departments and agencies of the state and of the United States for the purpose of convention proceedings;
(C) With respect to the disbursement of funds appropriated to the convention;
(D) A method of reconvening the convention without peremptory return of the electorate in 1921;
(E) For the supremacy of this Resolution over inconsistent actions of the convention.

WHEREAS:

(A) By law this convention has been granted full authority
to determine the form and manner in which the proposed constitution, together with any Alternative Proposals, shall be submitted;

(B) By law this convention has been granted full authority to use the facilities and services of any board, commission, department or agency of the state and of any political subdivisions of the state, and all such instrumentalities are charged by law to cooperate with this convention to the fullest extent in furnishing services, facilities and employees to this convention upon request;

(C) This convention may be required, after January 18, 1974, to extend some of the remaining funds appropriated to it, consistent with the duties and obligations imposed upon it by law; and

(D) It may be deemed necessary to reconvene this convention after January 19, 1974, without per diem to take further action in regard to the responsibilities imposed upon it by law other than those directly relating to the drafting of a constitution and its Alternate Proposals.

(E) All rules and other actions inconsistent with the provisions of this Resolution must be suspended insofar as they may conflict herewith.

THEREFORE, BE IT RESOLVED (1) that all electors duly qualified to vote in this state at the time of the election shall be entitled to vote without regard to party affiliation in the precincts in which they are located.

(2) All other provisions of the 1974 Constitution shall apply to this election.

(3) The polls for the election shall be opened at 6:00 a.m. and closed at 8:00 p.m.
PAGE

67

122nd Days Proceedings

—January

19,

1974

majority of the officers of this convention' be and he or they
are hereby authorized to call this convention into session
without per diem for any purpose for which he or they shall
in their discretion deem necessary and appropriate to further provide as to the form and manner of submitting to the
electors of this state the constitution, together with alternative provisions relative to education and for any additional
purpose or purposes not inconsistent with law.
BE IT FURTHER RESOLVED that the provisions of this
Resolution shall take preference and priority over and shall
be paramount to any rule, provision. Resolution or other action heretofore adopted or taken by the convention, but only
insofar as the same may be in conflict with the particular
provisions of this Resolution.

DELEGATE RESOLUTION

No. 53—
Introduced by Delegate Dennery:

A RESOLUTION

Respectfully submitted,

MOISE W. DENNERY
Secretary.

The Resolutions contained in the report were signed by
the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

DELEGATE RESOLUTION

No. 54—
Introduced by Delegates Henry, Abraham, Aertker, Alario,
Alexander, Anzalone, Arnette, Asseff, Avant, Badeaux, Bel,
Bergeron, Blair, Bollinger, Brien, Brown, Burns, Burson,
Cannon, Carmouche, Casey, Champagne, Chatelain, Chehardy, Comar, Conino, Conroy, Corne, Cowen, D'Gerolamo, De
Blieux, Dennery, Dennis, Derbes, Deshotels, Drew, Dunlap,
Duval, Edwards, Elkins, Fayard, Flory, Fontenot, Fowler,
Fulco, Gauthier, Giarrusso, Ginn, Goldman, Graham, Gravel,
Grier, Guarisco, Hardee, Hayes, Haynes, Heine, Hernandez,
Jack, A. Jackson, J. Jackson, Jenkins, Jones, Juneau, Kean,
Kelly, Kilbourne, Kilpatrick, Lambert, Landrum, A. Landry,
E. J. Landry, Lanier, LeBIeu, Leigh, Leithman, Lowe, McDaniel, Martin, Mauberret, Maybuce, Miller, Mire, Morris,
Munson, Newton, Nunez, O'Neill, Ourso, Perez, Perkins,
Planchard, Pugh, Rachal, Rayburn, Reeves, Riecke, Roemer,
Roy, Sandoz, Schmitt, Segura, Shannon, Singletary, Slay,
Smith, Soniat, Stagg, Stephenson, Stinson, Stovall, Sutherland, Tapper, Tate, Thistlethwaite, Thompson, Tobias, Toca,
Toomy, UUo, Velazquez, Vesich, Vick, Wall, Warren, Wattigny, Weiss, Willis, Winchester, Wisham, Womack, and
Zervigon:

A RESOLUTION

To commend and express

the sincere gratitude and appreciation of the Constitutional Convention of Louisiana of
1973 to Norma M. Duncan, Director of Research, and her
staff for the invaluable services rendered the convention.

M. Duncan has provided the Consti-

tutional Convention of Louisiana of 1973 with her outstand-

ing background, experience, and achievement and has tirelessly and skillfully served this convention in the capacity
of Director of Research; and

WHEREAS,
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the convention has progressed and accomobjectives to a large extent through the efforts

Duncan and her

WHEREAS,

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staff;

Beverly Leake, Dolores McGibbon, Connie McManus, Margaret Matherne, Debbie Pratt and Judy Williams; Typists Judy Bishop, Gail Broussard, Cindy Cambre, Diane
Ccuch and Lucy Tynes; Proofreaders Connie Brooks, Jerel
Downing, Gretchen Gerstner, Martha Gibson, Olivia Johnston, Jane Noble and George Waldroup; Librarian Patsy
Moore; Receptionist Adrienne Patty; Docket Clerks Ellen
Feiguson and Frank Pizzolato; Law Students Michael Baer,
Richard Brazan, Richard Cryer, Joseph Rausch, Reginald
Ringuet, Bernice Roberts, Michael Wascom and Jay Zainey;
Machine Operators Shirley Corley, Marvin Dorsey, Howard
Gist and Terry Toney; and Messengers Willie Lunkin and
Brenda Smith, have worked late hours and weekends tire-

and impartially to meet, to the fullest extent possible,
the individual and combined needs of the delegates to the
Constitutional Convention of Louisiana of 1973; and
lessly

Relative to the printing and distribution of copies of the
constitution throughout the state.
BE IT RESOLVED by the Constitutional Convention of
Louisiana of 1973 that the publication of the constitution
in the official journal of the state, prior to the election, and
the printing and distribution of copies of the constitution
throughout the state, prior to the election shall be accomplished and paid for by the convention, and the Executive
Committee is directed to do all things necessary and proper to accomplish the same.

WHEREAS, Norma

tants Ramon Arango, J. Reginald Coco, Jr., Leroy Colter,
R. Judge Fames, C. B. Forgotston, Stephen Glassell, Jerry
Hood, Walter Landry, Charles Machen, Lois Michelli, James
Norris, Scott Reis, Joe Smith and Harry Wood; Junior Research Assistants Marius Carriere, Carol Coltharp, Jean Conner, Betty Field, Frank Koles, Robert Pellegrin and Fred
Tinsley; Law Clerks Jasper Pharr and Gail Sandle; Secretaries Moise Allen, Rexie Artieta, Marietta Bell, Betty Blanchard, Paula Brumfield, Meredith Bunker, Johnnie Burks,
Judy Cooper, Rita Ferachi, Mary Ann Fields, Paula Lato,

and

hours spent by Mrs. Dimcan and her

staff in assisting the delegates and the Constitutional Convention of Louisiana of 1973 have been invaluable to the
Constitutional Convention and the State of Louisiana; and
WHEREAS, Mrs. Duncan and her staff. Coordinators Lee
Hargrave, Audrey LeBlanc, and Gene Tarver; Executive
Secretary Kathy Goss; Administrative Assistant Dan Blake;
Clerical Supervisor Irmie Gaudet; Senior Research Assis-

WHEREAS, Mrs. Duncan and her staff have given of
their constitutional expertise to the Constitutional Convention of Louisiana of 1973 and have provided the delegates,
the committees, and the convention with research, legal
counsel, proposal and resolution drafting, amending preparation, digesting, and numerous other means of assistance; and
WHEREAS, without the ability and dedication of Mrs.
Duncan and her staff the work of the Constitutional Convention of Louisiana of 1973 would have been an extremely
difficult task to accomplish.
THEREFORE, BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 and its delegates,
individually, do hereby express grateful appreciation and the
highest commendation to Norma M. Duncan, Director of
Research, and her staff. Coordinators Lee Hargrave, Audrey
LeBlanc, and Gene Tarver; Executive Kathy Goss; Administrative Assistant Dan Blake; Clerical Supervisor Irmie
Gaudet; Senior Research Assistants Ramon Arango, J. Reginald Coco, Jr., Leroy Colter, R. Judge Fames, C. B. Forgotston, Stephen Glassell, Jerry Hood, Walter Landry, Charles Machen, Lois Michelli, James Norris, Scott Reis, Joe
Smith and Harry Wood; Junior Research Assistants Marius
Carriere, Carol Coltharp, Jean Conner, Betty Field, Frank
Koles, Robert Pellegrin, Fred Tinsley; Law Clerks Jasper
Pharr and Gail Sandle; Secretaries Moise Allen, Rexie Artieta, Marietta Bell, Betty Blanchard, Paula Brumfield, Meredith Bunker, Johnnie Burks, Judy Cooper, Rita Ferachi,
Mary Ann Fields, Paula Lato, Beverly Leake, Dolores McGibbon, Connie McManus, Margaret Matherne, Debbie Pratt
and Judy Williams; Typists Judy Bishop, Gail Broussard,
Cindy Cambre, Diane Couch and Lucy Tynes; Proofreaders
Connie Brooks, Jerel Downing, Gretchen Gerstner, Martha
Gibson, Olivia Johnston, Jane Noble and George Waldroup;
Librarian Patsy Moore; Receptionist Adrienne Patty; Docket Clerks Ellen Ferguson and Frank Pizzolato; Law Students Michael Baer, Richard Brazan, Richard Cryer, Joseph
Rausch, Reginald Ringuet, Bernice Roberts, Michael Wascom and Jay Zainey; Machine Operators Shirley Corley,
Marvin Dorsey, Howard Gist and Terry Toney; and Messengers Willie Lunkin and Brenda Smith, for their faithful dedication and the high quality of the work and service which
they have performed toward the successful completion of
a new constitution for the State of Louisiana and its people.
BE IT FURTHER RESOLVED, that this Resolution be
spread upon the official journal of the convention and that
a copy hereof be distributed to each of the persons named
herein.

DELEGATE RESOLUTION

No. SBIntroduced by Delegates Henry, Abraham, Aertker. Alario,
Alexander, Anzalone, Arnette, Asseff, Avant, Badeaux, Bel,
Bergeron, Blair, Bollinger, Brien, Brown, Burns, Burson,
Cannon, Carmouche, Casey, Champagne, Chatelain, Chehardy, Comar, Conino, Conroy, Corne, Cowen, D'Gerolamo,
De Blieux, Dennery, Dennis, Derbes, Deshotels, Drew, Dunlap, Duval, Edwards, Elkins, Fayard, Flory, Fontenot, Fowler, Fulco, Gauthier, Giarrusso, Ginn, Goldman, Graham,
Gravel, Grier, Guarisco, Hardee, Hayes, Haynes, Heine,
Hernandez, Jack, A. Jackson, J. Jackson, Jenkins, Jones,

1451


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to David Poynter, Chief Clerk, and his staff for the services rendered the convention.

WHEREAS, David Poynter has provided the Constitutional Convention of Louisiana of 1973 with his excellent background and experience and has ably and faithfully served this convention in the capacity of Chief Clerk and Parliamentarian; and

WHEREAS, the convention has functioned smoothly and efficiently in its sessions largely due to the skillful and infallible management of the clerk of the convention under the direction of Mr. Poynter; and

WHEREAS, the accuracy of the official record of the convention, the daily journal, has been due to the close attention and supervision provided by Mr. Poynter and his staff; and

WHEREAS, the smooth operation of the office of Chief Clerk and the prompt attention to the myriad details in connection therewith is a tribute to the ability and dedication of Mr. Poynter and his staff, Edward Hardin, Assistant Chief Clerk, C. Wayne Hays, Journal Clerk, Samuel J. Bonnette, Jr., Calendar Clerk, Richard Broussard, Assistant Calendar Clerk, Eugene Limar, Assistant Endorsement Clerk, Julia LaBauve, Secretary to the Clerk, Alfred Speer, Head Page, Jules Regard, Assistant Head Page, and pages.

THEREFORE, BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 and its delegates, individually, command and express their deepest appreciation to David Poynter, Chief Clerk, and his staff, Edward Hardin, Assistant Chief Clerk, C. Wayne Hays, Journal Clerk, Samuel J. Bonnette, Jr., Calendar Clerk, Richard Broussard, Assistant Calendar Clerk, Eugene Limar, Assistant Endorsement Clerk, Julia LaBauve, Secretary to the Clerk, Alfred Speer, Head Page, Jules Regard, Assistant Head Page, and pages, for their invaluable services and the capability and untiring efforts that have greatly contributed to the smooth operation of the convention and the successful completion of writing a new constitution for the State of Louisiana and its people.

BE IT FURTHER RESOLVED, that this Resolution be spread upon the official journal of the convention and that a copy hereof be distributed to the persons named herein.

DELEGATE RESOLUTION No. 57—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to Jane Noble, Chief Clerk, Enrolling Room and her staff for the valuable services rendered the convention.

WHEREAS, the authenticity of all official proposals and resolutions has been maintained largely due to the dedicated and skillful performance of Jane Noble, Chief Clerk, Enrolling Room and her staff; and

WHEREAS, Jane Noble, her staff, Agnes Hooper, Assistant Clerk, Margie Gaudin, Jean Glaze, Maxine Maglone, Claire Morvant, Jesse Noble, Elizabeth Politz, Mary Reuhl, Martha Schlicht, and Connie Swanner have labored diligently throughout the sessions of the convention and the successful completion of writing a new constitution for the State of Louisiana and its people.

THEREFORE, BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 and its delegates, individually, command and express their sincere appreciation to Jane Noble and her staff, Agnes Hooper, Assistant Clerk, Margie Gaudin, Jean Glaze, Maxine Maglone, Claire Morvant, Jesse Noble, Elizabeth Politz, Mary Reuhl, Martha Schlicht, and Connie Swanner for the capable and untiring efforts that have greatly contributed to the smooth operation of the convention and the successful completion of writing a new constitution for the State of Louisiana and its people.

BE IT FURTHER RESOLVED, that this Resolution be spread upon the official journal of the convention and that a copy hereof be distributed to the persons named herein.

DELEGATE RESOLUTION No. 58—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to Jane French, Chief Clerk, Office of the Secretary and her staff for the valuable services rendered the convention.

WHEREAS, the accuracy of the official transcripts of the convention has been largely due to the dedicated and skillful performance of Jane French, Chief Clerk, Office of the Secretary and her staff; and

WHEREAS, Jane French and her staff, Peggy Burgess, Barbara Clinto, Mary Crochet, Nancy Cross, Dorothy Flory, Carleen Huffsticker, Mike Lafeur, Marva Tuminello, Mary Wright, and Joyce Young have given tirelessly of themselves to provide the necessary assistance which has greatly benefited the smooth operation of the office of the clerk of the convention.

THEREFORE, BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 commend and express its sincere appreciation to Jane French and her staff, Peggy Burgess, Barbara Clino, Mary Crochet, Nancy Cross, Dorothy Flory, Carleen Huffsticker, Mike Lafeur, Marva Tuminello, Mary Wright, and Joyce Young for the capable and untiring efforts that have greatly contributed to the smooth operation of the convention and the successful completion of writing a new constitution for the State of Louisiana and its people.

BE IT FURTHER RESOLVED, that this Resolution be spread upon the official journal of the convention and that a copy hereof be distributed to the persons named herein.

DELEGATE RESOLUTION No. 59—

Introduced by Delegates Henry, Abraham, Aertker, Alario, Alexander, Anzalone, Arnette, Asself, Avant, Badeaux, Bel, Bergeron, Blair, Bollinger, Brien, Brown, Burns, Burson, Cannon, Carmouche, Casey, Chapman, Chatelain, Cheh-
THE CONSTITUTIONAL CONVENTION OF LOUISIANA OF 1973

RESOLVED, that the Constitutional Convention of Louisiana of 1973 and its delegates, individually and collectively, express their sincere appreciation to Mr. Barries and his staff, Sergeants-At-Arms Wilmer Baudoin, L. G. Brassett, E. O. Callietteau, Dan Campbell, Ellis Dazio, Freddid Donald, Macon Gean, David Hamilton, Raymond Holloway, Eddie Joe, Heywood Jeffers, Joseph Keith, Bill Middleton, Steve Mogabgab, Joseph Richard, Mike Skinner, Charles Taylor; Secretaries, Mr. Van Foster, Glen Kepp, Lemmie Walker, and messengers.

BE IT FURTHER RESOLVED, that this Resolution be spread upon the official journal of the convention and that a copy hereof be distributed to the persons named herein.

DELEGATE RESOLUTION No. 60

WHEREAS, the Constitutional Convention of Louisiana of 1973 and its delegates, individually, commend and express their deep appreciation to Gale B. Clausen, Personal Secretary to the Chairman, Roy Fugler, Assistant to the Chairman; and

WHEREAS, the office of the secretary of the convention has been ably and efficiently served by Bernice Weaver, Chief Accountant, Brenda St. Romain, Assistant Accountant, and Carol Turk, Clerk; and

WHEREAS, these staff personnel have greatly contributed to the smooth and efficient operation of the Constitutional Convention of Louisiana of 1973.

BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 and its delegates, individually, commend and express their deep appreciation to Gale B. Clausen, Personal Secretary to the Chairman, Roy Fugler, Assistant to the Chairman, Brenda St. Romain, Assistant Accountant, and Carol Turk, Clerk, for their capable and efficient efforts that have contributed to the smooth operation of the convention and the successful completion of a new constitution for the State of Louisiana and its people.

BE IT FURTHER RESOLVED, that this Resolution be spread upon the official journal of the convention and that a copy hereof be distributed to the persons named herein.

DELEGATE RESOLUTION No. 61

WHEREAS, the Convention has been able to conduct its deliberations in an orderly and decorous manner because of the efficient work of Mr. Barries and his staff, Sergeants-At-Arms Wilmer Baudoin, L. G. Brassett, E. O. Callietteau, Dan Campbell, Ellis Dazio, Freddid Donald, Macon Gean, David Hamilton, Raymond Holloway, Eddie Joe, Heywood Jeffers, Joseph Keith, Bill Middleton, Steve Mogabgab, Joseph Richard, Mike Skinner, Charles Taylor; Secretaries, Mr. Van Foster, Glen Kepp, Lemmie Walker, and messengers.

BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 and its delegates, individually, commend and express their sincere appreciation to Mr. Barries and his staff, Sergeants-At-Arms, Wilmer Baudoin, L. G. Brassett, E. O. Callietteau, Dan Campbell, Ellis Dazio, Freddid Donald, Macon Gean, David Hamilton, Raymond Holloway, Eddie Joe, Heywood Jeffers, Joseph Keith, Bill Middleton, Steve Mogabgab, Joseph Richard, Mike Skinner, Charles Taylor; Secretaries, Mr. Van Foster, Glen Kepp, Lemmie Walker, and messengers.

BE IT FURTHER RESOLVED, that this Resolution be spread upon the official journal of the convention and that a copy hereof be distributed to the persons named herein.

DELEGATE RESOLUTION No. 69

WHEREAS, the Convention has been able to conduct its deliberations in an orderly and decorous manner because of the efficient work of Mr. Barries and his staff, Sergeants-At-Arms Wilmer Baudoin, L. G. Brassett, E. O. Callietteau, Dan Campbell, Ellis Dazio, Freddid Donald, Macon Gean, David Hamilton, Raymond Holloway, Eddie Joe, Heywood Jeffers, Joseph Keith, Bill Middleton, Steve Mogabgab, Joseph Richard, Mike Skinner, Charles Taylor; Secretaries, Mr. Van Foster, Glen Kepp, Lemmie Walker, and messengers.

BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 and its delegates, individually, commend and express their sincere appreciation to Mr. Barries and his staff, Sergeants-At-Arms, Wilmer Baudoin, L. G. Brassett, E. O. Callietteau, Dan Campbell, Ellis Dazio, Freddid Donald, Macon Gean, David Hamilton, Raymond Holloway, Eddie Joe, Heywood Jeffers, Joseph Keith, Bill Middleton, Steve Mogabgab, Joseph Richard, Mike Skinner, Charles Taylor; Secretaries, Mr. Van Foster, Glen Kepp, Lemmie Walker, and messengers.

BE IT FURTHER RESOLVED, that this Resolution be spread upon the official journal of the convention and that a copy hereof be distributed to the persons named herein.

A RESOLUTION

To express appreciation to the officials, operators and messengers of South Central Bell Telephone Company for the telephone services provided to the delegates of the Constitutional Convention of Louisiana of 1973.

WHEREAS, the South Central Bell Telephone Company has provided excellent telephone services to the delegates of the Constitutional Convention of Louisiana of 1973; and

WHEREAS, it is a real public service to make available to delegates telephone facilities in that the service greatly facilitates communication between each delegate and the people of the state; and

WHEREAS, the convenience of providing telephone and messenger service to the Constitutional Convention of Louisiana of 1973 is immeasurably far superior to the burden of performing our duties, particularly since the service has been furnished with such competence and courtesy.

THEREFORE, BE IT RESOLVED, that the officials of the South Central Bell Telephone Company and the operators and messengers furnished by South Central Bell are hereby extended the official appreciation of the Constitutional Convention of Louisiana of 1973 and sincere personal commendation of each delegate thereof for their distinguished performance of a much needed service.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to South Central Bell Telephone Company.

DELEGATE RESOLUTION No. 62—


A RESOLUTION

To commend the members of the news media for their service to the public during the Constitutional Convention of Louisiana of 1973.

WHEREAS, the members of the news media of Louisiana, including the newspapers, radio, and television, have reported the deliberations of the Constitutional Convention sessions and its committee hearings for the past twelve weeks and a half months with a sense of responsibility to the public and to their profession; and

WHEREAS, the members of the news media are to be commended for their dedication to the coverage of this convention accurately and with a sense of history; and

WHEREAS, the people of this state have been informed of the progress and accomplishments of the convention.

THEREFORE, BE IT RESOLVED, by the Constitutional Convention of Louisiana of 1973, that the delegates of the convention take this means of commending the members of the news media for their excellent coverage of the events of this convention.

DELEGATE RESOLUTION NUMBER 65—


A RESOLUTION

To commend and express the gratitude of the delegates of the Constitutional Convention of Louisiana for their outstanding cooperation and services, and recording equipment available for the use and convenience of the Constitutional Convention, and

WHEREAS, the Louisiana AFL-CIO has provided other workers to operate the equipment.

THEREFORE, BE IT RESOLVED, that the Convention, and

WHEREAS, these workers have spent many long hours operating and maintaining this equipment, and

WHEREAS, said equipment and workers have been indispensable to the effective and efficient operation of the Convention, and

WHEREAS, said equipment and workers would have been available to the Convention only at considerable expense to the Convention and their provision by the Louisiana AFL- CIO has resulted in great savings to the Convention, and

WHEREAS, this action on the part of the Louisiana AFL-CIO has been a great service to the Constitutional Convention and the people of the State of Louisiana.

THEREFORE, BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 commends and expresses its sincere gratitude and appreciation to the Louisiana AFL-CIO.

THEREFORE, BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Louisiana AFL-CIO.

DELEGATE RESOLUTION No. 64—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to Louisiana State University and Agricultural and Mechanical College and the Louisiana State University Law School for their cooperation and support provided to the Convention, and

WHEREAS, the Louisiana State University and Agricultural and Mechanical College and the Louisiana State University Law School, have graciously extended their hospitality to
WHEREAS, the staffs of the Speaker of the House of Representative; and the Clerk of the House have rendered invaluable help and assistance to the convention and the delegates when called upon to do so; and

WHEREAS, the Secretary of State, the Attorney General, and the Custodian of Voting Machines and their staffs have responded promptly and fairly when called upon to aid the Convention in resolving some of the problems confronting it; and

WHEREAS, the courtesies which have so generously been supplied to the delegates to the Constitutional Convention of Louisiana of 1973 through the efforts of the staff of the House of Representatives, the Senate, the Secretaries of the House and Senate, the Clerk and the law school legal staff, are hereby acknowledged.

THEREFORE, BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 commend and express its appreciation to the custodians of the convention, the Secretaries of the House and Senate, the Clerk of the Convention, and the staffs of the House of Representatives, the Senate, the Secretaries of the House and Senate, and the law school legal staff.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Louisiana State University and Agricultural and Mechanical College and the Louisiana State University Law School.

DELEGATE RESOLUTION No. 65—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to the individuals who have assisted the convention.

WHEREAS, the task of writing a new constitution and the responsibilities of the delegates to the Constitutional Convention of Louisiana of 1973 have been complex and complicated; and

WHEREAS, the work of the convention would have been difficult to accomplish without the aid and assistance of the many people who aided and assisted the Constitutional Convention of Louisiana of 1973 before and during its existence; and

WHEREAS, for many months prior to the convening of the Constitutional Convention of Louisiana of 1973 and continuing through the year of the convention's existence the Louisiana Legislative Council and its staff has given invaluable assistance to the convention and its staff; and

WHEREAS, this assistance has been in the form of untold hours of advice, counsel, research, and other forms of assistance given graciously and whenever called upon; and

WHEREAS, in its beginnings, the research staff of the convention had to rely almost exclusively on the resources of the Legislative Council for its research capability; and

WHEREAS, the Division of Administration has worked very closely with the convention and in particular the office of the convention's staff; and

WHEREAS, the Division of Administration at the outset of the convention assigned Jim Falkner, a member of its staff to assist the treasurer of the convention; and

WHEREAS, the convention and the State Police were the only agencies remaining within the convention hall and the areas in close proximity to the convention could not have been assured but for the unceasing efforts of the State Police officers assigned to the Constitutional Convention of Louisiana of 1973; and

WHEREAS, the staffs of the Speaker of the House of Representaives; and the Clerk of the House have rendered invaluable help and assistance to the convention and the delegates when called upon to do so; and

WHEREAS, the Secretary of State, the Attorney General, and the Custodian of Voting Machines and their staffs have responded promptly and fairly when called upon to aid the Convention in resolving some of the problems confronting it; and

WHEREAS, the courtesies which have so generously been supplied to the delegates to the Constitutional Convention of Louisiana of 1973 through the efforts of the staff of the House of Representatives, the Senate, the Secretaries of the House and Senate, the Clerk of the Convention, and the law school legal staff, are hereby acknowledged.

THEREFORE, BE IT RESOLVED, that the Constitutional Convention of Louisiana of 1973 commend and express its appreciation to the custodians of the convention, the Secretaries of the House and Senate, the Clerk of the Convention, and the staffs of the House of Representatives, the Senate, the Secretaries of the House and Senate, and the law school legal staff.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Louisiana State University and Agricultural and Mechanical College and the Louisiana State University Law School.

DELEGATE RESOLUTION No. 65—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to the individuals who have assisted the convention.

WHEREAS, the task of writing a new constitution and the responsibilities of the delegates to the Constitutional Convention of Louisiana of 1973 have been complex and complicated; and

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WHEREAS, in its beginnings, the research staff of the convention had to rely almost exclusively on the resources of the Legislative Council for its research capability; and

WHEREAS, the Division of Administration has worked very closely with the convention and in particular the office of the convention's staff; and

WHEREAS, the Division of Administration at the outset of the convention assigned Jim Falkner, a member of its staff to assist the treasurer of the convention; and

WHEREAS, the convention and the State Police were the only agencies remaining within the convention hall and the areas in close proximity to the convention could not have been assured but for the unceasing efforts of the State Police officers assigned to the Constitutional Convention of Louisiana of 1973; and
BE IT FURTHER RESOLVED, that this Resolution be spread upon the official journal of the convention and that a copy hereof be transmitted to Governor Edwards.

DELEGATE RESOLUTION No. 67—
Introduced by Delegates Rayburn, Thompson, Brown, Reeves, Lambert and Nunez:
A RESOLUTION
Relative to the distribution of public information concerning the proposed Louisiana Constitution of 1974.
BE IT RESOLVED by the Constitutional Convention of Louisiana of 1973 that in the event the Committee on Public Information determines that information shall be disseminated to the people of the state through the medium of newspapers, said committee is hereby authorized and directed to take such steps as are necessary to assure that, where space is purchased, the information is printed at least in the official journal of each parish, and in all events shall make every effort to disseminate information relative to the proposed new constitution in the weekly newspapers throughout the state as well as in daily newspapers.
Respectfully submitted,
Moise W. Dennery
Secretary.

The Resolutions contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Motion

On motion of Delegate Miller the following lyrics were ordered entered upon the journal:

SHOULD AULD ACQUAINTANCE BE FORGOT
AND NEVER BROUGHT TO MIND?
WE SHOULD REMEMBER THAT WE DID
THE CONSTITUTION SIGN.

SO BANG THE GAVEL ONCE AGAIN
AND OPEN THE MACHINE
WHILE BUBBA HENRY STANDS ALOFT
WITH COUNTENANCE SERENE

WHEN WELLBORN JACK BEGINS TO SPEAK
THE MEMBERS, TO A MAN
QUIET DOWN TO HEAR THE WISDOM FLOW
FROM NORTH LOUISIANE

AND THEN ST. MARTIN'S ORATOR
SPOUTS BIBLE AND THE BARD
AS MR. PEREZ ARGUES WITH
HIS FRIENDS FROM ST. BERNARD

ASSESSORS ALL WITH BATED BREATH
AWAIT CHEHARDY'S JOKE
WHILE CASEY AND MS. ZERVIGON
ARE BOTH ABOUT TO CHoke

THEN ALPHONSE JACKSON AND CHRIS ROY
THEIR CIVIL RIGHTS THING DO
AND E. J. LANDRY AND AMBOISE
DISCUSS LAFOURCHE BAYOU

JUDGE ALBERT TATE GOES TO THE MIKE
TO SPEAK OF DRAFT AND STYLE
AS GRAHAM, GRAVEL AND ROBERT PUGH
ALL VISIT IN EACH AISLE

THEN LOUD VOICED ALVIN FROM SLIDELL
ASKS QUESTIONS FROM THE FLOOR
WHILE MUNSON AND HERNANDEZ, PETE,
FOR TIMBER DO IMPLORE

THE SHERIFFS AND THE CLERKS OF COURT
AGREE WITH THE D.A.'S
AND ALL THE FOLKS FROM THIBODAUx
SING OUT LA MARSEILLAISE

THEN FLORY AND AVANT ARISE
AND BOTH APPROACH THE CHAIR
THEY LABOR LONG AND LABOR HARD
THEIR GRIEVANCES TO AIR

THE VET FROM NOUVELLE ORLEANS
COMPUTES THE RATE OF TAX
WHILE SIXTY AND THE SENATORS
GIVE P.A.R. THE AXE

THE LADIES—AND WE BLESS THEM ALL—
THEIR LIBERATION FLOUT
AS ALL THE MANY MINISTERS
COME FORTH WITH PRAYERS DEVOUT

WHILE NORMA DUNCAN AND THE STAFF
WORK OVERTIME GALORE
THE PAGES AND THE SARG AT ARMS
TRY ORDER TO RESTORE

I KNOW I HAVE FORGOTTEN SOME
BUT NONE DID I MALIGN
AND NEVER WILL I FORGET YOU ALL
IN DAYS OF AULD LANG SYNE.

MOISE W. DENNERY

1. Should auld acquaintance be forgot and never brought to mind?
   Though nerves were frayed
   There were mem'ries made
   Pleasant thoughts our hearts can find.
   For days of CC/73
   Are coming to an end
   We've done our best
   Now the biggest test—
   Will the voter be our friend?

2. We've come though many storms and trials
   We have often disagreed.
   Our work is done and our race is run
   Though it can't be said "with speed".
   For days of CC/73
   We never more shall see
   And as we part
   We have saddened hearts
   Leaving CC/73.
   For auld lang syne my dear
   For auld lang syne
   We'll take a cup of kindness yet
   For CC/73.

CORINNE DARLEE MAYBUCe

Delegate Segura moved that the Convention do now adjourn subject to recall.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned subject to recall.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
Constitutional Convention of 1973 of the STATE OF LOUISIANA

CALENDAR


Ending Saturday, January 19, 1974

BY AUTHORITY

E. L. HENRY Chairman

MOISE W. DENNERY Secretary

DAVID R. POYNTER Chief Clerk
## Constitutional Convention
### Index by Author and Number

<table>
<thead>
<tr>
<th>Name of Delegate</th>
<th>Committee Proposals</th>
<th>Delegate Proposals</th>
<th>Committee Resolutions</th>
<th>Delegate Resolutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>4, 5, 19, 22, 23, 31, 32</td>
<td>23, 67, 68, 69, 70, 71, 72, 73, 80, 81, 82, 83, 93, 94, 95, 96, 97, 98, 99, 101, 102</td>
<td>10</td>
<td>1, 5, 8, 14, 16, 17, 24, 49, 54, 55, 56, 57, 58, 69, 69, 81, 82, 83, 84, 65, 66, 66, 65, 66</td>
</tr>
<tr>
<td>Alario</td>
<td>15, 26</td>
<td>16, 18, 97, 98, 100</td>
<td>10</td>
<td>2, 6, 14, 16, 54, 55, 56, 57, 58, 59, 69, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Alexander</td>
<td>4, 5, 19, 22, 31, 32</td>
<td>37, 99, 101, 102</td>
<td>10</td>
<td>8, 14, 16, 48, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Anzalone</td>
<td>4, 5, 19, 22, 31</td>
<td>97, 98, 103</td>
<td>10</td>
<td>8, 14, 16, 23, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Armentor</td>
<td>7, 9, 10, 11, 12, 13, 14, 18</td>
<td>98, 99, 100, 102</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Arnette</td>
<td>4, 5, 19, 22, 31, 32</td>
<td>1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Asseff</td>
<td>19, 1, 31, 32</td>
<td>1, 2, 3, 4, 25, 29, 51, 97, 99, 100, 101, 102</td>
<td>10</td>
<td>8, 10, 14, 16, 20, 28, 34, 48, 47, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Avant</td>
<td>6, 21</td>
<td>15, 97, 99, 100, 102</td>
<td>10</td>
<td>8, 11, 14, 16, 49, 51, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Badeaux</td>
<td>15</td>
<td>98, 99, 102</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Badeaux, C.</td>
<td>6, 21</td>
<td>98, 99, 102</td>
<td>10</td>
<td>49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Bel</td>
<td>6, 21</td>
<td>37, 40, 41, 61, 95, 96, 97, 99, 100, 101, 102</td>
<td>2, 3, 4, 5, 6, 7, 8, 9, 10, 13</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Bergeron</td>
<td>6, 21</td>
<td>14, 37, 97, 98, 99, 102</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Berry</td>
<td></td>
<td>74, 96</td>
<td>10, 11</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Blair</td>
<td>3</td>
<td></td>
<td></td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Bollinger</td>
<td>16, 34, 37</td>
<td>97, 98, 99, 100, 101, 102</td>
<td>2, 3, 4, 5, 6, 7, 8, 9, 10, 13</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Brien</td>
<td>4, 5, 19, 22, 23, 31</td>
<td>49</td>
<td>10</td>
<td>8, 14, 16, 17, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Brown</td>
<td>15, 26</td>
<td>99, 100, 102</td>
<td>10</td>
<td>8, 14, 16, 21, 27, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Burns</td>
<td>6, 21</td>
<td>7</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Burson</td>
<td>8, 17, 27, 28, 29</td>
<td>13, 62, 63, 75, 76, 93, 97</td>
<td>10</td>
<td>8, 14, 16, 29, 30, 31, 37, 38, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Cannon</td>
<td>8, 17, 27, 28, 29</td>
<td>97, 100, 103</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Carmouche</td>
<td>7, 9, 10, 11, 12, 13, 14, 18, 30</td>
<td>99, 102, 103</td>
<td>10</td>
<td>8, 14, 16, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Casey</td>
<td>3</td>
<td>18, 37, 38, 39, 96, 97, 98, 99, 100, 102</td>
<td>10, 11</td>
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<td>8, 14, 16, 17, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
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<tr>
<td>Riecke</td>
<td>7, 9, 10, 11, 12, 13, 14, 18, 30</td>
<td>18, 37, 96, 98, 99, 102</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
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<td>Robinson</td>
<td>7, 9, 10, 11, 12, 13, 14, 18, 30</td>
<td>66, 77, 78, 92</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
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</tr>
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<td>Roemer</td>
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<td>97, 98, 99, 100, 101, 102</td>
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<td>1, 2, 20, 24, 25, 33, 35, 36</td>
<td>43, 65, 99, 102</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
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</tr>
<tr>
<td>Sandoz</td>
<td>6, 21</td>
<td>99, 100, 101, 102</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Schmitt</td>
<td>15</td>
<td>24, 97, 98, 99, 100, 101, 102</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Segura</td>
<td>7, 9, 10, 11, 12, 13, 14, 18, 30</td>
<td>87, 103</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Shannon</td>
<td>8, 17, 27, 28, 29</td>
<td>98, 99, 100, 101, 102</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Silverberg</td>
<td>7, 9, 10, 11, 12, 13, 14, 18, 30</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Singletery</td>
<td>16, 34, 37</td>
<td>47, 48, 97, 99, 100, 102</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Slay</td>
<td>15, 26</td>
<td>16</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Smith</td>
<td>15, 38</td>
<td>97, 100, 101, 103</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Soniat</td>
<td>1, 2, 20, 24, 25, 33, 35, 36</td>
<td>96, 99, 102</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Stagg</td>
<td>4, 5, 19, 22, 23, 31, 32</td>
<td>99, 101, 102</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Stephenson</td>
<td>8, 17, 27, 28, 29</td>
<td>10</td>
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<td></td>
</tr>
<tr>
<td>Stinson</td>
<td>1, 2, 20, 24, 25, 33, 35, 36</td>
<td>97</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
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<tr>
<td>Name of Delegate</td>
<td>Committee Proposals</td>
<td>Delegate Proposals</td>
<td>Committee Resolution</td>
<td>Delegate Resolutions</td>
</tr>
<tr>
<td>------------------</td>
<td>---------------------</td>
<td>-------------------</td>
<td>---------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Stovall</td>
<td>4, 5, 19, 22, 23, 31</td>
<td>42, 43, 96, 98, 99, 102</td>
<td>2, 3, 4, 5, 6, 7, 8, 9, 10, 13</td>
<td>8, 14, 16, 22, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Sutherland</td>
<td>7, 9, 10, 11, 12, 13, 14, 18, 30</td>
<td>96, 98, 99, 100, 101, 102</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Tapper</td>
<td>4, 5, 19, 22, 23, 31</td>
<td>37, 99, 102</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Tate</td>
<td>6, 21</td>
<td>10</td>
<td>8, 14, 16, 17</td>
<td></td>
</tr>
<tr>
<td>Taylor</td>
<td>8, 17, 27, 28, 29</td>
<td>10</td>
<td>8, 14, 16, 17, 17, 35, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Thistlewaite</td>
<td>7, 9, 10, 11, 12, 13, 14, 18, 30</td>
<td>96, 99, 101, 102</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Thompson</td>
<td>16, 34, 37, 38</td>
<td>10, 11, 12</td>
<td>8, 14, 16, 17, 17, 35, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Tobias</td>
<td>6</td>
<td>46, 98, 99, 102, 103</td>
<td>10</td>
<td>8, 14, 16, 17, 17, 35, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Toca</td>
<td>7, 9, 10, 11, 12, 13, 14, 18, 30</td>
<td>64, 103</td>
<td>10</td>
<td>8, 14, 16, 17, 17, 35, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Toomy</td>
<td>8, 17, 27, 28, 29</td>
<td>56, 97, 98</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Triche</td>
<td>15</td>
<td>10</td>
<td>8, 14, 16, 17</td>
<td></td>
</tr>
<tr>
<td>Ullo</td>
<td>8, 17, 27, 28, 29</td>
<td>97, 98, 100, 103</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Velazques</td>
<td>16, 34, 37</td>
<td>10, 11, 12</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Vesich</td>
<td>6, 21</td>
<td>37, 40, 41, 61</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Vick</td>
<td>1, 2, 20, 24, 25, 33, 35, 36</td>
<td>37, 44, 96, 98, 99, 101, 102, 103</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Wall</td>
<td>1, 2, 20, 24, 25, 33, 35, 36</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Warren</td>
<td>16, 34, 37</td>
<td>37, 43, 97, 98, 99, 101, 102</td>
<td>2, 3, 4, 5, 6, 7, 8, 9, 10, 13</td>
<td>8, 14, 16, 45, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Wattigny</td>
<td>98</td>
<td>10</td>
<td>8, 14, 16, 17, 17, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Weiss</td>
<td>1, 2, 20, 24, 25, 33, 35, 36</td>
<td>5, 6, 96, 97, 98, 103</td>
<td>10</td>
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<tr>
<td>Willis</td>
<td>97, 98, 103</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
<td></td>
</tr>
<tr>
<td>Winchester</td>
<td>15, 26</td>
<td>16, 97, 100, 103</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
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<td>Wisham</td>
<td>7, 9, 10, 11, 12, 13, 14, 18, 30</td>
<td>97, 99, 102, 103</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Womack</td>
<td>16, 34, 37, 38</td>
<td>4</td>
<td>10</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Zervigon</td>
<td>8, 17, 27, 28, 29, 38</td>
<td>91, 98, 99, 100, 101, 102</td>
<td>10, 11, 12</td>
<td>8, 14, 16, 17, 39, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Aertker</td>
<td>7, 9, 10, 11, 12, 13, 14, 18, 30</td>
<td>97, 99, 100, 102</td>
<td>10, 11</td>
<td>8, 14, 16, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
</tr>
<tr>
<td>Landrum</td>
<td>3</td>
<td>37, 99, 102</td>
<td>10</td>
<td>8, 14, 16, 17, 49, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66</td>
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<tr>
<td>CALENDAR INDEX</td>
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<tr>
<td>September 21, 1973</td>
<td>Pages</td>
<td>November 2, 1973</td>
<td>Pages</td>
<td></td>
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<tr>
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<td>-------------</td>
<td></td>
</tr>
<tr>
<td>51st Day's Proceedings</td>
<td>510–515</td>
<td>77th Day's Proceedings</td>
<td>713–721</td>
<td></td>
</tr>
<tr>
<td>52nd Day's Proceedings</td>
<td></td>
<td>November 6, 1973</td>
<td></td>
<td></td>
</tr>
<tr>
<td>September 25, 1973</td>
<td></td>
<td>79th Day's Proceedings</td>
<td>730–742</td>
<td></td>
</tr>
<tr>
<td>53rd Day's Proceedings</td>
<td></td>
<td>November 7, 1973</td>
<td>743–753</td>
<td></td>
</tr>
<tr>
<td>September 26, 1973</td>
<td>526–533</td>
<td>80th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>54th Day's Proceedings</td>
<td></td>
<td>November 8, 1973</td>
<td>754–771</td>
<td></td>
</tr>
<tr>
<td>September 27, 1973</td>
<td>534–542</td>
<td>81st Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>55th Day's Proceedings</td>
<td></td>
<td>November 9, 1973</td>
<td>772–783</td>
<td></td>
</tr>
<tr>
<td>September 28, 1973</td>
<td>543–550</td>
<td>82nd Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>56th Day's Proceedings</td>
<td></td>
<td>November 10, 1973</td>
<td>784–791</td>
<td></td>
</tr>
<tr>
<td>September 29, 1973</td>
<td>551–555</td>
<td>83rd Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>57th Day's Proceedings</td>
<td></td>
<td>November 13, 1973</td>
<td>792–801</td>
<td></td>
</tr>
<tr>
<td>October 2, 1973</td>
<td>556–570</td>
<td>84th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>58th Day's Proceedings</td>
<td></td>
<td>November 14, 1973</td>
<td>802–811</td>
<td></td>
</tr>
<tr>
<td>October 3, 1973</td>
<td>571–581</td>
<td>85th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>59th Day's Proceedings</td>
<td></td>
<td>November 15, 1973</td>
<td>812–828</td>
<td></td>
</tr>
<tr>
<td>October 4, 1973</td>
<td>582–589</td>
<td>86th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>60th Day's Proceedings</td>
<td></td>
<td>November 16, 1973</td>
<td>829–845</td>
<td></td>
</tr>
<tr>
<td>October 5, 1973</td>
<td>590–601</td>
<td>87th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>61st Day's Proceedings</td>
<td></td>
<td>November 17, 1973</td>
<td>846–858</td>
<td></td>
</tr>
<tr>
<td>October 6, 1973</td>
<td>602–608</td>
<td>88th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>62nd Day's Proceedings</td>
<td></td>
<td>November 18, 1973</td>
<td>859–875</td>
<td></td>
</tr>
<tr>
<td>October 9, 1973</td>
<td>609–616</td>
<td>89th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>63rd Day's Proceedings</td>
<td></td>
<td>November 19, 1973</td>
<td>876–889</td>
<td></td>
</tr>
<tr>
<td>October 10, 1973</td>
<td>617–622</td>
<td>90th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>64th Day's Proceedings</td>
<td></td>
<td>November 20, 1973</td>
<td>890–897</td>
<td></td>
</tr>
<tr>
<td>October 11, 1973</td>
<td>623–627</td>
<td>91st Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>65th Day's Proceedings</td>
<td></td>
<td>December 5, 1973</td>
<td>898–909</td>
<td></td>
</tr>
<tr>
<td>October 17, 1973</td>
<td>628–633</td>
<td>92nd Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>66th Day's Proceedings</td>
<td></td>
<td>December 6, 1973</td>
<td>910–920</td>
<td></td>
</tr>
<tr>
<td>October 18, 1973</td>
<td>634–637</td>
<td>93rd Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>67th Day's Proceedings</td>
<td></td>
<td>December 7, 1973</td>
<td>921–925</td>
<td></td>
</tr>
<tr>
<td>October 19, 1973</td>
<td>638–647</td>
<td>94th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>68th Day's Proceedings</td>
<td></td>
<td>December 8, 1973</td>
<td>926–931</td>
<td></td>
</tr>
<tr>
<td>October 20, 1973</td>
<td>648–654</td>
<td>95th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>69th Day's Proceedings</td>
<td></td>
<td>December 11, 1973</td>
<td>932–942</td>
<td></td>
</tr>
<tr>
<td>October 23, 1973</td>
<td>655–660</td>
<td>96th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>70th Day's Proceedings</td>
<td></td>
<td>December 12, 1973</td>
<td>943–950</td>
<td></td>
</tr>
<tr>
<td>October 24, 1973</td>
<td>661–669</td>
<td>97th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>71st Day's Proceedings</td>
<td></td>
<td>December 13, 1973</td>
<td>951–964</td>
<td></td>
</tr>
<tr>
<td>October 25, 1973</td>
<td>670–676</td>
<td>98th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>72nd Day's Proceedings</td>
<td></td>
<td>December 14, 1973</td>
<td>965–988</td>
<td></td>
</tr>
<tr>
<td>October 26, 1973</td>
<td>677–691</td>
<td>99th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>73rd Day's Proceedings</td>
<td></td>
<td>December 15, 1973</td>
<td>988–997</td>
<td></td>
</tr>
<tr>
<td>October 27, 1973</td>
<td>692–698</td>
<td>100th Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>74th Day's Proceedings</td>
<td></td>
<td>December 16, 1973</td>
<td>998–1008</td>
<td></td>
</tr>
<tr>
<td>75th Day's Proceedings</td>
<td></td>
<td>December 17, 1973</td>
<td>1009–1024</td>
<td></td>
</tr>
<tr>
<td>November 1, 1973</td>
<td>705–712</td>
<td>102nd Day's Proceedings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Month and Day</td>
<td>Description</td>
<td>Pages</td>
<td>Month and Day</td>
<td>Description</td>
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<tr>
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<td>------------------------------</td>
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<td>--------------</td>
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</tr>
<tr>
<td>January 6, 1974</td>
<td>110th Day's Proceedings</td>
<td>1109–1114</td>
<td>January 17, 1974</td>
<td>120th Day's Proceedings</td>
</tr>
</tbody>
</table>
TABLE OF CONTENTS
(As recommended by Committee on Style and Drafting)
January 17, 1974

PREAMBLE

ARTICLE I. DECLARATION OF RIGHTS

Section 1. Origin and Purpose of Government [CP 25, Sec. 1] 27
Section 2. Due Process of Law [CP 25, Sec. 2] 27
Section 3. Right to Individual Dignity [CP 25, Sec. 3] 27
Section 4. Right to Property [CP 25, Sec. 4] 27
Section 5. Right to Privacy [CP 25, Sec. 5] 27
Section 6. Freedom from Intrusion [CP 25, Sec. 6] 27
Section 7. Freedom of Expression [CP 25, Sec. 9] 27
Section 8. Freedom of Religion [CP 25, Sec. 10] 27
Section 9. Right of Assembly and Petition [CP 25, Sec. 11] 27
Section 10. Right to Vote [CP 25, Sec. 19] 28
Section 11. Right to Keep and Bear Arms [CP 25, Sec. 20] 28
Section 12. Freedom from Discrimination [CP 25, Sec. 26] 28
Section 13. Rights of the Accused [CP 25, Sec. 12] 27
Section 14. Right to Preliminary Examination [CP 25, Sec. 27] 29
Section 15. Initiation of Proceedings [CP 25, Sec. 13] 28
Section 16. Right to a Fair Trial [CP 25, Sec. 15] 28
Section 17. Jury Trial in Criminal Cases [CP 25, Sec. 16] 28
Section 18. Right to Trial by [CP 25, Sec. 17] 28
Section 19. Right to Judicial Review [CP 25, Sec. 12] 27
Section 20. Right to Humane Treatment [CP 25, Sec. 18] 28
Section 21. Writ of Habeas Corpus [CP 25, Sec. 21] 28
Section 22. Access to Courts [CP 25, Sec. 22] 28
Section 23. Prohibited Laws [CP 25, Sec. 23] 28
Section 24. Unenumerated Rights [CP 25, Sec. 25] 28

ARTICLE II. DISTRIBUTION OF POWERS

Section 1. Three Branches [CP 35, Sec. 1] 36
Section 2. Limitations on Each Branch [CP 35, Sec. 2] 36

ARTICLE III. LEGISLATIVE BRANCH

Section 1. Legislative Power; Composition; Continuous Body [CP 3, Sec. 1] 1
(A) Legislative Power of State
(B) Continuous Body
Section 2. Sessions [CP 3, Sec. 2] 1
(A) Annual Session
(B) Extraordinary Session
(C) Emergency Session
Section 3. Size [CP 3, Sec. 3] 1
Section 4. Qualifications; Residence and Domicile Requirements; Term; Vacancies [CP 3, Sec. 4] 1
(A) Age; Residence; Domicile
(B) Domicile; Special Provisions
(C) Term
(D) Vacancy
Section 5. Taking Office [CP 3, Sec. 27] 4
(A) Full Term
(B) Filling Vacancy
Section 6. Legislative Reapportionment; Reapportionment by Supreme Court; Procedure [CP 3, Sec. 5] 1
(A) Reapportionment by Legislature
(B) Reapportionment by Supreme Court
(C) Procedure
Section 7. Judging Qualifications and Elections; Procedural Rules; Discipline; Expulsion; Subpoenas; Contempt; Officers [CP 3, Sec. 6] 1
(A) Judging Qualifications and Elections
(B) Procedural Rules; Discipline; Expulsion
(C) Subpoenas Power; Contempt
(C) Officers
Section 8. Privileges and Immunities [CP 3, Sec. 7] 2

Section 9. Conflict of Interest [CP 3, Sec. 8] 2
Section 10. Quorum; Compulsory Attendance; Journal; Adjournment With Consent of Other House [CP 3, Sec. 9] 2
(A) Quorum
(B) Journal
(C) Adjournment
Section 11. Legislative Auditor [CP 3, Sec. 10] 2
Section 12. Prohibited Local and Special Laws [DP 22, Sec. 12] 44
(A) Prohibitions
(B) Additional Prohibition
Section 13. Local or Special Laws; Notice of Intent; Publication [CP 3, Sec. 13] 2
Section 14. Style of Laws; Enacting Clause [CP 3, Sec. 16] 3
Section 15. Passage of Bills [CP 3, Sec. 17] 3
(A) Introduction; Title; Single Object;
(B) Public Meetings
(C) Germane Amendments
(D) Three Readings
(E) Rejected Bills; Reconsideration
(F) Concurrency in Amendments
(G) Majority Vote Required
Section 16. Appropriations [CP 3, Sec. 18] 3
(A) Specific Appropriation for One Year
(B) Origin in House of Representatives
(C) General Appropriation Bill; Limitations
(D) Specific Purpose and Amount
(E) Extraordinary Session
Section 17. Signing of Bills; Delivery to Governor [CP 3, Sec. 19] 3
(A) Signing; Delivery
(B) Resolutions
Section 18. Signature of Governor on Bills; Veto [CP 3, Sec. 20] 3
(A) Gubernatorial Action
(B) Veto
(C) Veto Session
Section 19. Effective Date of Laws [CP 3, Sec. 21] 3
Section 20. Suspension of Laws [CP 3, Sec. 22] 3

ARTICLE IV. EXECUTIVE BRANCH

Section 1. Composition; Number of Departments; Reorganization [CP 4, Sec. 1] 4
(A) Composition
(B) Number of Departments
(C) Reorganization
Section 2. Qualifications [CP 4, Sec. 2] 4
Section 3. Election; Term [CP 4, Sec. 3] 4
(A) Election
(B) Limitation on Governor
(C) Additional Limitation
Section 4. Compensation [CP 4, Sec. 4] 4
Section 5. Governor; Powers and Duties [CP 4, Sec. 5] 4
(A) Executive Authority
(B) Legislative Reports and Recommendations
(C) Departmental Reports and Information
(D) Operating and Capital Budget
(E) Pardon, Commutation, Reprieve, and Remission; Board of Pardons
(F) Receipt of Bills from the Legislature
(G) Item Veto
(H) Appointments
(I) Removal Power
(J) Commander-in-Chief
(K) Other Powers and Duties
Section 6. Lieutenant Governor; Powers and Duties [CP 4, Sec. 6] 5
Section 7. Secretary of State; Powers and Duties [CP 4, Sec. 7] 5
Section 8. Attorney General; Powers and Duties [CP 4, Sec. 8] 5
Section 9. Treasurer; Powers and Duties [CP 4, Sec. 9] 5
Section 10. Commissioner of Agriculture; Powers and Duties [CP 4, Sec. 101] .......................... 5

Section 11. Commissioner of Insurance; Powers and Duties [CP 4, Sec. 11] .......................... 5

Section 12. Commissioner of Elections; Powers and Duties [CP 4, Sec. 12] .......................... 5

Section 13. First Assistant; Appointment [CP 4, Original Sec. 10] .......................... 5

Section 14. Vacancy in Office of Governor [CP 4, Sec. 11] .......................... 5

Section 15. Vacancies in Other Statewide Elective Offices [CP 4, Sec. 13] .......................... 6

Section 16. Declaration of Inability of Statewide Elected Officials [CP 4, Sec. 16] .......................... 6

Section 17. Determination of Inability of Statewide Elected Official [CP 4, Sec. 17] .......................... 6

Section 18. Judicial Branch [CP 4, Sec. 18] .......................... 6

Section 19. Temporary Abstention [CP 4, Sec. 23] .......................... 6

Section 20. Appointment of Officials; Merger, Consolidation of Offices and Departments [CP 4, Sec. 23] .......................... 6

Section 21. Public Service Commission [CP 37, Sec. 14] .......................... 6

ARTICLE V. JUDICIAL BRANCH

Section 1. Judicial Power [CP 21, Sec. 1] .......................... 22

Section 2. Habeas Corpus, Needful Writs, Orders and Process; Contempt [CP 21, Sec. 2] .......................... 22

Section 3. Supreme Court; Composition; Judgments; Terms [CP 21, Sec. 3] .......................... 22

Section 4. Supreme Court; Districts [CP 21, Sec. 4] .......................... 22

Section 5. Supreme Court; Jurisdiction; Rule-Making Power; Assignment of Judges [CP 21, Sec. 5] .......................... 22

Section 6. Supreme Court; Chief Justice [CP 21, Sec. 6] .......................... 22

Section 7. Supreme Court; Personnel [CP 21, Sec. 7] .......................... 22

Section 8. Courts of Appeal; Circuits; Panels; Judgments; Terms [CP 21, Sec. 8] .......................... 22

Section 9. Courts of Appeal; Circuits and Districts [CP 21, Sec. 9] .......................... 22

Section 10. Courts of Appeal; Jurisdiction [CP 21, Sec. 10] .......................... 22

Section 11. Courts of Appeal; Certification [CP 21, Sec. 11] .......................... 22

Section 12. Courts of Appeal; Chief Judge [CP 21, Sec. 12] .......................... 22

Section 13. Courts of Appeal; Personnel [CP 21, Sec. 13] .......................... 22

Section 14. District Courts; Judicial Districts [CP 21, Sec. 14] .......................... 23

Section 15. Courts; Retention; Jurisdiction; Judicial District Changes; Terms [CP 21, Sec. 15] .......................... 23

ARTICLE VI. LOCAL GOVERNMENT

PART I. GENERAL PROVISIONS

Section 1. Parishes [CP 17, Sec. 1] .......................... 15

Section 2. Municipalities [CP 17, Sec. 5] .......................... 23

Section 3. Classification [CP 17, Sec. 6] .......................... 23

Section 4. Existing Home Rule Charters and Plans of Government [CP 17, Sec. 7] .......................... 23

Section 5. Home Rule Charter [CP 17, Sec. 8] .......................... 23

Section 6. Home Rule Charter or Plan of Government; Action by Legislature [CP 17, New Sec. 6] .......................... 23

Section 7. Powers of Other Local Governmental Subdivisions [CP 17, Sec. 9] .......................... 23

Section 8. Home Rule Parish; Incorporation of Cities, Towns, and Villages [CP 17, Sec. 11] .......................... 23
TABLE OF CONTENTS

Section 37. Revenue-Producing Property
   (A) Authorization
   (B) Exception

PART III. LEVEE DISTRICTS

Section 38. Levee Districts [CP 17, Sec. 44] 20
   (A) Creation; Reorganization; Consolidation
   (B) Obligation of Contract Affirmed

Section 39. Levee District Taxes [CP 17, Sec. 45] 20
   (A) District Tax; Millage Limit
   (B) Millage Increase

Section 40. Bond Issues [CP 17, Sec. 46] 20
   (A) Authorization
   (B) Sale

Section 41. Cooperation with Federal Government
   (CP 17, Sec. 48) 20
   (A) Compensation
   (B) Appropriation

PART IV. PORT COMMISSIONS AND DISTRICTS

Section 43 Port Commissions and Districts
   (CP 17, Sec. 50) 21

PART V. DEFINITIONS

Section 44 Terms Defined [CP 17, Sec. 51] 21

ARTICLE VII. REVENUE AND FINANCE

PART I. GENERAL PROVISIONS

Section 1. Power to Tax; Public Purpose
   (CP 15, Sec. 1) 13

Section 2. Power to Tax; Limitation [CP 15, Sec. 21] 13

Section 3. Collection of Taxes [CP 15, Sec. 3] 13

Section 4. Income Tax; Severance Tax; Political
   Subdivisions [CP 15, Sec. 4] 13
   (A) Income Tax
   (B) Severance Tax
   (C) Severance Tax; Political Subdivision
   (D) Severance Tax Allocation
   (E) Royalties Allocation

Section 5. Motor Vehicle License Tax
   (CP 15, Sec. 5) 13

Section 6. State Debt; Full Faith and Credit
   Obligations [CP 15, Sec. 7] 13
   (A) Authorization
   (B) Capital Improvements
   (C) Full Faith and Credit
   (D) Referendum
   (E) Exception

Section 7. State Debt; Interim Emergency Board
   (CP 15, Sec. 8) 14
   (A) Composition
   (B) Powers
   (C) Limits
   (D) Allocation

Section 8. State Bond Commission [CP 15, Sec. 10] 14
   (A) Creation
   (B) Approval of Bonds
   (C) Contesting State Bonds

Section 9. State Funds [CP 15, Sec. 11] 14
   (A) Deposit in State Treasury
   (B) Bond Security and Redemption Fund
   (C) Exception

Section 10. Expenditure of State Funds
   (CP 15, Sec. 12) 14
   (A) Appropriation
   (B) Balanced Budget
   (C) Publication
   (D) Public Purpose

Section 11. Budgets [CP 15, Sec. 13] 14
   (A) Operating Budget
   (B) Capital Budget

Section 12. Reports and Records [CP 15, Sec. 14] 14

Section 13. Investment of State Funds [CP 15, Sec. 15] 14
**Constitutional Convention Calendar**

**Article IX. Natural Resources**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Natural Resources and Environment; Public Policy [CP 34, Sec. 1]</td>
</tr>
<tr>
<td>2.</td>
<td>Natural Gas [CP 34, Sec. 2]</td>
</tr>
<tr>
<td>3.</td>
<td>Allocation of Water Bottoms [CP 34, Sec. 4]</td>
</tr>
<tr>
<td>4.</td>
<td>Reservation of Mineral Rights; Prescription [CP 34, Sec. 5]</td>
</tr>
<tr>
<td>5.</td>
<td>Public Notice; Public Bidding Requirements [CP 34, New Sec. 61]</td>
</tr>
<tr>
<td>6.</td>
<td>Tidelands Ownership [CP 34, Sec. 8]</td>
</tr>
<tr>
<td>7.</td>
<td>Wildlife and Fisheries Commission [CP 34, Sec. 12]</td>
</tr>
<tr>
<td>8.</td>
<td>Forestry [CP 34, Sec. 13]</td>
</tr>
</tbody>
</table>

**Article X. Public Officials and Employees**

**Part I. State and City Civil Service**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Civil Service Systems [CP 9, Sec. 1]</td>
</tr>
<tr>
<td>2.</td>
<td>Classified and Unclassified Service [CP 9, Sec. 2]</td>
</tr>
<tr>
<td>3.</td>
<td>State Civil Service Commission [CP 9, Sec. 3]</td>
</tr>
<tr>
<td>4.</td>
<td>City Civil Service Commission [CP 9, Sec. 4]</td>
</tr>
<tr>
<td>5.</td>
<td>Removal [CP 9, Sec. 5]</td>
</tr>
<tr>
<td>6.</td>
<td>Department of Civil Service; Directors [CP 9, Sec. 6]</td>
</tr>
</tbody>
</table>
TABLE OF CONTENTS

ARTICLE XIII. CONSTITUTION REVISION

ARTICLE XIV. TRANSITIONAL MEASURES

PART I. FIRE AND POLICE CIVIL SERVICE

PART II. OTHER PROVISIONS

ARTICLE XI. ELECTIONS

ARTICLE XII. GENERAL PROVISIONS

Section 7. Appointments; Promotions [CP 9, Sec. 7] ... 10
Section 8. Appeals [CP 9, Sec. 8] ... 10
(A) Disciplinary Actions
(B) Discrimination
Section 9. Prohibitions Against Political Activities [CP 8, Sec. 9] ... 10
(A) Party Membership; Elections
(B) Contributions
(C) Political Activity Defined
Section 10. Rules; Investigations; Wages and Hours [CP 9, Sec. 10] ... 10
(A) Rules
(1) Powers
(2) Veterans
(3) Layoffs; Preference Employees
(4) Effect
(B) Investigations
(C) Wages and Hours
Section 11. Penalties [CP 9, Sec. 11] ... 10
Section 12. Appeal [CP 9, Sec. 12] ... 10
Section 13. Appropriations [CP 9, Sec. 13] ... 10
(A) State
(B) Cities
Section 14. Acceptance of Act; Other Cities, Parishes; [CP 9, Sec. 14] ... 10
(A) Local Option
(B) Acceptance
(C) Rejection
Section 15. City, Parish Civil Service System; Creation; Prohibition [CP 9, Sec. 15] ... 10
PART II. FIRE AND POLICE CIVIL SERVICE
Section 16. Establishment [CP 10, Sec. 16] ... 11
Section 17. Appointments and Promotions [CP 10, Sec. 17] ... 11
Section 18. Prior Provisions [CP 10, Sec. 18] ... 11
Section 19. Exclusion [CP 10, Sec. 19] ... 11
Section 20. Political Activities [CP 10, Sec. 20] ... 11
PART III. OTHER PROVISIONS
Section 21. Code of Ethics [CP 22] ... 26
Section 22. Dual Employment and Dual Officeholding [CP 23] ... 26
Section 23. Compensation of Elected Officials; Reduction [CP 2, Sec. 26] ... 2
Section 24. Impeachment [CP 3, Sec. 24] ... 3
(A) Persons Liable
(B) Procedure
Section 25. Removal by Suit; Official Subject [CP, Sec. 26] ... 4
Section 26. Recall [CP 3, Sec. 27] ... 4
Section 27. Filling of Vacancies [CP 4, Sec. 14] ... 6
(A) Governor's Appointment; Election
(B) Qualifications
Section 28. Definition of Vacancy [CP 4, Sec. 15] ... 6
Section 29. Retirement and Survivor's Benefits [CP 11, Sec. 1] ... 11
(A) Public School Employees
(B) Other Officials and Employees
(C) Retirement Systems; Change; Notice
(D) Compensation for Survivors of Law Enforcement Officers and Firemen
Section 30. Oath of Office [CP 22, Sec. 5] ... 36
ARTICLE XI. ELECTIONS
Section 1. Election Code [CP 33, Sec. 2] ... 32
Section 2. Secret Ballot; Absentee Voting; Preservation of Ballot [CP 33, Sec. 3] ... 32
Section 3. Privilege from Arrest [CP 33, Sec. 6] ... 32
Section 4. Prohibited Use of Public Funds [CP 33, Sec. 4] ... 32
Section 5. Registrar of Voters [CP 33, Sec. 11] ... 32
ARTICLE XII. GENERAL PROVISIONS
Section 1. State Capital [CP 38, Sec. 6] ... 36
Section 2. Civilian-Military Relations [CP 35, Sec. 3] ... 36
Section 3. Right to Direct Participation [CP 35, Sec. 4] ... 36
Section 4. Preservation of Linguistic and Cultural Origins [CP 35, Sec. 11] ... 36
Section 5. Forced Heirsip and Trusts [CP 35, Sec. 7] ... 36
Section 6. Lotteries; Gambling [DP 17, Sec. 12] ... 43
Section 7. State Penal Institutions; Reimbursement of Parish Expense [CP 12, New Sec. 1] ... 12
Section 8. Welfare, Unemployment Compensation, and Health [CP 14, Sec. 1] ... 12
Section 9. Exemptions from Seizure and Sale [DP 16, Sec. 1] ... 43
Section 10. Suits Against the State [CP 3, Sec. 14] ... 2
(A) No Immunity in Contract and Tort
(B) Waiver in Other Suits
(C) Procedure; Judgments
Section 11. Continuity of Government [CP 3, Sec. 15] ... 3
Section 12. Corporations; Perpetual or Indefinite Duration; Dissolution; Perpetual Franchises or Privileges [CP 3, Sec. 23] ... 3
Section 13. Prescription Against State [CP 17, Sec. 29] ... 18
Section 14. Administrative Agency Codes [CP 35, Sec. 10] ... 36
ARTICLE XIII. CONSTITUTION REVISION
Section 1. Amendments [CP 36, Sec. 1] ... 37
(A) Procedure
(B) Form of Proposal
(C) Ratification
Section 2. Constitutional Convention [CP 36, Sec. 2] ... 37
Section 3. Laws Effectuating Amendments [CP 36, Sec. 4] ... 37
ARTICLE XIV. TRANSITIONAL MEASURES
PART I
Section 1. Board of Regents [CP 30, Sec. 1] ... 31
Section 2. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College [CP 30, Sec. 2] ... 31
Section 3. Board of Supervisors of Southern University [CP 30, Sec. 27] ... 39
Section 4. State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities [CP 30, Sec. 3] ... 31
Section 5. Boards; New Appointments [CP 30, New Sec. 5] ... 32
Section 6. Mandatory Reorganization of State Government [CP 31, Sec. 1] ... 32
Section 7. Legislative Sessions [DP 18, Sec. 1] ... 43
Section 8. Civil Service Commission; State; Cities [DP 28, Sec. 1] ... 45
(A) State Commission
(B) City Commission
Section 9. Civil Service Officers; Employees; State; Cities [DP 28, Sec. 2] ... 45
Section 10. Offshore Mineral Revenues; Use of Funds [CP 34, Sec. 10] ... 35
Section 11. Prescriptions; Tidelands Taxes [CP 15, New Sec. 10] ... 14
Section 12. Forfeitures Prior to 1800 [CP 15, Sec. 17B] ... 14
Section 13. Effective Date of Property Tax Provisions [CP 26, Sec. 10] ... 30
PART II
Section 14. Limitation on Transitional Provisions [CP 33, Sec. 1] ... 38
Section 15. Existing Officials [CP 38, Sec. 8] ... 38
Section 16. Provisions of 1921 Constitution Made Statutory [CP 38, Sec. 9] ... 38
Section 17. Provisions of Constitution of 1921 Repealed [CP 38, Sec. 10] ... 38
Section 18. Existing Laws [CP 38, Sec. 11] ... 38
Section 19. Ports; Transition to Statutes [CP 38, Sec. 16] ... 39
Section 20. Public Service Commission [CP 38, Sec. 15] ... 39
PART III
Section 21. References to 1921 Constitution [CP 38, Sec. 2] ... 38
Section 22. Effect of Titles [CP 38, Sec. 3] ... 38
Section 23. Continuation of Actions and Rights [CP 38, Sec. 5] ... 38
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td>Protection of Existing Taxes</td>
<td>38</td>
</tr>
<tr>
<td>25</td>
<td>Impairment of Debt Obligations Prohibited</td>
<td>38</td>
</tr>
<tr>
<td>26</td>
<td>Constitution Not Retroactive</td>
<td>38</td>
</tr>
<tr>
<td>27</td>
<td>Legislative Provisions</td>
<td>38</td>
</tr>
<tr>
<td>28</td>
<td>Judiciary Commission</td>
<td>39</td>
</tr>
<tr>
<td>29</td>
<td>Statewide Elected Officials</td>
<td>39</td>
</tr>
<tr>
<td>30</td>
<td>Commissioner of Elections</td>
<td>39</td>
</tr>
<tr>
<td>31</td>
<td>Pardon Board</td>
<td>39</td>
</tr>
<tr>
<td>32</td>
<td>Levee Districts; Compensation for Property</td>
<td>39</td>
</tr>
<tr>
<td>33</td>
<td>Suits Against the State; Effective Date</td>
<td>39</td>
</tr>
<tr>
<td>34</td>
<td>Exemption from Seizure and Sale</td>
<td>39</td>
</tr>
<tr>
<td>35</td>
<td>Effective Date</td>
<td>39</td>
</tr>
<tr>
<td>36</td>
<td>Effect of Adoption</td>
<td>39</td>
</tr>
<tr>
<td>37</td>
<td>Severability Clause</td>
<td>40</td>
</tr>
</tbody>
</table>

**PART IV**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>38</td>
<td>Alternative Proposition</td>
<td>54</td>
</tr>
<tr>
<td>39</td>
<td>Alternative Article VIII</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Public Educational System</td>
<td>54</td>
</tr>
<tr>
<td>2</td>
<td>State Superintendent of Education</td>
<td>54</td>
</tr>
<tr>
<td>3</td>
<td>State Board of Elementary and Secondary Education</td>
<td>54</td>
</tr>
<tr>
<td>4</td>
<td>Approval of Private Schools</td>
<td>54</td>
</tr>
<tr>
<td>5</td>
<td>Board of Regents</td>
<td>54</td>
</tr>
<tr>
<td>6</td>
<td>Boards; Membership; Compensation</td>
<td>54</td>
</tr>
<tr>
<td>7</td>
<td>Parish School Boards; Parish Superintendents</td>
<td>54</td>
</tr>
<tr>
<td>8</td>
<td>Existing Boards and Systems Recognized; Consolidated</td>
<td>54</td>
</tr>
<tr>
<td>9</td>
<td>Appropriations; State Boards</td>
<td>54</td>
</tr>
<tr>
<td>10</td>
<td>Appropriations; Higher Education</td>
<td>54</td>
</tr>
<tr>
<td>11</td>
<td>Funding; Apportionment</td>
<td>54</td>
</tr>
<tr>
<td>12</td>
<td>Tulane University</td>
<td>54</td>
</tr>
<tr>
<td>40</td>
<td>Transition to Board of Regents and State Board of Elementary and Secondary</td>
<td>39</td>
</tr>
</tbody>
</table>

PAGE NUMBERS AT END OF EACH ACTION REFER TO THE DAILY JOURNAL PAGE NUMBER(S) ON THE DATE THAT THE ACTION OCCURRED.
COMMITTEE PROPOSAL No. 1
Introduced by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss:

A PROPOSAL
Providing for general governmental provisions.

July 5—
Read, lies over under the rules. p. 4

July 6—
Read. p. 51
Under the rules.
Referred to the Committee on Bill of Rights and Elections. p. 52

December 17—
Reported by substitute. p. 16
Rules suspended.
Read, Substitute adopted. p. 16
Becomes Committee Proposal No. 35. p. 16

COMMITTEE PROPOSAL No. 2
Introduced by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss:

A PROPOSAL
To provide a preamble and a declaration of rights to the constitution.

July 5—
Read, lies over under the rules. p. 5.

July 6—
Read. p. 52
Under the rules.
Referred to the Committee on Bill of Rights and Elections. p. 52

August 22—
Reported by substitute. p. 10
Rules suspended. p. 10
Read. p. 10
Substitute adopted. p. 10
Becomes Committee Proposal No. 25. p. 10

COMMITTEE PROPOSAL No. 3
Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Favard, Fulco, Ginn, Jonesu, Kilpatrick, Landrum, LeBreton and O'Neill:

A PROPOSAL
Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

July 5—
Read, lies over under the rules. p. 5

July 6—
Read. p. 52
Under the rules.
Referred to the Committee on Legislative Powers and Functions. p. 52

July 12—
Reported with amendments. p. 1
Rules suspended.
Amendments adopted. p. 3
Read and ordered engrossed. p. 3
Rules suspended.
Read, ordered re-engrossed and passed to its third reading. p. 3

July 13—
Read. p. 4

Section 1. Legislative Power of State; Vesting; Continuous Body
[Const. Art. III, Sec. 1]
Title amended.

July 13—
Read. p. 4
Amended. pp. 4, 5
Read, roll called, yeas 103, nays 8, passed. p. 5

November 18—
Style and Drafting Amendments Adopted. p. 6

Section 2. Sessions; Annual, Extraordinary
[Const. Art. III, Sec. 2]
Title amended.

July 13—
Read. p. 6
Amended. p. 6

July 14—
Read. p. 2
Amended. p. 3

July 15—
Read. p. 2

July 19—
Read. p. 2
Amended. pp. 3, 5
Read, roll called, yeas 92, nays 8, passed. p. 5

November 18—
Style and Drafting Amendments Adopted. pp. 6, 7

Section 3. Size
[Const. Art. III, Sec. 3]

July 19—
Read. p. 5
Amended. p. 6
Read, roll called, yeas 102, nays 11, passed. p. 6

November 18—
Style and Drafting Amendments Adopted. p. 7

Section 4. Qualifications; Residence Requirements; Term; Vacancies; Salary
[Const. Art. III, Sec. 4]
Title amended.

July 19—
Read. p. 6
Amended. p. 7

July 29—
Read. p. 3
Amended. pp. 3, 5, 6
Read, roll called, yeas 98, nays 2, passed. pp. 6, 7

November 18—
Reconsidered. p. 12
Read. p. 12
Amended. p. 12
Read, roll called, yeas 78, nays 6, passed. p. 13
Style and Drafting Amendments Adopted. p. 7

Section 5. Legislative Apportionment; Judicial Review; Apportionment by Supreme Court
[Const. Art. III, Sec. 6]
Title amended.
Amended to become Section 6.
July 20—
Read. p. 7
Amended. p. 7

July 25—
Read. p. 2
Amended. pp. 3, 4
Read, roll called, yeas 82, nays 12, passed. p. 4

November 18—
Style and Drafting Amendments Adopted. p. 7

January 19—
Style and Drafting amendments adopted.

Section 6. Judging Qualifications and Election; Procedural Rules; Discipline; Officers
[Const. Art. III, Sec. 7]
Title amended.
Amended to become Section 7.

July 25—
Read. p. 5
Amended. p. 5
Read, roll called, yeas 91, nays 4, passed. p. 6

November 18—
Style and Drafting Amendments Adopted. pp. 7, 8

January 19—
Style and Drafting Amendments Adopted.

Section 7. Privileges and Immunities
[Const. Art. III, Sec. 8]
Amended to become Section 8.

July 25—
Read, roll called, yeas 67, nays 26, passed. p. 6

November 18—
Style and Drafting Amendments Adopted. p. 8

January 19—
Style and Drafting amendments adopted.

Section 8. Conflict of Interest
[Const. Art. III, Sec. 9]
Amended to become Section 9.

July 25—
Read, roll called, yeas 92, nays 4, passed. p. 6

November 18—
Style and Drafting Amendments Adopted. p. 8

January 19—
Style and Drafting amendments adopted.

Section 9. Quorum; Compulsory Attendance; Journal; Adjournment; Consent of Other House
[Const. Art. III, Sec. 10]
Title amended.
Amended to become Section 10.

July 25—
Read. p. 7
Amended. p. 7
Read, roll called, yeas 96, nays 1, passed. p. 7

November 18—
Style and Drafting Amendments Adopted. p. 8

January 19—
Style and Drafting amendments adopted.

Section 10. Legislative Auditor
[Const. Art. III, Sec. 11]
Amended to become Section 11.

July 25—
Read. p. 8
Amended. p. 8
Read, roll called, yeas 103, nays 1, passed. pp. 8, 9

November 18—
Style and Drafting Amendments Adopted. p. 8

January 19—
Style and Drafting amendments adopted.

Section 11. Salaries of Public Officers; Change
[Const. Art. X, Part III, Sec. 23]
Title amended.
Amended to become Section 23.

July 25—
Read. p. 9
Amended. p. 10

July 25—
Read. p. 3
Amended. p. 4
Read, roll called, yeas 76, nays 23, passed. p. 4

November 18—
Style and Drafting Amendments Adopted. p. 8

January 19—
Style and Drafting Amendments Adopted.

Section 12. Local or Special Laws

July 26—
Read, action deferred. p. 4

July 26—
Read. p. 8
Action deferred. p. 8

August 1—
Read. p. 1
Amended. pp. 2, 3
Read, roll called, yeas 88, nays 15, the section was deleted. p. 3

Section 13. Local or Special Laws; Notice of Intention; Publication
[Const. Art. III, Sec. 13]

July 26—
Read. p. 4
Amended. p. 4
Read, roll called, yeas 103, nays 0, passed. p. 4

November 18—
Style and Drafting Amendments Adopted. p. 8

January 19—
Style and Drafting amendments adopted.

Section 14. Suits Against the State
[Const. Art. XII, Sec. 10]

July 26—
Read. p. 5
Amended. p. 7

July 27—
Read. p. 2
Amended. pp. 3, 5
Read, roll called, yeas 76, nays 35, passed. p. 6

November 18—
Style and Drafting Amendments Adopted. p. 14
Reconsidered. p. 13
Read. p. 13
Amended. p. 13
Read, roll called, yeas 79, nays 0, passed. pp. 13, 14

January 19—
Style and Drafting Amendments Adopted.
Section 15. Continuity of Government
[Const. Art. XII, Sec. 11]

July 27—
Read. p. 7
Amended. p. 7
Read, roll called, yeas 86, nays 12, passed. pp. 7, 8

November 18—
Style and Drafting Amendments Adopted. p. 9

January 19—
Style and Drafting Amendments Adopted.

Section 16. Style of Laws; Enacting Clause
[Const. Art. III, Sec. 14]
Amended to become Section 14.

July 27—
Read. p. 8
Amended. p. 8
Read, roll called, yeas 97, nays 0, passed. p. 8

November 18—
Reconsidered. p. 9
Read. p. 9
Amended. p. 9
Read, roll called, yeas 86, nays 1, passed. p. 9
Style and Drafting Amendments Adopted. p. 10

January 19—
Style and Drafting Amendments Adopted.

Section 17. Passage of Bills
[Const. Art. III, Sec. 15]
Amended to become Section 15.

July 27—
Read. p. 9
Amended. p. 10
Read, roll called, yeas 95, nays 0, passed. p. 10

November 18—
Reconsidered. p. 9
Read. p. 9
Amended. p. 9
Read, roll called, yeas 86, nays 1, passed. p. 9
Style and Drafting Amendments Adopted. p. 10

January 19—
Style and Drafting Amendments Adopted.

Section 18. Appropriations
[Const. Art. III, Sec. 16]
Amended to become Section 16.

July 27—
Read. p. 10
Amended. p. 10
Read, roll called, yeas 95, nays 0, passed. p. 11

November 18—
Style and Drafting Amendments Adopted. p. 10

January 19—
Style and Drafting Amendments Adopted.

Section 19. Signing of Bills; Delivery to Governor
[Const. Art. III, Sec. 17]
Amended to become Section 17.

July 27—
Read, roll called, yeas 96, nays 4, passed. p. 11

November 18—
Reconsidered. p. 14
Read. p. 14
Amended. p. 14
Read, roll called, yeas 81, nays 0, passed. pp. 14, 15
Style and Drafting Amendments Adopted. p. 11

January 19—
Style and Drafting Amendments Adopted.

Section 20. Signature of Governor on Bills; Veto
[Const. Art. III, Sec. 18]
Amended to become Section 18.

July 27—
Read. p. 11
Amended. pp. 12, 13
Read, roll called, yeas 91, nays 2, passed. p. 13

November 18—
Style and Drafting Amendments Adopted. p. 11

January 19—
Style and Drafting Amendments Adopted.

Section 21. Effective Date of Laws
[Const. Art. III, Sec. 19]
Amended to become Section 19.

July 28—
Read. p. 1
Amended. p. 2
Read, roll called, yeas 87, nays 0, passed. p. 2

November 18—
Reconsidered. p. 15
Read. p. 15
Amended. p. 15
Read, roll called, yeas 77, nays 2, passed. p. 15

January 19—
Style and Drafting Amendments Adopted.

Section 22. Suspension of Laws
[Const. Art. III, Sec. 20]
Amended to become Section 20.

July 28—
Read. p. 2
Amended. pp. 2, 3
Action postponed. p. 3
Read. p. 7
Amended. p. 7
Read, roll called, yeas 80, nays 3, passed. p. 7

November 18—
Style and Drafting Amendments Adopted. p. 11

January 19—
Style and Drafting Amendments Adopted.

Section 23. Corporations; Perpetual or Indefinite Duration; Dissolution; Perpetual Franchises or Privileges
[Const. Art. XII, Sec. 12]

July 28—
Read. p. 3
Amended. p. 3
Read, roll called, yeas 81, nays 12, passed. p. 3

November 18—
Style and Drafting Amendments Adopted. p. 11

January 19—
Style and Drafting Amendments Adopted.

Section 24. State and District Officers; Impeachment; Conviction; Effect
[Const. Art. X, Part III, Sec. 24]
Amended to become Impeachment.

July 28—
Read. p. 4
Amended. pp. 4, 5
Read, roll called, yeas 85, nays 5, passed. p. 5

November 18—
Reconsidered. p. 10
Read. p. 16
Amended. p. 16
Read, roll called, yeas 73, nays 0, passed. p. 16
Style and Drafting Amendments Adopted. p. 17

January 19—
Style and Drafting Amendments Adopted.
CONSTITUTIONAL CONVENTION CALENDAR

Section 25. Removal on Address by Legislature
July 28—
Read. p. 5
Amended. p. 5
Read, roll called, yeas 75, nays 0. The section was deleted. p. 5

Section 26. Removal by Suit; Officers Subject; Commencement of Suit
[Const. Art. X, Part III, Sec. 23]
Amended to become Section 25.

July 28—
Read. p. 5
Amended. p. 6
Read, roll called, yeas 75, nays 0, passed. p. 6

November 15—
Style and Drafting Amendments Adopted. p. 12
January 19—
Style and Drafting Amendments Adopted.

Section 27. Recall
[Const. Art. X, Part III, Sec. 26]
Amended to become Section 26.

July 28—
Read. p. 6
Read, roll called, yeas 83, nays 0, passed. p. 6

November 18—
Style and Drafting Amendments Adopted. p. 12
January 19—
Style and Drafting Amendments Adopted.

Section 27. Taking Office
[Const. Art. III, Sec. 5]
Added by floor amendment.

August 1—
Read, roll called, yeas 78, nays 26, passed. p. 4
January 19—
Style and Drafting Amendments Adopted.

August 1—
Read, roll called on final passage, yeas 102, nays 7, finally passed. p. 5

August 2—
Enrolled referred to the Committee on Styling and Drafting. p. 10

November 8—
Reported with amendments. pp. 12, 13, 14, 15, 16

November 18—
Read. p. 6
Amendments adopted. pp. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17

November 19—
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 11, 12, 13

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abrah, ham, Alexander, Arnett, Brien, Demeny, Duval, Gravel, Stovall and Tapper:

A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

July 5—
Read, lies under the rules. p. 5

July 6—
Read. p. 52
Under the rules.
Referred to the Committee on Executive Department. p. 52

July 11—
Reported with amendments. p. 1
Rules suspended. p. 1
Recommitted to the Committee on Executive Department. p. 2

July 12—
Reported with amendments. p. 3

July 13—
Amendments adopted. p. 4
Read, and ordered engrossed. p. 4
Referred to the Committee on Style and Drafting. p. 4

July 20—
Reported without amendments. p. 2
Rules suspended. p. 2
Read, ordered re-engrossed and passed to its third reading. p. 2

August 1—
Read. p. 7

Section 1. Composition
[Const. Art. IV, Sec. 1]
Title amended.

August 1—
Read. p. 7

August 2—
Read. p. 2
Amended. pp. 3, 5, 7, 9
Read, roll called, yeas 65, nays 3, passed. p. 9

January 10—
Style and Drafting Amendments Adopted.

January 15—
Rules suspended, Reconsidered, Read, Amended.
Read, roll called, yeas 106, nays 0, passed. p. 18

Section 2. Qualifications
[Const. Art. IV, Sec. 2]

August 2—
Read. p. 2
Amended. p. 3
Read, roll called, yeas 96, nays 5, passed. p. 4

January 10—
Style and Drafting Amendments Adopted.

Section 3. Elections and Terms
[Const. Art. IV, Sec. 11]
Title amended.

August 3—
Read. p. 4
Amended. pp. 4, 5, 7
Read, roll called, yeas 107, nays 0, passed. p. 8

January 10—
Style and Drafting Amendments Adopted.

Section 4. Compensation
[Const. Art. IV, Sec. 4]

August 3—
Read. p. 8
Amended. p. 8
Read, roll called, yeas 91, nays 5, passed. p. 9

January 10—
Style and Drafting Amendments Adopted.

Section 5. Powers and Duties of Governor
[Const. Art. IV, Sec. 5]
Title amended.
August 4—
Read, p. 4
Amended, pp. 2, 4, 5
Read, roll called, yeas 104, nays 0, passed. p. 5

January 10—
Style and Drafting Amendments Adopted.

Section 6. Powers and Duties of the Lieutenant Governor
(Const. Art. IV, Sec. 6)
Title amended.

August 4—
Read, roll called, yeas 93, nays 10, passed. p. 6

January 10—
Style and Drafting Amendments Adopted.

Section 7. Powers and Duties of the Secretary of State
(Const. Art. IV, Sec. 7)
Title amended.

August 4—
The convention resolved itself into a committee of the whole p. 6
The committee of the whole rose. p. 7

August 8—
Read, p. 1
The convention resolved itself into a committee of the whole p. 2
The committee rose. p. 2
Amended. p. 3
Read, roll called, yeas 88, nays 22, passed. p. 3

January 10—
Style and Drafting Amendments Adopted.

Section 8. Powers and Duties of the Attorney General
(Const. Art. IV, Sec. 8)
Title amended.

August 8—
Read, p. 4
Amended. p. 4
Read, roll called, yeas 106, nays 4, passed. p. 4

January 10—
Style and Drafting Amendments Adopted.

January 15—
Rules suspended, Reconsidered. p. 18
Amended. p. 19
Read, roll called, yeas 102, nays 7, passed. p. 19

Section 9. Powers and Duties of the Treasurer
(Const. Art. IV, Sec. 9)
Title amended.

August 8—
Read, p. 4

August 9—
Read, p. 1
Amended, pp. 2, 3
Read, roll called, yeas 102, nays 0, passed. p. 3

January 10—
Style and Drafting Amendments Adopted.

Section 10. Powers and Duties of the Commissioner of Agriculture
(Const. Art. IV, Sec. 10)
Title amended.

August 9—
Added by floor amendment
By a vote of 62 yeas, 33 nays. p. 4
Read, roll called, yeas 86, nays 36, passed. p. 8

January 10—
Style and Drafting Amendments Adopted.

Section 11. Powers and Duties of the Commissioner of Insurance
(Const. Art. IV, Sec. 11)
Title amended.

August 9—
Added by floor amendment
By a vote of 67 yeas, 46 nays. p. 6
Read, roll called, yeas 60, nays 55. Failed to pass. p. 7
Reconsidered. p. 7
Read, roll called, yeas 78, nays 36, passed. p. 8

January 10—
Style and Drafting Amendments Adopted.

Section 12. Department of Elections and Registration
(Const. Art. IV, Sec. 12)
Title amended.

August 10—
Added by floor amendment
By a vote of 86 yeas, 23 nays. p. 2
Read, roll called, yeas 91, nays 19, passed. p. 2

January 10—
Style and Drafting Amendments Adopted.

Original Section 10, First Assistants
(Const. Art. IV, Sec. 13)
Title amended.
Amended to become Section 13.

August 10—
Read, p. 3
Amended. p. 4
Read, roll called, yeas 75, nays 38, passed. p. 5

January 10—
Style and Drafting Amendments Adopted.

Original Section 11, Vacancy in Office of Governor
(Const. Art. IV, Sec. 14)
Amended to become Section 14.

August 10—
Read, p. 6
Amended. p. 6
Read, roll called, yeas 105, nays 9, passed. p. 6

January 10—
Style and Drafting Amendments Adopted.

Original Section 12, Vacancy in Office of Lieutenant Governor
(Const. Art. IV, Sec. 15)
Amended to become Section 15.

August 10—
Read, p. 6
Amended. p. 7
Read, roll called, yeas 104, nays 9, passed. p. 8

January 10—
Style and Drafting Amendments Adopted.
Original Section 13. Vacancies in other Statewide Elective Offices
[Constitution Art. IV, Sec. 16]
Amended to become Section 16.

August 10—
Read. p. 8
Amended. pp. 8, 9
Read, roll called, yeas 110, nays 0, passed. p. 9

January 10—
Style and Drafting Amendments Adopted.

Original Section 14. Other Vacancies
[Constitution Art. X, Part III, Sec. 27]
Title amended.
Amended to become Section 17.

August 10—
Read. p. 9
Amended. p. 9
Read, roll called, yeas 108, nays 4, passed. p. 10

January 10—
Style and Drafting Amendments Adopted.

Original Section 15. Definition of Vacancy
[Constitution Art. X, Part III, Sec. 28]
Amended to become Section 18.

August 10—
Read. p. 10
Amended. p. 10
Read, roll called, yeas 112, nays 0, passed. p. 11

January 10—
Style and Drafting Amendments Adopted.

Original Section 16. Declaration of Inability
[Constitution Art. IV, Sec. 17]
Title amended.
Amended to become Section 19.

August 10—
Read. p. 13
Amended. p. 13
Read, roll called, yeas 87, nays 19, passed. p. 13

January 10—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Original Section 17. Determination of Inability
[Constitution Art. IV, Sec. 18]
Title amended.
Amended to become Section 20.

August 10—
Read. p. 14
Amended. p. 15
Read, roll called, yeas 82, nays 23, passed. p. 15

January 10—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Original Section 18. Absences
[Constitution Art. IV, Sec. 19]
Title amended.
Amended to become Section 21.

August 10—
Read. p. 15
Amended. p. 15
Read, roll called, yeas 107, nays 0, passed. p. 15

January 10—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Original Section 19. Reorganization
[Constitution Art. XIV, Sec. 6]
Title amended.
Amended to become Section 22.

August 10—
Read. p. 16
Amended. p. 16
Read, roll called, yeas 91, nays 18, passed. p. 16

January 10—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Original Section 20. Impeachment
[Constitution Art. X, Part III, Sec. 24]

August 10—
Title amended. p. 18
Read, roll called on final passage, yeas 59, nays 50. Failed to pass, motion to reconsider pending. p. 20

August 18—
Reconsidered. p. 2

August 19—

"Section 23. Appointment of Officials; Merger, Consolidation of Offices and Departments
[Constitution Art. IV, Sec. 20]
Amended to become Section 22.

August 23—
Added by Floor Amendment. p. 2
By a vote of 71 yeas, 50 nays. p. 2
Amended. pp. 3, 5
Read, roll called, yeas 79, nays 40, passed. p. 5

January 10—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

August 23—
Read, roll called on final passage, yeas 82, nays 33, finally passed. p. 6
Enrolled, Referred to the Committee on Styling and Drafting. p. 12

January 10—
Reported with amendments. pp. 13, 14, 15, 16, 17
Amendments adopted. pp. 17, 18, 19, 20, 21, 22
Returned to the Calendar subject to call. p. 22

January 15—
Called from the Calendar. p. 18
Read. p. 18
Reconsidered. p. 18
Read, roll called on final passage, yeas 105, nays 4, finally passed. pp. 19, 20
Returned to the Calendar subject to call. p. 20

6
COMMITTEE PROPOSALS

Called from the Calendar. p. 25
Read. p. 25
Recommitted to the Committee on Style and Drafting.

January 16—
Reported with amendments. pp. 1, 2
Rules suspended.
Amendments adopted. p. 3
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention, pp. 13, 14, 15, 16
Rules suspended.
Discharged from the Committee on Styling and Drafting. p. 21
Reconsidered. p. 21
Read, roll called on final passage, yeas 100, nays 0, finally passed. p. 22
Recommitted to the Committee on Style and Drafting.

January 17—
Reported with amendments. p. 1
Rules suspended.
Amendments adopted. p. 2
Finally re-enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 6--10.
Finally, re-re-enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 12, 13, 14
Finally re-re-enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention.

COMMITTEE PROPOSAL No. 5—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department:
A PROPOSAL
Making provisions for the Public Service Commission and necessary provisions with respect thereto.

July 5—
Read, lies over under the rules. p. 5

July 6—
Under the rules.
Referred to the Committee on Executive Department. p. 52

September 14—
Reported with amendments. p. 7
Rules suspended.
Amendments adopted. p. 7
Ordered engrossed and passed to its third reading. p. 7

Section 1. Public Service Commission

January 8—
Withdrawn from the files of the Convention. p. 2

COMMITTEE PROPOSAL No. 6—
Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ourso, Sandoz, Tate, Tobias and Vesich:
A PROPOSAL
Making provisions for the judiciary branch of government and necessary provisions with respect thereto.

July 5—
Read, lies over under the rules. p. 5

July 6—
Read.
Under the rules.
Referred to the Committee on Judiciary. p. 52

August 10—
Reported by substitute. p. 11
Rules suspended. p. 11
Read. p. 11
Substitute adopted. p. 11
Becomes CP 21. p. 11

COMMITTEE PROPOSAL No. 7—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.

July 5—
Read, lies over under the rules. p. 5

July 6—
Under the rules.
Referred to the Committee on Education and Welfare. p. 52

August 31—
Reported with amendments. p. 1

September 5—
Amendments adopted. p. 3
Read, ordered engrossed and passed to its third reading. p. 3

November 9—
Read. p. 1

Section 1. Educational Goals
[Const. Art. VIII, Preamble]
Amended to become Preamble. p. 1

November 9—
Read. p. 1
Amended. p. 2
Read, roll called, yeas 94, nays 9, passed. p. 2, 3

January 11—
Style and Drafting Amendments Adopted.

Section 2. Public Educational System
[Const. Art. VIII, Sec. 1]
Amended to become Section 1.

November 9—
Read. p. 3
Amended. p. 3
Read, roll called, yeas 93, nays 1, passed. p. 3, 4

January 11—
Style and Drafting Amendments Adopted.

Section 3. State Superintendent of Public Elementary and Secondary Education
[Const. Art. VII, Sec. 2]
Title amended.
Amended to become Section 2.

November 9—
Read. p. 4
Action deferred. p. 4

November 10—
Read. p. 4
Amended. pp. 4, 5, 6
Read, roll called, yeas 77, nays 17, passed. p. 7

January 11—
Style and Drafting Amendments Adopted.

January 16—
Rules suspended.
Reconsidered. p. 11
Read. p. 11
Amended. p. 11
Read, roll called, yeas 107, nays 1, passed. pp. 11, 12

January 19—
Style and Drafting Amendments Adopted.
Section 4. State Board of Elementary and Secondary Education
[Const. Art. VIII, Sec. 3]
Amended to become Section 3.

November 9—
Read. p. 5
Amended. p. 7

November 10—
Read. p. 1
Amended. pp. 2, 3
Read. p. 7

November 13—
Read. p. 1
Amended. pp. 1, 2
Read, roll called, yea's 80, nay's 18, passed. p. 4

January 11—
Style and Drafting Amendments Adopted.

Section 5. Qualifications and Certification of Teachers

November 13—
Read. p. 4
Deleted by floor amendment. p. 4
By a vote of 69 yea's, 28 nay's. p. 4

January 16—
Rules suspended.
Reconsidered. p. 11
Read. p. 11
Amended. p. 11
Read, roll called, yea's 107, nay's 1, passed. pp. 11, 12

Section 6. Approval of Private Schools; Effect
[Const. Art. VIII, Sec. 4]
Title amended.
Amended to become Section 4.

November 13—
Read. p. 4
Amended. p. 4
Read, roll called, yea's 85, nay's 20, passed. pp. 4, 5

January 11—
Style and Drafting Amendments Adopted.

January 16—
Rules suspended.
Reconsidered. p. 11
Read. p. 11
Amended. p. 11
Read, roll called, yea's 107, nay's 1, passed pp. 11, 12

January 19—
Style and Drafting Amendments Adopted.

Section 7. Board of Regents
[Const. Art. VIII, Sec. 5]
Amended to become Section 5.

November 13—
Read. p. 5
Amended. pp. 7, 8, 9

November 14—
Read. p. 1
Amended. pp. 2, 3
Read, roll called, yea's 74, nay's 38, passed. p. 5

January 11—
Style and Drafting Amendments adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 8. Board of Trustees for State Colleges and Universities
[Const. Art. VIII, Sec. 6]
Amended to become Section 6.

November 14—
Action deferred. p. 5

November 15—
Read. p. 4
Amended. pp. 6, 7
Read, roll called, yea's 89, nay's 21, passed. p. 7

January 11—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 9. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College
[Const. Art. VIII, Sec. 7]
Title amended.
Amended to become Section 7.

November 14—
Read. p. 5
Amended. pp. 8, 9
Amendment reconsidered. p. 10

November 15—
Read. p. 2
Read, roll called, yea's 92, nay's 27, passed. pp. 8, 9

January 11—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 10. Minority Representation

November 15—
Read. p. 9
Deleted by floor amendment. p. 9

Section 11. Boards Dual Membership Prohibited
[Const. Art. VIII, Sec. 8]
Title amended.
Amended to become Section 8.

November 15—
Read. p. 9
Amended. pp. 9, 10
Read, roll called, yea's 100, nay's 10, passed. p. 11

January 11—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 12. Parish School Boards; Parish Superintendents
[Const. Art. VIII, Sec. 9]
Amended to become Sec. 9.

November 15—
Read, roll called, yea's 104, nay's 7, passed. p. 12

January 11—
Style and Drafting Amendments Adopted.

January 16—
Rules suspended.
Reconsidered. p. 11
Read. p. 11
Amended. p. 11
Read, roll called, yea's 107, nay's 1, passed. pp. 11, 12

January 19—
Style and Drafting Amendments Adopted.

Section 13. Recognition of Existing Boards and Systems; Consolidation
[Const. Art. VIII, Sec. 10]
Title amended.
Amended to become Section 10.
COMMITTEE PROPOSALS

November 16—
Read. p. 2
Amended. p. 3
Read, roll called, yea 103, nay 5. passed. pp. 3, 4

January 11—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 14. Appropriations; Boards
[Const. Art. VIII, Sec. 11]
Title amended.
Amended to become Section 11.

November 16—
Read, roll called, yea 100, nay 9, passed. p. 6

January 11—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 15. Appropriations; Higher Education
[Const. Art. VIII, Sec. 12]
Amended to become Section 12.

November 16—
Read. p. 6
Amended. p. 6
Read, roll called, yea 112, nay 6, passed. p. 7

January 11—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 16. Funding; Elementary and Secondary Educa- tion; Appropriation
[Const. Art. VIII, Sec. 13]
Title amended.
Amended to become Section 13.

November 16—
Read. p. 7
Amended. pp. 8, 9
Action Deferred. p. 9
Amended. pp. 12, 13, 14
Read, roll called, yea 58, nay 53. Failed to pass; motion to reconsider pending. p. 14
Reconsidered. p. 17

November 17—
Read. p. 1
Amended. pp. 2, 3
Read, roll called, yea 96, nay 17, passed. p. 3

January 11—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 17. Tulane University
[Const. Art. VIII, Sec. 14]
Amended to become Section 14.

November 16—
Read, roll called, yea 89, nay 21. passed. pp. 9, 10

January 11—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

November 17—
Read, roll called on final passage, yea 72, nay 43. finally passed. p. 4
Enrolled, referred to the Committee on Style and Drafting. p. 12

January 11—
Reported with amendments. pp. 3, 4, 5, 6
Rules suspended.
Amendments adopted. pp. 6, 7, 8, 9, 10
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 25, 26, 27

January 16—
Rules suspended. p. 10
Discharged from the Committee on Style and Drafting. p. 10
Reconsidered. p. 11
Read, roll called on final passage, yea 103, nay 4, finally passed. p. 12
Recommitted to the Committee on Style and Drafting. p. 12

January 17—
Reported without amendments. p. 1
Finally re-enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 10, 11

COMMITTEE PROPOSAL No. 8—
Introduced by Delegate Perez, on behalf of the Committee on Local and Parochial Government, and Delegate Burson, Cannon, Chatelain, Cinco, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Uillo and Zervigon:
A PROPOSAL
Making provisions for local and parochial government and necessary provisions with respect thereto.

July 5—
Read, lies over under the rules. p. 5

July 6—
Read. Under the rules.
Referred to the Committee on Local and Parochial Government. p. 52

COMMITTEE PROPOSAL No. 9—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Witham:
A PROPOSAL
Making provisions for human resources by providing for state and city civil service.

July 5—
Read, lies over under the rules. p. 5

July 6—
Read. Under the rules.
Referred to the Committee on Education and Welfare. p. 52

September 20—
Reported with amendments. p. 1

September 21—
Amendments adopted. p. 2
Read, ordered engrossed and passed to its third reading. p. 2

December 6—
Read. p. 1

Section 1. State and City Civil Service
[Const. Art. X, Part I]

December 6—
Read. pp. 2, 3, 4, 5
Amended. pp. 5, 6, 7
December 7—
Read. p. 1
Amendment No. 1. Reconsidered, rejected. p. 2
Amendment No. 2. Reconsidered, rejected. pp. 2, 3

December 8—
Read. p. 1
Amended. pp. 1, 2, 3, 4, 5

December 11—
Read. pp. 1, 2
Amended. pp. 2, 4, 5, 6, 7, 8, 9, 10, 11

December 12—
Read. p. 1
Amended. pp. 2, 3, 4, 5, 6, 7

December 13—
Read. p. 1
Amended. pp. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10
Read, roll called, yeas 66, nays 36. Failed to pass, motion to reconsider pending. p. 10
Reconsidered. p. 11
Amended. pp. 11, 12
Read, roll called, yeas 83, nays 10, passed. pp. 12, 13

January 15—
Rules suspended. p. 11
Reconsidered. p. 11
Amended. pp. 11, 12
Read, roll called, yeas 107, nays 1, passed. p. 12
Style and Drafting amendments adopted.

December 13—
Read, roll called on final passage, yeas 89, nays 22, finally passed. p. 13

December 14—
Enrolled, referred to the Committee on Style and Drafting. pp. 21, 22, 23, 24

January 14—
Reported with amendments. pp. 33, 34, 35, 36

January 15—
Amendments adopted. pp. 3, 4, 5, 6
Returned to the Calendar subject to call. p. 6
Called from the Calendar. p. 10
Amendments adopted. pp. 10, 11
Read, roll called on final passage, yeas 106, nays 1, finally passed. pp. 12, 13
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 29, 30, 31

January 19—
Style and Drafting amendments adopted as follows:

Article VII. Human Resources becomes:

ARTICLE X. Public Officials and Employees
[Const. Art. X, Part I]

Section 1. Civil Service System
[Const. Art. X, Part I]

Section 2. Classified and Unclassified Service
[Const. Art. X, Sec. 2]

Section 3. State Civil Service Commission
[Const. Art. X, Sec. 3]

Section 4. City Civil Service Commission
[Const. Art. X, Sec. 4]

Section 5. Removal
[Const. Art. X, Sec. 5]

Section 6. Department of Civil Service; Directors
[Const. Art. X, Sec. 6]

Section 7. Appointments; Promotions
[Const. Art. X, Sec. 7]

Section 8. Appeals
[Const. Art. X, Sec. 8]

Section 9. Prohibitions Against
[Const. Art. X, Sec. 9]

Section 10. Rules, Investigations; Wages and Hours
[Const. Art. X, Sec. 10]

Section 11. Penalties
[Const. Art. X, Sec. 11]

Section 12. Appeal
[Const. Art. X, Sec. 12]

Section 13. Appropriations
[Const. Art. X, Sec. 13]

Section 14. Acceptance of Act; Other Cities, Parishes, City and Parish Governed Jointly
[Const. Art. X, Sec. 14]

Section 15. City, Parish Civil Service System; Creation; Prohibition
[Const. Art. X, Sec. 15]

COMMITTEE PROPOSAL No. 19—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Floy, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL
Making provisions for human resources by providing for municipal fire and police civil service.

July 5—
Read, lies over under the rules. p. 5

July 6—
Read.
Under the rules.
Referred to the Committee on Education and Welfare. p. 52

September 20—
Reported with amendments. p. 1

September 21—
Amendments adopted. p. 2
Read, ordered engrossed and passed to its third reading. p. 2

Section 1. Municipal Fire and Police Civil Service
[Const. Art. X, Part II]
Title amended.

December 14—
Read. pp. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10
Amended. pp. 12, 13, 14
Read, roll called, yeas 55, nays 54. Failed to pass, motion to reconsider pending. pp. 14, 15
Returned to the Calendar subject to call. p. 15

December 15—
Called from the Calendar. p. 2
Read. p. 2
Reconsidered. p. 2
Amended. pp. 2, 3
Read, roll called, yeas 97, nays 13, passed. pp. 3, 4
Read, roll called on final passage, yeas 99, nays 11, finally passed. p. 4
Enrolled, referred to the Committee on Style and Drafting. pp. 8, 9.
January 15—
Style and Drafting Amendments Adopted.

January 14—
Reported with amendments. p. 36

January 15—
Amendments adopted pp. 6, 7
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 31, 32
Divided into the following Sections by styling and drafting amendments adopted January 15, 1974.

January 19—
Style and Drafting Amendments Adopted.

Article VII. Human Resources becomes:

Article X. Public Officials and Employees
Part II. Fire and Police Civil Service

Section 16. Establishment of System
[Const. Art. X, Part II, Sec. 16]

Section 17. Appointments and Promotions
[Const. Art. X, Part II, Sec. 17]

Section 18. Prior Provisions
[Const. Art. X, Part II, Sec. 18]

Section 19. Exclusion
[Const. Art. X, Part II, Sec. 19]

Section 20. Political Activities
[Const. Art. X, Part II, Sec. 20]

COMMITTEE PROPOSAL No. 11—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL
Making provisions for human resources by providing for retirement and survivors' benefits.

July 5—
Read, lies over under the rules. p. 5

July 6—
Read.
Under the rules.
Referred to the Committee on Education and Welfare. p. 52

November 7—
Reported with Amendments. p. 11

November 8—
Amendments adopted. p. 2
Read, ordered reengrossed and passed to it's third reading. p. 2

December 5—
Read. p. 4

Section 1. Retirement and Survivors' Benefits

December 5—
Rules suspended. p. 4

(A) Retirement System; Public School Employees. The legislature shall provide for the retirement of [Const. Art. X, Part III, Sec. 29]

Title amended.
Read. p. 4
Amended. pp. 4, 5
Read, roll called, yeas 97, nays 14, passed. p. 6

January 11—
Reconsidered. p. 11
Read. p. 11
Amended. pp. 11, 12
Read, roll called, yeas 100, nays 6, passed. p. 12
Style and Drafting Amendments Adopted.

(B) Retirement System; State Officers and Employees. [Const. Art. X, Part III, Sec. 29]

Title amended.
December 5—
Read. p. 6
Amended. pp. 6, 7
Read, roll called, yeas 90, nays 11, passed. p. 7

January 11—
Style and Drafting Amendments Adopted.

(C) Financial Security for Surviving Spouses and Children of Law Enforcement Officers in Certain Cases. [Const. Art. X, Part III, Sec. 29]

Title amended.
Amended to become (C)

December 5—
Read. pp. 7, 8
Amended. pp. 8, 9
Read, roll called, yeas 103, nays 3, passed. pp. 9, 10

January 11—
Style and Drafting Amendments Adopted.

(D) Retirement Systems; Notice of Intention to Propose Amendments or Change; Publication. [Const. Art. X, Part III, Sec. 29]

Title amended.
Amended to become (C)

December 5—
Read, roll called, yeas 96, nays 3, passed. p. 10
Read, roll called on passage of Section, yeas 91, nays 14, passed. pp. 10, 11

January 11—
Style and Drafting Amendments Adopted.

Article VII. Human Resources

Section 1. Retirement and Survivors Benefits Becomes:

Article X

Part III. Other Provisions

Section 29, Retirement and Survivors Benefits
[Const. Art. X, Part III, Sec. 29]

December 5—
Read, roll called on final passage, yeas 92, nays 15, finally passed. p. 11

December 6—
Enrolled, referred to the Committee on Style and Drafting. p. 11

January 11—
Reported with amendments. p. 6
Rules suspended.
Amendments adopted. pp. 10, 11
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 27

January 19—
Style and Drafting Amendments Adopted. p. 2

COMMITTEE PROPOSAL No. 12—
Introduced by Delegate Aertker, Chairman, on behalf of
CONSTITUTIONAL CONVENTION CALENDAR

the Committee on Education and Welfare, and Delegates
Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes,
Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Rob-
inson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca
and Wisham:

A PROPOSAL
Making provisions for human resources by prohibiting the
leasing of convicts and the employment of convicts in
competition with private enterprise and by providing for
reimbursement to parishes for expenses incurred result-

ing from crimes committed in penal institutions.

July 5—
Read. lies over under the rules. p. 5

July 6—
Read. p. 52
Under the rules.
Referred to the Committee on Education and Welfare. p. 53

July 25—
Reported favorably. p. 2

July 26—
Read, ordered engrossed and passed to its third reading.
p. 2

Section 1. Penal Institutions and Convict Labor

November 19—
Read. p. 4
Deleted by floor amendments. pp. 4, 5

New Section 1. Penal Institutions
[Const. Art. XII, Sec. 7]
Title amended.

November 19—
Added by floor amendment.
By a vote of 79 yeas, 12 nays. pp. 6, 7
Read, roll called, yeas 87, nays 10, passed. p. 7

November 19—
Read, roll called on final passage, yeas 86, nays 10, finally
passed. pp. 7, 8
Read.
Enrolled. Referred to the Committee on Style and Drafting.
pp. 10, 11

January 19—
Reported with amendments. p. 10
Rules suspended.
Amendments adopted. p. 11
Finally enrolled, read and signed by the Chairman of
the Convention and attested by the Secretary of the Con-
vention. p. 30

January 19—
Style and Drafting Amendments Adopted.

COMMITTEE PROPOSAL No. 13—
Introduced by Delegate Aertker, Chairman, on behalf of
the Committee on Education and Welfare, and Delegates
Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes,
Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Rob-
inson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca
and Wisham:

A PROPOSAL
Making provisions for human resources by providing for
the settlement of disagreements through arbitration.

July 5—
Read, lies over under the rules. p. 5

July 6—
Read.
Under the rules.
Referred to the Committee on Education and Welfare. p. 53

July 25—
Reported by substitute. p. 2

July 26—
Read, substitute adopted. p. 2
Becomes CP 18. p. 2

COMMITTEE PROPOSAL No. 14—
Introduced by Delegate Aertker, Chairman, on behalf of
the Committee on Education and Welfare, and Delegates
Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes,
Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Rob-
inson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca
and Wisham:

A PROPOSAL
Making provisions for human resources through a system
of economic security, social welfare, unemployment com-
ensation, and public health.

July 5—
Read, lies over under the rules. p. 6

July 6—
Read.
Under the rules.
Referred to the Committee on Education and Welfare. p. 53

July 25—
Reported favorably. p. 2

July 26—
Read, ordered engrossed and passed to its third reading.
p. 2

Section 1. Economic Security, Social Welfare, Unem-
ployment Compensation, and Public Health
[Const. Art. XII, Sec. 8]
Title amended.
Amended to become Section 2.

November 17—
Read. p. 4
Amended. pp. 5, 6, 7, 8
Read, roll called, yeas 44, nays 40. Failed to pass, mo-
tion to reconsider pending. pp. 9, 10
Returned to the Calendar subject to call. p. 10

November 19—
Called from the Calendar. p. 8
Read, roll called on final passage, yeas 82, nays 10, finally
passed. p. 10
Reconsidered. p. 8
Read. p. 8
Amended. pp. 8, 9
Read, roll called, yeas 71, nays 21, passed. p. 10

January 19—
Style and Drafting Amendments Adopted.

November 20—
Enrolled. Referred to Committee on Style and Drafting.
p. 7

January 10—
Reported with amendments. p. 10
Rules suspended.
Amendments adopted. p. 11
Finally enrolled, read and signed by the Chairman of
the Convention and attested by the Secretary of the Con-
vention. p. 30

COMMITTEE PROPOSAL No. 15—
Introduced by Delegate Rayburn, Chairman, on behalf of
the Committee on Revenue, Finance and Taxation, and Dele-
gates Alario, Badeaux, Brown, Champagne, Chehardy, Con-
roy, De Blieux, Edwards, Fontenot, Lowe, McDaniel, Mau-
berret, Mire, Newton, Nunez, Planchard, Roemer, Schmitt,
Slay, Smith, Triche and Winchester:

A PROPOSAL
Relative to the tax structure of the state and to public
finance.

July 5—
Read, lies over under the rules. p. 6
<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 6</td>
<td>Read. Under the rules. Referred to the Committee on Revenue, Finance and Taxation.</td>
<td>p. 53</td>
</tr>
<tr>
<td>November 20</td>
<td>Reported with amendments.</td>
<td>pp. 6, 7</td>
</tr>
<tr>
<td>December 5</td>
<td>Amendments adopted. Read, ordered engrossed and passed to its third reading.</td>
<td>p. 2</td>
</tr>
<tr>
<td>December 14</td>
<td>Read. p. 15 Amended, p. 15 Read, roll called, yeas 106, nays 0, passed.</td>
<td>pp. 15, 16</td>
</tr>
<tr>
<td>January 14</td>
<td>Style and Drafting Amendments Adopted.</td>
<td></td>
</tr>
<tr>
<td>January 19</td>
<td>Style and Drafting Amendments Adopted.</td>
<td></td>
</tr>
<tr>
<td>December 14</td>
<td>Read. p. 16 Amended, p. 16 Read, roll called, yeas 106, nays 0, passed.</td>
<td>pp. 16, 17</td>
</tr>
<tr>
<td>January 14</td>
<td>Style and Drafting Amendments Adopted.</td>
<td></td>
</tr>
<tr>
<td>January 19</td>
<td>Style and Drafting Amendments Adopted.</td>
<td></td>
</tr>
<tr>
<td>December 14</td>
<td>Read, roll called, yeas 88, nays 17, passed.</td>
<td>p. 19</td>
</tr>
<tr>
<td>January 14</td>
<td>Style and Drafting Amendments Adopted.</td>
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</tr>
<tr>
<td>January 19</td>
<td>Style and Drafting Amendments Adopted.</td>
<td></td>
</tr>
<tr>
<td>December 14</td>
<td>Read. p. 19 Action Deferred.</td>
<td>p. 19</td>
</tr>
<tr>
<td>December 17</td>
<td>Read. p. 1 Deleted by floor amendment.</td>
<td>p. 2</td>
</tr>
<tr>
<td>December 17</td>
<td>Called from the Table. p. 12 Reconsidered. p. 12 Read. p. 12 Amended.</td>
<td>pp. 12, 13, 14</td>
</tr>
<tr>
<td>January 12</td>
<td>Rules suspended. Discharged from Style and Drafting. p. 8 Reconsidered.</td>
<td>p. 8</td>
</tr>
<tr>
<td>January 14</td>
<td>Read, roll called on final passage, yeas 99, nays 0.</td>
<td>p. 9</td>
</tr>
<tr>
<td>January 14</td>
<td>Read, roll called on final passage, yeas 80, nays 19, finally passed.</td>
<td>p. 3</td>
</tr>
<tr>
<td>January 14</td>
<td>Read, roll called, yeas 106, nays 0, passed.</td>
<td>p. 8</td>
</tr>
<tr>
<td>January 14</td>
<td>Read, roll called, yeas 106, nays 18, passed.</td>
<td>p. 10</td>
</tr>
<tr>
<td>January 14</td>
<td>Style and Drafting Amendments Adopted.</td>
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<tr>
<td>January 14</td>
<td>Style and Drafting Amendments Adopted.</td>
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<tr>
<td>December 14</td>
<td>Read, roll called, yeas 108, nays 1, passed.</td>
<td>p. 14</td>
</tr>
</tbody>
</table>

### Committee Proposals

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 14</td>
<td>Read. roll called, yeas 88, nays 17, passed.</td>
<td>p. 19</td>
</tr>
<tr>
<td>January 14</td>
<td>Style and Drafting Amendments Adopted.</td>
<td></td>
</tr>
<tr>
<td>January 19</td>
<td>Style and Drafting Amendments Adopted.</td>
<td></td>
</tr>
</tbody>
</table>

### Section 6. Forestry

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 14</td>
<td>Read. p. 19 Action Deferred.</td>
<td>p. 19</td>
</tr>
</tbody>
</table>

### Section 7. State Debt; Full Faith and Credit Obligations

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 17</td>
<td>Called from the Table. p. 12 Reconsidered. p. 12 Read. p. 12 Amended.</td>
<td>pp. 12, 13, 14</td>
</tr>
<tr>
<td>December 17</td>
<td>Read, roll called, yeas 94, nays 1, passed.</td>
<td>p. 13</td>
</tr>
</tbody>
</table>

### Section 8. Funds, Revenue, and Public Debt

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 17</td>
<td>Read, roll called, yeas 66, nays 27. Failed to pass. Motion to reconsider pending.</td>
<td>pp. 15, 16</td>
</tr>
</tbody>
</table>

### Section 9. Income, License, and Excise Taxes

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 17</td>
<td>Read, roll called, yeas 88, nays 19, finally passed.</td>
<td>p. 3</td>
</tr>
<tr>
<td>January 12</td>
<td>Read, roll called, yeas 106, nays 0, passed.</td>
<td>p. 8</td>
</tr>
<tr>
<td>January 14</td>
<td>Read, roll called, yeas 106, nays 18, passed.</td>
<td>p. 10</td>
</tr>
<tr>
<td>January 14</td>
<td>Style and Drafting Amendments Adopted.</td>
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<td>January 14</td>
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</tr>
<tr>
<td>December 17</td>
<td>Read, roll called, yeas 108, nays 1, passed.</td>
<td>p. 14</td>
</tr>
</tbody>
</table>

### Section 10. Corporate and Franchise Taxes

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Pages</th>
</tr>
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<tbody>
<tr>
<td>December 17</td>
<td>Read, roll called, yeas 66, nays 27. Failed to pass. Motion to reconsider pending.</td>
<td>pp. 15, 16</td>
</tr>
</tbody>
</table>

### Section 11. General Sales and Use Taxes

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 17</td>
<td>Read, roll called, yeas 88, nays 19, finally passed.</td>
<td>p. 3</td>
</tr>
<tr>
<td>January 12</td>
<td>Read, roll called, yeas 106, nays 0, passed.</td>
<td>p. 8</td>
</tr>
<tr>
<td>January 14</td>
<td>Read, roll called, yeas 106, nays 18, passed.</td>
<td>p. 10</td>
</tr>
<tr>
<td>January 14</td>
<td>Style and Drafting Amendments Adopted.</td>
<td></td>
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<tr>
<td>January 14</td>
<td>Style and Drafting Amendments Adopted.</td>
<td></td>
</tr>
<tr>
<td>December 17</td>
<td>Read, roll called, yeas 108, nays 1, passed.</td>
<td>p. 14</td>
</tr>
</tbody>
</table>
Section 8. State Debt; Interim Emergency Board  
[Const. Art. VII, Sec. 7]  
Amended to become Section 7.

December 15—  
Read, p. 4  
Amended, p. 4  
Read, roll called, yeas 95, nays 5, passed. p. 6

January 14—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments adopted

Section 9. State Debt; Maximum Debt Service Expense for All Purposes  
[Const. Art. VII, Sec. 8]  
Amended to become Section 8.  
Title amended.

December 17—  
Read, p. 5  
Amended, p. 4  
Read, roll called, yeas 74, nays 4, passed. p. 4

January 14—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 10. State Debt; Political Subdivisions of the State; Issuance and Sale of Obligations; State Bond Commission; Approval Required  
[Const. Art. VII, Sec. 9]  
Amended to become Section 9.  
Title amended.

December 17—  
Read. pp. 4, 5  
Amended, p. 5  
Read, roll called, yeas 77, nays 7, passed. p. 5

January 14—  
Style and Drafting Amendments Adopted.

January 15—  
Rules Suspended, p. 14  
Reconsidered, p. 14  
Read, p. 14  
Amended, pp. 14, 15  
Read, roll called, yeas 104, nays 2, passed. p. 15.

January 19—  
Style and Drafting Amendments Adopted.

Section 11. Collection of State Funds; Bond Security and Redemption Fund  
[Const. Art. VII, Sec. 10]  
Amended to become Section 10.

December 17—  
Read, pp. 5, 6  
Amended, p. 6  
Read, roll called, yeas 90, nays 0, passed. p. 6

January 14—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 12. Expenditure of State Funds  
[Const. Art. VII, Sec. 11]  
Amended to become Section 11.

December 17—  
Read, p. 6  
Amended, p. 7  
Read, roll called, yeas 86, nays 1, passed. p. 7

January 14—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 13. Management of State Funds; Budgets  
[Const. Art. VII, Sec. 12]  
Amended to become Section 12.

December 17—  
Action deferred, p. 7  
Read, roll called, yeas 99, nays 1, passed. p. 9

January 14—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 14. Management of State Funds; Public Record  
[Const. Art. VII, Sec. 13]  
Amended to become Section 13.

December 17—  
Action deferred, p. 7  
Read, roll called, yeas 90, nays 3, passed. p. 10

January 14—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 15. Management of State Funds; Investment  
[Const. Art. VII, Sec. 14]  
Amended to become Section 14.

December 17—  
Read, p. 7  
Amended, pp. 7, 8  
Read, roll called, yeas 91, nays 1, passed. p. 9  
Reconsidered, p. 13  
Read, roll called, yeas 86, nays 5, passed. pp. 13, 14

January 14—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 16. Management of State Funds; Prohibition of Loan, Pledge, or Donation of Public Property; Exception for Public Purpose  
[Const. Art. VII, Sec. 15]  
Amended to become Section 15.

December 17—  
Read, p. 7  
Amended, pp. 7, 8  
Read, roll called, yeas 91, nays 1, passed. p. 9  
Reconsidered, p. 13  
Read, roll called, yeas 86, nays 5, passed. pp. 13, 14

January 14—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 17. Release of Obligation to State, Parish or Municipal Corporation; Taxes on Confiscated Property  
[Const. Art. VII, Sec. 16]  
Amended to become Section 16.

New Section 16. Taxes Prescription  
[Const. Art. VII, Sec. 17]  
Amended to become Section 17.
COMMITTEE PROPOSALS

December 17—
Read. p. 10
Amended. pp. 10, 11
Read, roll called yeas 85, nays 9, passed. pp. 11, 12

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 18. Legislation to Enable Compliance with Federal Laws and Regulations to Secure Federal Aid in Capital Improvement Projects
[Const. Art. VII, Sec. 17]
Title amended.
Amended to become Section 17.

December 17—
Read, roll called, yeas 84, nays 4, passed. p. 12

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

January 15—
Read, roll called on final passage, yeas 100, nays 0, finally passed. p. 15
Recommitted to the Committee on Style and Drafting. p. 15
Finally re-enrolled, read and signed by the chairman of the Convention and attested by the Secretary of the Convention. pp. 26, 27, 28

January 16—
Reported with amendments. p. 2
Rules suspended. p. 3
Amendments adopted. p. 3

January 18—
Finally re-re-enrolled, read and signed by the chairman of the Convention and attested by the Secretary of the Convention. pp. 24-32

Committee Proposal No. 16—
Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegates Bollinger, Dorbes Elkins, Culery, Hardie, Jack, LeBleu, Leigh, Miller, Munson, Perkins, Singleterry, Thompson, Velazquez, Warren and Womack:
A PROPOSAL
Making provisions relating to natural resources and environment.

July 6—
Read, lies over under the rules. p. 55

July 11—
Read,
Under the rules,
Referred to the Committee on Natural Resources and Environment. p. 3

December 5—
Reported by substitute. p. 11

Committee Proposal No. 17—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Keen, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo and Zervigon:
A PROPOSAL
Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

July 20—
Read, lies over under the rules. p. 8

July 25—
Read.

Under the rules.
Referred to the Committee on Local and Parochial Government. p. 2

September 8—
Reported with amendments. p. 9
Rules suspended. p. 9
Amendments adopted. pp. 9, 10, 11
Read, ordered engrossed and passed to it's third reading. p. 11

September 19—
Read. p. 1

Section 1. Parishes; Ratification of Boundaries, Creation, Consolidation, and Dissolution
[Const. Art. VI, Sec. 1]
Title Amended.

September 19—
Read. p. 2
Amended. p. 2
Read, roll called, yeas 105, nays 1, passed. p. 3

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 2. Change of Parish Lines; Election

September 19—
Read. p. 3
Deleted by floor amendment. p. 4

Section 3. New or Enlarged Parishes; Adjustment of Assets and Liabilities
[Const. Art. VI, Sec. 1 D]
Amended to become Section 1 (d).

September 19—
Read, roll called, yeas 93, nays 17, passed. pp. 5

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 4. Change of Location of Parish Seat
Title amended.

September 19—
Read. p. 5
Deleted by floor amendment. p. 5

Section 5. Municipalities; Incorporation, Consolidation, Merger, and Government
[Const. Art. VI, Sec. 2]
Title amended.
Amended to become Section 2.

September 19—
Read, roll called, yeas 109, nays 1, passed. p. 5

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 6. Classification
[Const. Art. VI, Sec. 3]
Amended to become Section 3.

September 19—
Read. p. 6
Amended. p. 6
Read, roll called, yeas 111, nays 3, passed. p. 6
January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 7. Existing Home Rule Charters and Plans of Government of Parishes and Municipalities Ratified
(Const. Art. VI, Sec. 4)
Title amended.
Amended to become Section 4.

September 19—
Read. p. 7

September 26—
Read. p. 2
Amended. pp. 3, 4
Read, roll called, yeas 113, nays 3, passed. p. 4

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 8. Home Rule Charter
(Const. Art. VI, Sec. 5)
Amended to become Section 5.

September 29—
Read. p. 4

September 21—
Read. p. 3
Amended. pp. 4, 5, 6

September 22—
Read. p. 1
Amended. pp. 2, 3
Read, roll called, yeas 69, nays 37, passed. pp. 3, 4

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

New Section 6. Home Rule Charter or Plan of Government, Action by Legislature Prohibited
(Const. Art. VI, Sec. 6)

January 14—
Read. p. 9
Added by Style and Drafting Committee Amendments by a vote of 98 yeas and 0 nays. pp. 9, 10

Section 9. Powers of Other Local Governmental Subdivisions
(Const. Art. VI, Sec. 7)
Title amended.
Amended to become Section 7.

September 25—
Read. p. 1
Amended. pp. 2, 4
Read, roll called, yeas 58, nays 43. Failed to pass, motion to reconsider pending. p. 4

September 28—
Read. Reconsidered. p. 1
Amended. pp. 2, 3
Read, roll called, yeas 110, nays 7, passed. p. 3

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 10. Powers of Local Governmental Subdivisions; Liberal Construction
September 25—
Read. p. 4
Deleted by floor amendment. p. 4

Section 11. Home Rule Parish; Incorporation of Cities, Towns and Villages
(Const. Art. VI, Sec. 8)
Amended to become Section 8.

September 25—
Read. p. 4
Amended. pp. 4, 5, 6

September 26—
Read. p. 2
Action deferred. p. 2
Read. p. 3
Amended. p. 5
Read, roll called, yeas 74, nays 36, passed. p. 5

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 12. Limitations of Local Governmental Subdivisions
(Const. Art. VI, Sec. 9)
Amended to become Section 9.

September 25—
Read. p. 6
Amended. pp. 6, 7

September 27—
Read. p. 1
Amended. p. 2
Read, roll called, yeas 114, nays 7, passed. pp. 3, 4

January 14—
Style and Drafting Amendments Adopted.

Section 12.1 Codification of Ordinances
(Const. Art. VI, Sec. 10)
Amended to become Section 10.

September 27—
Added by floor amendment.
By a vote of 109 yeas, 8 nays. p. 4
Read, roll called, yeas 108, nays 5, passed. pp. 4, 5

January 14—
Style and Drafting Amendments Adopted.

Section 13. Local Officials
(Const. Art. VI, Sec. 11)
Amended to become Section 11.

September 27—
Read. p. 5
Amended. p. 5
Action deferred. p. 6
Read, amended, roll called, yeas 107, nays 0, passed. p. 7

January 14—
Style and Drafting Amendments Adopted.

Section 14. Local Officials; Compensation
(Const. Art. VI, Sec. 12)
Amended to become Section 12.

September 27—
Read, roll called, yeas 100, nays 5, passed. pp. 6, 7

January 14—
Style and Drafting Amendment Adopted.
COMMITTEE PROPOSALS

January 19—
Style and Drafting Amendment Adopted.

Section 15. Filling of Vacancies; Appointment
[Const. Art. VI, Sec. 13]
Amended to become Section 13.
Title amended.

September 27—
Read. p. 8
Amended. p. 9
Read, roll called, yeas 97, nays 7, passed. p. 9

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 16. Legislation Increasing Financial Burden
of Political Subdivisions; Local Approval
[Const. Art. VI, Sec. 14]
Title amended.
Amended to become Section 14.

September 28—
Read. p. 1
Amended. pp. 1, 3, 4, 5
Read, roll called, yeas 85, nays 30, passed. p. 5

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 17. Governing Authorities of Local Governmental Subdivisions; Control Over Agencies They Create
[Const. Art. VI, Sec. 15]
Title amended.
Amended to become Section 15.

September 28—
Read. p. 6
Amended. pp. 6, 7
Read, roll called, yeas 108, nays 0, passed. pp. 6, 7

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 18. Special Districts and Local Public Agencies;
Consolidation, Merger, and Assumption of Debt
[Const. Art. VI, Sec. 16]
Title amended.
Amended to become Section 16.

September 28—
Read, roll called, yeas 109, nays 5, passed. p. 7

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 19. Historic Preservation Districts
[Const. Art. VI, Sec. 17]
Title amended.
Amended to become Section 17.

September 28—
Read. p. 8

September 29—
Read.
Action deferred. p. 1

October 2—
Read. p. 5
Amended. pp. 5, 9
Read, roll called, yeas 87, nays 19, passed. p. 10

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 20. Zoning
September 28—
Deferred action. p. 1

October 2—
Read. p. 11
Amended. pp. 11
Read, roll called, yeas 97, nays 14, passed. p. 3

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 21. Industrial Areas
[Const. Art. VI, Sec. 18]
Amended to become Section 18.

September 29—
Read. p. 1
Amended. p. 2
Read, roll called, yeas 106, nays 8, passed. p. 4

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 22. Creation of Special Districts by the Legislature; Authority
[Const. Art. VI, Sec. 19]
Title Amended.
Amended to become Section 19.

September 29—
Read. p. 3
Amended. p. 3
Read, roll called, yeas 106, nays 8, passed. p. 4

January 14—
Style and Drafting Amendments Adopted.

Section 23. Intergovernmental Cooperation
[Const. Art. VI, Sec. 20]
Amended to become Section 20.

September 29—
Read. p. 4
Amended. p. 4
Action deferred. p. 5

October 2—
Read. p. 11
Amended. pp. 11, 12, 13
Read, roll called, yeas 90, nays 36. Failed to pass, motion to reconsider pending. p. 14

October 3—
Reconsidered. p. 1
Read. pp. 7, 8
Amended. p. 8
Read, roll called, yeas 87, nays 16, passed. p. 8

January 14—
Style and Drafting Amendments Adopted.

Section 24. Assistance to Local Industry by Political Subdivisions
[Const. Art. VI, Sec. 21]
Amended to become Section 21.
Title amended.
CONSTITUTIONAL CONVENTION CALENDAR

September 29—
Read. p. 5

October 2—
Read. p. 1
Amended. pp. 3, 4
Read, roll called, yeas 85, nays 19, passed. p. 5

January 14—
Style and Drafting Amendments Adopted.

Section 25. Appropriation to Political Subdivisions

October 3—
Read. p. 1
Amended. p. 2
Deleted by floor amendment. p. 2

Section 26. Uniform Procedure for Calling, Conducting, and Canvassing the Returns of Certain Special Elections
[Constitutional Art. VI, Sec. 22]
Title amended.
Amended to become Section 22.

October 3—
Read. p. 3
Amended. p. 3
Read, roll called, yeas 105, nays 1, passed. p. 3

January 14—
Style and Drafting Amendments Adopted.

Section 27. Acquisition of Property
[Constitutional Art. VI, Sec. 23]
Amended to become Section 23.

October 3—
Read. p. 3
Amended. p. 3
Read, roll called, yeas 105, nays 6, passed. p. 4

January 14—
Style and Drafting Amendments Adopted.

Section 28. Servitudes of Way; Acquisition by Prescription
[Constitutional Art. VI, Sec. 24]
Amended to become Section 24.

October 3—
Read. p. 4
Amended. p. 4
Read, roll called, yeas 108, nays 2, passed. pp. 4, 5

January 14—
Style and Drafting Amendments Adopted.

Section 29. Prescription Against State, School Districts, and Political Subdivisions
[Constitutional Art. XII, Sec. 13]
Title amended.
Amended to become Section 25.

October 3—
Read. p. 5
Amended. pp. 5, 6
Read, roll called, yeas 106, nays 2, passed. pp. 6, 7

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

January 14—
Read. p. 12
Added by Style and Drafting Committee Amendment by a vote of 90 yeas, and 0 nays, p. 12

Section 30. Supremacy of Constitution

October 3—
Read. p. 7
Deleted by floor amendment. p. 7

Section 31. Parish Tax Limits; Increase; Withdrawal of Municipality from Parish Taxing Authority
[Constitutional Art. VI, Sec. 26]
Title amended.
Amended to become Section 27.
Amended to become Section 26.

October 3—
Action deferred. p. 9

November 6—
Read. p. 6
Amended. p. 6
Read, roll called, yeas 103, nays 2, passed. p. 6

January 14—
Style and Drafting Amendments Adopted.

Section 32. Municipal Tax Limits; Increase
[Constitutional Art. VI, Sec. 27]
Title amended.
Amended to become Section 28.
Amended to become Section 27.

October 3—
Action deferred. p. 9

November 6—
Read. p. 7
Amended. p. 7
Read, roll called, yeas 165, nays 2, passed. p. 7

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 33. Local Governmental Subdivision; Occupational License Tax; Limitations
[Constitutional Art. VI, Sec. 28]
Title amended.
Amended to become Section 29.
Amended to become Section 28.

October 3—
Action deferred. p. 9

November 6—
Read. p. 8
Amended. p. 8
Read, roll called, yeas 104, nays 3, passed. p. 8

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 34. Local Governmental Subdivisions; Sales Tax Authorized
[Constitutional Art. VI, Sec. 29]
Title amended.
COMMITTEE PROPOSALS

Amended to become Section 30.
Amended to become Section 29.

October 3—
Action deferred. p. 9

November 6—
Read. p. 8
Amended. p. 9

November 7—
Read. p. 1
Amended. p. 2
Read, roll called, yea's 87, nay's 11, passed. p. 2

January 14—
Style and drafting amendments adopted.

January 19—
Style and drafting amendments adopted.

Section 35. Political Subdivisions; Taxing Power; Limitations
[Constitution Art. VI, Sec. 30]
Title amended.
Amended to become Section 31.
Amended to become Section 30.

October 3—
Action deferred. p. 9

November 7—
Read, roll called, yea's 102, nay's 4, passed. p. 2

January 14—
Style and drafting amendments adopted.

January 19—
Style and drafting amendments adopted.

Section 36. Special Taxes; Ratified
[Constitution Art. VI, Secs. 31 and 32]
Title amended.
Amended to become Section 32.
Amended to become Section 31.

October 3—
Action deferred. p. 9

November 7—
Read. p. 3
Amended. p. 3
Read, roll called, yea's 105, nay's 3, passed. p. 3

January 14—
Style and drafting amendments adopted.

New Section 32. Special Taxes; Ratification
[Constitution Art. VI, Sec. 31]
Title amended.

January 14—
Reconsidered. p. 16
Amended. p. 16
Read, roll called, yea's 105, nay's 0, passed. pp. 16, 17

New Section 33. Special Taxes; Authorization
[Constitution Art. VI, Sec. 32]

January 14—
Read, roll called, yea's 106, nay's 0, passed. p. 17

Section 37. Political Subdivisions; Exclusive Authority to Levy and Collect Ad Valorem Taxes

October 3—
Action deferred. p. 9

November 7—
Read. p. 3
Deleted by floor amendment. p. 3
By a vote of 58 yeas, 9 nays. pp. 3, 4

Section 38. Bonds of Political Subdivisions; General Obligations
[Constitution Art. VI, Sec. 33]
Title amended.
Amended to become Section 33.
Amended to become Section 34.

October 3—
Action deferred. p. 9

November 7—
Read, roll called, yea's 107, nay's 0, passed. p. 4

January 14—
Style and drafting amendments adopted.

January 19—
Style and drafting amendments adopted.

Section 39. Taxpayer Authorization of Political Subdivision Bonds
[Constitution Art. VI, Sec. 33A]
Title amended.
Amended to become Section 34.
Amended to become Section 33A.

October 3—
Action deferred. p. 9

November 7—
Read. p. 4
Amended. p. 4
Read, roll called, yea's 106, nay's 5, passed. p. 5

January 14—
Style and drafting amendments adopted.

January 19—
Style and drafting amendments adopted.

Section 40. Limitations on Bonded Indebtedness of Political Subdivisions
[Constitution Art. VI, Sec. 34]
Title amended.
Amended to become Section 34.
Amended to become Section 35.

October 3—
Action deferred. p. 9

November 7—
Read. p. 5
Action Deferred. p. 5

November 7—
The Convention resolved itself into Committee as a Whole. p. 9
The Committee of the Whole Rose. p. 9
Read.
Amended. p. 9
Read, roll called, yea's 58, nay's 47. Failed to pass, motion to reconsider pending. pp. 10, 11

November 8—
Read. p. 4
Reconsidered. p. 2
Action deferred. pp. 4, 5
Amended. pp. 9, 10
Read, roll called, yea's 103, nay's 4, passed. p. 10

January 14—
Style and drafting amendments adopted.
January 19—
Style and Drafting Amendments Adopted.

Section 41, Limited Time for Contesting Bonds of Political Subdivisions
[Const. Art. VI, Sec. 35]
Title amended.
Amended to become Section 35.
Amended to become Section 36.

October 3—
Action deferred. p. 9

November 7—
Read. p. 5
Action deferred. p. 5
Amended. p. 8
Read, roll called, yeas 104, nays 4, passed. p. 8

November 8—
Reconsidered. p. 3
Read, roll called, yeas 81, nays 10, passed. p. 3

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 42, Local Improvement Assessments
[Const. Art. VI, Sec. 36]
Amended to become Section 36.
Amended to become Section 37.

October 3—
Action deferred. p. 9

November 7—
Read. p. 5
Amended. p. 6
Read, roll called, yeas 104, nays 1, passed. p. 6

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 43, Revenue-Producing Property
[Const. Art. VI, Sec. 37]
Amended to become Section 37.
Amended to become Section 38.

October 3—
Action deferred. p. 9

November 7—
Read. p. 5
Amended. p. 6
Read, roll called, yeas 105, nays 0, passed. pp. 6, 7

November 8—
Reconsidered. p. 3
Read. p. 4
Amended. p. 4
Read, roll called, yeas 92, nays 2, passed. p. 4

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 44, Levee Districts
[Const. Art. VI, Sec. 38]
Amended to become Section 38.
Amended to become Section 39.

October 3—
Read. p. 9
Amended. pp. 9, 10

October 4—
Read. p. 1
Amended. p. 2
Read, roll called, yeas 97, nays 18, passed. p. 4

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 45, District Taxes; Increase in Tax to Raise Additional Funds
[Const. Art. VI, Sec. 39]
Title amended.
Amended to become Section 39.
Amended to become Section 40.

October 4—
Read. p. 4
Action deferred. p. 4

November 8—
Read. p. 5
Amended. p. 5
Read, roll called, yeas 99, nays 2, passed. p. 5

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 46, Bond Issues
[Const. Art. VI, Sec. 40]
Amended to become Section 40.
Amended to become Section 41.

October 4—
Read. p. 4
Action deferred. p. 4

November 8—
Read, roll called, yeas 101, nays 0, passed. pp. 5, 6

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 47, Interstate Districts

October 4—
Read. p. 4
Deleted by floor amendment. pp. 4, 5

Section 48, Cooperation with Federal Government
[Const. Art. VI, Sec. 41]
Amended to become Section 41.
Amended to become Section 42.

October 4—
Read. p. 5
Read, roll called, yeas 113, nays 0, passed. p. 5

January 14—
Style and Drafting Amendments Adopted.

Section 49, Compensation for Property Used or Destroyed; Tax
[Const. Art. VI, Sec. 42]
Amended to become Section 42.
Amended to become Section 43.
COMMITTEE PROPOSALS

October 4—
Read. p. 5
Action deferred. p. 5

November 8—
Read. p. 8
Amended. p. 7
Read, roll called, yeas 103, nays 4, passed. p. 9

January 14—
Style and Drafting Amendments Adopted.

Section 50. Pacts
[Const. Art. VI, Sec. 43]
Title amended.
Amended to become Section 43.
Amended to become Section 44.

October 4—
Read. p. 5
Amended. p. 6

October 5—
Read. p. 3
Amended. pp. 4, 5
Read, roll called, yeas 95, nays 18, passed. pp. 5, 6

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 51. Terms Defined
[Const. Art. VI, Sec. 44]
Amended to become Section 44.
Amended to become Section 45.

October 5—
Read. p. 6
Amended. p. 6
Read, roll called, yeas 105, nays 7, passed. p. 7
Returned to the Calendar Subject to call. p. 7

November 6—
Called from the Calendar. p. 6

January 14—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

November 8—
Read, roll called on final passage, yeas 106, nays 4, finally passed. pp. 11, 12

November 9—
Enrolled, referred to the Committee on Style and Drafting. pp. 8-12

November 15—
Enrolled, reflecting correction of an error discovered with respect to Section 16. pp. 13-17

January 14—
Reported with amendments. pp. 2, 3, 4, 5, 6, 7, 8
Rules suspended.
Amendments adopted. pp. 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18

January 15—
Finally re-re-enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 30, 31, 32, 33, 40

COMMITTEE PROPOSAL No. 18—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham. A substitute proposal for Committee Proposal No. 13 by Delegate Aertker, et al.:

A PROPOSAL
Making provisions for human resources by prohibiting compulsory arbitration.

A substitute for CP 12.

July 26—
Read. p. 2
Returned to the Calendar.
Under the rules. p. 2

July 27—
Read, ordered engrossed and passed to its third reading. p. 2

Amended to become Article VII, Human Resources.

Section 1. Arbitration
November 18—
Read. p. 1
Amended. p. 2
Deleted by floor amendment p. 2
By a vote of 88 yeas, 11 nays. p. 2

November 18—
Read, roll called on final passage, yeas 0, nays 95. Failed to pass, motion to reconsider tabled. p. 3

COMMITTEE PROPOSAL No. 19—
Introduced by Delegate Stagg, Chairman, on behalf of the Committees on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Asseff, Brien, Denney, Duval, Gravel, Stovall and Tapper:

A PROPOSAL
Making provisions in the Schedule of provisions of the Constitution for mandatory reorganization of the executive branch of state government.

August 1—
Read, lies over under the rules. p. 1

August 2—
Read.
Under the rules.
Referred to the Committee on Executive Department. p. 2

September 14—
Reported by substitute. p. 7
Rules suspended.
Read. p. 8
Substitute adopted. p. 8
Becomes CP No. 31. p. 8

COMMITTEE PROPOSAL No. 20—
Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall, and Weiss:

A PROPOSAL
Making general provisions for elections.

August 9—
Read, lies over under the rules. p. 9

August 10—
Read. p. 1
Under the rules.
Referred to the Committee on Bill of Rights and Elections. p. 1

September 20—
Reported by substitute. p. 6

September 21—
Read. p. 2
Substitute adopted. p. 2
Becomes CP 33.
COMMITTEE PROPOSAL No. 21—
Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary, and Delegates Avant, Bel Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Curso, Sandez, Tate and Vesich 
(A Substitute for Committee Proposal No. 6):
A PROPOSAL
Making provisions for the judiciary branch of government and necessary provisions with respect thereto.
A substitute for CP 6.

August 10—
Read. p. 11
Rules suspended. p. 11
Ordered engrossed and passed to its third reading. p. 11

August 15—
Read. p. 2
Amended Title. p. 2

Section 1. Judicial Power
(Const. Art. V, Sec. 1)
August 15—
Read, roll called, yeas 105, nays 2, passed. pp. 1, 2
January 9—
Style and Drafting Amendments Adopted.

Section 2. Habeas Corpus, Needful Writs, Orders and Process
(Const. Art. V, Sec. 2)
Title amended.
August 15—
Read, roll called, yeas 111, nays 0, passed. p. 3
January 9—
Style and Drafting Amendments Adopted.

Section 3. Supreme Court; Composition; Judgments; Terms
(Const. Art. V, Sec. 3)
August 15—
Read. p. 3
Amended. p. 3
Read, roll called, yeas 77, nays 32, passed. p. 4
January 9—
Style and Drafting Amendments Adopted.

Section 4. Supreme Court; Districts
(Const. Art. V, Sec. 4)
August 15—
Read. p. 4
Read, roll called, yeas 103, nays 9, passed. p. 5
January 9—
Style and Drafting Amendments Adopted.

Section 5. Supreme Court; Supervisory, Original, and Appellate Jurisdiction; Rule-Making Power; Assignment of Judges
(Const. Art. V, Sec. 5)
Title amended.
August 15—
Read. p. 6
Amended. p. 9
Read, roll called, yeas 112, nays 0, passed. pp. 9, 10
January 9—
Style and Drafting Amendments Adopted.

Section 6. Supreme Court; the Chief Justice
(Const. Art. V, Sec. 6)
Title amended.

August 16—
Read. p. 2
Amended. p. 2
Read, roll called, yeas 101, nays 15, passed. p. 3

January 9—
Style and Drafting Amendments Adopted.

Section 7. Supreme Court; Judicial Administrator, Clerks and Staff
(Const. Art. V, Sec. 7)
Title amended.

August 16—
Read. p. 3
Amended. p. 3
Read, roll called, yeas 114, nays 1, passed. p. 3

January 9—
Style and Drafting Amendments Adopted.

Section 8. Courts of Appeal; Panels; Number Necessary to Decision; Terms
(Const. Art. V, Sec. 8)
Title amended.

August 16—
Read. p. 4
Amended. p. 4
Read, roll called, yeas 97, nays 21, passed. p. 5

January 9—
Style and Drafting Amendments Adopted.

Section 9. Courts of Appeal; Circuits and Districts
(Const. Art. V, Sec. 9)

August 16—
Read. p. 5
Amended. p. 5
Read, roll called, yeas 101, nays 8, passed. p. 6

January 9—
Style and Drafting Amendments Adopted.

Section 10. Courts of Appeal; Appellate and Supervisory Jurisdiction
(Const. Art. V, Sec. 10)
Title amended.

August 16—
Read, roll called, yeas 113, nays 1, passed. p. 7

January 9—
Style and Drafting Amendments Adopted.

Section 11. Courts of Appeal; Certification to Supreme Court; Determination
(Const. Art. V, Sec. 11)
Title amended.

August 16—
Read, roll called, yeas 116, nays 0, passed. p. 8

January 9—
Style and Drafting Amendments Adopted.

Section 12. Courts of Appeal; Chief Judge; Duties
(Const. Art. V, Sec. 12)
Title amended.

August 16—
Read. p. 8
Amended. p. 8
Read, roll called, yeas 112, nays 0, passed. pp. 8, 9

January 9—
Style and Drafting Amendments Adopted.
Section 13. Courts of Appeal; Clerks and Staff
[Const. Art. V, Sec. 13]
Title amended.

August 16—
Read. p. 9
Amended. p. 9
Read, roll called, yeas 113, nays 0, passed. p. 9

January 9—
Style and Drafting Amendments Adopted.

Section 14. District Courts; Judicial Districts
[Const. Art. V, Sec. 14]

August 16—
Read, roll called, yeas 110, nays 4, passed. p. 10

January 9—
Style and Drafting Amendments Adopted.

Section 15. Courts; Continued; Jurisdiction; Judicial
Districts; Changes; Terms
[Const. Art. V, Sec. 15]
Title amended.

August 17—
Read. p. 1
Amended, pp. 1, 2, 3, 4, 5, 6
Read, roll called, yeas 115, nays 1, passed. p. 6

January 9—
Style and Drafting Amendments adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 15.1 City Court Judges; Terms
Added by floor amendment.

August 28—
By a vote of 85 yeas, 22 nays. p. 4
Read, roll called, yeas 96, nays 13, passed. p. 5

January 9—
Style and Drafting Amendments Adopted.

Section 16. District Courts; Original Jurisdiction
[Const. Art. V, Sec. 16]
Title amended.

August 17—
Read. p. 6
Amended. p. 6
Read, roll called, yeas 109, nays 0, passed. p. 7

January 9—
Style and Drafting Amendments Adopted.

Section 17. District Courts; Chief Judge
[Const. Art. V, Sec. 17]

August 17—
Read. p. 7
Read, roll called, yeas 95, nays 15, passed. p. 8

January 9—
Style and Drafting Amendments Adopted.

Section 18. Juvenile Courts; Jurisdiction
[Const. Art. V, Sec. 18]
Title amended.

August 17—
Read, action deferred. p. 8

August 28—
Read. p. 2
Amended. p. 3
Read, roll called, yeas 101, nays 9, passed. p. 4

January 9—
Style and Drafting Amendment Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 19. Mayors' Courts; Justices of the Peace; Con-
tinued
[Const. Art. V, Sec. 20]
Title amended.
Amended to become Section 20

August 17—
Read. p. 8
Roll called, yeas 106, nays 3, passed. p. 9

January 9—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 20. Preservation of Evidence

August 17—
Read, roll called, yeas 37, nays 67. Failed to pass, mo-
tion to reconsider tabled. p. 9

Section 21. Judges; Term of Office or Compensation
May Not Be Decreased
[Const. Art. V, Sec. 21]
Title amended.
Amended to become Section 21.
Amended to become Section 20.

August 17—
Read, roll called, yeas 105, nays 0, passed. p. 10

January 9—
Style and Drafting Amendment Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 22. Judges; Election; Vacancy in Office
[Const. Art. V, Sec. 22]
Title amended.
Amended to become Section 22.
Amended to become Section 21.

August 18—
Read. p. 2
Amended, pp. 3, 4, 5, 6, 7
Read, roll called, yeas 107, nays 3, passed. p. 7

January 9—
Style and Drafting Amendments adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 23. Retirement of Judges
[Const. Art. V, Sec. 23]
Title amended.
Amended to become Section 23.
Amended to become Section 22.

August 18—
Read. pp. 7, 8
Amended. p. 8, 9

August 22—
Read. p. 2
Amended. pp. 2, 3, 4
Read, roll called, yeas 104, nays 10, passed. p. 4
<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 9</td>
<td>Style and Drafting Amendments Adopted.</td>
<td>24</td>
</tr>
<tr>
<td>January 19</td>
<td>Style and Drafting Amendments Adopted.</td>
<td>24</td>
</tr>
<tr>
<td>August 22</td>
<td>Read. p. 4</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Amended. p. 4</td>
<td>24</td>
</tr>
<tr>
<td>August 24</td>
<td>Called from the table. p. 13</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Reconsidered. p. 13</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Amended. p. 13</td>
<td>24</td>
</tr>
<tr>
<td>January 9</td>
<td>Style and Drafting Amendments Adopted</td>
<td>24</td>
</tr>
<tr>
<td>January 15</td>
<td>Rules suspended. p. 20</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Reconsidered. p. 20</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Read. p. 20</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Deleted by floor amendment by a vote of 105 yeas and 2 nays. p. 20</td>
<td>24</td>
</tr>
<tr>
<td>December 27</td>
<td>Attorney General; Powers and Duties; Vacancy</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>[Const. Art. IV, Sec. 8]</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Title amended.</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Amended to become Section 26B.</td>
<td>24</td>
</tr>
<tr>
<td>August 23</td>
<td>Read. p. 6</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Amended. p. 8</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Read, roll called, yeas 111, nays 4, passed. p. 8</td>
<td>24</td>
</tr>
<tr>
<td>January 9</td>
<td>Style and Drafting Amendments Adopted.</td>
<td>24</td>
</tr>
<tr>
<td>January 19</td>
<td>Style and Drafting Amendments Adopted.</td>
<td>24</td>
</tr>
<tr>
<td>Section 28</td>
<td>District Attorney; Election; Qualifications; Assistants</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>[Const. Art. V, Sec. 26]</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Amended to become Section 27 (A).</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Amended to become Section 28.</td>
<td>24</td>
</tr>
<tr>
<td>August 23</td>
<td>Read. p. 9</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Amended. p. 9</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Read, roll called, yeas 110, nay 3, passed. p. 11</td>
<td>24</td>
</tr>
<tr>
<td>January 9</td>
<td>Style and Drafting Amendments Adopted.</td>
<td>24</td>
</tr>
<tr>
<td>January 19</td>
<td>Style and Drafting Amendments Adopted.</td>
<td>24</td>
</tr>
<tr>
<td>Section 29</td>
<td>Defense of Criminal Prosecution; Removal</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>[Const. Art. V, Sec. 26C]</td>
<td>24</td>
</tr>
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<td>Title amended.</td>
<td>24</td>
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<td></td>
<td>Amended to become Section 27 (C).</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Amended to become Section 28.</td>
<td>24</td>
</tr>
<tr>
<td>August 24</td>
<td>Read. p. 2</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Read, roll called, yeas 115, nays 4, passed. p. 3</td>
<td>24</td>
</tr>
<tr>
<td>January 9</td>
<td>Style and Drafting Amendments Adopted.</td>
<td>24</td>
</tr>
<tr>
<td>January 19</td>
<td>Style and Drafting Amendments Adopted.</td>
<td>24</td>
</tr>
<tr>
<td>Section 30</td>
<td>Sheriff; Duties; Tax Collector</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>[Const. Art. V, Sec. 27]</td>
<td>24</td>
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<td>Title amended.</td>
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<td>Amended to become Section 28.</td>
<td>24</td>
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<td>Amended to become Section 27.</td>
<td>24</td>
</tr>
<tr>
<td>August 24</td>
<td>Read. p. 3</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Amended. p. 3</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Read, roll called, yeas 120, nays 1, passed. p. 4</td>
<td>24</td>
</tr>
<tr>
<td>January 9</td>
<td>Style and Drafting Amendments Adopted.</td>
<td>24</td>
</tr>
<tr>
<td>January 19</td>
<td>Style and Drafting Amendments Adopted.</td>
<td>24</td>
</tr>
<tr>
<td>Section 31</td>
<td>Clerks; Election; Powers and Duties; Deputies; Office Hours</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>[Const. Art. V, Sec. 28]</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td>Title amended.</td>
<td>24</td>
</tr>
</tbody>
</table>
Amended to become Section 20.
Amended to become Section 27.
Amended to become Section 28.

August 24—
Read.  p. 4
Read, roll called, yeas 119, nays 0, passed.  p. 5

January 9—
Style and Drafting Amendments Adopted.

Section 32. Coroner; Election; Term; Qualifications: Duties
[Const. Art. V, Sec. 29]
Title amended.
Amended to become Section 30.
Amended to become Section 28.
Amended to become Section 29.

August 24—
Read.  p. 5
Amended.  p. 5
Read, roll called, yeas 112, nays 0, passed.  p. 5

January 9—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 33. Vacancies
[Const. Art. V, Sec. 30]
Amended to become Section 31.
Amended to become Section 29.
Amended to become Section 30.

August 24—
Read, roll called, yeas 109, nays 3, passed.  pp. 6, 7

January 9—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 34. Reduction of Salaries and Benefits Prohibited
[Const. Art. V, Sec. 31]
Amended to become Section 32.
Amended to become Section 30.
Amended to become Section 31.

August 24—
Read.  p. 7
Amended.  p. 7
Read, roll called, yeas 102, nays 12, passed.  p. 7

January 9—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 35. Orleans Parish Courts, Officials; Continued
[Const. Art. V, Sec. 32]
Title amended.
Amended to become Section 33.
Amended to become Section 31.
Amended to become Section 32.

August 24—
Read.  p. 7
Amended.  pp. 7, 8
Read, roll call, yeas 113, nays 3, passed.  p. 8

January 9—
Style and Drafting Amendments Adopted.

January 11—
Reconsidered.  p. 17
Read.  p. 17
Amended.  p. 18
Read, roll called, yeas 101 nays 3, passed.  p. 18

January 19—
Style and Drafting Amendments Adopted.

Section 36. Jurors; Qualifications; Exemptions
[Const. Art. V, Sec. 33]
Title amended.
Amended to become Section 34.
Amended to become Section 32.
Amended to become Section 33.

August 24—
Read.  p. 9
Amended.  p. 9
Read, roll called, yeas 111, nays 2, passed.  p. 9

January 9—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 37. Grand Jury
[Const. Art. V, Sec. 34]
Amended to become Section 35.
Amended to become Section 33.
Amended to become Section 34.

August 24—
Read.  p. 10
Amended.  pp. 10, 11, 12
Read, roll called, yeas 99, nays 3, passed.  p. 12

January 9—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 38. Fees; Orleans Parish

August 24—
Read.  p. 13
Roll called, yeas 4, nays 97, failed to pass, motion to reconsider tabled.  p. 13

August 28—
Read, roll called on final passage, yeas 99, nays 15, finally passed.  p. 5

August 29—
Enrolled, Referred to Committee on Styling and Drafting.  pp. 6, 7, 8

January 8—
Reported with amendments.  pp. 11, 12, 13, 14

January 9—
Read.  Amendments adopted.  pp. 7, 8, 9, 10, 11

January 10—
Finally enrolled, read and signed by the Chairman of
Finally

the Convention and attested by the Secretary of the Convention. pp. 27, 28, 29, 30

January 11—
Rules suspended.
Discharged from the Committee on Style and Drafting. p. 17
Reconsidered. p. 17
Read, roll called on final passage, yeas 104, nays 2, finally passed. pp. 18, 19

January 12—
Recommitted to the Committee on Style and Drafting.
Finally re-enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 10, 11

January 15—
Rules suspended.
Discharged from the Committee on Style and Drafting. p. 20
Reconsidered. p. 20
Read, roll called on final passage, yeas 105, nays 2, finally passed. p. 21

January 16—
Finally re-re-enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 16

COMMITTEE PROPOSAL No. 22—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Brien, Denney, Duval, Gravel, Stovall, and Tapper:

A PROPOSAL

Making provisions for a code of ethics and the Louisiana Board of Ethics.

August 15—
Read, lies over under the rules. p. 10

August 16—
Read.
Under the rules.
Referred to the Committee on Executive Department. p. 1

August 23—
Reported favorably. p. 1

August 24—
Read, ordered engrossed and passed to its third reading. p. 2

Section —— Code of Ethics; Board of Ethics [Const. Art. X, Part III, Sec. 21]
Title amended.

September 15—
Read, roll called, yeas 101, nays 14, passed. p. 4

September 15—
Read. p. 1
Amended. pp. 3, 4
Read, roll called on final passage, yeas 83, nays 27, finally passed. pp. 5, 6

September 19—
Enrolled, Referred to the Committee on Style and Drafting. p. 7

January 10—
Style and Drafting Amendments Adopted.

January 10—
Reported with amendments. p. 10
Rules suspended.
Amendments adopted. p. 11
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 30

COMMITTEE PROPOSAL No. 23—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Arnette, Brien, Denney, Gravel, Stovall, and Tapper:

A PROPOSAL

Prohibiting dual employment and dual officeholding in state and local government.

August 15—
Read, lies over under the rules. p. 10

August 16—
Read.
Under the rules.
Referred to the Committee on Executive Department. p. 1

August 23—
Reported favorably. p. 1

August 24—
Read, ordered engrossed and passed to its third reading. p. 2

Article—— Section—— Dual Employment and Dual Officeholding
[Const. Art. X, Part III, Sec. 22]

October 11—
Read. p. 1
Amended. p. 2
Read, roll called, yeas 103, nays 11, passed. pp. 2, 3

October 11—
Read, roll called on final passage, yeas 105, nays 10, finally passed. p. 3

October 17—
Enrolled and referred to the Committee on Style and Drafting. p. 6

January 10—
Style and Drafting Amendments Adopted.

January 10—
Reported with amendments. p. 10
Rules suspended.
Amendments adopted. p. 11
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 30

COMMITTEE PROPOSAL No. 24—
Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss:

A PROPOSAL

Relative to constitutional revision.

August 18—
Read, lies over under the rules. p. 1

August 22—
Read. p. 2
Under the rules.
Referred to the Committee on Bill of Rights and Elections. p. 2

December 18—
Reported by substitute. p. 12
Rules suspended.
Read, substitute adopted. p. 12
Becomes C. P. 36

COMMITTEE PROPOSAL No. 25—
Introduced by Delegate Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates
Committee Proposals

Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss:

A proposition

To provide a preamble and a declaration of rights to the constitution.

A substitute for Committee Proposal No. 2.

August 23—
Read. p. 10
Rules suspended. p. 10
Ordered engrossed and passed to its third reading. p. 10

A Preamble

August 23—
Read. p. 6
Roll called, yeas 87, nays 13, passed. p. 8

January 10—
Style and Drafting Amendments Adopted.

Section 1. Origin and Purpose of Government [Const. Art. I, Sec. 1]

August 29—
Read. p. 1
Amended. p. 1
Action deferred. p. 2
Amended. p. 4
Read, roll called, yeas 119, nays 0, passed. p. 4

January 10—
Style and Drafting Amendments Adopted.

Section 2. Due Process of Law [Const. Art. I, Sec. 2]

August 29—
Read. p. 2
Amended. p. 3
Read, roll called, yeas 109, nays 1, passed. p. 3

January 10—
Style and Drafting Amendments Adopted.

Section 3. Right to Individual Dignity [Const. Art. I, Sec. 3]

August 30—
Read. p. 4

August 30—
Read. p. 1
Amended. p. 1
Read, roll called, yeas 104, nays 3, passed. p. 2

January 10—
Style and Drafting Amendments Adopted.

Section 4. Right to Property [Const. Art. I, Sec. 4]

August 30—
Read. p. 2
Amended. pp. 3, 8, 9
Read, roll called, yeas 68, nays 45, passed. p. 12

September 13—
Reconsidered. p. 6
Amended. p. 7
Read, roll called, yeas 85, nays 22, passed. pp. 7, 8

January 10—
Style and Drafting Amendments Adopted.

Section 5. Right to Privacy [Const. Art. I, Sec. 5]

August 31—
Read. p. 3
Roll called, yeas 96, nays 13, passed. p. 4

January 10—
Style and Drafting Amendments Adopted.

Section 6. Freedom from Intrusion [Const. Art. I, Sec. 6]

August 31—
Read, roll called, yeas 107, nays 1, passed. pp. 4, 5

January 10—
Style and Drafting Amendments Adopted.

Section 7. Freedom from Discrimination

August 31—
Read. p. 5
Amended. pp. 5, 6

September 5—
Read. p. 4
By a vote of 101 yeas, 9 nays, the section was deleted. p. 4

Section 8. Trial by Jury in Civil Cases

September 5—
Read. p. 6
Amended. pp. 4, 5
Read, roll called, yeas 17, nays 98. Failed to pass motion to reconsider. p. 6

Amended to become Section 7.

September 5—
Read. p. 6

September 6—
Read. p. 4
Amended. p. 4
Read, roll called, yeas 108, nays 2, passed. p. 6

January 10—
Style and Drafting Amendments Adopted.

Section 10. Freedom of Religion [Const. Art. I, Sec. 8]
Amended to become Section 8.

September 6—
Read, roll called, yeas 105, nays 0, passed. pp. 6, 7

January 10—
Style and Drafting Amendments Adopted.

Section 11. Freedom of Assembly and Movement [Const. Art. I, Sec. 9]
Title amended.
Amended to become Section 9.

September 6—
Read. p. 7
Amended. pp. 7, 8
Read, roll called, yeas 113, nays 0, passed. p. 8

January 10—
Style and Drafting Amendments Adopted.

Section 12. Rights of the Accused [Const. Art. I, Sec. 13]
[Const. Art. I, Sec. 19]
Amended to become Section 31.

September 6—
Read. p. 8
Amended. pp. 8, 9
September 7—
Read. p. 2
Amended. pp. 2, 3, 4
Read, roll called, yeas 98, nays 13, passed. pp. 4, 5
Section 13. Initiation of Prosecution
[Const. Art. I, Sec. 15]
Amended to become Section 15.

Section 15. Fair Trial
[Const. Art. I, Sec. 16]
Title amended.
Amended to become Section 16.

Section 16. Trial by Jury in Criminal Cases
[Const. Art. I, Sec. 17]
Title amended.
Amended to become Section 17.

Section 19. Right to Vote
[Const. Art. I, Sec. 10]
Amended to become Section 10.

January 10—
Style and Drafting Amendments Adopted.

Section 13. Initiation of Prosecution
[Const. Art. I, Sec. 15]
Amended to become Section 15.

September 7—
Read. p. 5
Amended. pp. 5, 6
Read, roll called, yeas 100, nays 14, passed. pp. 6, 7

January 10—
Style and Drafting Amendments Adopted.

Section 16. Trial by Jury in Criminal Cases
[Const. Art. I, Sec. 17]
Title amended.
Amended to become Section 17.

September 8—
Read. p. 1
Action deferred.
Amended. p. 3
Read, roll called, yeas 104, nays 3, passed. p. 3

January 10—
Style and Drafting Amendments Adopted.

Section 17. Right to Bail
[Const. Art. I, Sec. 18]
Amended to become Section 18.

September 8—
Read. p. 1
Amended. p. 2
Read, roll called, yeas 104, nays 0, passed. p. 2

January 10—
Style and Drafting Amendments adopted.

Section 18. Right to Humane Treatment
[Const. Art. I, Sec. 20]
Amended to become Section 20.

September 8—
Read. p. 4
Amended. pp. 4, 5, 6
Read, roll called, yeas 88, nays 16, passed. p. 7

January 10—
Style and Drafting Amendments Adopted.

Section 20. Right to Keep and Bear Arms
[Const. Art. I, Sec. 11]
Amended to become Section 11.

September 12—
Read. p. 1
Amended. pp. 1, 2
Read, roll called, yeas 100, nays 3, passed. pp. 2, 3

January 10—
Style and Drafting Amendments Adopted.

Section 21. Writ of Habeas Corpus
[Const. Art. I, Sec. 21]

September 12—
Read, roll called, yeas 106, nays 0, passed. p. 3

Section 22. Access to Courts
[Const. Art. I, Sec. 22]

September 12—
Read. p. 3
Amended. pp. 3, 4
Read, roll called, yeas 105, nays 0, passed. p. 4

January 10—
Style and Drafting Amendments Adopted.

Section 23. Prohibited Laws
[Const. Art. I, Sec. 23]

September 13—
Read, roll called, yeas 113, nays 0, passed. pp. 2, 3

Section 24. Freedom of Commerce

September 13—
Read.
Deleted by floor amendment by a vote of 100 yeas, 15 nays. p. 3

Section 25. Unenumerated Rights
[Const. Art. I, Sec. 24]
Amended to become Section 24.

September 13—
Read. p. 3
Roll called, yeas 103, nays 14, passed. p. 4

January 10—
Style and Drafting Amendments Adopted.

Section 26. Freedom from Discrimination
[Const. Art. I, Sec. 12]
Amended to become Section 12.

September 13—
Added by floor amendment.
By a vote of 79 yeas, 16 nays. p. 8
Read, roll called, yeas 88, nays 15, passed. p. 9

January 10—
Style and Drafting Amendments Adopted.

Section 19. Right to Vote
[Const. Art. I, Sec. 10]
Amended to become Section 10.
Section 27. Right to Preliminary Hearing
[Const. Art. I, Sec. 14]

Title amended.
Amended to become Section 14.

September 14—
Added by floor amendment.
By a vote of 96 yeas, 18 nays. pp. 3, 4
Read, roll called, yeas 100, nays 10, passed. pp. 4, 5

January 10—
Style and Drafting Amendments Adopted.

September 14—
Read, roll called on final passage, yeas 89, nays 28, finally passed. p. 6

September 15—
Enrolled, referred to the Committee on Style and Drafting. pp. 7, 8

January 8—
Reported with amendments. pp. 14, 15, 16

January 10—
Amendments adopted. pp. 1, 2, 3
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 26, 27

COMMITTEE PROPOSAL No. 28—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Mauberret, Mire, Nunez, Planchard, Slay and Winchester:
A PROPOSAL
Making provisions for property taxation.

August 23—
Read.
Lies over under the rules. p. 12

August 24—
Read. p. 2
Under the rules.
Referred to the Committee on Revenue, Finance and Taxation. p. 2

October 5—
Reported with amendments. p. 9
Rules suspended. p. 9
Amendments adopted. pp. 9, 10, 11, 12
Rules suspended.
Read.
Ordered engrossed and passed to its third reading. p. 12

October 17—
Read. p. 1

Section 1. Assessment of Property; Classification; Assessors; Right of Taxpayer
[Const. Art. VII, Part II, Sec. 18]

Title amended.

October 17—
Read. p. 1
Amended. pp. 1, 2

October 18—
Read. p. 3

October 19—
Read. The Convention resolved itself into a Committee of the Whole. p. 3
The Committee rose. p. 3

October 20—
Read. p. 1
Amended. pp. 2, 5

October 23—
Read. p. 1
Amended. pp. 3, 4, 5, 6

October 24—
Read. p. 1
Amended. pp. 1, 2, 3
Read, roll called, yeas 97, nays 23, passed. p. 6

January 12—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 1. Ad Valorem Taxes

January 12—
Rules suspended.
Reconsidered. p. 6
Amended. p. 7
Read, roll called, yeas 91, nays 0, passed. p. 7

Section 2. Rate of State Property Taxation; Limitation
[Const. Art. VII, Part II, Sec. 19]

Title amended.

October 24—
Read, roll called, yeas 101, nays 19, passed. pp. 6, 7

January 12—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 3. Homestead Exemptions; Other Property Exemptions
[Const. Art. VII, Part II, Sec. 20]
[Const. Art. VII, Part II, Sec. 21]

Title amended.
Amended to become Section 4.
Amended to become Section 20.

October 24—
Read. pp. 7, 8
Amended. p. 8

October 25—
Read. pp. 1, 2
Amended. pp. 1, 2, 3, 4, 5, 6, 7

October 26—
Read. pp. 1, 2
Amended. pp. 5, 6, 7, 8, 9, 10, 11, 12, 13

October 27—
Read. pp. 1, 2
Action deferred. p. 2

October 31—
Read. pp. 2, 3
Amended. pp. 1, 2

November 1—
Read. pp. 1, 2
Amended. pp. 2, 5
Read, roll called, yeas 96, nays 19, passed. p. 5

January 12—
Style and Drafting Amendments Adopted.

Section 4. No Impairment of Existing Taxes or Obligations
[Const. Art. VII, Part II, Sec. 22]

Amended to become Section 5.
Amended to become Section 22.
CONSTITUTIONAL CONVENTION CALENDAR

October 27—
Read. p. 4
Amended. p. 2
Read, roll called, yeas 99, nays 7, passed. p. 3.

January 12—
Style and Drafting Amendments Adopted.

January 15—
Rules suspended. p. 21
Reconsidered. p. 22
Read. p. 22
Read, roll called, yeas 99, nays 3, passed. p. 22
Rules suspended. p. 22
Reconsidered. p. 23
Read. p. 23
Amended. p. 23

Section 4.1. Specific Property Taxes
[Art. VII, Sec. 21B]

November 6—
Added by floor amendment, p. 2
By vote of 72 yeas, 20 nays. p. 5
Read. p. 3
Read, roll called, yeas 64, nays 32. Failed to pass, motion to reconsider tabled. p. 5

January 19—
Style and Drafting Amendments Adopted.

Section 5. Adjustment of Ad Valorem Tax Millages
[Const. Art. VII, Part II, Sec. 23]
Amended to become Section 6.
Amended to become Section 23.

October 27—
Read. p. 3
Amended. p. 4
Action deferred. p. 4

November 1—
Read. p. 5
Amended. pp. 5, 6, 7
Read, roll called, yeas 114, nays 1, passed. p. 7

January 12—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 6. Revenue Sharing Fund
[Const. Art. VII, Part III, Sec. 26]
Amended to become Section 7.

November 1—
Read. p. 7

November 2—
Read. p. 1
Amended. pp. 1, 2, 3, 4, 5, 6
Read, roll called, yeas 54, nays 47. Failed to pass, motion to reconsider pending. p. 6

November 3—
Reconsidered. p. 1
Amended. pp. 3, 4
Read, roll called, yeas 87, nays 16, passed. p. 4

January 12—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 7. Method of Distribution of Revenue Sharing Funds

November 2—
Action deferred. p. 8

November 3—
Read. p. 5
Deleted by Floor Amendment. p. 5

Section 8. Tax Assessor
[Const. Art. VII, Part II, Sec. 24]

November 2—
Read. pp. 8, 9
Amended. p. 9

November 3—
Read. p. 1
Amendment Reconsidered. p. 2
Withdrawn
By a vote of 69 yeas, 25 nays. p. 2
Action deferred. p. 3
Read, roll called, yeas 82, nays 12, passed. p. 6

January 12—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 9. Tax Sales Redemption of Property
[Const. Art. VII, Part II, Sec. 25]
Title amended.

November 6—
Read.
Added by floor amendment.
By a vote of 66 yeas, 18 nays. pp. 3, 4
Read, roll called, yeas 92, nays 15, passed. p. 5

January 12—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

November 6—
Read, roll called on final passage, yeas 83, nays 25, finally passed. p. 5
Enrolled, referred to the Committee on Style and drafting.
pp. 10, 11, 12, 13

January 11—
Reported with amendments. pp. 22, 23, 24, 25

January 12—
Amendments adopted. pp. 2, 3, 4, 5, 6, 7, 8

Section 10. Effective Date
(Cons. Art. XIV, Section 13, Transitional)
Added by Style and Drafting amendment.

January 12—
Read, roll called, yeas 97, nays 0, passed.

January 19—
Style and Drafting Amendments Adopted.

January 14—
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 39, 40, 41
Recommitted to the Committee on Style and Drafting.

January 15—
Rules suspended. p. 21
Discharged from the Committee on Style and Drafting. p. 21
Reconsidered. p. 21
Read, roll called on final passage, yeas 100, nays 11, finally passed. p. 24
Reconsidered. p. 24
Read, roll called on final passage, yeas 92, nays 11, finally passed. pp. 24, 25
Recommitted to the Committee on Style and Drafting. p. 25
January 16—
Finally re-enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 16, 17, 19, 20
Reported with amendments. pp. 12, 13
Rules suspended.
Amendments adopted. p. 13

January 17—
Finally re-re-enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 17, 18, 19, 20

COMMITTEE PROPOSAL No. 27—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government and Delegates Burson, Cione, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL
Providing with respect to the donation, loan, or pledge of public funds, credit or property.

August 30—
Read, lies over under the rules. p. 12

August 31—
Read.
Under the rules.
Referred to the Committee on Local and Parochial Government. p. 2

November 29—
Reported with amendments. p. 7

December 5—
Read. p. 2
Amendments adopted. pp. 2, 3
Read, ordered engrossed and passed to its third reading. p. 3

January 8—
Withdrawn from the files of the Convention. p. 2

COMMITTEE PROPOSAL No. 28—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cione, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL
Providing for the office of tax assessor and the Board of Assessors in Orleans Parish.

August 30—
Read, lies over under the rules. p. 12

August 31—
Read.
Under the rules.
Referred to the Committee on Local and Parochial Government. p. 2

November 29—
Reported without action. p. 7

December 5—
Read. p. 3
Withdrawn from the files of the Convention. p. 3

COMMITTEE PROPOSAL No. 29—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cione, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL
Providing for a Revenue Sharing Fund.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read.
Under the rules.
Referred to the Committee on Local and Parochial Government. p. 2

November 20—
Reported without action. p. 7

December 5—
Read. p. 3
Withdrawn from the files of the Convention. p. 3

COMMITTEE PROPOSAL No. 30—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Sliverberg, Sutherland, Thistlethwaite, Toca, and Wisham:

A PROPOSAL
To provide for the transition of membership on the boards of education.

September 5—
Read, lies over under the rules. p. 1

September 6—
Read.
Under the rules.
Referred to the Committee on Education and Welfare. p. 1

November 7—
Reported with Amendments. p. 11

November 8—
Amendments adopted. p. 2
Read, ordered engrossed and passed to its third reading. p. 2

Section 1. Board of Regents
[Const. Art. XIV, Part I, Sec. 1]
Amended to become Section 2.
Amended to become Section 1.

November 20—
Read. p. 2
Amended. p. 2
Read, roll called, yeas 97, nays 3, passed. p. 2

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 2. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College
[Const. Art. XIV, Part I, Sec. 2]
Amended to become Section 3.
Amended to become Section 2.

November 20—
Read. p. 2
Amended. p. 3
Read, roll called, yeas 84, nays 21, passed. p. 3

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 3. State Board of Elementary and Secondary Education; Board of Trustees for State Colleges and Universities
[Const. Art. XIV, Sec. 4]
Amended to become Section 4.
CONSTITUTIONAL CONVENTION CALENDAR

November 20—
Read, p. 3
Amended, p. 3
Read, roll called, yeas 96, nays 9, passed. pp. 3, 4

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments adopted.

New Section 5. Boards; New Appointments:
[Constitution Art. XIV, Sec. 5]
Added by floor amendment.

November 20—
By a vote of 69 yeas and 37 nays. p. 4
Read, p. 4
Amended, p. 4
Read, roll called, yeas 75, nays 30, passed. pp. 4, 5

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

November 20—
Read, roll called on final passage, yeas 88, nays 21, finally passed, p. 5

December 8—
Enrolled, referred to the Committee on Style and drafting. pp. 11, 12

January 15—
Reported with amendments. pp. 1, 2
Rules suspended.
Amendments adopted. p. 9
Finally enrolled, read and signed by the Chairman of the
Convention and attested by the Secretary of the Convention. p. 32

COMMITTEE PROPOSAL No. 31—
Introduced by Delegate Stag, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Azeff, Arnette, Gravel, and Tapper (A Substitute for Committee Proposal No. 19):
A PROPOSAL
Making provisions in the Schedule provisions of the constitution for mandatory reorganization of the executive branch of state government.
A Substitute for Committee Proposal No. 19. p. 8

September 14—
Read, p. 8
Rules suspended. p. 8
Ordered engrossed and passed to its third reading. p. 8

Section 1. Election Code

October 5—
Added by floor amendment.
By a vote of 81 yeas, 27 nays. p. 7
Read, roll called, yeas 94, nays 14, passed. p. 8

October 6—
Reconsidered. p. 3
Deleted by floor amendment. p. 3

January 10—
Style and Drafting Amendments Adopted.

COMMITTEE PROPOSAL No. 33—
Introduced by Delegate Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 20, by Delegate Jackson, Chairman on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stimson, Vick, Wall and Weiss):
A PROPOSAL
Making general provisions for elections.
A substitute for CP 20

September 21—
Read. p. 2
Rules suspended.
Ordered engrossed and passed to its third reading. p. 2

October 5—
Read. p. 7

Section 1. Election Code

October 5—
Added by floor amendment.
By a vote of 81 yeas, 27 nays. p. 7
Read, roll called, yeas 94, nays 14, passed. p. 8

October 6—
Reconsidered. p. 3
Deleted by floor amendment. p. 3

January 10—
Style and Drafting Amendments Adopted.

COMMITTEE PROPOSAL No. 32—
Introduced by Delegates Asseff, Abraham, Alexander, Arnette, Gravel, and Stagg (A Substitute for Delegate Proposal No. 29):
A PROPOSAL
Providing for the reorganization of the executive branch of state government.
A Substitute for Delegate Proposal No. 29. p. 8

September 14—
Read. p. 8
Rules suspended. p. 8
Ordered engrossed and passed to its third reading. p. 8

January 8—
Returned to the Calendar subject to call p. 2

January 10—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.
COMMITTEE PROPOSALS

Section 3. Secret Ballot
[Const. Art. XI, Sec. 2]
Title amended.
Amended to become Section 2.

October 6—
Read. p. 4
Amended. p. 4
Read, roll called, yeas 97, nays 1, passed. p. 5

January 10—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 4. Residence of Electors

October 6—
Read. p. 6
Deleted by floor amendment. p. 6

New Section 4. Prohibited Use of Public Funds
[Const. Art. XI, Sec. 4]

October 10—
Added by floor amendment by a vote 67 yea5 and 45 nays.
Read. p. 3
Amended. p. 3
Read, roll called, yeas 87, nays 26, passed.

January 10—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 5. Political Activities

October 6—
Read. p. 6
Deleted by floor amendment. pp. 6, 7

Section 6. Privilege from Arrest
[Const. Art. XI, Sec. 3]
Amended to become Section 3.

October 9—
Read, roll called, yeas 78, nays 0, passed. p. 2

January 10—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 7. Candidacy for Public Office

October 9—
Read. p. 2
Deleted by floor amendment. p. 2

Section 8. Vote Required for Election

October 9—
Read. p. 3
Deleted by floor amendment. p. 3

Section 9. Limitation on Term of Office

October 9—
Read. p. 3
Deleted by floor amendment. pp. 3, 4

Section 10. Prohibited Use of Public Funds

October 9—
Read. p. 4
Deleted by floor amendment. p. 4

Section 11. Registrars of Voters
[Const. Art. XI, Sec. 5]
Title amended.
Amended to become Section 5.

October 9—
Read. p. 5
Action deferred. p. 5

October 10—
Read. p. 1
Amended. p. 2
Read, roll called, yeas 80, nays 24, passed. p. 2

January 10—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 12. Commissioners and Poll Watchers

October 9—
Read. p. 5
Deleted by floor amendment. p. 5

Section 13. Election Returns

October 9—
Read. p. 5
Deleted by floor amendment. p. 5

Section 14. Registration Challenges

October 9—
Read. p. 5
Deleted by floor amendment. pp. 5, 6

Section 15. Election Contests

October 9—
Read. p. 6
Deleted by floor amendment. p. 6

Section 16. Election Fraud

October 9—
Read. p. 7
Deleted by floor amendment. p. 7

Section 17. Code of Elections

October 9—
Read. p. 7
Deleted by floor amendment. p. 7

Section 18. Prohibited Use of Public Funds

October 9—
Added by floor amendment. p. 2
Amended. p. 3
Amended to become New Section 4. p. 3

October 18—
Read, roll called on final passage, yeas 116, nays 0, finally passed. p. 5

October 11—
Enrolled, referred to the Committee on Style and Drafting. p. 4

January 8—
Reported with amendments. p. 16

January 10—
Amendments adopted. pp. 3, 4
Finally enrolled, read and signed by the Chairman of the
Convention and attested by the Secretary of the Conven-
tion. p. 27
COMMITTEE PROPOSAL No. 34—
Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegates Bollinger, Derbes, Elkins, Hardee, Jack, LeBleu, Leigh, Miller, Munson, Perkins, Singletary, Thompson, Velazquez, Warren and Womack:
(A Substitute for Committee Proposal No. 10):
A PROPOSAL
Making provisions relating to natural resources and environment.
A substitute for CP 16.

December 6—
Read. p. 1
Rules Suspended. p. 1
Read, ordered reengrossed and passed to its third reading. p. 1

December 18—
Read. p. 2

Section 1. Natural Resources and Environment; Public Policy
(Const. Art. IX, Sec. 1)

December 18—
Read, roll called, yeas 98, nays 0, passed. p. 2

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

December 18—
Returned to the Calendar subject to call. p. 3
Called from the Calendar. p. 3

Section 2. Natural Gas; Public Policy; Interstate and Intrastate Pipelines
(Const. Art. IX, Sec. 2)
Title amended.

December 18—
Read. p. 4
Amended. pp. 5, 6
Read, roll called, yeas 93, nays 6, passed. pp. 6, 7

December 21—
Read. p. 2
Reconsidered. p. 2
Amended. pp. 2, 3
Read, roll called, yeas 99, nays 4, passed. p. 3

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 3. Geopressure-Geothermal Resources

December 18—
Read. p. 7
Deleted by floor amendment. p. 7
By a vote of 69 yeas and 33 nays. p. 7

Section 4. Aliencation of Water Bottoms
(Const. Art. IX, Sec. 3)
Amended to become Section 3.

December 18—
Read. p. 7
Amended. p. 7
Read, roll called, yeas 98, nays 5, passed. p. 8

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 5. Reservation of Mineral Rights
(Const. Art. IX, Sec. 4)
Title amended.
Amended to become Section 4.

December 18—
Read. p. 8
Amended. pp. 8, 9, 10
Read, roll called, yeas 91, nays 0, passed. p. 10

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 6. Mineral Rights; Alluvion

December 18—
Action deferred. p. 10

December 20—
Read. p. 3
Deleted by floor amendment. p. 4
By a vote of 63 yeas and 42 nays. p. 4

New Section 6.1 Public Notice; Public Bidding Requirements.
(Const. Art. IX, Sec. 5)
Amended to become Section 5.

December 20—
Added by floor amendment. p. 8
By a vote of 75 yeas and 28 nays. p. 8
Read, roll called, yeas 97, nays 5, passed. pp. 8, 9

January 15—
Style and Drafting amendments Adopted.

January 19—
Style and Drafting amendments adopted.

Section 7. Mineral Rights; Erosion

December 18—
Action deferred. p. 10

December 20—
Read. p. 4
Deleted by floor amendment. p. 4
By a vote of 53 yeas and 7 nays. p. 4

Section 8. Royalty Road Fund
(Const. Art. VII, Sec. 4E)

December 18—
Action deferred. p. 10

December 20—
Read. p. 4
Amended. p. 5
Read, roll called, yeas 95, nays 4, passed. p. 5

January 15—
Style and Drafting Amendments Adopted.

Section 9. Minerals Beyond Three-Mile Limit
(Const. Art. IX, Sec. 6)
Title amended.
Amended to become Section 6.

December 18—
Read. p. 10
Amended. p. 10
Read, roll called, yeas 89, nays 3, passed. pp. 10, 11

January 15—
Style and Drafting Amendments Adopted.
Section 10. Offshore Mineral Revenues; Use of Funds
[Const. Art. XIV, Sec. 10]
Amended to become Section 7.

December 18—
Read. p. 11
Action deferred. p. 12

December 19—
Read. p. 1
Amended. p. 2
Read, roll called, yeas 102, nays 0, passed. p. 2

January 15—
Style and Drafting amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 11. Commissioner of Agriculture

December 19—
Read. p. 3
Deleted by floor amendment. pp. 2, 3
By a vote of 64 yeas and 39 nays. p. 3

Section 12. Wildlife and Fisheries Commission
[Const. Art. IX, Sec. 7]
Amended to become Section 8.
Amended to become Section 7.

December 19—
Read. p. 3
Amended. pp. 4, 5, 6
Read, roll called, yeas 92, nays 10, passed. p. 6

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 13. Forestry Commission; State Forester
[Const. Art. IX, Sec. 8]
Title amended.
Amended to become Section 9.
Amended to become Section 8.

December 19—
Read. pp. 6, 7
Amended. pp. 7, 8
Read, roll called, yeas 92, nays 19, passed. p. 9

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 14. Public Service Commission

December 19—
Read. p. 9
Rules suspended. p. 9

December 21—
Rules suspended.

January 2—
Read. p. 8
Deleted by floor amendment. p. 8

(A) Composition; Term

December 19—
Read. p. 9
Amended, p. 11
Read, roll called, yeas 89, nays 22, passed. pp. 11, 12

(B) Powers and Duties

December 19—
Read. p. 12

December 20—
Read. p. 1
Action deferred. p. 1
Amended. p. 11
Read, roll called, yeas 101, nays 6, passed. p. 11

(C) Limitation

December 20—
Read. p. 11
Amended. p. 12
Read, roll called, yeas 105, nays 3, passed. p. 12

(D) Decisions on Applications, Petitions, and Schedules

December 20—
Read. pp. 12, 13
Amended. pp. 14, 15, 16, 17

December 21—
Read. p. 1

(E) Appeals.

(F) Jurisdiction

Section 15. Department of Wildlife and Fisheries; Commissioned Enforcement Officers
[Const. Art. X, Sec. 10A(1)]

January 3—
Added by floor amendment by a vote of 95 yeas and 45 nays. pp. 8, 9
Read, roll called, yeas 95, nays 12, passed. p. 9

December 21—
Returned to the Calendar, Subject to call. pp. 3, 4
Called from the Calendar. p. 4
Returned to the Calendar, subject to call. p. 4
Called from the Calendar. p. 5
Rules suspended. p. 5

January 2—
Read. p. 2
Returned to the Calendar subject to call. p. 2
Called from the Calendar p. 7
Read, roll called on final passage, yeas 103, nays 7, finally passed. pp. 9, 10
Enrolled, Referred to the Committee on Style and Drafting. pp. 16, 17

January 14—
Reported with amendments. pp. 37, 38

January 15—
Amendments adopted. pp. 7, 8, 9
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 32, 33

COMMITTEE PROPOSAL No. 35—
Introduced by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 1, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarriso, Roy, Soniat, Stinson, Vick and Walli): A PROPOSAL
Providing for general governmental provisions.
A substitute for CP 1.

December 17—
Rules suspended.
Read, ordered engrossed and passed to its third reading. p. 16
| January 3— | Section 1. Three Branches  
|           | [Const. Art. II, Sec. 1] |
|           | Read. p. 10  
|           | Amended. p. 10 |

Section 1. Three Branches  
[Const. Art. II, Sec. 1]

January 3—  
Read. p. 10  
Read, roll called, yeas 100, nays 0, passed. p. 10

January 12—  
Style and Drafting Amendments Adopted.

Section 2. Limitations of Each Branch  
[Const. Art. II, Sec. 2]

Title amended.

January 3—  
Read, roll called, yeas 107, nays 1, passed. pp. 10, 11

January 12—  
Style and Drafting Amendments Adopted.

Section 3. Civilian-Military Relations  
[Const. Art. XII, Sec. 5]

Amended to become Section 1.

January 3—  
Read, roll called, yeas 106, nays 0, passed. p. 11

January 12—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 4. Right to Direct Participation  
[Const. Art. XII, Sec. 8]

Amended to become Section 2.

January 3—  
Read, roll called, yeas 104, nays 6, passed. pp. 11, 12

January 12—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 5. Oath of Office  
[Const. Art. X, Part III, Sec. 39]

Amended to become Section 3.

January 3—  
Read. p. 12  
Action deferred. p. 12  
Amended. p. 15  
Read, roll called, yeas 98, nays 4, passed. p. 15

January 12—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 6. State Capital  
[Const. Art. XII, Sec. 1]

Amended to become Section 4.

January 3—  
Read, roll called, yeas 105, nays 1, passed. p. 12

January 12—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 7. Forced Heirs'hip and Trusts  
[Const. Art. XII, Sec. 6]

Amended to become Section 5.

January 3—  
Read. p. 7  
Amended. p. 13  
Read, roll called, yeas 102, nays 6, passed. pp. 13, 14

January 12—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 8. Protection of Vested Rights

January 3—  
Read. p. 14  
Amended. p. 14  
Debated by floor amendment by a vote of 72 yeas and 30 nays. p. 14

Section 9. Limitations on Banking

January 4—  
Read. p. 3  
Amended. pp. 3, 4  
Read, roll called, yeas 75, nays 30, passed. p. 4  
Reconsidered. p. 11  
Deleted by floor amendment p. 11  
Added by floor amendment by a vote of 85 yeas, and 25 nays. p. 10  
Amended. p. 10, 11  
Read, roll called, yeas 78, nays 24, passed. p. 11

January 11—  
Reconsidered. p. 20  
Read. p. 20  
Amended. p. 20  
Deleted by floor amendment by a vote of 82 yeas and 27 nays. p. 20

New Section 9. Limitations on Banking

Section 10. Administrative and Quasi-Judicial Agency Code.  
[Const. Art. XII, Sec. 14]

Amended to become Section 7.  
Title amended.

January 4—  
Added by floor amendment by a vote of 87 yeas, 0 nays. p. 5  
Read, roll called, yeas 87, nays 0, passed. p. 6

January 12—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

Section 11. Preservation of Linguistic and Cultural Origin  
[Const. Art. XII, Sec. 4]

Amended to become Section 8.

January 4—  
Added by floor amendment by a vote of 95 yeas and 1 nay. pp. 6, 7  
Read, roll called, yeas 99, nays 1, passed. p. 7

January 12—  
Style and Drafting Amendments Adopted.

January 19—  
Style and Drafting Amendments Adopted.

January 4—  
Read, roll called on final passage, yeas 81, nays 26, finally passed. pp. 11, 12
January 5—
Enrolled, Referred to the Committee on Style and Drafting. pp. 2, 3

January 11—
Rules suspended.
Discharged from Style and Drafting. p. 19
Reconsidered. p. 19
Passed. pp. 20, 21
Reported with amendments. p. 21

January 12—
Amendments adopted. pp. 1, 2
Re-enrolled, referred to the Committee on Style and Drafting. p. 9
Finally re-re-enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 10

COMMITTEE PROPOSAL No. 36—
Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 24, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegate Dunlap, Guarisco, Jenkins, Roy, Soniat, Stimson, Vick, Wall, and Welsf;)

A PROPOSAL
Relative to constitutional revision.
A substitute for CP 24.

December 18—
Rules suspended.
Read, ordered engrossed and passed to its third reading.
p. 12

January 5—
Read. p. 1

Section 1. Amendments
[Const. Art. XIII, Sec. 1]

January 5—
Read. p. 1
Amended. p. 2

January 6—
Read. p. 1
Amended. pp. 2, 4, 5

January 7—
Read. pp. 1, 2
Amended. p. 2
Read, roll called, yeas 87, nays 12. p. 2

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 2. Convention Called by Legislature
[Const. Art. XIII, Sec. 2]

Title amended.

January 7—
Read. p. 3
Amended. p. 3
Read, roll called, yeas 90, nays 6. p. 4

January 15—
Style and Drafting Amendments Adopted.

January 19—
Style and Drafting Amendments Adopted.

Section 3. Convention Called by People

January 7—
Final. Read. p. 4
Deleted by floor amendment. p. 4
By a vote of 54 yeas, 43 nays. p. 4

Section 4. Laws Effectuating Amendments
[Const. Art. XIII, Sec. 3]

Amended to become Section 3.

January 7—
Read, roll called, yeas 99, nays 0. passed. pp. 5, 6

January 15—
Style and Drafting Amendments adopted.

January 19—
Style and Drafting Amendments adopted.

January 7—
Read, roll called on final passage, yeas 74, nays 24, finally passed. p. 6

January 8—
Enrolled, referred to the Committee on Style and Drafting. p. 18

January 15—
Reported with amendments. pp. 2, 3.
Rules suspended.
Amendments adopted. pp. 9, 10
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 33

COMMITTEE PROPOSAL No. 37—
Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment:

A PROPOSAL
Making provisions relating to the Public Service Commission.

December 21—
Rules suspended. p. 4
Read, ordered engrossed and passed to its third reading. pp. 4, 5

January 3—
Read.

Section 14. Public Service Commission
[Const. Art. IV, Sec. 21]

January 3—
Read. p. 2
Amended. pp. 4, 5, 6
Read, roll called, yeas 67, nays 47. passed p. 6, 7
Read, roll called on final passage, yeas 67, nays 47, finally passed. p. 7
Enrolled, Referred to the Committee on Style and Drafting pp. 16, 17

January 14—
Style and Drafting Amendments adopted. Rules suspended.
Reconsidered. p. 23
Read. p. 23
Amended. p. 23
Read, roll called, yeas 109, nays 0. passed. p. 24
Rules suspended.
Reconsidered. p. 24
Amended. pp. 24, 25
Read, roll called, yeas 87, nays 22. passed. p. 25

January 19—
Style and Drafting Amendments Adopted.

January 14—
Reported with amendments. pp. 20, 21
Rules suspended.
Amendments adopted. pp. 21, 22, 23

January 15—
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 40

COMMITTEE PROPOSAL No. 38—
Introduced by Delegate Zervigon, Chairperson, Committee on Legislative Liaison and Transitional Measures, and Del-
CONSTITUTIONAL CONVENTION CALENDAR

egates Casey, Comar, D'Geralamo, Drew, Hardee, J. Jackson, Jones, Lanier, Rayburn, Smith, Thompson, Vick and Womack:

A PROPOSAL
Making provisions relative to transitional provisions.

January 15—
Read, lies over under the rules. p. 26

January 16—
Read. p. 3
Rules suspended. p. 3
Read, ordered engrossed and passed to its third reading. p. 3

January 18—
Read. p. 1
Amended. pp. 3, 6, 7

---

Section 1. Limitation on Transitional Provisions
[Const. Art. XIV, Part II, Sec. 14]
Amended to become Section 14.

January 18—
Read. p. 1
Amended. pp. 1, 2
Read, roll called, yea 96, nays 6, passed. p. 2

January 19—
Style and Drafting Amendments Adopted.

Section 2. References to 1921 Constitution
[Const. Art. XIV, Part III, Sec. 21]
Amended to become Section 21.

January 18—
Read, roll called, yea 106 nays 0, passed. p. 3

January 19—
Style and Drafting Amendments Adopted.

Section 3. Effect of Titles
[Const. Art. XIV, Part III, Sec. 22]
Amended to become Section 22.

January 18—
Read, roll called, yea 102, nays 0, passed. pp. 3, 4

January 19—
Style and Drafting Amendments Adopted.

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Section 4. Inherent Power of Legislature

January 18—
Read. p. 4
Deleted by floor amendment. p. 4

Section 5. Continuation of Actions and Rights
[Const. Art. XIV, Part III, Sec. 23]
Amended to become Section 23.

January 18—
Read. p. 4
Amended. p. 4
Read, roll called, yea 106, nays 3, passed. pp. 4, 5

January 19—
Style and Drafting Amendments Adopted.

Section 6. Protection of Existing Taxes
[Const. Art. XIV, Part III, Sec. 24]
Amended to become Section 24.

January 18—
Read. p. 5
Amended. p. 5
Read, roll called, yea 111, nay 0, passed. p. 5

January 19—
Style and Drafting Amendments Adopted.

Section 7. Impairment of Debt Obligations Prohibited
[Const. Art. XIV, Part III, Sec. 25]
Amended to become Section 25.

January 18—
Read, roll called, yea 111, nays 0, passed. pp. 5, 6

January 19—
Style and Drafting Amendments Adopted.

Section 8. Existing Officials
[Const. Art. XIV, Part II, Sec. 15]
Amended to become Section 15.

January 18—
Read, roll called, yea 112, nays 0, passed. p. 12

January 19—
Style and Drafting Amendments Adopted.

Section 9. Provisions of 1921 Constitution Made Statutory
[Const. Art. XIV, Part II, Sec. 16]
Amended to become Section 16.

January 18—
Read. p. 12
Amended, pp. 12, 13, 14
Read, roll called, yea 107, nays 1, passed. p. 14

January 19—
Style and Drafting Amendments Adopted.

Section 10. Provisions of Constitution of 1921 Repealed
[Const. Art. XIV, Part II, Sec. 17]
Amended to become Section 17.

January 18—
Read. p. 14
Amended, pp. 14, 15
Read, roll called, yea 91, nays 1, passed. p. 15

January 19—
Style and Drafting Amendments Adopted.

Section 11. Existing Laws
[Const. Art. XIV, Part II, Sec. 18]
Amended to become Section 18

January 18—
Read. p. 15
Amended, pp. 15, 16
Read, roll called, yea 95, nays 1, passed. p. 16

January 19—
Style and Drafting Amendments Adopted.

Section 12. Constitution Not Retroactive
[Const. Art. XIV, Part III, Sec. 26]
Amended to become Section 26.

January 18—
Read, roll called, yea 112, nays 0, passed. p. 6

January 19—
Style and Drafting Amendments Adopted.

Section 13. Legislative Provisions
[Const. Art. XIV, Part III, Sec. 27]
Amended to become Section 27.

January 18—
Read. p. 6
Amended, p. 7
Read, roll called, yea 111, nays 0, passed. p. 7

January 19—
Style and Drafting Amendments Adopted.
<table>
<thead>
<tr>
<th>Section 14. Deletion of Obsolete Schedule Items</th>
</tr>
</thead>
</table>
| January 18—  
Read, p. 7  
Deleted by floor amendment. p. 7 |
| Section 15. Judiciary Commission  
[Const. Art. XIV, Part III, Sec. 28]  
Amended to become Section 28. |
| January 18—  
Read, roll called, yeas 109, nays 0, passed. pp. 7, 8 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 16. Ports; Transition to Statutes  
[Const. Art. XIV, Part II, Sec. 19]  
Amended to become Section 19. |
| January 18—  
Read, amended. p. 16  
Read, roll called, yeas 99, nays 0, passed. pp. 16, 17 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 17. Home Rule Charters; Authorization |
| January 18—  
Read, p. 17  
Deleted by floor amendment. p. 17 |
| Section 18. Public Service Commission  
[Const. Art. XIV, Part II, Sec. 20]  
Amended to become Section 20. |
| January 18—  
Read, amended. p. 17  
Read, roll called, yeas 98, nays 0, passed. p. 17 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 19. Statewide Elected Officials  
[Const. Art. XIV, Part III, Sec. 29]  
Amended to become Section 29. |
| January 18—  
Read, p. 8  
Amended. p. 8  
Read, roll called, yeas 113, nays 0, passed. p. 8 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 20. Commissioner of Elections  
[Const. Art. XIV, Part III, Sec. 30]  
Amended to become Section 30. |
| January 18—  
Read, roll called, yeas 112, nays 1, passed. p. 10 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 21. Pardon Board  
[Const. Art. XIV, Part III, Sec. 31]  
Amended to become Section 31. |
| January 18—  
Read, roll called, yeas 109, nays 0, passed. p. 9 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 22. Levee Districts, Compensation for Property  
[Const. Art. XIV, Part III, Sec. 32]  
Amended to become Section 32. |
| January 18—  
Read, roll called, yeas 116, nays 0, passed. p. 9 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 23. Suits Against the State; Effective Date  
[Const. Art. XIV, Part III, Sec. 33]  
Amended to become Section 33. |
| January 18—  
Read, roll called, yeas 96, nays 0, passed. pp. 17, 18 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 24. Tax Schedule  
[Const. Art. XIV, Part III, Sec. 24]  
Title amended. |
| January 18—  
Read, roll called, yeas 110, nays 1, passed. p. 10 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 25. Effective Date  
[Const. Art. XIV, Part III, Sec. 35]  
Amended to become Section 35. |
| January 18—  
Read, p. 11  
Amended. p. 11  
Read, roll called, yeas 113, nays 0, passed. p. 11 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 26. Extraordinary Legislative Session |
| January 18—  
Read, p. 11  
Deleted by floor amendment. p. 11 |
| Section 27. Board of Supervisors of Southern University  
[Const. Art. XIV, Part I, Sec. 3]  
Amended to become Section 36. |
| January 18—  
Read, p. 18  
Added by floor amendment. p. 18  
By a vote of 89 yeas, 2 nays. p. 18  
Read, roll called, yeas 91, nays 1, passed. pp. 18, 19 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 28. Transition to Board of Regents and State Board of Elementary and Secondary Education  
[Const. Art. XIV, Part IV, Sec. 40]  
Amended to become Section 40. |
| January 18—  
Read. p. 21  
Added by floor amendment.  
By a vote of 94 yeas, 24 nays. pp. 20, 21  
Read, roll called, yeas 93, nays 16, passed. p. 21 |
| January 19—  
Style and Drafting Amendments Adopted. |
| Section 29. Effect of Adoption  
[Const. Art. XIV, Part III, Sec. 36]  
Amended to become Section 36. |
| January 18—  
Read.  
Added by floor amendment.  
By a vote of 90 yeas, 2, nays. p. 22  
Read, roll called, yeas 95, nays 2, passed. p. 23 |
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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</thead>
<tbody>
<tr>
<td>January 18</td>
<td>Style and Drafting Amendments Adopted.</td>
</tr>
<tr>
<td></td>
<td>Section 30, Severability Clause</td>
</tr>
<tr>
<td></td>
<td>[Const. Art. XIV, Part III, Sec. 37]</td>
</tr>
<tr>
<td></td>
<td>Amended to become Section 37.</td>
</tr>
<tr>
<td>January 18</td>
<td>Read, roll called on final passage, yea 93, yea 4, finally passed, p. 24</td>
</tr>
<tr>
<td>January 19</td>
<td>Enrolled, referred to the Committee on Style and Drafting</td>
</tr>
<tr>
<td></td>
<td>Rules suspended, p. 21</td>
</tr>
<tr>
<td></td>
<td>Reported with amendments.</td>
</tr>
<tr>
<td></td>
<td>Rules suspended, p. 22</td>
</tr>
<tr>
<td></td>
<td>Amendments adopted, pp. 22, 23</td>
</tr>
<tr>
<td></td>
<td>Supplemental report from Style and Drafting reported with amendments. pp. 31, 32</td>
</tr>
<tr>
<td></td>
<td>Rules suspended.</td>
</tr>
<tr>
<td></td>
<td>Amendments adopted, pp. 32, 33</td>
</tr>
</tbody>
</table>
CONSTITUTIONAL CONVENTION CALENDAR

DELEGATE PROPOSALS

DELEGATE PROPOSAL No. 1—
Introduced by Delegate Asseff:
A PROPOSAL
For supplemental pay increases for state policemen.
July 5—
Read, lies over under the rules. p. 6
July 6—
Read.
Under the rules.
Referred to the Committee on Local and Parochial Government. p. 53
August 2—
Reported without action. p. 2
August 3—
Read.
Recommitted to the Committee on Education and Welfare. p. 1
September 20—
Reported unfavorably. p. 1
September 21—
Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 2—
Introduced by Delegate Asseff:
A PROPOSAL
To protect the sources of information of news reporters.
July 5—
Read, lies over under the rules. p. 6
July 6—
Read.
Under the rules.
Referred to the Committee on Bill of Rights and Elections. p. 53
January 11—
Reported unfavorably. p. 1
Rules suspended.
Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 3—
Introduced by Delegate Asseff:
A PROPOSAL
Relative to legislation increasing financial burdens of school boards.
July 6—
Read, lies over under the rules. p. 51
July 11—
Read.
Under the rules.
Referred to the Committee on Education and Welfare. p. 3
January 3—
Reported without action. p. 1
January 4—
Withdrawn from the files of the Convention. p. 1

DELEGATE PROPOSAL No. 4—
Introduced by Delegates Asseff, Lennox and Womack:
A PROPOSAL
Relative to the management of the State Highway System.
July 6—
Read, lies over under the rules. p. 51
July 11—
Read.
Under the rules.
Referred to the Committee on Executive Department. p. 3

October 4—
Reported unfavorably. p. 7
October 5—
Withdrawn from the files of the Convention. p. 1

DELEGATE PROPOSAL No. 5—
Introduced by Delegate Weiss:
A PROPOSAL
To provide a guarantee of the right to life and to provide exceptions thereto.
July 6—
Read, lies over under the rules. p. 51
July 11—
Read.
Under the rules.
Referred to the Committee on Bill of Rights and Elections. p. 3
January 11—
Reported unfavorably. p. 1
Rules suspended.
Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 6—
Introduced by Delegate Weiss:
A PROPOSAL
Making general provisions for elections.
July 11—
Read, lies over under the rules. p. 2
July 12—
Read.
Under the rules.
Referred to the Committee on Bill of Rights and Elections. p. 3
October 17—
Reported without action. p. 6
October 18—
Withdrawn from the files of the Convention. pp. 1, 2

DELEGATE PROPOSAL No. 7—
Introduced by Delegate Burns:
A PROPOSAL
Making provisions for gambling, futures of agricultural products, and lotteries and necessary provisions with respect thereto.
July 12—
Read, lies over under the rules. p. 3
July 13—
Read.
Under the rules.
Referred to the Committee on Legislative Powers and Functions. p. 2

DELEGATE PROPOSAL No. 8—
Introduced by Delegate Lethman:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.
July 12—
Read, lies over under the rules. p. 3
July 12—
Read.
Under the rules.
Referred to the Committee on Education and Welfare. p. 2
CONSTITUTIONAL CONVENTION CALENDAR

August 31—
Reported unfavorably. p. 1

September 5—
Withdrawn from the files of the Convention. p. 3

DELEGATE PROPOSAL No. 9—
Introduced by Delegate Leithman:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.

July 12—
Read, lies over under the rules. p. 3

July 13—
Read. Under the rules.
Referred to the Committee on Education and Welfare. p. 2

August 31—
Reported unfavorably. p. 1

September 5—
Withdrawn from the files of the Convention. p. 3

DELEGATE PROPOSAL No. 10—
Introduced by Delegate Juneau:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.

July 12—
Read, lies over under the rules. p. 3

July 13—
Read. Under the rules.
Referred to the Committee on Education and Welfare. p. 2

August 31—
Reported unfavorably. p. 1

September 5—
Withdrawn from the files of the Convention. p. 3

DELEGATE PROPOSAL No. 11—
Introduced by Delegate Duval:
A PROPOSAL
For prohibition against dual officeholding.

July 12—
Read, lies over under the rules. p. 3

July 13—
Read. Under the rules.
Referred to the Committee on Executive Department. p. 2

October 4—
Reported unfavorably. p. 7

October 5—
Withdrawn from the files of the Convention. p. 1

DELEGATE PROPOSAL No. 12—
Introduced by Delegate Dennery:
A PROPOSAL
To provide for uniform compensation to members of all state boards, commissions, and authorities.

July 18—
Read, lies over under the rules. p. 1

July 19—
Read. Under the rules.
Referred to the Committee on Executive Department. p. 2

October 5—
Reported with amendments. p. 9

October 6—
Read. Amendments adopted. p. 1
Read, ordered engrossed and passed to its third reading. p. 1

Title amended to read
"Article IV. Executive Branch
Section—Compensation
Section—"

Article IV, Section 1. Compensation

November 19—
Read. p. 2
Amended. p. 3
Deleted by floor amendment.
By a vote of 61 yes, 51 nays. p. 3

November 19—
Read, roll called on final passage, yeas 2, nays 77. Failed to pass, motion to reconsider tabled. p. 3

DELEGATE PROPOSAL No. 13—
Introduced by Delegate Burson:
A PROPOSAL
Making provisions for the selection of jurors and necessary provisions with respect thereto.

July 19—
Read, lies over under the rules. p. 2

July 20—
Read. Under the rules.
Referred to the Committee on Judiciary. p. 2

DELEGATE PROPOSAL No. 14—
Introduced by Delegate Bergeron:
A PROPOSAL
Relative to amending the constitution.

July 19—
Read, lies over under the rules. p. 2

July 20—
Read. Under the rules.
Referred to the Committee on Bill of Rights and Elections. p. 2

August 9—
Reported unfavorably. p. 9

August 10—
Withdrawn from the files of the Convention. p. 1

DELEGATE PROPOSAL No. 15—
Introduced by Delegate Avant:
A PROPOSAL
To provide for making appeals from the Public Service Commission.

July 20—
Read, lies over under rules. p. 8

July 25—
Read. Under the rules.
Referred to the Committee on Executive Department. p. 2

September 14—
Reported unfavorably. p. 7
Rules suspended. p. 7
Withdrawn from the files of the Convention. p. 8

DELEGATE PROPOSAL No. 16—
Introduced by Delegates Alario, Chehardy, Edwards, Mire,
DELEGATE PROPOSALS

Rayburn, Nunez, Winchester, Mauberret, Slay and Planchard:

A PROPOSAL
Making provisions for homestead exemptions.

July 20—
Read, lies over under the rules. p. 8

July 25—
Read. Under the rules. Referred to the Committee on Revenue, Finance and Taxation. p. 2

December 12—
Reported with amendments. p. 14

December 14—
Amendments adopted. Read, ordered engrossed and passed to its third reading. p. 1

January 9—
Returned to the calendar subject to call. p. 3

January 10—
Called from the Calendar. p. 12
Returned to the Calendar subject to call. p. 13
Called from the Calendar. p. 22

Section 1. Property Exempt; Valuation; Claim of Benefit.
[Const. Art. XII, Sec. 9]
Title amended.

January 10—
Read. p. 12
Amended. pp. 22, 23
Read, roll called, yeas 81, nays 17, passed. p. 23

Section 2. Debts Excluded From Exemption

January 10—
Read roll called, yeas 2, nays 97. Failed to pass, motion to reconsider tabled. pp. 23, 24

Section 3. Sales; Waiver of Homestead

January 10—
Read roll called, yeas 0, nays 101. Failed to pass, motion to reconsider tabled. p. 24

Section 4. Registration of Homestead

January 10—
Read roll called, yeas 0, nays 99. Failed to pass, motion to reconsider tabled. pp. 24, 25

January 10—
Read, roll called on final passage, yeas 87, nays 14, finally passed. p. 25

January 11—
Enrolled referred to the committee on Style and Drafting. p. 25

January 14—
Reported without amendments. pp. 1, 2
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 38

January 19—
Style and Drafting Amendments adopted.

DELEGATE PROPOSAL No. 17—
Introduced by Delegate Planchard:

A PROPOSAL
Making provisions prohibiting lotteries.

July 25—
Read, lies over under the rules. p. 12

July 26—
Read. Under the rules. Referred to the Committee on Revenue, Finance and Taxation. p. 2

December 13—
Reported favorably. p. 14

December 14—
Read, ordered engrossed and passed to its third reading. p. 1

January 8—
Returned to the calendar subject to call. p. 3
Called from the calendar. p. 9
Read. p. 9

Section 14. Lotteries
[Const. Art. XII, Sec. 6]
Amended to become Section 12.

Title Amended.

January 8—
Amended. p. 10, 11

January 9—
Read. p. 1
Amended. pp. 2, 3, 4
Read, roll called, yeas 78, nays 29, passed. p. 6

January 9—
Read, roll, called on final passage, yeas 78, nays 29, finally passed. pp. 6, 7
Enrolled, referred to the Committee on Style and Drafting. p. 12

January 14—
Reported without amendments. p. 2
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 38

January 19—
Style and Drafting Amendments Adopted.

DELEGATE PROPOSAL No. 18—
Introduced by Delegates Casey, Alario, Dennery and Gravel:

A PROPOSAL
Providing for meeting of the legislature for the next three years following the adoption of this constitution.

July 25—
Read, lies over under the rules. p. 12

July 26—
Read. Under the rules. Referred to the Committee on Legislative Powers and Functions. p. 2

November 20—
Reported with amendments. p. 1

December 8—
Read. p. 3
Amendments adopted. p. 3
Read, ordered engrossed and passed to its third reading. p. 3

January 7—
Read. p. 6
Title amended. p. 7
Read, roll called, yeas 85, nays 6, passed. p. 7

Section 1. Legislative Sessions
[Const. Art. XIV, Sec. 7]

January 7—
Read. p. 6
Amended. p. 7
Read, roll called on final passage, yeas 85, nays 6, finally passed. p. 7
January 8—
Enrolled, referred to the Committee in Style and Drafting.  p. 17

January 14—
Reported, read, and signed by the Chairman of the Convention and attested by the Secretary of the Convention.  p. 3, 34

January 19—
Style and Drafting Amendments Adopted.

DELEGATE PROPOSAL No. 19—
Introduced by Delegate Velazquez:
A PROPOSAL
To provide for the Public Service Commission and necessary provisions.

July 27—
Read, lies over under the rules.  p. 13

July 28—
Read.  
The rules.
Referred to the Committee on Executive Department.  p. 1

September 14—
Reported unfavorably.  p. 7
Rules suspended.  p. 7
Withdrawn from the files of the Convention.  p. 8

DELEGATE PROPOSAL No. 20—
Introduced by Delegate Jack:
A PROPOSAL
Limiting the number of proposed constitutional amendments that may be submitted to the voters at any one election.

August 1—
Read, lies over rules the rules.  p. 8

August 2—
Read.  
Under the rules.
Referred to the Committee Bill of Rights and Elections.  p. 2

December 14—
Reported unfavorably.  p. 21

December 15—
Read, ordered engrossed and passed to it's third reading.  p. 1

January 8—
Withdrawn from the files of the Convention.  p. 3

DELEGATE PROPOSAL No. 21—
Introduced by Delegate Jack:
A PROPOSAL
Making provisions for a deduction in state income taxes for federal income tax payments made during the same period.

August 1—
Read, lies over under rules.  p. 8

August 2—
Read.  
Under the rules.
Referred to the Committee on Revenue, Finance and Taxation.  p. 2

December 14—
Reported favorably.  p. 21

December 15—
Read, ordered engrossed and passed to it's third reading.  p. 1

January 8—
Withdrawn from the files of the Convention.  p. 3

DELEGATE PROPOSAL No. 22—
Introduced by Delegates Conroy and Newton:
A PROPOSAL
To provide for the prohibition of certain enumerated local and special laws.

August 1—
Read, lies over under the rules.  p. 8

August 2—
Read.  
Under the rules.
Referred to the Committee on Legislative Powers and Functions.  p. 2

November 20—
Reported favorably.  p. 1

December 15—
Read, ordered engrossed and passed to it's third reading.  p. 3

January 8—
Returned to the calendar subject to call.  p. 2
Called from the calendar.  p. 3
Read.  p. 3

Section 12.  Local and Special Laws; Prohibition Against Enactment.
[Const.  Art. III, Sec. 12]
Title amended.

January 8—
Read.  p. 3
Amended.  pp. 3, 4
Read, roll called, yeas 74, nays 20, passed.  pp. 4, 5

January 8—
Read, roll called on final passage, yeas 74, nays 20, finally passed.  pp. 4, 5
Enrolled, referred to the Committee on Style and Drafting.  p. 17

January 14—
Reported with amendments.  p. 33

January 15—
Amendments adopted.  p. 3
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention.  pp. 38, 34

DELEGATE PROPOSAL No. 23—
Introduced by Delegate Abraham:
A PROPOSAL
Relative to appropriations by the legislature for the state budget.

August 2—
Read, lies over under the rules.  p. 2

August 3—
Read.  
Under the rules.
Referred to the Committee on Executive Department.  p. 1

October 4—
Reported favorably.  p. 7

October 5—
Read.  
Ordered engrossed and passed to it's third reading.  p. 1

Article III, Section 18.  Appropriations

November 19—
Read.  p. 1
Amended.  p. 1
Deleted by floor amendment.
By a vote of 71 yeas, 9 nays.  p. 2
<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 19—</td>
<td>Read, roll called, yeas 0, nays 80. Failed to pass, motion to reconsider tabled. p. 2</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>DELEGATE PROPOSAL No. 24</strong>— Introduced by Delegate Schmitt: A PROPOSAL</td>
<td></td>
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<tr>
<td></td>
<td>Providing for a commissioner of consumer affairs.</td>
<td></td>
</tr>
<tr>
<td>August 8</td>
<td>Read, lies over under the rules. p. 1</td>
<td></td>
</tr>
<tr>
<td>August 9</td>
<td>Read. Under the rules. Referred to the Committee on Executive Department. p. 1</td>
<td></td>
</tr>
<tr>
<td>October 5</td>
<td>Reported without action. p. 9</td>
<td></td>
</tr>
<tr>
<td>October 6</td>
<td>Withdrawn from the files of the Convention. p. 1</td>
<td></td>
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<tr>
<td></td>
<td><strong>DELEGATE PROPOSAL No. 25</strong>— Introduced by Delegate Asseff: A PROPOSAL</td>
<td></td>
</tr>
<tr>
<td></td>
<td>To prohibit favoritism in the law towards women.</td>
<td></td>
</tr>
<tr>
<td>August 10</td>
<td>Read, lies over under the rules. p. 1</td>
<td></td>
</tr>
<tr>
<td>August 15</td>
<td>Read. Under the rules. Referred to the Committee on Bill of Rights and Elections. p. 2</td>
<td></td>
</tr>
<tr>
<td>January 11</td>
<td>Reported unfavorably. p. 1 Rules suspended. Withdrawn from the files of the Convention. p. 2</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>DELEGATE PROPOSAL No. 26</strong>— Introduced by Delegate Newton: A PROPOSAL</td>
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<tr>
<td></td>
<td>To establish a Board of Highways, a director, its powers, duties, and functions.</td>
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<tr>
<td>August 10</td>
<td>Read, lies over under the rules. p. 21</td>
<td></td>
</tr>
<tr>
<td>August 15</td>
<td>Read. Under the rules. Referred to the Committee on Executive Department. p. 2</td>
<td></td>
</tr>
<tr>
<td>October 4</td>
<td>Reported unfavorably. p. 7</td>
<td></td>
</tr>
<tr>
<td>October 5</td>
<td>Withdrawn from the files of the Convention. p. 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>DELEGATE PROPOSAL No. 27</strong>— Introduced by Delegate Dunn: A PROPOSAL</td>
<td></td>
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<tr>
<td></td>
<td>To establish state and city civil service.</td>
<td></td>
</tr>
<tr>
<td>August 18</td>
<td>Read, lies over under the rules. p. 1</td>
<td></td>
</tr>
<tr>
<td>August 22</td>
<td>Read. Under the rules. Referred to the Committee on Education and Welfare. p. 2</td>
<td></td>
</tr>
<tr>
<td>September 20</td>
<td>Reported unfavorably. p. 1</td>
<td></td>
</tr>
<tr>
<td>September 21</td>
<td>Read, ordered engrossed and passed to its third reading. p. 3</td>
<td></td>
</tr>
<tr>
<td>January 8</td>
<td>Withdrawn from the files of the Convention. p. 2</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>DELEGATE PROPOSAL No. 29</strong>— Introduced by Delegate Asseff: A PROPOSAL</td>
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<tr>
<td></td>
<td>Providing for the reorganization of the executive branch of state government.</td>
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<tr>
<td>August 22</td>
<td>Read, lies over under the rules. p. 1</td>
<td></td>
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<tr>
<td>August 23</td>
<td>Read. Under the rules. Referred to the Committee on Executive Department. p. 1</td>
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</table>

**DELEGATE PROPOSAL No. 28**— Introduced by Delegate Dunn: A PROPOSAL

Relative to transition for members of the State Civil Service Commission.

August 18— Read, lies over under the rules. p. 1

August 22— Read. p. 2

Under the rules. Referred to the Committee on Education and Welfare. p. 2

September 20— Reported unfavorably. p. 1

September 21— Read, ordered engrossed and passed to its third reading. p. 3

January 7— Read. p. 7

Section 1. Transition; Civil Service Commission; State; Cities

[Const. Art. XIV, Sec. 8]

Title amended. Amended to become Section 8.

January 7— Read. p. 7 Amended. pp. 7, 8 Read, roll called, yeas 86, nays 0, passed. p. 8

January 19— Style and Drafting Amendments Adopted.

Section 2. Transition; Civil Service Officers; Employees; State; Cities

[Const. Art. XIV, Sec. 9]

Title amended. Amended to become Section 9.

January 7— Read. p. 8 Amended. p. 8 Read, roll called, yeas 86, nays 0, passed. p. 8

January 19— Style and Drafting Amendments Adopted.

January 7— Read, roll called on final passage, yeas 86, nays 0, finally passed. p. 8

January 8— Enrolled, referred to the Committee on Style and Drafting. pp. 17, 18

January 14— Reported without amendments. p. 2 Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 39

**DELEGATE PROPOSAL No. 29**— Introduced by Delegate Dunn: A PROPOSAL

Providing for the reorganization of the executive branch of state government.

August 22— Read, lies over under the rules. p. 1

August 23— Read. p. 1 Under the rules. Referred to the Committee on Executive Department. p. 1

45
September 14—
Reported by substitute. p. 7
Rules suspended. p. 7
Read. p. 8
Substitute adopted. p. 8
Becomes Committee Proposal No. 32. p. 8

DELEGATE PROPOSAL No. 30—
Introduced by Delegate Edward N. Lennox:
A PROPOSAL
Relative to levee districts

August 22—
Read, lies over under the rules. p. 1

August 23—
Read. p. 1
Under the rules.
Referred to the Committee on Local and Parochial Government. p. 1

November 20—
Reported unfavorably. p. 7

December 5—
Read. p. 3
Withdrawn from the files of the Convention. p. 3

DELEGATE PROPOSAL No. 31—
Introduced by Delegate Dennis:
A PROPOSAL
Providing for trust; forced heirship.

August 29—
Read, lies over under the rules. p. 6

August 30—
Read.
Under the rules.
Referred to the Committee on Bill of Rights and Elections. p. 1

January 11—
Reported Unfavorably. p. 1
Rules suspended.
Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 32—
By Delegate Drew:
A PROPOSAL
To provide with respect to the court of appeal circuits and districts.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read.
Under the rules.
Referred to the Committee on Judiciary. p. 2

November 15—
Reported without action. p. 1

November 16—
Read, ordered engrossed and passed to its third reading. pp. 1, 2

November 16—
"Article V Section 9. Courts of Appeal; Circuits and Districts:"
Amended to become

Section 9. Courts of Appeal; Circuits and Districts
[Const. Art. V, Sec. 9]

November 20—
Read. p. 5
Amended. p. 5
Read, roll called, yeas 105, nays 2, passed. p. 6

November 20—
Read, roll called on final passage, yeas 107, nays 1, finally passed. p. 6

December 5—
Enrolled, referred to the Committee on Style and Drafting. p. 12

January 14—
Reported with amendments. p. 37

January 15—
Amendment adopted. p. 10

DELEGATE PROPOSAL No. 33—
Introduced by Delegate Dennis:
A PROPOSAL
Providing for the financing of the judicial system.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read.
Under the rules.
Referred to the Committee on Revenue, Finance and Taxation. p. 2

December 14—
Reported without action. p. 21

December 15—
Read.
Withdrawn from the files of the Convention. p. 1

DELEGATE PROPOSAL No. 34—
Introduced by Delegate Dennis:
A PROPOSAL
Providing for the financing of the state judicial system.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read.
Under the rules.
Referred to the Committee on Revenue, Finance and Taxation. p. 2

January 7—
Reported without action. p. 9

January 8—
Withdrawn from the files of the convention. p. 1

DELEGATE PROPOSAL No. 35—
Introduced by Delegate Miller:
A PROPOSAL
Providing for supreme court districts.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read.
Under the rules.
Referred to the Committee on Judiciary. p. 2

DELEGATE PROPOSAL No. 36—
Introduced by Delegate Gravel:
A PROPOSAL
To provide with respect to retirement systems and plans for public officials and employees and judges.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read.
Under the rules.
Referred to the Committee on Judiciary. p. 2

DELEGATE PROPOSAL No. 37—
Introduced by Delegates Bel, Bergeron, Casey, Lennox,
Mauberret, Tapper, Vesich, Vick, Alexander, Landrum, J.
Jackson, Warren Riceke: A PROPOSAL
Relative to Orleans Parish courts and officials.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read. Under the rules. Referred to the Committee on Legislative Powers and Functions. p. 3

DELEGATE PROPOSAL No. 38—
Introduced by Delegate Casey: A PROPOSAL
To provide for the prohibition of local and special laws where general laws can be made applicable.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read. Under the rules. Referred to the Committee on Legislative Powers and Functions. p. 3

DELEGATE PROPOSAL No. 39—
Introduced by Delegate Casey: A PROPOSAL
To provide for a date for taking office of members of the legislature at the beginning of each term, or to fill the remainder of an unexpired term.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read. Under the rules. Referred to the Committee on Legislative Powers and Functions. p. 3

DELEGATE PROPOSAL No. 40—
Introduced by Delegates Bel and Vesich: A PROPOSAL
To provide with respect to the terms of district court judges.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read. Under the rules. Referred to the Committee on Legislative Powers and Functions. p. 3

DELEGATE PROPOSAL No. 41—
Introduced by Delegates Bel and Vesich: A PROPOSAL
To provide with respect to the terms of appellate judges.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read. Under the rules. Referred to the Committee on Legislative Powers and Functions. p. 3

DELEGATE PROPOSAL No. 42—
Introduced by Delegates Dennery and Stovall: A PROPOSAL
Providing for the lieutenant governor as ombudsman.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read. Under the rules. Referred to the Committee on Executive Department. p. 3

November 20—
Reported favorably. p. 1

December 5—
Read, ordered engrossed and passed to its third reading. p. 3

January 8—
Returned to the calendar subject to call. p. 2
Called from the calendar. p. 5
Read. p. 5

Section—. Powers and Duties of the Lieutenant Governor

January 8—
Read. p. 5
Amended. p. 5
Read, roll called, yeas 37, nays 53. Failed to pass, motion to reconsider tabled. p. 6

January 8—
Withdrawn from the files of the Convention. p. 6

DELEGATE PROPOSAL No. 43—
Introduced by Delegates J. Jackson, A. Jackson, Warren, Ray, Gravel, Stovall, Pugh, and Gauthier: A PROPOSAL
Providing for juvenile courts having exclusive original jurisdiction with the exception for offenses of murder, aggravated kidnapping, armed robbery, or aggravated rape.

August 30—
Read, lies over under the rules. p. 13

August 31—
Read. Under the rules. Referred to the Committee on Legislative Powers and Functions. p. 3

November 15—
Reported without action. p. 1

November 16—
Read, ordered engrossed and passed to its third reading. p. 2

January 8—
Returned to the calendar subject to call. p. 2
Called from the calendar. p. 7
Read. p. 7

Section—. Juvenile Courts; Jurisdiction

January 8—
Read. p. 7
Deleted by floor amendment. p. 9
By a vote of 53 yeas and 39 nays. p. 9

January 8—
Returned to the calendar subject to call. p. 9

January 15—
Called from the Calendar. p. 16

Article V, Section 19. Special Juvenile Procedures. [Const. Art. V, Sec. 19]

January 15—
Read. p. 16
Added by floor amendment by a vote of 78 yeas and 35 nays. pp. 16, 17
Read, roll called, yeas 80, nays 29, passed. p. 17

January 15—
Read, roll called on final passage, yeas 98, nays 13, finally passed. p. 17
Enrolled, referred to the Committee on Style and Drafting. pp. 28, 29

January 16—
Style and Drafting Amendments Adopted.
CONSTITUTIONAL CONVENTION CALENDAR

January 16—
Reported with amendments. p. 2
Rules suspended.
Amendments adopted. pp. 2, 3
Finally enrolled, read and signed by the Chairman of the
Convention and attested by the Secretary of the Conven-
tion. p. 13

January 19—
Style and Drafting Amendments Adopted.

DELEGATE PROPOSAL No. 44—
Introduced by Delegate Vick:
A PROPOSAL
Making provision for the powers, duties, and qualifications
for the state attorney general.

August 31—
Read, lies over under the rules. p. 2

September 5—
Read.
Under the rules. Referred to the Committee on Judiciary. p. 2

DELEGATE PROPOSAL No. 45—
Introduced by Delegate Gauthier:
A PROPOSAL
To provide a retirement system for judges.

August 31—
Read, lies over under the rules. p. 7

September 5—
Read.
Under the rules. Referred to the Committee on Judiciary. p. 2

DELEGATE PROPOSAL No. 46—
Introduced by Delegate Tobias:
A PROPOSAL
Providing for the continuance of Orleans Parish courts and
officials.

August 31—
Read, lies over under the rules. p. 7

September 5—
Read.
Under the rules. Referred to the Committee on Judiciary. p. 2

DELEGATE PROPOSAL No. 47—
Introduced by Delegates Drew and Singletary:
A PROPOSAL
Providing with respect to the expropriation of private prop-
erty for public purposes.

August 31—
Read, lies over under the rules. p. 7

September 5—
Read.
Under the rules. Referred to the Committee on Bill of Rights and Elec-
tions. p. 2

January 11—
Reported unfavourably. p. 1
Rules suspended. Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 48—
Introduced by Delegates Singletary and Drew:
A PROPOSAL
Making provisions for equal protection of the laws, pro-
hibiting discrimination, slavery and involuntary serv-
tude.

August 31—
Read, lies over under the rules. p. 7

September 5—
Read.
Under the rules.
Referred to the Committee on Bill of Rights and Elec-
tions. p. 2

January 11—
Reported unfavourably. p. 1
Rules suspended.
Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 49—
Introduced by Delegate Brian:
A PROPOSAL
Providing with respect to consumer education and informa-
tion councils.

August 31—
Read, lies over under the rules. p. 7

September 5—
Read.
Under the rules.
Referred to the Committee on Executive Department. p. 2

November 26—
Reported with amendments. p. 1

December 5—
Amendments adopted. pp. 3, 4
Read, ordered engrossed and passed to its third reading. pp. 3, 4

January 8—
Returned to the Calendar subject to call. p. 3
Called from the Calendar. p. 6
Read. p. 6

Section 1. Consumer Education and Information Coun-
cils

January 8—
Read. p. 6
Amended. p. 6
Read roll called, yes 49, nays 44. Failed to pass, motion to reconsider tabled. pp. 6, 7

January 8—
Withdrawn from the files of the Convention. p. 7

DELEGATE PROPOSAL No. 50—
Introduced by Delegate Thistlethwaite:
A PROPOSAL
To provide a preamble and a declaration of rights to the
constitution.

August 31—
Read, lies over under the rules. p. 8

September 5—
Read.
Under the rules.
Referred to the Committee on Bill of Rights and Elec-
tions. p. 2

January 11—
Reported unfavourably. p. 1
Rules suspended.
Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 51—
Introduced by Delegate Assel:
A PROPOSAL
Providing for appointment of officials; merger, and con-
solidation.

September 5—
Read, lies over under the rules. p. 1

September 6—
Read.
Under the rules.
DELEGATE PROPOSALS

Referred to the Committee on Executive Department. p. 1

DELEGATE PROPOSAL No. 52—
Introduced by Delegate Asself:
A PROPOSAL
Providing for appointment of officials; merger, and consolidation.
September 5—
Read, lies over under the rules. p. 1
September 6—
Read.
Under the rules.
Referred to the Committee on Executive Department. p. 1

DELEGATE PROPOSAL No. 53—
Introduced by Delegate Leithman:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.
September 5—
Read, lies over under the rules. p. 2
September 6—
Read.
Under the rules.
Referred to the Committee on Education and Welfare. p. 2
January 3—
Reported without action. p. 1
January 4—
Withdrawn from the files of the Convention. pp. 1, 2

DELEGATE PROPOSAL No. 54—
Introduced by Delegates Juneau, Leithman and Corne:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.
September 5—
Read, lies over under the rules. p. 2
September 6—
Read.
Under the rules.
Referred to the Committee on Education and Welfare. p. 2
October 4—
Reported with amendments. p. 7
October 5—
Read.
Amendments adopted. p. 1
Ordered engrossed and passed to its third reading. p. 1
January 8—
Returned to the Calendar subject to call. p. 2

DELEGATE PROPOSAL No. 55—
Introduced by Delegate Fontenot:
A PROPOSAL
Making provisions for exemptions from taxation.
September 5—
Read, lies over under the rules. p. 2
September 6—
Read.
Under the rules.
Referred to the Committee on Revenue, Finance and Taxation. p. 2
December 14—
Reported without action. p. 21

DELEGATE PROPOSAL No. 56—
Introduced by Delegate Toomy:
A PROPOSAL
Providing with respect to local officials and employees.
September 5—
Read, lies over under the rules. p. 3
September 6—
Read.
Under the rules.
Referred to the Committee on Local and Parochial Government. p. 2
November 20—
Reported without action. p. 7

DELEGATE PROPOSAL No. 57—
Introduced by Delegate Flory:
A PROPOSAL
To provide for the registration of corporate stockholders.
September 5—
Read, lies over under the rules. p. 3
September 6—
Read.
Under the rules.
Referred to the Committee on Education and Welfare. p. 2
January 3—
Reported without action. p. 1
January 4—
Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 58—
Introduced by Delegate Flory:
A PROPOSAL
Providing for municipal fire and police civil service.
September 5—
Read, lies over under the rules. p. 4
September 6—
Read.
Under the rules.
Referred to the Committee on Education and Welfare. p. 2
January 3—
Reported without action. p. 1
January 4—
Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 59—
Introduced by Delegate Haynes:
A PROPOSAL
Making provisions for freedom from discrimination.
September 5—
Read, lies over under the rules. p. 4
September 6—
Read.
Under the rules.
Referred to the Committee on Bill of Rights and Elections. p. 2
September 13—
Reported unfavorably. p. 10
September 14—
Withdrawn from the files of the Convention. p. 1
<table>
<thead>
<tr>
<th>DELEGATE PROPOSAL No. 60—</th>
<th>DELEGATE PROPOSAL No. 65—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduced by Delegate Jenkins:</td>
<td>Introduced by Delegate Roy:</td>
</tr>
<tr>
<td>making provision to control future growth of state tax revenues.</td>
<td>A PROPOSAL</td>
</tr>
<tr>
<td>September 5—</td>
<td>A PROPOSAL</td>
</tr>
<tr>
<td>Read, lies over under the rules.</td>
<td>Making provisions regarding civil service employment.</td>
</tr>
<tr>
<td>September 6—</td>
<td>September 5—</td>
</tr>
<tr>
<td>Read.</td>
<td>September 6—</td>
</tr>
<tr>
<td>Under the rules.</td>
<td>Read.</td>
</tr>
<tr>
<td>referred to the Committee on Revenue, Finance and Taxation.</td>
<td>Under the rules.</td>
</tr>
<tr>
<td>p. 2</td>
<td>referred to the Committee on Education and Welfare.</td>
</tr>
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<td>January 7—</td>
<td>September 20—</td>
</tr>
<tr>
<td>Reported without action.</td>
<td>Reported with amendments.</td>
</tr>
<tr>
<td>January 8—</td>
<td>September 21—</td>
</tr>
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<td>Read.</td>
</tr>
<tr>
<td>p. 1</td>
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</tr>
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<tr>
<td>DELEGATE PROPOSAL No. 61—</td>
<td>DELEGATE PROPOSAL No. 66—</td>
</tr>
<tr>
<td>Introduced by Delegates Bel and Vesich:</td>
<td>Introduced by Delegate Robinson:</td>
</tr>
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<td>making provision with respect to judicial districts.</td>
<td>A PROPOSAL</td>
</tr>
<tr>
<td>September 5—</td>
<td>A PROPOSAL</td>
</tr>
<tr>
<td>Read, lies over under the rules.</td>
<td>Making provisions to prohibit the appropriation of public</td>
</tr>
<tr>
<td>p. 6</td>
<td>funds for private or sectarian schools.</td>
</tr>
<tr>
<td>September 6—</td>
<td>September 5—</td>
</tr>
<tr>
<td>Read.</td>
<td>September 6—</td>
</tr>
<tr>
<td>Under the rules.</td>
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<tr>
<td>referred to the Committee on Judiciary.</td>
<td>Under the rules.</td>
</tr>
<tr>
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<td>referred to the Committee on Education and Welfare.</td>
</tr>
<tr>
<td></td>
<td>p. 2</td>
</tr>
<tr>
<td>November 7—</td>
<td>November 8—</td>
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<td></td>
</tr>
<tr>
<td>p. 2</td>
<td></td>
</tr>
<tr>
<td>DELEGATE PROPOSAL No. 63—</td>
<td>DELEGATE PROPOSAL No. 67—</td>
</tr>
<tr>
<td>Introduced by Delegate Burson:</td>
<td>Introduced by Delegate Abraham:</td>
</tr>
<tr>
<td>making provision for the grand jury.</td>
<td>A PROPOSAL</td>
</tr>
<tr>
<td>September 5—</td>
<td>A PROPOSAL</td>
</tr>
<tr>
<td>Read, lies over under the rules.</td>
<td>Making provisions for the inclusion of the attorney general</td>
</tr>
<tr>
<td>p. 6</td>
<td>in the Executive Branch of government.</td>
</tr>
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<td>September 6—</td>
<td>September 5—</td>
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<td>Read.</td>
<td>Lies over under the rules.</td>
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<td>September 6—</td>
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<td>Read.</td>
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<td>referred to the Committee on Executive Department.</td>
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<td></td>
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<td>October 4—</td>
<td>October 4—</td>
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<td>October 5—</td>
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<td>p. 2</td>
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</tr>
<tr>
<td>January 8—</td>
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<td>Section 1. Composition</td>
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<td>January 15—</td>
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</tr>
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</tr>
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<td>p. 40</td>
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</tr>
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</tr>
</tbody>
</table>
DELEGATE PROPOSAL No. 68—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the Public Service Commission and  
necessary provisions with respect thereto in the Executive  
Branch of state government.

September 5—  
Read.  
Lies over under the rules. p. 7

September 6—  
Read.  
Under the rules.  
Referral to the Committee on Executive Department.  
p. 2

September 14—  
Reported unfavorably. p. 7
Rules suspended. p. 7
Withdrawn from the files of the Convention. p. 8

DELEGATE PROPOSAL No. 69—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the registration of voters.

September 5—  
Read.  
Lies over under the rules. p. 7

September 6—  
Read.  
Under the rules.  
Referral to the Committee on Bill of Rights and Elec-
tions. p. 2

October 17—  
Reported without action. p. 6

October 18—  
Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 70—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the right to property.

September 5—  
Read.  
Lies over under the rules. p. 7

September 6—  
Read.  
Under the rules.  
Referral to the Committee on Bill of Rights and Elec-
tion. p. 3

October 17—  
Reported without action. p. 6

October 18—  
Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 71—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the inclusion of the attorney general  
in the Executive Branch of government.

September 5—  
Read.  
Lies over under the rules. p. 7

September 6—  
Read.  
Under the rules.  
Referral to the Committee on Executive Department.  
p. 3

October 4—  
Reported favorably. p. 7

October 5—  
Read, ordered engrossed and passed to its third reading.  
p. 3

January 8—  
Returned to the Calendar subject to call. p. 2

Section 8. Powers and Duties of the Attorney General

January 15—  
Called from the Calendar. p. 41
Read. p. 41
Withdrawn from the files of the Convention. p. 41

DELEGATE PROPOSAL No. 72—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the deletion of the attorney general  
from the Judicial Branch of state government.

September 5—  
Read.  
Lies over under the rules. p. 7

September 6—  
Read.  
Under the rules.  
Referral to the Committee on Executive Department.  
p. 3

October 4—  
Reported favorably. p. 7

October 5—  
Read, ordered engrossed and passed to its third reading.  
p. 3

January 8—  
Returned to the Calendar subject to call. p. 2

Section 1. Sections 26 and 27 of Article V of the pro-
posed

January 15—  
Called from the Calendar. p. 41
Read. p. 41
Withdrawn from the files of the Convention. p. 41

DELEGATE PROPOSAL No. 73—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for open primary elections.

September 5—  
Read.  
Lies over under the rules. p. 7

September 6—  
Read.  
Under the rules.  
Referral to the Committee on Bill of Rights and Elec-
tions. p. 3

October 17—  
Reported without action. p. 6

October 18—  
Withdrawn from the files of the Convention. p. 2

DELEGATE PROPOSAL No. 74—
Introduced by Delegates Gravel and Berry:  
A PROPOSAL
Providing for freedom from discrimination.

September 5—  
Read.  
Lies over under the rules. p. 7

September 6—  
Read.  
Under the rules.
<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Proposal Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 12</td>
<td>Reported unfavorably. p. 10</td>
<td>Rights to trial by jury in criminal cases.</td>
</tr>
<tr>
<td>September 14</td>
<td>Withdrawn from the files of the Convention. p. 1</td>
<td></td>
</tr>
</tbody>
</table>

**DELEGATE PROPOSAL No. 75**

Introduced by Delegate Burson: A PROPOSAL

Providing with respect to trial by jury in criminal cases.

- **September 5:**
  - Read.
  - Lies over under the rules. p. 7
- **September 6:**
  - Read.
  - Under the rules.
  - Referred to the Committee on Bill of Rights and Elections. p. 3
- **January 11:**
  - Reported unfavorably. p. 2
  - Rules suspended.
  - Withdrawn from the files of the Convention. p. 2

**DELEGATE PROPOSAL No. 76**

Introduced by Delegate Burson: A PROPOSAL

For initiation of the prosecution of felonies.

- **September 5:**
  - Read.
  - Lies over under the rules. p. 7
- **September 6:**
  - Read.
  - Under the rules.
  - Referred to the Committee on Bill of Rights and Elections. p. 3
- **January 11:**
  - Reported unfavorably. p. 2
  - Rules suspended.
  - Withdrawn from the files of the Convention. pp. 2, 3

**DELEGATE PROPOSAL No. 77**

Introduced by Delegate Robinson: A PROPOSAL

To provide for the financing of the office of sheriff.

- **September 5:**
  - Read.
  - Lies over under the rules. p. 7
- **September 6:**
  - Read.
  - Under the rules.
  - Referred to the Committee on Revenue, Finance and Taxation. p. 3
- **December 14:**
  - Reported without action. p. 21
- **December 15:**
  - Read.
  - Withdrawn from the files of the Convention. p. 2

**DELEGATE PROPOSAL No. 78**

Introduced by Delegate Robinson: A PROPOSAL

Making provisions to prohibit religious discrimination and to prohibit the direct or indirect appropriation of money from the public treasury for sectarian, private, charitable or benevolent purposes, except for designated state charities.

- **September 5:**
  - Read.
  - Lies over under the rules. p. 7
- **September 6:**
  - Read.
  - Withdrawn from the files of the Convention. p. 3

**DELEGATE PROPOSAL No. 79**

Introduced by Delegate Deshotels: A PROPOSAL

Providing for the registration of voters.

- **September 5:**
  - Read.
  - Lies over under the rules. p. 7
- **September 6:**
  - Read.
  - Under the rules.
  - Referred to the Committee on Bill of Rights and Elections. p. 3
- **January 11:**
  - Reported unfavorably. p. 2
  - Rules suspended.
  - Withdrawn from the files of the Convention. p. 3

**DELEGATE PROPOSAL No. 80**

Introduced by Delegate Abraham: A PROPOSAL

Making provisions for the registration of voters.

- **September 5:**
  - Read.
  - Lies over under the rules. p. 7
- **September 6:**
  - Read.
  - Under the rules.
  - Referred to the Committee on Bill of Rights and Elections. p. 3
- **October 17:**
  - Reported without action. p. 6
- **October 18:**
  - Withdrawn from the files of the Convention. p. 2

**DELEGATE PROPOSAL No. 81**

Introduced by Delegate Abraham: A PROPOSAL

Making provision for open primary elections.

- **September 5:**
  - Read.
  - Lies over under the rules. p. 7
- **September 6:**
  - Read.
  - Under the rules.
  - Referred to the Committee on Bill of Rights and Elections. p. 3
- **October 17:**
  - Reported without action. p. 6
- **October 18:**
  - Withdrawn from the files of the Convention. p. 2

**DELEGATE PROPOSAL No. 82**

Introduced by Delegate Abraham: A PROPOSAL

Making provisions for the right to property.

- **September 5:**
  - Read.
  - Lies over under the rules. p. 7
- **September 6:**
  - Read.
  - Withdrawn from the files of the Convention. p. 3

**DELEGATE PROPOSAL No. 83**

Introduced by Delegate Abraham: A PROPOSAL

Making provisions for the inclusion of the attorney general in the Executive Branch of government.
DELEGATE PROPOSALS

September 5—
Read.  
Lies over under the rules.  p. 7
September 6—
Read.  
Withdrawn from the files of the Convention.  p. 3

DELEGATE PROPOSAL No. 84—  
Introduced by Delegate Abraham:  
A PROPOSAL  
Making provisions for the Public Service Commission and necessary provisions with respect thereto in the Executive Branch of state government.  
September 5—
Read.  
Lies over under the rules.  p. 7
September 6—
Read.  
Withdrawn from the files of the Convention.  p. 3

DELEGATE PROPOSAL No. 85—  
Introduced by Delegate Abraham:  
A PROPOSAL  
Making provisions for the inclusion of the attorney general in the Executive Branch of Government.  
September 5—
Read.  
Lies over under the rules.  p. 8
September 6—
Read.  
Withdrawn from the files of the Convention.  p. 3

DELEGATE PROPOSAL No. 86—  
Introduced by Delegate Abraham:  
A PROPOSAL  
Making provisions for the deletion of the attorney general from the Judicial Branch of state government.  
September 5—
Read.  
Lies over under the rules.  p. 8
September 6—
Read.  
Withdrawn from the files of the Convention.  p. 4

DELEGATE PROPOSAL No. 87—  
Introduced by Delegate Segura:  
A PROPOSAL  
Providing for state and city civil service.  
September 5—
Read.  
Lies over under the rules.  p. 8
September 6—
Read.  
Under the rules.  
Reflected to the Committee on Education and Welfare.  p. 4
January 3—
Reported without action.  p. 1
January 4—
Withdrawn from the files of the Convention.  p. 2

DELEGATE PROPOSAL No. 88—  
 Introduced by Delegate Lennox:  
A PROPOSAL  
To provide for the continuous operation of government.  
September 5—
Read.  
Lies over under the rules.  p. 8
September 6—
Read.  
Under the rules.

Referred to the Committee on Education and Welfare.  p. 4
January 3—
Reported without action.  p. 1
January 4—
Withdrawn from the files of the convention.  p. 2

DELEGATE PROPOSAL No. 89—  
Introduced by Delegate Lennox:  
A PROPOSAL  
Prohibiting strikes by public employees.  
September 5—
Read.  
Lies over under the rules.  p. 8
September 6—
Read.  
Under the rules.  
Reflected to the Committee on Education and Welfare.  p. 4
January 3—
Reported without action.  p. 2
January 4—
Withdrawn from the files of the Convention.  p. 2

DELEGATE PROPOSAL No. 90—  
Introduced by Delegate Lennox:  
A PROPOSAL  
To prohibit monopolistic control over employment in any industry within the state.  
September 5—
Read.  
Lies over under the rules.  p. 8
September 6—
Read.  
Under the rules.  
Reflected to the Committee on Education and Welfare.  p. 4
January 3—
Reported without action.  p. 2
January 4—
Withdrawn from the files of the Convention.  p. 2

DELEGATE PROPOSAL No. 91—  
Introduced by Delegate Zervigon:  
A PROPOSAL  
Making provisions for property taxation.  
September 5—
Read.  
Lies over under the rules.  p. 8
September 6—
Read.  
Under the rules.  
Reflected to the Committee on Revenue, Finance and Taxation.  p. 4
January 7—
Reported without action.  p. 9
January 8—
Recommitted to the Committee on Revenue, Finance and Taxation. pp. 1, 2

DELEGATE PROPOSAL No. 92—  
Introduced by Delegate Robinson:  
A PROPOSAL  
Making provisions for public elementary and secondary education and necessary provisions with respect thereto.  
September 5—
Read.  
Lies over under the rules.  p. 8
<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 6</td>
<td>Read. Under the rules.</td>
<td>Referred to the Committee on Education and Welfare. p. 4</td>
</tr>
<tr>
<td>November 7</td>
<td>Reported without action.</td>
<td>p. 11</td>
</tr>
<tr>
<td>November 8</td>
<td>Withdrawn from the files of the Convention. p. 2</td>
<td></td>
</tr>
</tbody>
</table>

**DELEGATE PROPOSAL No. 93—**
Introduced by Delegate Burson:
A PROPOSAL
Providing with respect to grand jury proceedings.

September 5 — Read. Lies over under the rules. p. 8

September 6 — Read. Under the rules. Referred to the Committee on Bill of Rights and Elections. p. 4

January 11 — Reported unfavorably. p. 2
Rules suspended.
Withdrawn from the files of the Convention. p. 3

**DELEGATE PROPOSAL No. 94—**
Introduced by Delegate Pugh:
A PROPOSAL
Prohibiting the purchase or subscription by the state or its political subdivisions of stock of any corporation or association or for any private enterprise and providing exceptions.

September 5 — Read. Lies over under the rules. p. 8

September 6 — Read. Under the rules. Referred to the Committee on Education and Welfare. p. 4

January 3 — Reported without action. p. 2

January 4 — Withdrawn from the files of the Convention. p. 2

**DELEGATE PROPOSAL No. 95—**
Introduced by Delegate Bel: A PROPOSAL
Making provisions for property taxation.

September 5 — Read. Lies over under the rules. p. 8

September 6 — Read. Under the rules. Referred to the Committee on Revenue, Finance and Taxation. p. 4

January 7 — Reported without action. p. 9

January 8 — Withdrawn from the files of the Convention. p. 2

**DELEGATE PROPOSAL No. 96—**
Introduced by Delegates Vick, Abraham, Bel, Berry, Casey, Denney, Goldman, Guarisco, Haynes, A. Jackson, J. Jackson, LeBreton, Lennox, Miller, Pugh, Rachal, Riecke, Soniat, Stovall, Sutherland, Velazquez, and Weiss: A PROPOSAL
Providing for the powers and duties of the attorney general.

September 5 — Read. Lies over under the rules. p. 8

September 6 — Read. Under the rules. Referred to the Committee on Executive Department. p. 4

October 4 — Reported without action. p. 7

October 5 — Withdrawn from the files of the Convention. p. 3

**DELEGATE PROPOSAL No. 97—**
To provide with respect to an alternative provision relative to the Executive Branch.

January 14 — Read. Lies over under the rules. p. 42

January 15 — Read. p. 4
Read, roll called on final passage, yeas 53, nays 52, Failed to pass, motion to reconsider pending. pp. 4, 5

January 17 — Read. p. 3
Reconsidered. p. 2
Returned to the Calendar under the rules. p. 3

**DELEGATE PROPOSAL No. 98—**
Introduced by Delegates Henry, Gravel, Graham, Pugh, A. Jackson, Juneau, Kelly, Leithman, Corne, Shannon, Dehner, Lens, Zervigon, Riecke, Walmsley, Abraham, Sutherland, Badenou, Anzalone, Fyad, Derbes, Gauthier, Bollinger, Willis, Newton, A. Landry, Goldman, Ginn, Ull, Toomy, Brandt, Sutherland, Stovall, Schmitz, Bergeron, Chatelain, Vick, Conroy, Miller, Casey, Dennery, Tobias, O'Neill and Weiss: A PROPOSAL
To provide with respect to an alternative provision relative to education.

January 15 — Read, lies over under the rules. p. 25

January 16 — Read. p. 5
Amended. pp. 7, 8
Read, roll called on final passage, yeas 80, nays 33, finally passed. p. 10
Enrolled, referred to the Committee on Style and Drafting.

January 17 — Reported with amendments. p. 2
Rules suspended.
Amendments adopted. p. 2
Finally enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 16, 17

January 19 — Reported with amendments. p. 30
Supplemental report from Style and Drafting. p. 31
Rules suspended.
Amendments adopted. p. 32

[Const. Art. XIV, Part IV, Sec. 38]

**DELEGATE PROPOSAL No. 99—**
Introduced by Delegates Vick, Abraham, Aetker, Alexan-
### Delegate Proposals

<table>
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<tr>
<th>Title</th>
<th>Text</th>
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To provide with respect to an alternative provision relative to the Executive Branch prohibiting a person elected as governor from being his own immediate successor.  
**January 15**—  
Read, lies over under the rules. p. 26  

#### Section 1.  

#### Section 2.  

**January 17**—  
Read. p. 3  
Amended. p. 3  
Read, roll called on final passage, yeas 45, nays 49.  
Failed to pass, motion to reconsider tabled. p. 3  

<table>
<thead>
<tr>
<th>Title</th>
<th>Text</th>
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</table>
A PROPOSAL  
To provide with respect to an alternative provision relative to Revenue and Finance.  
**January 15**—  
Read, lies over under the rules. p. 26  

**January 17**—  
Read. pp. 3, 4  
Amended. p. 5  
Read, roll called on final passage, yeas 31, nays 83.  
Failed to pass, motion to reconsider tabled. pp. 5, 6  

<table>
<thead>
<tr>
<th>Title</th>
<th>Text</th>
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</table>
A PROPOSAL  
To provide with respect to an alternative provision relative to the Judicial Branch.  
**January 15**—  
Read, lies over under the rules. p. 26  

**January 17**—  
Read. p. 6  
Amended. p. 6  
Read, roll called on final passage, yeas 36, nays 67.  
Failed to pass, motion to reconsider tabled. p. 7  

<table>
<thead>
<tr>
<th>Title</th>
<th>Text</th>
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</table>
| **Delegate Proposal No. 103** | Introduced by Delegates Elkins, Grier, Toca, Flory, Asseff, Weiss, Cowen, Vick, Jones, E. J. Landry, Carmouche, Hardee, Winchester, Pugh, Dennis, Planchard, Conroy, Wisham, Anzalone, Morris, Goldman, Smith, Conino, Willis, Heine, Tobias, Segura, Ull, Guarisco, Cannon, Deshotels and Kilbourne:  
A PROPOSAL  
To provide with respect to an alternative provision relative to the Legislative Branch.  
**January 15**—  
Read, lies over under the rules. p. 26  

**January 17**—  
Read. p. 7  
Withdrawn from the files of the Convention. p. 7  |
CONSTITUTIONAL CONVENTION CALENDAR
COMMITTEE RESOLUTIONS

COMMITTEE RESOLUTION No. 1—
Introduced by Delegate Stagg on Behalf of the Temporary Committee on Rules:

A RESOLUTION
To provide for the standing rules of the Constitutional Convention.

January 12—

Read. p. 3

Rule No. 1. Call to Order.
Read. p. 8
Adopted. p. 8

Rule No. 2. Quorum.
Read. p. 8
Adopted. p. 8

Rule No. 3. Roll Call.
Read, amended, adopted. pp. 8, 9

Rule No. 4. Quorum Calls.
Read, adopted. p. 9

Rule No. 5. Absence from Convention Service.
Read, amended, adopted. pp. 9, 10

Rule No. 6. Absent Delegates.
Read, adopted. p. 10

Rule No. 7. Expense of Compelling Attendance.
Read, adopted. p. 10

Rule No. 8. Persons admitted.
Read, adopted. p. 10

Read, amended, adopted. pp. 10, 11

Rule No. 10. Special Permission.
Read, adopted. p. 11

Rule No. 11. News Media.
Read, adopted. p. 11

Read, adopted. p. 11

Rule No. 13. Regulation of Convention Area.
Read, adopted. p. 11

Read, amended, adopted. p. 11

Rule No. 15. Open Meetings.
Read, adopted. pp. 11, 12

Rule No. 16. Convention Officers.
Read, passed over. p. 12
Read. p. 13

Rule No. 18. Duties, Executive Committee.
Read, amended, adopted. pp. 12, 13

January 13—

Rule No. 16. Convention Officers.
Read, amended, adopted. pp. 1, 2, 3

Rule No. 17. Convention Employees.
Read, adopted. p. 3

Rule No. 19. Duties, Chairman.
Read, amended, adopted. pp. 3, 4

Rule No. 20. Duties, First Vice-Chairman.
Read, amended, adopted. p. 4

Rule No. 21. Duties, Vice-Chairmen.
Read, amended, adopted. p. 4

Rule No. 22. Duties, Secretary.
Read, amended, adopted. p. 5

Rule No. 23. Delegation of Secretary's Duties to Chief Clerk.
Read, adopted. p. 5

Read, adopted. p. 5

Rule No. 25. Duties, Chief Clerk.
Read, amended, adopted. pp. 5, 6

Read, adopted. p. 6

Rule 26.1 Vacancies
Added by Amendment. p. 6
Read, adopted. p. 6

Rule No. 27. Delegates Oaths.
Read, amended, adopted. p. 6

Rule No. 28. Recognition in Debate.
Read, adopted. p. 6

Rule No. 29. Transgression of Rules.
Read, adopted. p. 6

Rule No. 30. Limits on Debate.
Read, adopted. p. 6

Rule No. 31. Prohibited Behavior.
Read, adopted. pp. 6, 7

Rule No. 32. Questions of Order.
Read, adopted. p. 7

Rule No. 33. Answering Roll Calls.
Read, adopted. p. 7

Rule No. 34. Absence from Daily Sessions.
Read, adopted. p. 7

Rule No. 35. Vacancies.
Read, adopted. p. 7

Rule No. 36. Voting in Person.
Read, adopted. p. 7

Read, adopted. p. 7

Rule No. 38. Resolutions.
Read, adopted. p. 7

Rule No. 39. Introduction.
Read, adopted. p. 7

Rule No. 40. Introduction of Committee Proposals.
Read, amended, adopted. pp. 7, 8

Rule No. 41. Form of Proposals.
Read, adopted. p. 8

January 16—

Rule No. 42. Deadline on Proposals.
Read, amended, adopted. p. 1

Rule No. 43. Printing.
Read, adopted. p. 1

Rule No. 44. Order of Processing.
Read, amended, adopted. p. 2

Rule No. 45. Order of Proposals.
Read, adopted. p. 2

Rule No. 46. Amendments.
Read, adopted. p. 2
Rule No. 47. Styling and Drafting.
Read, adopted. p. 2

Rule No. 48. Distribution.
Read, adopted. p. 2

Rule No. 49. Substantive Committees.
Read, amended, adopted. pp. 2, 3, 5

Rule No. 50. Procedural Committees.
Read, amended, adopted. pp. 5, 6

Rule No. 51. Appointment of Committees.
Read, amended, adopted. p. 6

Rule No. 52. Committee on Committees.
Read, amended, adopted. pp. 6, 7

Rule No. 53. Service on Committees.
Read. p. 7
Amended. p. 7

January 17—

Rule No. 53. Service on Committee
Read, amended, adopted. pp. 1, 2

Rule No. 54. Coordinating Committees.
Read, amended, adopted. pp. 2, 3

Rule No. 55. Other Committees.
Read, amended, adopted. pp. 3, 4

Rule No. 56. Proposals.
Read, adopted. p. 4

Rule No. 57. Quorum and Rules of Committees.
Read, amended, adopted. p. 4

Rule No. 58. A. Public Hearings, Records.
Read, amended, adopted. pp. 4, 5

Rule No. 59. Calling of Committees and Agenda.
Read, amended, adopted. pp. 5, 6

Rule No. 60. Reports.
Read, amended, adopted. p. 6

Rule No. 61. Form of Reports.
Read, adopted. p. 6

Rule No. 62. Notice of Committee Meetings.
Read, amended, adopted. pp. 6, 7

Rule No. 63. Subcommittees.
Read, adopted. p. 7

Rule No. 64. Records.
Read, adopted. p. 7

Rule No. 65. Procedure.
Read, adopted. p. 7

Rule No. 66. Order.
Read, amended, adopted. p. 8

Rule No. 67. Change in Daily Order.
Read, adopted. p. 8

Rule No. 68. Time of Committee Referral.
Read, adopted. p. 8

Rule No. 69. Privileged Motions.
Read, amended. p. 8

January 18—

Rule No. 69. Privileged Motions.
Read, amended, adopted. pp. 1, 2

Rule No. 70. Motions Not Debatable.
Read, adopted. p. 3

Rule No. 71. Withdrawal.
Read, adopted. p. 3

Rule No. 72. Format of Motions and Seconds.
Read, amended, adopted. p. 3

Rule No. 73. Motion for Reconsideration.
Read, adopted. p. 3

Rule No. 74. Motion to Call from the Table.
Read, adopted. p. 3

Rule No. 75. Division of a Question.
Read, amended, adopted. pp. 3, 4

Rule No. 76. Previous Questions.
Read, amended, adopted. pp. 4, 5

Rule No. 77. Adjournment and Recess.
Read, adopted. p. 5

Rule No. 78. Voting after Decision is Announced.
Read, adopted. p. 5

Rule No. 79. Explanation of Vote.
Read, adopted. p. 5

Rule No. 80. Tie Votes.
Read, amended, adopted. p. 5

Rule No. 81. Recording the Vote.
Read, adopted. p. 5

Rule No. 82. Consent.
Read, amended, adopted. p. 5

Rule No. 83. Precedence.
Read, adopted. p. 5

Rule No. 84. Change in Rules.
Read, amended, adopted. pp. 5, 6

Rule No. 85. Suspension of Rules.
Read, amended, adopted. p. 6

Rule No. 86. Consideration of Proposals without Committee Recommendation.
Read, adopted. p. 6

Rule No. 87. Notice.
Read, adopted. p. 6

Rule No. 88. Authority.
Read, adopted. p. 6

Rule No. 89. Name Abbreviation.
Added by amendment. p. 6

And the Resolution was adopted. p. 6

January 31—

Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 5, 6, 7, 8, 9, 10, 11, 12

COMMITTEE RESOLUTION No. 2—

Introduced by Delegate Stovall on behalf of the Committee on Rules, Credentials and Ethics:

RULES COMMITTEE RESOLUTION

Before lobbying for defeat or passage of proposals before the Convention, its committees, sub-committees or delegates, a lobbyist shall submit a registration statement setting forth his or her name and address, the name and address of the person or entity by whom the lobbyist is employed and the name and address of the person or entity whose interest the lobbyist represents.

January 31—

Read. p. 2

Rules suspended. p. 2

Withdrawn from the files of the Convention. p. 2

COMMITTEE RESOLUTION No. 3—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bell, Bollinger, Corn, Elkins, McDaniel, Mire, Singleton, Velazquez and Warren:

A RESOLUTION

Relative to amending the Standing Rules of the Constitutional Convention to provide expressly for submission of alternative proposals,
<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Page</th>
</tr>
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<tbody>
<tr>
<td>July 5</td>
<td>Read, lies over under the rules.</td>
<td>4</td>
</tr>
<tr>
<td>July 6</td>
<td>Read. Under the rules. Referred to the Committee on Rules, Credentials and Ethics.</td>
<td>51</td>
</tr>
<tr>
<td>December 18</td>
<td>Reported by substitute. Rules suspended. Substitute adopted.</td>
<td>1</td>
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<tr>
<td>COMMITTEE RESOLUTION No. 4—</td>
<td>Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:</td>
<td></td>
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<tr>
<td></td>
<td>A RESOLUTION Relative to amending the Standing Rules of the Constitutional Convention to provide for regulation of lobbying before the Constitutional Convention.</td>
<td></td>
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<tr>
<td>July 5</td>
<td>Read. Rules suspended. Referred to the Committee on Rules, Credentials and Ethics.</td>
<td>4</td>
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<tr>
<td>July 6</td>
<td>Reported with amendments. Rules suspended. Returned to Calendar Subject to Call. Called from the Calendar. Amended. Read, rejected. By a vote of 49 yeas, 63 nays.</td>
<td>50</td>
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<td>51</td>
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<tr>
<td>COMMITTEE RESOLUTION No. 5—</td>
<td>Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:</td>
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<td>A RESOLUTION Amending Rule No. 44 of the Standing Rules of the Constitutional Convention to clarify the requirement with respect to the readings on three different days.</td>
<td></td>
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<tr>
<td>July 5</td>
<td>Read, lies over under the rules.</td>
<td>4</td>
</tr>
<tr>
<td>July 6</td>
<td>Read. Under the rules. Referred to the Committee on Rules, Credentials and Ethics.</td>
<td>51</td>
</tr>
<tr>
<td>July 14</td>
<td>Reported with amendments. Amendments adopted. Order engrossed and passed to its third reading.</td>
<td>1</td>
</tr>
<tr>
<td>July 18</td>
<td>Read, amended, adopted. Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention.</td>
<td>4, 5</td>
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| COMMITTEE RESOLUTION No. 6— | Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren: |      |
|                           | A RESOLUTION Amending Rule No. 41 of the Standing Rules of the Constitutional Convention, to change the placement of page numbers on proposals to be introduced in this convention. |      |
| July 5 | Read. Rules suspended. Under the rules. Referred to the Committee on Rules, Credentials and Ethics. | 4    |
| July 6 | Reported favorably. Rules suspended. Read, adopted.Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. | 50   |

| COMMITTEE RESOLUTION No. 7— | Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren: |      |
|                           | A RESOLUTION Relative to amending the Standing Rules of the Constitutional Convention to provide for submission of minority proposals. |      |
| July 5 | Read, lies over under the rules.                                       | 4    |
| July 6 | Read. Under the rules. Referred to the Committee on Rules, Credentials and Ethics. | 51   |
| July 13 | Reported with amendments. Amendments adopted. Order engrossed and passed to its third reading. | 1    |
| July 18 | Read. Order engrossed and passed to its third reading. Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. | 2    |

| COMMITTEE RESOLUTION No. 8— | Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren: |      |
|                           | A RESOLUTION Amending Rule No. 40 of the Standing Rules of the Constitutional Convention to clarify the requirement that each committee proposal shall bear the signature of a majority of the members of the committee. |      |
| July 11 | Read. Rules suspended. Under the rules. Referred to the Committee on Rules, Credentials and Ethics. | 1    |
| July 19 | Reported with amendments. Amendments adopted. Order engrossed and passed to its third reading. | 2    |
| August 1 | Read, adopted. By a vote of 105 yeas, 3 nays. | 5    |
| August 2 | Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. | 10   |
COMMITTEE RESOLUTION No. 9—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegate Arnette, Bel, Bollinger, Corne, Elkina, Flory, Haynes, McDaniel, Mire, Sandoz, Shannon, Singletary, Stagg, Velazquez and Warren:

A RESOLUTION
To adopt standing rules to regulate the use of duplicating equipment and the distribution of materials to delegates while in session.

July 13—
Read, lies over under the rules. p. 9

July 14—
Read.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 1

July 19—
Reported with amendments. p. 1

July 20—
Amendments adopted. p. 2
Read, ordered engrossed and passed to its third reading.
pp. 2, 3

August 1—
Read, adopted.
By a vote of 166 yeas, 0 nays. p. 5

August 2—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 10

COMMITTEE RESOLUTION No. 10—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials, and Ethics and Delegates:

A RESOLUTION
To amend and adopt Rule No. 30 of the Standing Rules of the Constitutional Convention to provide for the limitation of debate.

July 20—
Read, lies over under the rules. p. 7

July 25—
Read.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 2

July 26—
Reported with amendments. p. 1

July 27—
Amendments adopted. p. 2
Read, ordered engrossed and passed to its third reading.
p. 2

August 1—
Read, amended, adopted. p. 6
By a vote of 163 yeas, 0 nays. p. 7

August 2—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 10

COMMITTEE RESOLUTION No. 11—
Introduced by Delegate LeBreton, Chairman, on behalf of the Committee on Legislative Liaison and Transitional Measures, and Delegate Henry, Chairman, on behalf of the Co-ordinating Committee, and Delegates Aertker, Blair, Casey, Dennis, D'Gerolamo, Drew, Fayard, Hardee, A. Jackson, J. Jackson, Lambert, Lanier, LeBlue, Lennox, Miller, Munson, Perez, Rayburn, Smith, Stagg, Thompson, Vick, Womack, and Zervigon:

A RESOLUTION
To recommend categories for the orderly transition of material from the Louisiana Constitution of 1921.

August 23—
Read, lies over under the rules. p. 11

August 24—
Read, p. 1
Under the rules.
Referred to the Committee on Legislative Liaison and Transitional Measures. p. 2

August 30—
Reported favorably. p. 12

August 31—
Read, ordered engrossed and passed to its third reading.
p. 3

September 15—
Read, adopted. p. 1
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention.
p. 6

COMMITTEE RESOLUTION No. 12—
Introduced by Delegate Zervigon, Chairperson of the Committee on Legislative Liaison and Transitional Measures, and Delegates Comar, D'Gerolamo, Drew, Fayard, Hardee, A. Jackson, J. Jackson, Lambert, Lanier, LeBlue, Lennox, Munson, Rayburn, Smith, Thompson, Vick and Womack:

A RESOLUTION
To extend the date by which certain reports shall be transmitted to the Committee on Legislative Liaison and Transitional Measures.

October 27—
Read, lies over under the rules. p. 4

October 31—
Read. p. 1
Rules suspended. p. 1
Adopted by a vote of 87 yeas, 0 nays. p. 1
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 5

COMMITTEE RESOLUTION No. 13—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics (Substitute for Committee Resolution No. 3, by Delegate Stovall, et al.):

A RESOLUTION
To amend the Standing Rules of the Constitutional Convention to add a new Rule 37.1, to provide expressly for submission to alternative provisions.

A substitute for CR No. 3

December 18—
Read. p. 1
Rules suspended. p. 2
Passed to its third reading. p. 2

January 10—
Made Special Order of the day for January 11, 1974. p. 25

January 11—
Read, amended, adopted. pp. 12, 13, 14, 15, 16
By a vote of 79 yeas and 33 nays. pp. 16, 17

January 12—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 13

59
CONSTITUTIONAL CONVENTION CALENDAR

DELEGATE RESOLUTIONS

DELEGATE RESOLUTION No. 1—
Introduced by Delegate Abraham:
A RESOLUTION
BE IT RESOLVED that this Constitutional Convention adopt its permanent rules of procedure as its first order of business before electing its permanent chairman and executive committee, in accordance with the priorities set forth in Act 2 of 1972, and that a rules committee be hereby established, this committee to be comprised of sixteen delegates to be elected as follows:

January 5—
Read. p. 3
Delegate Resolution Number 2 became a Substitute for Delegate Resolution Number 1. p. 4

DELEGATE RESOLUTION No. 2—
Introduced by Delegate Alario:
A RESOLUTION
BE IT RESOLVED by the Louisiana Constitutional Convention of 1973 convened pursuant to Act 2 of the Regular Session of the Louisiana Legislature of 1972, that the following order of business shall be regularly followed:

A substitute for Delegate Resolution No. 1. p. 4

January 5—
Read. p. 4
Delegate Resolution Number 3 became a Substitute for Delegate Resolution Number 2. p. 4

DELEGATE RESOLUTION No. 3—
Introduced by Delegates Juneau and Fayard:
A RESOLUTION
BE IT RESOLVED that a Temporary Committee on Rules and Resolutions be established for the purpose of preparing a proposed set of rules to be submitted to the Convention for its consideration.

A substitute for Delegate Resolution No. 2 p. 4

January 5—
Read. p. 4
Adopted. p. 4
By vote of 72 yeas, 60 nays. p. 4

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 2

DELEGATE RESOLUTION No. 4—
Introduced by Delegates Velazquez and Schmitt:
A RESOLUTION
WHEREAS a tragedy has taken place in New Orleans, La., the effects, which have gone beyond that City—afflicting the State and the Nation.

January 12—
Read. p. 1
Adopted. p. 1

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 3

DELEGATE RESOLUTION No. 5—
Introduced by Delegate Abraham:
A RESOLUTION
BE IT RESOLVED that the delegates to the Louisiana Constitutional Convention do hereby re-enact, re-affirm and adopt as their own and as the Act of the Convention, every act taken at the meeting of elected delegates held on January 5, 1973, including but not limited to the roll call of delegates, the swearing of delegates and all other acts taken by said delegates as members of the Louisi

ana Constitutional Convention from that time to the present.

January 12—
Read. p. 2
Adopted. p. 2

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 3

DELEGATE RESOLUTION No. 6—
Introduced by Delegate Weiss:
A RESOLUTION
Relative to the use of existing Louisiana Hospital Television Network Facilities by the Louisiana Constitutional Convention of 1973, acting through its committees.

January 18—
Read, R.S., adopted. p. 7

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 3

DELEGATE RESOLUTION No. 7—
Introduced by Delegate Derbes:
A RESOLUTION
To adopt the following standing rule of the Constitutional Convention.

January 18—
Read, lies over under the rules. pp. 7, 8

January 19—
Read. pp. 1, 2
Rules suspended. p. 2
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 2

DELEGATE RESOLUTION No. 8—
Introduced by Delegates Roy, Gauthier and Dennis:
A RESOLUTION
WHEREAS, pursuant to Act 2 of 1972, the Constitutional Convention for 1973 convened on January 5, 1973; and

January 18—
Read, R.S., amended, adopted. p. 8

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 3, 4

DELEGATE RESOLUTION No. 9—
Introduced by Delegate Jenkins:
A RESOLUTION
To provide with respect to the purchase of printing, materials, supplies, equipment and services, except employment, and to provide further with respect thereto.

January 18—
Read.
And under a suspension of the rules placed on the Calendar. p. 8

January 19—
Read. p. 2
Amended. p. 2
Under the rules.
Referred to Executive Committee. p. 2

January 30—
Reported without action. p. 4
Rules suspended. p. 4
Withdrawn from the files of the Convention. p. 4

60
DELEGATE RESOLUTION No. 10—
Introduced by Delegate Asseff:

A RESOLUTION

To urge public and private employers in Louisiana to give preference in their employment practices to disabled veterans.

January 18—
Read, R.S. adopted. p. 8

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 4

DELEGATE RESOLUTION No. 11—
Introduced by Delegate Avant:

BE IT RESOLVED that no resolution, memorial or petition be in order unless it is germane to the business of this Convention as such.

January 18—
Read, R.S. adopted. p. 8

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 4

DELEGATE RESOLUTION No. 12—
Introduced by Delegate Shannon:

A RESOLUTION

To commend and express the appreciation of this Convention to all persons, groups and organizations for assistance during the organizational period of the convention.

January 18—
Read, R.S. adopted. p. 8

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 4

DELEGATE RESOLUTION No. 13—
Introduced by Delegate Guarisco:

A RESOLUTION

To direct the Chairman and the Executive Committee of the 1973 Constitutional Convention to furnish each delegate with stationery under the Convention letterhead containing the delegate's name and committee assignment and any office held by a delegate.

January 18—
Read, R.S., amended, adopted. pp. 8, 9

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 4

DELEGATE RESOLUTION No. 14—
Introduced by Delegates Arnette, Sutherland and all delegates to the Constitutional Convention of 1973:

A RESOLUTION

WHEREAS, pursuant to Act 2 of 1972, the Constitutional Convention for 1973 convened on January 5, 1973; and

January 18—
Read, R.S., adopted. p. 9

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 4

DELEGATE RESOLUTION No. 15—
Introduced by Delegate Dennis:

A RESOLUTION

To provide with respect to the functioning of the committees of the Constitutional Convention of 1973.

January 19—
Read, R.S., adopted. p 1

January 21—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 4

DELEGATE RESOLUTION No. 16—
Introduced by Delegate Casey and all the delegates to the Convention:

A RESOLUTION

To commend and express the appreciation of the Convention to the Honorable Wade O. Martin, Jr., Secretary of State, for his valuable contributions to the Louisiana Constitutional Convention of 1973.

January 19—
Read, R.S., amended, adopted. pp. 2, 3

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 4, 5

DELEGATE RESOLUTION No. 17—
Introduced by Delegates Abraham, Brien, Champagne, Chatelain, Conroy, Derbes, J. Jackson, Juneau, Landrum, Lanier, Miller, Newton, O'Neil, Reeves, Taylor, Tobias, Triche, Weiss and Zervigon:

A RESOLUTION

WHEREAS, it is the desire of all delegates to the Constitutional Convention of 1973 that all Citizens of the State of Louisiana participate in the drafting of a new Constitution for the State of Louisiana; and

January 30—
Read, R.S. adopted. p. 2

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 5

DELEGATE RESOLUTION No. 18—
Introduced by Delegate Dennis:

A RESOLUTION

To create and establish a composite committee to hold public hearings with respect to matters with which the Louisiana Constitutional Convention of 1973 is concerned.

January 20—
Read, lies over under the rules. p. 2

January 21—
Read, R.S., adopted. p. 1

Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 5

DELEGATE RESOLUTION No. 19—
Introduced by Delegate Dennery:

A RESOLUTION

To authorize the Executive Committee of the Louisiana Constitutional Convention to utilize the Division of Administration in purchasing and procuring supplies, equipment and printing for the convention and to provide that the provisions of law relative to the letting of public contracts shall be applicable to the purchase or procurement of supplies, equipment or printing by the convention.

January 20—
Read, R.S., adopted. p. 4

January 31—
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 5

DELEGATE RESOLUTION No. 20—
Introduced by Delegate Asseff:

A RESOLUTION

To require each substantive committee to report to the Convention any portion or portions of the constitution that have been omitted and to indicate clearly and specifically all changes that are being proposed.

July 5—
Read, lies over under the Rules. p. 4
CONSTITUTIONAL CONVENTION CALENDAR

July 6—
Read.
Under the rules.
Referred to the Committee on Style and Drafting. p. 51

DELEGATE RESOLUTION No. 21—
Introduced by Delegate Brown;
A RESOLUTION
To send best wishes to the members of the Constitutional Convention of Louisiana of 1921 still living and request their assistance and advice.

July 5—
Read, lies over under the rules. p. 4

July 6—
Read, R.S., adopted. p. 51
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 55

DELEGATE RESOLUTION No. 22—
Introduced by Delegate Stovall;
A RESOLUTION
To amend and readopt Paragraph B of Rule No. 62 of the Standing Rules of the Constitutional Convention, relative to the notice required for committee meetings.

July 5—
Read, lies over under the rules. p. 4

July 6—
Read.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 51

July 13—
Reported unfavorably. pp. 1, 2

July 14—
Read.
Withdrawn from the files of the Convention. p. 2

DELEGATE RESOLUTION No. 23—
Introduced by Delegates O'Neill, Thistlethwaite and Corne:
A RESOLUTION
Amending Rule Nos. 3 and 36 of the Standing Rules of the Constitutional Convention to provide for greater independence of delegate voting.

July 5—
Read.
Rules suspended.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 4

July 6—
Read. p. 50
Reported unfavorably. p. 50
Withdrawn from the files of the Convention. p. 50

DELEGATE RESOLUTION No. 24—
Introduced by Delegate Abraham;
A RESOLUTION
Relative to explanation of Substantive Committee Proposals.

July 6—
Read, lies over under the rules. p. 50

July 11—
Read.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 2

July 13—
Reported unfavorably. p. 2

DELEGATE RESOLUTION No. 25—
Introduced by Delegate O'Neill;
A RESOLUTION
Relative to the time for convention meetings.

July 6—
Read, lies over under the rules. p. 55

July 11—
Read. p. 2
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 3

DELEGATE RESOLUTION No. 26—
Introduced by Delegates Juneau, Fayard, Casey and Kelly:
A RESOLUTION
Relative to amending the Standing Rules of the Constitutional Convention to provide for regulation of lobbying before the Constitutional Convention.

July 13—
Read, lies over under the rules. p. 1

July 14—
Read.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 1

July 19—
Reported favorably. p. 1

July 20—
Read, ordered engrossed and passed to its third reading. p. 3

August 1—
Read, adopted.
By a vote of 88 yeas, 21 nays. p. 6

August 2—
Enrolled, read and signed by the Chairman of the Convention
and attested by the Secretary of the Convention. p. 9

DELEGATE RESOLUTION No. 27—
Introduced by Delegate Brown:
A RESOLUTION
To extend greetings and commendations to the surviving delegates of the Louisiana Constitutional Convention of 1921 and to request their assistance and advice in the work of this convention.

July 13—
Read, lies over under the rules. p. 9

July 14—
Read.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 1

August 2—
Reported favorably. p. 1

August 3—
Read, ordered engrossed and passed to its third reading. p. 1

August 10—
Read, adopted. p. 2
Enrolled, read and signed by the Chairman of the Convention
and attested by the Secretary of the Convention. p. 21
DELEGATE RESOLUTION No. 23—
Introduced by Delegates Asseff, Lennox, Miller, Plan- 
chard, Wisham and Anzalone:

A RESOLUTION

Relative to reports of substantive committees.

July 14—
Read. 
Rules suspended. 
Under the rules. 
Referred to the Committee on Rules, Credentials and 
Ethics. p. 6

August 2—
Reported unfavorably. p. 1

August 3—
Read. 
Withdrawn from the files of the Convention. p. 1

DELEGATE RESOLUTION No. 29—
Introduced by Delegate Burson:

A RESOLUTION

To amend Rule No. 45 of the Standing Rules of the Con- 
stitutional Convention to provide for adoption of pro- 
posals by subsection or paragraph rather than by section.

July 18—
Read, lies over under the rules. p. 4

July 19—
Read. 
Under the rules. 
Referred to the Committee on Rules, Credentials and 
Ethics. p. 2

July 26—
Reported with amendments. p. 1

July 27—
Amendments adopted. p. 2 
Read, ordered engrossed and passed to its third reading. 
p. 2

August 1—
Read, rejected. 
By a vote of 40 yeas, 65 nays. p. 7

DELEGATE RESOLUTION No. 30—
Introduced by Delegate Burson:

A RESOLUTION

To amend Rule No. 46 of the Standing Rules of the Con- 
stitutional Convention to require that amendments to 
proposals be germane.

July 18—
Read, lies over under the rules. p. 4

July 19—
Read. 
Under the rules. 
Referred to the Committee on Rules, Credentials and 
Ethics. p. 2

July 26—
Reported favorably. p. 1

July 27—
Read, ordered engrossed and passed to its third reading. 
p. 2

August 1—
Read, amended, adopted. 
By a vote of 93 yeas, 6 nays. p. 7

August 2—
Enrolled, read and signed by the Chairman of the Conven- 
tion and attested by the Secretary of the Convention. p. 10

DELEGATE RESOLUTION No. 31—
Introduced by Delegate Burson:

A RESOLUTION

To amend and readopt Rule No. 30 of the Standing Rules of 
the Constitutional Convention, relative to limits on de- 
bate.

July 19—
Read, lies under the rules. p. 1

July 20—
Read. 
Under the rules. 
Referred to the Committee on Rules, Credentials and 
Ethics. p. 2

July 25—
Reported without action. p. 1

July 27—
Read. 
Withdrawn from the files of the Convention. p. 2

DELEGATE RESOLUTION No. 32—
Introduced by Delegates Gravel, Lanier, Jack and Newton: 

A RESOLUTION

To amend and readopt Rule No. 46 of the Standing Rules 
of the Constitutional Convention to provide that floor 
amendments be distributed one calendar day before in- 
duction.

July 20—
Read, lies over under the rules. p. 8

July 25—
Read. 
Under the rules. 
Referred to the Committee on Rules, Credentials and 
Ethics. p. 2

DELEGATE RESOLUTION No. 33—
By Delegate Leithman:

A RESOLUTION

To provide for the numbering sequence in Rule No. 66 of 
the Rules of Procedure.

July 25—
Read, lies over under the rules. p. 12

July 26—
Read. 
Under the rules. 
Referred to the Committee on Rules, Credentials and 
Ethics. p. 2

August 2—
Reported with amendments. p. 1

August 3—
Amendments adopted. p. 2 
Read, ordered engrossed and passed to its third reading. 
p. 2

August 10—
Read, adopted. p. 2 
By a vote 92 yeas, 3 nays. p. 2

Enrolled, read and signed by the Chairman of the Conven- 
tion and attested by the Secretary of the Convention. p. 21

DELEGATE RESOLUTION No. 34—
Introduced by Delegate Asseff:

A RESOLUTION

To amend Rule No. 76 relative to the previous question.

July 26—
Read, lies over under the rules. p. 1

July 27—
Read. 
Under the rules. 
Referred to the Committee on Rules, Credentials and 
Ethics. p. 1

August 2—
Reported unfavorably. p. 1
CONSTITUTIONAL CONVENTION CALENDAR

August 3—
Read. Withdrawn from the files of the Convention. p. 2

DELEGATE RESOLUTION No. 35—
Introduced by Delegate Tobias:
A RESOLUTION
To amend the Standing Rules of the Constitutional Convention.
August 10—
Read, lies over under the rules. p. 20
August 15—
Read. Under the rules. Referred to the Committee on Rules, Credentials and Ethics. p. 2

DELEGATE RESOLUTION No. 36—
Introduced by Delegate Segura:
A RESOLUTION
To amend Rule No. 35 and Rule No. 36 of the Standing Rules of the Constitutional Convention and to allow proxy voting under certain conditions.
August 10—
Read, lies over under the rules. p. 21
August 15—
Read. Under the rules. Referred to the Committee on Rules, Credentials and Ethics. p. 2
September 13—
Reported unfavorably. p. 1
Rules suspended. Withdrawn from the files of the Convention. p. 2

DELEGATE RESOLUTION No. 37—
Introduced by Delegate Burson:
A RESOLUTION
To amend the Standing Rules of the Constitutional Convention to add a new Rule to require committee action on any proposed new Section to a Committee Proposal.
August 15—
Read, lies over under the rules. p. 10
August 16—
Read. Under the rules. Referred to the Committee on Rules, Credentials and Ethics. p. 2
September 13—
Reported unfavorably. p. 1
Rules suspended. Withdrawn from the files of the Convention. p. 2

DELEGATE RESOLUTION No. 38—
Introduced by Delegate Burson:
A RESOLUTION
To amend the Standing Rules of the Constitutional Convention to prohibit amendments in conflict with Sections previously adopted by the convention.
August 15—
Read, lies over under the rules. p. 10
August 16—
Read. Under the rules. Referred to the Committee on Rules, Credentials and Ethics. p. 2
September 13—
Reported unfavorably. p. 1
Rules suspended. Withdrawn from the files of the Convention. p. 2

DELEGATE RESOLUTION No. 39—
Introduced by Delegate Zervigon:
A RESOLUTION
To amend Rule No. 73 of the Standing Rules of the Constitutional Convention to provide that delegates not voting, rather than absentees, shall be listed separately.
August 18—
Read, lies over under the rules. p. 1

DELEGATE RESOLUTION No. 40—
Introduced by Delegate Casey:
A RESOLUTION
To amend and readopt Paragraph 4 of Rule Number 50 of the Standing Rules of the Constitutional Convention to require that the recommendations of the Committee on Style and Drafting on proposals adopted be submitted to the substantive committee involved prior to report to the convention.
August 18—
Read, lies over under the rules. p. 10
August 22—
Read. p. 1
Under the rules. Referred to the Committee on Rules, Credentials, and Ethics. p. 2
September 13—
Reported favorably. p. 1
Rules suspended. Read, ordered engrossed and passed to its third reading. p. 2
September 15—
Read, adopted. p. 1
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 6

DELEGATE RESOLUTION No. 41—
Introduced by Delegate O'Neill:
A RESOLUTION
To provide for the submission of an alternative proposal relative to the method of selecting the commissioner of agriculture.
August 24—
Read, lies over under the rules. p. 1
August 25—
Read. p. 1
Under the rules. Referred to the Committee on Rules, Credentials and Ethics. p. 2

DELEGATE RESOLUTION No. 42—
Introduced by Delegate O'Neill:
A RESOLUTION
To provide for the submission of an alternative proposal relative to the method of selecting the commissioner of elections.
DELEGATE RESOLUTIONS

August 24—
Read, lies over under the rules. p. 1

August 28—
Read. p. 1
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 1

DELEGATE RESOLUTION No. 43—
Introduced by Delegate O'Neill:
A RESOLUTION
To provide for the submission of an alternative proposal relative to the method of selecting the commissioner of insurance.

August 24—
Read, lies over under the rules. p. 1

August 28—
Read. p. 1
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 1

DELEGATE RESOLUTION No. 44—
Introduced by Delegate O'Neill:
A RESOLUTION
To provide for the submission of alternative proposals relative to the method of selecting the commissioner of agriculture, the commissioner of elections, and the commissioner of insurance.

August 24—
Read, lies over under the rules. p. 1

August 28—
Read. p. 1
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 1

DELEGATE RESOLUTION No. 45—
Introduced by Delegate Warren:
A RESOLUTION
To provide for the submission of an alternative proposal relative to the method of selecting the superintendent of education.

August 28—
Read, lies over under the rules. p. 1

August 29—
Read.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 1

DELEGATE RESOLUTION No. 46—
Introduced by Delegate Asseff:
A RESOLUTION
To provide for the submission of an alternate provision relative to the appointment, merger, or consolidation of certain officials in the executive branch of government.

September 5—
Read, lies over under the rules. p. 1

September 6—
Read.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 1

DELEGATE RESOLUTION No. 47—
Introduced by Delegate Asseff:
A RESOLUTION
To provide for the submission of an alternate provision relative to the appointment, merger, or consolidation of certain officials in the executive branch of government.

September 5—
Read, lies over under the rules. p. 1

September 6—
Read.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 1

DELEGATE RESOLUTION No. 48—
Introduced by Delegate Alexander:
A RESOLUTION
To amend the Standing Rules of the Constitutional Convention to add a new Rule 30.1.

September 8—
Read, lies over under the rules. p. 11

September 12—
Read.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 1

DELEGATE RESOLUTION No. 49—
Introduced by Delegate Casey and all other delegates to the Convention:
A RESOLUTION
To convey to Delegate Anthony J. Vesich the good wishes of the Convention for a speedy and complete recovery.

December 20—
Read.
Rules suspended, adopted. p. 17
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 17

DELEGATE RESOLUTION No. 50—
Introduced by Delegate O'Neill:
A RESOLUTION
To amend the Standing Rules of the Constitutional Convention to add a new Rule 47.1, to provide for the printing of an attestation clause for the proposed draft of the constitution and for the distribution of copies of the proposed draft and to urge and request the governor to take the necessary steps to see that a copy of the Louisiana Constitution of 1974 is exhibited permanently in the state capitol.

January 14—
Read, lies over under the rules. p. 1

January 15—
Read.
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. p. 3

DELEGATE RESOLUTION No. 51—
Introduced by Delegate Asseff:
A RESOLUTION
To amend Rule 37.1 of the Standing Rules of the Constitutional Convention to add a Paragraph F to provide for the vote requirement by the people to adopt an alternative to the proposed constitution.

January 16—
Read, lies over under the rules. p. 1

January 17—
Under the rules.
Referred to the Committee on Rules, Credentials and Ethics. pp. 1, 2

DELEGATE RESOLUTION No. 52—
Introduced by Delegate Pugh:
A RESOLUTION
To provide:
(A) For the form and manner for the submission to the electors of the state of a proposed new constitution, together with alternative proposals relating to education, and the delegation of authority relating thereto to the appropriate officers of the convention;
CONSTITUTIONAL CONVENTION CALENDAR

(D) For the use of the facilities and services of boards, commissions, departments and agencies of the state and of the political subdivisions thereof, as may be necessary in the performance of their duties, and in no event shall any such funds be used for any purpose not prohibited by law.

(E) For the supremacy of this Resolution over inconsistent actions of the convention.

January 19—
Read, pp. 9, 10
Rules suspended.
Amended, pp. 10, 11, 12, 15, 16, 17, 18, 19
Adopted, p. 19
By a vote of 108 years, 15 nays. p. 19
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 55, 56, 57

Style and Drafting Amendments Adopted.

[Const. Art. XIV, Part IV, Sec. 38]

DELEGATE RESOLUTION No. 53—
Introduced by Delegate Denny—
A RESOLUTION
Relative to the printing and distribution of copies of the constitution throughout the state.

January 19—
Read, rules suspended, adopted. p. 23
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 67

DELEGATE RESOLUTION No. 54—

A RESOLUTION
To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to Jane Noble, Chief Clerk, Enrolling Room and her staff for the invaluable services rendered the convention.

January 19—
Read, rules suspended, adopted. p. 26
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 68

DELEGATE RESOLUTION No. 57—

A RESOLUTION
To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to Jane French, Chief Clerk, Official Transcripts Office and her staff for the invaluable services rendered the convention.

January 19—
Read, rules suspended, adopted. p. 26
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 68
DELEGATE RESOLUTION No. 58—

A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to the staff personnel serving under the offices of the chairman of the convention and treasurer of the convention for the services rendered the convention.

January 19—
Read, rules suspended, adopted. p. 27
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 69, 69

DELEGATE RESOLUTION No. 59—

A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to Richard L. Barriers, Jr., Chief Sergeant-at-Arms, and his staff for the services rendered the convention.

January 19—
Read, rules suspended, adopted. p. 27
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 69

DELEGATE RESOLUTION No. 60—

A RESOLUTION

To commend to express appreciation to the officials, operators and messengers of South Central Bell Telephone Company for the telephone services provided to the delegates of the Constitutional Convention of Louisiana of 1973.

January 19—
Read, rules suspended, adopted. p. 23, 28
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 69, 70

DELEGATE RESOLUTION No. 61—

A RESOLUTION

To commend to express appreciation to the news media for their service to the people of Louisiana during the Constitutional Convention of Louisiana of 1973.

January 19—
Read, rules suspended, adopted. p. 28
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 70
DELEGATE RESOLUTION No. 62—


A RESOLUTION

To commend and express sincere gratitude and appreciation to the Louisiana AFL-CIO for the use of equipment and workers.

January 19—
Read, rules suspended, adopted. p. 28
Enrolled, read and signed by the Chairmain of the Convention and attested by the Secretary of the Convention. p. 70

DELEGATE RESOLUTION No. 64—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to the individuals who have assisted the convention.

January 19—
Read, rules suspended, adopted. p. 29
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 71

DELEGATE RESOLUTION No. 66—


A RESOLUTION

To commend and express the appreciation of the Constitutional Convention of Louisiana of 1973 to the Honoroble Edwin W. Edwards, Governor of the State of Louisiana.

January 19—
Read, rules suspended, adopted. pp. 29, 30
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. pp. 71, 72

DELEGATE RESOLUTION No. 67—

Introduced by Delegates Rayburn, Thompson, Brown, Reeves, Lambert and Nunez:

A RESOLUTION

Relative to the distribution of public information concerning the proposed Louisiana Constitution of 1974.

January 19—
Read. Rules suspended. By a vote of 70 yeas, 39 nays.
Adopted. p. 30
Enrolled, read and signed by the Chairman of the Convention and attested by the Secretary of the Convention. p. 72
INDEX

TO

CONVENTION PROPOSALS

AND RESOLUTIONS

NOTE: Includes all proposals and resolutions submitted for introduction through Saturday, January 19, 1974

Committee Proposals — 1-38
Delegate Proposals — 1-103
Committee Resolutions — 1-13
Delegate Resolutions — 1-67

Compiled
by
LOUISIANA LEGISLATIVE COUNCIL
INDEX


<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(Section No.)</td>
<td></td>
<td>(Section No.)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ADVERTISING (See BUSINESS AND INDUSTRY)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AGRICULTURE AND AGRICULTURAL PRODUCTS (See also ENVIRONMENT, NATURAL RESOURCES)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commissioner; selection, duties, powers (See also PUBLIC OFFICIALS: Statewide elected)</td>
<td>CP 16</td>
<td>(5)</td>
<td>CP 6</td>
</tr>
<tr>
<td>Department</td>
<td>CP 16</td>
<td>(5)</td>
<td>CP 6</td>
</tr>
<tr>
<td>ALTERNATIVE PROPOSALS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attorney General</td>
<td>DP 99</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education</td>
<td>DP 102</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Regents</td>
<td>DP 99</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finance</td>
<td>DP 101</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taxes and Taxation, Property</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Governor</td>
<td>DP 100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Term</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legislature</td>
<td>DP 97</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appointment, Officials</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sessions, Length</td>
<td>DP 103</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submission</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Form</td>
<td>DP 52</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vote on (Rule No. 37.1)</td>
<td>DP 51</td>
<td></td>
<td></td>
</tr>
<tr>
<td>APPROPRIATIONS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exceed anticipated revenues, prohibited.</td>
<td>DP 23</td>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td>Expenditures, limitations</td>
<td>CP 15</td>
<td>(12)</td>
<td></td>
</tr>
<tr>
<td>General appropriations bill</td>
<td>CP 15</td>
<td>(13)</td>
<td></td>
</tr>
<tr>
<td>Gubernatorial powers</td>
<td>CP 4</td>
<td>(5)</td>
<td></td>
</tr>
<tr>
<td>Judgments, payment</td>
<td>CP 3</td>
<td>(14)</td>
<td></td>
</tr>
<tr>
<td>Legislative responsibilities</td>
<td>CP 3</td>
<td>(18)</td>
<td></td>
</tr>
<tr>
<td>Religious, private, charitable purposes; prohibition</td>
<td>DP 78</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schools; private, sectarian; prohibition</td>
<td>DP 89</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ARBITRATION (See LABOR)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ARCHIVES (See PUBLIC RECORDS)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ART, HISTORICAL AND CULTURAL PRESERVATION</td>
<td>CP 16</td>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td>ASSESSORS (See FINANCE)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ATTORNEY GENERAL (See also PUBLIC OFFICIALS)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alternative proposal</td>
<td>DP 99</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compensation</td>
<td>CP 4</td>
<td>(4)</td>
<td></td>
</tr>
<tr>
<td>Election, term of office</td>
<td>CP 4</td>
<td>(3)</td>
<td></td>
</tr>
<tr>
<td>CP 6</td>
<td>(28)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CP 21</td>
<td>(26)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Executive branch</td>
<td>CP 4</td>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td>CP 67</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CP 71</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First assistant; appointment, qualifications</td>
<td>CP 8</td>
<td>(28, 29)</td>
<td></td>
</tr>
<tr>
<td>CP 21</td>
<td>(26)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 4</td>
<td>(1-3)</td>
<td></td>
</tr>
<tr>
<td>CP 6</td>
<td>(28, 29)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CP 21</td>
<td>(28, 27)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department</td>
<td>CP 67</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CP 71</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CP 72</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CP 99</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>B</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BILLS OF RIGHTS (See CIVIL RIGHTS, particular subjects)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BOARD (See PARTICULAR)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BONDS (See FINANCE)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRIDGES (See HIGHWAYS, BRIDGES AND ROADS)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BUDGET (See FINANCE)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BUSINESS AND INDUSTRY (See also CORPORATIONS, ENVIRONMENT)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advertising, outdoor; highway areas</td>
<td>DP 4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commerce; rights, limitations</td>
<td>CP 2</td>
<td>(24)</td>
<td></td>
</tr>
<tr>
<td>Employment discrimination, prohibition</td>
<td>DP 99</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inducement; public assistance</td>
<td>CP 8</td>
<td>(25)</td>
<td></td>
</tr>
<tr>
<td>Trademarks, law; administration, secretary of state</td>
<td>CP 4</td>
<td>(7)</td>
<td></td>
</tr>
<tr>
<td>Unions, monopolistic employment control</td>
<td>DP 90</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>C</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CAPITAL, Location</td>
<td>CP 1</td>
<td>(13)</td>
<td></td>
</tr>
<tr>
<td>CIVIL RIGHTS</td>
<td>CP 35</td>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td>Accused; prosecution, grand jury, trial, bail, humane treatment</td>
<td>CP 2</td>
<td>(12)</td>
<td></td>
</tr>
<tr>
<td>CP 2</td>
<td>(12)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DP 75</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DP 76</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DP 93</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arms, bear</td>
<td>CP 25</td>
<td>(20)</td>
<td></td>
</tr>
<tr>
<td>CP 2</td>
<td>(20)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DP 50</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instrument No.</td>
<td>(See Text No.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>----------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assembly, petition</td>
<td>CP 25</td>
<td>(11)</td>
<td></td>
</tr>
<tr>
<td>Civil service employees, political activity</td>
<td>CP 9</td>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td>Discrimination</td>
<td>DP 59</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Due process of law</td>
<td>CP 25</td>
<td>(2)</td>
<td></td>
</tr>
<tr>
<td>Equal protection of law</td>
<td>CP 25</td>
<td>(3)</td>
<td></td>
</tr>
<tr>
<td>Expression</td>
<td>CP 25</td>
<td>(9)</td>
<td></td>
</tr>
<tr>
<td>Fair trials</td>
<td>CP 25</td>
<td>(15)</td>
<td></td>
</tr>
<tr>
<td>Felonies</td>
<td>CP 25</td>
<td>(13)</td>
<td></td>
</tr>
<tr>
<td>Preliminary examination</td>
<td>CP 25</td>
<td>(27)</td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>habeus corpus</td>
<td>CP 25</td>
<td>(21)</td>
<td></td>
</tr>
<tr>
<td>Individual dignity</td>
<td>CP 25</td>
<td>(21)</td>
<td></td>
</tr>
<tr>
<td>Inherent rights</td>
<td>DP 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intrusion</td>
<td>CP 25</td>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td>Judicial review</td>
<td>CP 25</td>
<td>(12)</td>
<td></td>
</tr>
<tr>
<td>Jury trials</td>
<td>CP 25</td>
<td>(3)</td>
<td></td>
</tr>
<tr>
<td>Life, right to; guarantee, exceptions</td>
<td>DP 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>News reporter, information sources; protection</td>
<td>DP 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Petition</td>
<td>CP 25</td>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td>Physical condition</td>
<td>CP 25</td>
<td>(3)</td>
<td></td>
</tr>
<tr>
<td>Political activities, party</td>
<td>CP 20</td>
<td>(4)</td>
<td></td>
</tr>
<tr>
<td>Denial prohibited</td>
<td>CP 33</td>
<td>(5)</td>
<td></td>
</tr>
<tr>
<td>Press</td>
<td>CP 25</td>
<td>(9)</td>
<td></td>
</tr>
<tr>
<td>Privacy, search, seizure, quarter</td>
<td>CP 25</td>
<td>(5)</td>
<td></td>
</tr>
<tr>
<td>Property</td>
<td>CP 25</td>
<td>(4)</td>
<td></td>
</tr>
<tr>
<td>Race (See “Discrimination” herein)</td>
<td>DP 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Redress</td>
<td>CP 25</td>
<td>(10)</td>
<td></td>
</tr>
<tr>
<td>Religious freedom</td>
<td>CP 2</td>
<td>(10)</td>
<td></td>
</tr>
<tr>
<td>Sex (See “Discrimination, “Women” herein)</td>
<td>CP 25</td>
<td>(9)</td>
<td></td>
</tr>
<tr>
<td>Speech</td>
<td>CP 25</td>
<td>(16)</td>
<td></td>
</tr>
<tr>
<td>Trials</td>
<td>CP 25</td>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td>Unenumerated</td>
<td>CP 25</td>
<td>(25)</td>
<td></td>
</tr>
<tr>
<td>Vested rights, property</td>
<td>CP 35</td>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td>Vote</td>
<td>CP 25</td>
<td>(19)</td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td>DP 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Favorism, prohibition</td>
<td>DP 25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jury service</td>
<td>DP 13</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INDEX**

<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(See Text No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>system</td>
<td>CP 9</td>
</tr>
<tr>
<td>Employment</td>
<td>DP 21</td>
</tr>
<tr>
<td>Levee employees</td>
<td>DP 65</td>
</tr>
<tr>
<td>Municipal system</td>
<td>CP 30</td>
</tr>
<tr>
<td>Commission Department, definition</td>
<td>CP 9</td>
</tr>
<tr>
<td>Establishment</td>
<td>DP 27</td>
</tr>
<tr>
<td>Members; transition</td>
<td>DP 28</td>
</tr>
<tr>
<td>Employees</td>
<td>DP 23</td>
</tr>
<tr>
<td>Fire, police; boards, departments, Establishment</td>
<td>CP 10</td>
</tr>
<tr>
<td>State Examiner</td>
<td>CP 10</td>
</tr>
<tr>
<td>Retirement</td>
<td>DP 36</td>
</tr>
<tr>
<td>State police officers, supplemental pay...</td>
<td>DP 1</td>
</tr>
<tr>
<td>State system</td>
<td></td>
</tr>
<tr>
<td>Commission</td>
<td>CP 9</td>
</tr>
<tr>
<td>Establishment</td>
<td>DP 27</td>
</tr>
<tr>
<td>Members; transition</td>
<td>DP 28</td>
</tr>
<tr>
<td>Employees</td>
<td>DP 23</td>
</tr>
<tr>
<td>State examiner of municipal fire, police civil service</td>
<td>CP 10</td>
</tr>
<tr>
<td>Strikes, prohibition</td>
<td>DP 88</td>
</tr>
<tr>
<td>Unions, monopolistic employment control</td>
<td>DP 89</td>
</tr>
</tbody>
</table>

**CLERKS OF COURT (See COURTS)**

**COLLEGES AND UNIVERSITIES** (See EDUCATION)

**COMMENDATIONS AND SALUTATIONS** (See CONSTITUTIONAL CONVENTION)

**COMMERCE** (See BUSINESS AND INDUSTRY)

**COMMISSIONS** (See particular subject)

**COMMITTEES** (See CONSTITUTIONAL CONVENTION)

**COMPENSATION** (See also particular official, subject)

Unsalaried members; state boards, commissions, authorities | DP 12

**CONDOLENCES** (See CONSTITUTIONAL CONVENTION)

**CONSERVATION** (See NATURAL RESOURCES, ENVIRONMENT, WILDLIFE AND FISHERIES, AGRICULTURE)

**CONSTITUTION AND CONSTITUTIONAL AMENDMENTS**

Constitution of 1821 | CP 38 (1,2)

Constitutional Amendments

Enactment of laws to effect | CP 24 (4)

Procedure | CP 36 (4)

Proposal

Number Limitation | DP 20 (1)

Power | CP 1 (4)

Submission | CP 24 (1)

Constitution

Call by Legislature

Composition | CP 24 (2)

Procedure | CP 38 (2)

<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(See Text No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CIVIL SERVICE**

City-parish governments; establishment of
<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>People</td>
<td></td>
</tr>
<tr>
<td>Decennial proposition, 1986 and thereafter</td>
<td>CP 24 (3)</td>
</tr>
<tr>
<td>Procedure</td>
<td>CP 25 (3)</td>
</tr>
<tr>
<td>Delegates; dual officeholding, exclusion</td>
<td>CP 23</td>
</tr>
<tr>
<td>Declaration of rights</td>
<td>CP 2</td>
</tr>
<tr>
<td>Preamble</td>
<td>CP 25 (3)</td>
</tr>
<tr>
<td>Supremacy</td>
<td>CP 17 (49)</td>
</tr>
<tr>
<td>Transitional provisions</td>
<td>CP 38 (1-25)</td>
</tr>
</tbody>
</table>

**CONSTITUTIONAL CONVENTION OF 1973**

Administration, Division of; personnel, supplies, services | DR 19

Commendations, congratulations, and salutations

- AFL-CIO | DR 63
- Assisting Individuals, organizations | DR 12
- Attorney General Staff | DR 65
- Barrios, Richard L., Jr. | DR 59
- Chief Clerk's Staff | DR 55
- Clausen, Gale B. | DR 60
- Custodian of Voting Machines Staff | DR 65
- Delegates, living: 1921 Constitution | DR 65
- Delegates, living: 1931 Constitution | DR 65
- Division of Administration | DR 65
- Duncan, Norma Mayo | DR 54
- Edwards, Edwin W. | DR 66
- Enrolling Room Staff | DR 56
- Falkner, Jim | DR 65
- Fowler, Douglas | DR 57
- French, Jane | DR 57
- Fugler, Roy | DR 69
- Gute, William J., Jr. | DR 65
- Hamlin, Walter B. | DR 8
- House of Representatives Staff | DR 65
- Louisiana Legislative Council | DR 65
- Louisiana State University and Agriculture Mechanical College | DR 64
- Louisiana State University Law School | DR 64
- Martin, Wade O. | DR 64
- Messengers | DR 59
- News Media | DR 62
- Noble, Jane | DR 55
- Official Transcript Office Staff | DR 57
- Poynter, David R. | DR 55
- Public Affairs Research Council of Louisiana | DR 65
- Research Staff | DR 85
- Sanders, Joseph W. | DR 14
- Secretary of State Staff | DR 16
- Secretaries-at-Arms | DR 59
- Shreveport Times | DR 65
- South Central Bell Telephone Co. | DR 61
- State Police | DR 65
- Treasurer, Convention; Staff | DR 60
- Veslich, Anthony J. | DR 33

Committees (See also "Rules" herein)

- Citizen participation | DR 17
- Composite committee, composition | DR 18
- Duties, Functions; commencing | DR 28
- Materials, categories for transition to statutes | CR 11, CR 12
- Reports
  - Constitutional changes, omissions | DR 20, 28
  - Proposal explanations, chairmen | DR 24

Rules and Resolutions, committee composition | DR 3
- Television facilities, closed circuit | DR 6
- Condolences
  - Coleman, Phil | DR 4
  - Harrell, Albert | DR 4
  - Persigo, Paul | DR 4
  - Sirgo, Louis | DR 4
- Distribution of copies | DP 53
- Effective date | CP 38 (25)

January session
- Delegate actions, swearing in; reaffirmation | DP 5
- Procedure | DR 1, 2
- New Orleans Tragedy Fund, endorsement and endorsement | DR 4
- Resolutions, memorials, petitions; germane | DR 11

Rules
- Alternative proposals | CR 3, CR 13, CR 51
- Amendments (Rule No. 46)
  - Floor, distribution | CR 3
  - Germane | CR 30
  - New sections committee referral (Rule No. 46.1) | CR 37
  - Introduction (Rule No. 45.1) | CR 35
  - Prohibition (Rule No. 45.1) | DR 38
  - Attestation (Rule No. 47.1) | DR 50

Committees
- Meetings, notice while in session (Rule No. 62 B.) | DR 22
- Proposals by, Signature of majority of members (Rule No. 40) | CR 8
- Style and Drafting, recommendations; submission to substantive committee involved (Rule No. 50) | DR 40
- Daily business, numbering sequence (Rule No. 66) | DR 33
- Debate, limits on (Rule No. 30) | DR 21
- (Rule No. 30.1) | CR 10
- Delegates, material distribution (Rule No. 46) | DR 48
  - Floor amendments | CR 32
  - Generally (Rule No. 90, 91*) | CR 9
- Duplication equipment, use (Rule No. 90) | CR 9
- Lobbying (Rule No. 90) | CR 2
- CR 4
- CR 26
- CR 7

Minority committee proposals, introduction (Rule No. 40.1) | CR 7
- Motion, previous question (Rule No. 76) | DR 34
- Proposals, page numbers (Rule No. 41) | CR 6
- Public information; journal, each parish | DP 67
- Roll call voting, display (Rule No. 3) | DR 23
- Standing | CR 1
- Third reading and final passage, adoption (Rule No. 45) | DR 29
- Three readings (Rule No. 44) | CR 5
- Voting
  - Announcement of decision | DR 39
  - In person (Rule No. 30) | DR 23
  - Record (Rule No. 81) | DR 36
- Roll call; proxy (Rule No. 33) | DR 29
- Sessions, Schedule | DR 25

72
<table>
<thead>
<tr>
<th>Instrument Name</th>
<th>Section No.</th>
<th>Instrument Name</th>
<th>Section No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stationery, delegate</td>
<td>DR 13</td>
<td>Contempt, power limitation</td>
<td>CP 6</td>
</tr>
<tr>
<td>Television facilities, closed circuit</td>
<td>DR 6</td>
<td>Court system, financing</td>
<td>DP 33</td>
</tr>
<tr>
<td>CONSUMER AFFAIRS</td>
<td></td>
<td>District Courts (See also &quot;Orleans Parish&quot; herein)</td>
<td></td>
</tr>
<tr>
<td>Commissioner</td>
<td>DP 24</td>
<td>Districts, terms, chief judges</td>
<td>CP 6</td>
</tr>
<tr>
<td>Education, information councils</td>
<td>DP 49</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CONTRACTS AND CONTRACTORS:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contractual obligations, protection</td>
<td>CP 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 25</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CORONERS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Election, term, qualifications, duties</td>
<td>CP 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Powers, home rule charter</td>
<td>CP 17</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salary, retirement benefits, reduction</td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vacancies</td>
<td>CP 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CORPORATIONS (See also BUSINESS AND INDUSTRY)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Authorization, duration, privileges</td>
<td>CP 3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convict labor, lease</td>
<td>CP 12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary of state, administration of laws</td>
<td>CP 4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stockholding</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prohibition; state, political subdivisions</td>
<td>DP 94</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Registration, secretary of state</td>
<td>DP 57</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CORRECTIONAL AND PENAL INSTITUTIONS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convict labor, lease</td>
<td>CP 12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pardon, commutation, reprieve, gubernatorial</td>
<td>CP 4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parishes, Board of</td>
<td>CP 12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receipts, reimbursement by state</td>
<td>DP 54</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COURTS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessibility</td>
<td>CP 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 25</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appeal, Courts of</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Certifications to Supreme Court</td>
<td>CP 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Circuits, panels</td>
<td>CP 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
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<tr>
<td></td>
<td>DP 52</td>
<td></td>
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</tr>
<tr>
<td>Election</td>
<td>CP 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>CP 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Membership, terms, election, chief judges, duties</td>
<td>CP 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Courts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Judges, terms</td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clerks of Court (See also &quot;Supreme Court&quot;, &quot;Courts of Appeal&quot; herein)</td>
<td>CP 6</td>
<td>(33)</td>
<td></td>
</tr>
<tr>
<td>Election, powers, duties, staff</td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Powers, home rule charter</td>
<td>CP 17</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salary, retirement benefits, reduction</td>
<td>CP 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>CP 21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vacancies</td>
<td>CP 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women, jury service: written declaration, filing</td>
<td>DP 13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instruments No.</td>
<td></td>
<td>Instruments No.</td>
<td></td>
</tr>
<tr>
<td>Contempt, power limitation</td>
<td>CP 6</td>
<td>(2)</td>
<td></td>
</tr>
<tr>
<td>Court system, financing</td>
<td>DP 33</td>
<td>(8, 9)</td>
<td></td>
</tr>
<tr>
<td>District Courts (See also &quot;Orleans Parish&quot; herein)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Districts, terms, chief judges</td>
<td>CP 6</td>
<td>(14, 15, 17)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td>(14, 15, 17)</td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 6</td>
<td>(1, 14-17)</td>
<td></td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>CP 6</td>
<td>(18)</td>
<td></td>
</tr>
<tr>
<td>Property, assessment; questioning</td>
<td>CP 25</td>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td>Evidence, preservation</td>
<td>CP 21</td>
<td>(20)</td>
<td></td>
</tr>
<tr>
<td>Family Courts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appeal, Courts of jurisdiction</td>
<td>CP 6</td>
<td>(10)</td>
<td></td>
</tr>
<tr>
<td>Establishment, abolition, merger, retention</td>
<td>CP 6</td>
<td>(19)</td>
<td></td>
</tr>
<tr>
<td>Jurisdiction, legislative provision</td>
<td>CP 21</td>
<td>(15)</td>
<td></td>
</tr>
<tr>
<td>Judges (See also particular court herein)</td>
<td>CP 6</td>
<td>(18)</td>
<td></td>
</tr>
<tr>
<td>Courts of record, certain removal</td>
<td>CP 3</td>
<td>(25, 26, 27)</td>
<td></td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>CP 6</td>
<td>(2, 23-27)</td>
<td></td>
</tr>
<tr>
<td>Family Courts</td>
<td></td>
<td>CP 21</td>
<td></td>
</tr>
<tr>
<td>Qualifications, limitations</td>
<td>CP 6</td>
<td>(26)</td>
<td></td>
</tr>
<tr>
<td>Recall</td>
<td>CP 6</td>
<td>(27)</td>
<td></td>
</tr>
<tr>
<td>Retirement</td>
<td>CP 6</td>
<td>(25)</td>
<td></td>
</tr>
<tr>
<td>Salary, retirement benefits; reduction</td>
<td>CP 21</td>
<td>(34)</td>
<td></td>
</tr>
<tr>
<td>Term, compensation decrease</td>
<td>CP 21</td>
<td>(23)</td>
<td></td>
</tr>
<tr>
<td>Vacancies</td>
<td>CP 17</td>
<td>(15)</td>
<td></td>
</tr>
<tr>
<td>Writs, orders, process, issuance</td>
<td>CP 6</td>
<td>(2)</td>
<td></td>
</tr>
<tr>
<td>Judiciary Commission</td>
<td>CP 8</td>
<td>(13, 14)</td>
<td></td>
</tr>
<tr>
<td>Judicial system financing</td>
<td>DP 33</td>
<td>(37)</td>
<td></td>
</tr>
<tr>
<td>Juris and Jurors</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grand Jurors</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Criminal charges, proceedings</td>
<td>DP 82</td>
<td>(39)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 93</td>
<td>(37)</td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 6</td>
<td>(13, 14)</td>
<td></td>
</tr>
<tr>
<td>Qualifications, selection</td>
<td>CP 25</td>
<td>(13, 14)</td>
<td></td>
</tr>
<tr>
<td>Selection, women jurors</td>
<td>CP 21</td>
<td>(38)</td>
<td></td>
</tr>
<tr>
<td>Jury trials</td>
<td></td>
<td>CP 21</td>
<td></td>
</tr>
<tr>
<td>Certain civil cases</td>
<td>CP 2</td>
<td>(5)</td>
<td></td>
</tr>
<tr>
<td>Criminal cases</td>
<td>CP 25</td>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td>Justices of the Peace</td>
<td>CP 21</td>
<td>(21)</td>
<td></td>
</tr>
<tr>
<td>Juvenile Courts</td>
<td></td>
<td>CP 21</td>
<td></td>
</tr>
<tr>
<td>Appeal, Courts of jurisdiction</td>
<td>CP 6</td>
<td>(10)</td>
<td></td>
</tr>
<tr>
<td>Establishment, abolition, merger, retention</td>
<td>CP 6</td>
<td>(19)</td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 21</td>
<td>(15, 18)</td>
<td></td>
</tr>
</tbody>
</table>
**CONSTITUTIONAL CONVENTION CALENDAR**

<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>CP 6 (15)</td>
</tr>
<tr>
<td>Original jurisdiction, exclusive</td>
<td>CP 21 (15)</td>
</tr>
<tr>
<td>Magistrate Court</td>
<td>CP 21 (15)</td>
</tr>
<tr>
<td>Marshal, City</td>
<td>CP 21 (15)</td>
</tr>
<tr>
<td>Mayors' Courts</td>
<td>CP 21 (15)</td>
</tr>
<tr>
<td>Municipal Courts</td>
<td>CP 6 (19)</td>
</tr>
<tr>
<td>Orleans Parish</td>
<td>CP 6 (19)</td>
</tr>
<tr>
<td>Fees</td>
<td>CP 21 (38)</td>
</tr>
<tr>
<td>Judicial districts</td>
<td>DP 61</td>
</tr>
<tr>
<td>Officials; continuation, terms, duties, powers; reduction of terms, retirement benefits, compensation</td>
<td>CP 6 (37)</td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>CP 21 (35)</td>
</tr>
<tr>
<td>Parish Courts Establishment, abolition, merger, retention</td>
<td>CP 6 (20)</td>
</tr>
<tr>
<td>Generally</td>
<td>CP 21 (15)</td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>CP 21 (15)</td>
</tr>
<tr>
<td>Public service commission decisions, appeals</td>
<td>CP 5</td>
</tr>
<tr>
<td>Recording of proceedings Supreme Court</td>
<td>CP 6 (22)</td>
</tr>
<tr>
<td>Districts</td>
<td>CP 8 (4)</td>
</tr>
<tr>
<td>Generally</td>
<td>CP 6 (4)</td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>CP 6 (1, 11, 22-27, 33)</td>
</tr>
<tr>
<td>Judgeship vacancies</td>
<td>CP 6 (24)</td>
</tr>
<tr>
<td>Judicial administrator, staff</td>
<td>CP 6 (22)</td>
</tr>
<tr>
<td>Jurisdiction, powers</td>
<td>CP 6 (7)</td>
</tr>
<tr>
<td>Juror qualifications, exemptions</td>
<td>CP 6 (5)</td>
</tr>
<tr>
<td>Legislative apportionment</td>
<td>CP 6 (5)</td>
</tr>
<tr>
<td>Membership; terms, election, chief justice</td>
<td>CP 6 (3, 4, 6)</td>
</tr>
<tr>
<td>Public service commission decisions, appeals</td>
<td>CP 5</td>
</tr>
<tr>
<td>Statewide elected official; inability declaration, consideration</td>
<td>CP 4 (20)</td>
</tr>
<tr>
<td>Traffic Courts</td>
<td>CP 6 (19)</td>
</tr>
</tbody>
</table>

**CRIMES AND CRIMINAL PROCEDURE**

<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accused rights; prosecution, grand jury trial, bail, humane treatment</td>
<td>CP 2 (12-13)</td>
</tr>
<tr>
<td>CP 25 (12-13, 27)</td>
<td></td>
</tr>
<tr>
<td>DP 62</td>
<td></td>
</tr>
<tr>
<td>DP 75</td>
<td></td>
</tr>
<tr>
<td>DP 78</td>
<td></td>
</tr>
<tr>
<td>DP 93</td>
<td></td>
</tr>
<tr>
<td>Appeals</td>
<td>CP 8 (5)</td>
</tr>
<tr>
<td>CP 21 (5)</td>
<td></td>
</tr>
<tr>
<td>Felonies, prosecution</td>
<td>CP 25 (13)</td>
</tr>
<tr>
<td>DP 78</td>
<td></td>
</tr>
<tr>
<td>Legislation, uniform application</td>
<td>CP 3 (12)</td>
</tr>
<tr>
<td>Pardons Board of</td>
<td>CP 4 (5)</td>
</tr>
<tr>
<td>Gubernatorial powers</td>
<td>CP 4 (5)</td>
</tr>
<tr>
<td>DP 63</td>
<td></td>
</tr>
<tr>
<td>DP 96</td>
<td></td>
</tr>
</tbody>
</table>

**DEPARTMENT**

<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DECLARATION OF RIGHTS (See CIVIL RIGHTS, CONSTITUTION AND CONSTITUTIONAL AMENDMENTS)</td>
<td></td>
</tr>
<tr>
<td>DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS</td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 8 (30, 31)</td>
</tr>
<tr>
<td>Grand jury prosecution</td>
<td>DP 62</td>
</tr>
<tr>
<td>Powers, home rule charter</td>
<td>CP 17 (8)</td>
</tr>
<tr>
<td>Powers, home rule charter</td>
<td>CP 17 (8*)</td>
</tr>
<tr>
<td>Salary, retirement benefits; reduction</td>
<td>CP 6 (36)</td>
</tr>
<tr>
<td>Supervision, attorney general</td>
<td>CP 4 (8)</td>
</tr>
<tr>
<td>Vacancies</td>
<td>CP 6 (35)</td>
</tr>
<tr>
<td>CP 8 (13)</td>
<td></td>
</tr>
<tr>
<td>CP 17 (14)</td>
<td></td>
</tr>
<tr>
<td>CP 21 (33)</td>
<td></td>
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</tbody>
</table>

**DUAL OFFICE-HOLDING (See PUBLIC OFFICIALS)**

<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>EDUCATION</td>
<td></td>
</tr>
<tr>
<td>Alternative proposal</td>
<td>DP 98</td>
</tr>
<tr>
<td>Board memberships Dual, prohibition</td>
<td>CP 7 (11)</td>
</tr>
<tr>
<td>Transition</td>
<td>CP 30 (5)</td>
</tr>
<tr>
<td>Career education, post-secondary (See &quot;Colleges and Universities&quot; herein) Colleges and Universities</td>
<td></td>
</tr>
<tr>
<td>Career education, post-secondary</td>
<td>CP 7 (7)</td>
</tr>
<tr>
<td>Master plan, Board of Regents</td>
<td>CP 7 (7)</td>
</tr>
<tr>
<td>Supervision, Board of Trustees</td>
<td>CP 7 (8)</td>
</tr>
<tr>
<td>Chancellor of Higher Education</td>
<td>DP 8 (12, 13)</td>
</tr>
<tr>
<td>Coordinating Council on Higher Education, Board of Regents membership</td>
<td>CP 30 (1)</td>
</tr>
<tr>
<td>Higher education master plan, Board of Regents</td>
<td>CP 7 (7)</td>
</tr>
<tr>
<td>LS.U. Board of Supervisors</td>
<td></td>
</tr>
<tr>
<td>Powers, duties, membership</td>
<td>CP 7 (7, 9)</td>
</tr>
<tr>
<td>Racial balance</td>
<td>CP 7 (10)</td>
</tr>
<tr>
<td>Student Membership Authorized</td>
<td>CP 7 (11)</td>
</tr>
<tr>
<td>Forestry Dept. head, Forestry Commission member</td>
<td>CP 16 (8)</td>
</tr>
<tr>
<td>Post-secondary institutions, new; Board of Regents study, legislative action</td>
<td>CP 7 (7)</td>
</tr>
<tr>
<td>Regents, Board of Alternative proposal</td>
<td>DP 98</td>
</tr>
<tr>
<td>Functions, membership, powers, limitations</td>
<td>CP 7 (7)</td>
</tr>
<tr>
<td>Board of Regents</td>
<td>CP 30 (1) (12)</td>
</tr>
<tr>
<td>DP 53 (11, 12)</td>
<td></td>
</tr>
<tr>
<td>DP 8 (11-14, 16)</td>
<td></td>
</tr>
<tr>
<td>Racial balance</td>
<td>CP 7 (10)</td>
</tr>
<tr>
<td>Staff</td>
<td>DP 53 (16)</td>
</tr>
<tr>
<td>Transitional membership</td>
<td>CP 30 (14)</td>
</tr>
<tr>
<td>Trustees, Board of Powers, duties</td>
<td>CP 7 (7)</td>
</tr>
<tr>
<td>Racial balance</td>
<td>CP 7 (10)</td>
</tr>
<tr>
<td>Student Membership Authorized</td>
<td>CP 7 (11)</td>
</tr>
<tr>
<td>Transitional members</td>
<td>CP 30 (2, 3)</td>
</tr>
<tr>
<td>Tulane University</td>
<td>CP 7 (17)</td>
</tr>
<tr>
<td>DP 54 (10)</td>
<td></td>
</tr>
<tr>
<td>Vocational-technical training, post-secondary Master plan, Board of Regents</td>
<td>CP 7 (7)</td>
</tr>
<tr>
<td>Supervision, Board of Trustees</td>
<td>CP 7 (8)</td>
</tr>
</tbody>
</table>
## INDEX

<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Elementary and secondary education</strong></td>
<td></td>
<td><strong>Legislation increasing local expenditures</strong></td>
<td></td>
</tr>
<tr>
<td>Curricula; Board of Regents,</td>
<td></td>
<td>Creation of districts</td>
<td>CP 3</td>
</tr>
<tr>
<td>coordinating responsibilities</td>
<td>CP 7</td>
<td>(7)</td>
<td>(9)</td>
</tr>
<tr>
<td>Funding</td>
<td>DP 54</td>
<td>(4,1)</td>
<td>DP 92</td>
</tr>
<tr>
<td>Instruction materials, books</td>
<td>DP 54</td>
<td>(4,2)</td>
<td>DP 53</td>
</tr>
<tr>
<td><strong>State Board of</strong></td>
<td></td>
<td><strong>State Board of Education</strong></td>
<td></td>
</tr>
<tr>
<td>Existing school boards, systems;</td>
<td></td>
<td>Boards, other; transitional membership</td>
<td>CP 30</td>
</tr>
<tr>
<td>supervision</td>
<td></td>
<td>Composition</td>
<td>DP 63</td>
</tr>
<tr>
<td>Ouchita Parish and Monroe</td>
<td></td>
<td>State Department of Education</td>
<td>DP 53</td>
</tr>
<tr>
<td>City School Systems; board</td>
<td></td>
<td><strong>State Public School Fund</strong></td>
<td>CP 7</td>
</tr>
<tr>
<td>membership</td>
<td></td>
<td>Superintendent, Public Education (See</td>
<td>CP 7</td>
</tr>
<tr>
<td>Functions, membership, terms</td>
<td>CP 7</td>
<td>also PUBLIC OFFICIALS; Statewide elected)</td>
<td></td>
</tr>
<tr>
<td>Parish superintendent;</td>
<td></td>
<td>Generally</td>
<td>CP 7</td>
</tr>
<tr>
<td>qualifications, duties</td>
<td>CP 7</td>
<td></td>
<td>DP 8</td>
</tr>
<tr>
<td>Racial balance</td>
<td>CP 7</td>
<td></td>
<td>CP 4</td>
</tr>
<tr>
<td>State Board of Education</td>
<td>CP 7</td>
<td></td>
<td>CP 92</td>
</tr>
<tr>
<td>members, transitional membership</td>
<td>CP 30</td>
<td></td>
<td>CP 53</td>
</tr>
<tr>
<td>Superintendent of Public Education</td>
<td></td>
<td></td>
<td>DP 54</td>
</tr>
<tr>
<td>Appointment</td>
<td>CP 92</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secretary, officer, duties</td>
<td>CP 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vacancies, election</td>
<td>CP 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Finance</strong></td>
<td>CP 14-16</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 8</td>
<td>(15)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 92</td>
<td>(7-9)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 10</td>
<td>(3)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 54</td>
<td>(4,9, 14, 41, 42)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 53</td>
<td>(15)</td>
<td></td>
</tr>
<tr>
<td><strong>Higher Education (See “Colleges and Universities” herein)</strong></td>
<td></td>
<td><strong>Unions (See COLLEGES AND UNIVERSITIES herein)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Private Schools</strong></td>
<td></td>
<td><strong>Vocational-technical training, post-secondary (See COLLEGES AND UNIVERSITIES herein)</strong></td>
<td></td>
</tr>
<tr>
<td>Appropriations, prohibition</td>
<td>DP 66</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approval</td>
<td>DP 92</td>
<td>(9)</td>
<td></td>
</tr>
<tr>
<td><strong>Public Education Board</strong></td>
<td>DP 8</td>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td>Duties</td>
<td>DP 54</td>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 53</td>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 92</td>
<td>(4)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 7</td>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td><strong>Public Education system</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 7</td>
<td>(1,2)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 8</td>
<td>(1,2)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 10</td>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 54</td>
<td>(2)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 53</td>
<td>(2)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 92</td>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 9</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Retirement, Survivor’s Benefits</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regents, Board of</td>
<td>CP 11</td>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 7</td>
<td>(7-10)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 8</td>
<td>(11-14, 16)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 53</td>
<td>(11, 15, 14, 16)</td>
<td></td>
</tr>
<tr>
<td><strong>School Board, Districts</strong></td>
<td></td>
<td><strong>Elections</strong></td>
<td></td>
</tr>
<tr>
<td>Bonded; indebtedness, limitations</td>
<td>CP 8</td>
<td>(38)</td>
<td></td>
</tr>
<tr>
<td>Consolidation; legislation, voter approval</td>
<td>CP 7</td>
<td>(13)</td>
<td></td>
</tr>
<tr>
<td><strong>Existing, recognition</strong></td>
<td>CP 7</td>
<td>(13)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 8</td>
<td>(9,10)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 54</td>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 92</td>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 53</td>
<td>(10)</td>
<td></td>
</tr>
<tr>
<td><strong>Legislation increasing local expenditures</strong></td>
<td></td>
<td>Creation of districts</td>
<td>CP 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(9)</td>
<td>(5)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>DP 53</td>
</tr>
<tr>
<td><strong>State Board of Education</strong></td>
<td></td>
<td><strong>State Board of Education</strong></td>
<td>CP 7</td>
</tr>
<tr>
<td>Boards, other; transitional membership</td>
<td></td>
<td>Composition</td>
<td>DP 63</td>
</tr>
<tr>
<td></td>
<td></td>
<td>State Department of Education</td>
<td>DP 53</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>State Public School Fund</strong></td>
<td>CP 7</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Superintendent, Public Education (See</td>
<td>CP 7</td>
</tr>
<tr>
<td></td>
<td></td>
<td>also PUBLIC OFFICIALS; Statewide elected)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Generally</td>
<td>CP 7</td>
</tr>
<tr>
<td><strong>Selection</strong></td>
<td></td>
<td></td>
<td>CP 4</td>
</tr>
<tr>
<td><strong>Superintendent (See SCHOOL BOARDS herein)</strong></td>
<td></td>
<td></td>
<td>CP 33</td>
</tr>
<tr>
<td><strong>Teachers</strong></td>
<td></td>
<td></td>
<td>CP 28</td>
</tr>
<tr>
<td>Dual office holding</td>
<td>CP 23</td>
<td>(8,9)</td>
<td></td>
</tr>
<tr>
<td>Qualifications, certification</td>
<td>DP 53</td>
<td>(7)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 8</td>
<td>(7)</td>
<td></td>
</tr>
<tr>
<td>State board of elementary and secondary education</td>
<td>CP 7</td>
<td>(5)</td>
<td></td>
</tr>
<tr>
<td>Tidelands revenues, allocations</td>
<td>CP 16</td>
<td>(4)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 34</td>
<td>(9)</td>
<td></td>
</tr>
<tr>
<td><strong>Universities (See COLLEGES AND UNIVERSITIES herein)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Elections</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture commissioner</td>
<td>CP 16</td>
<td>(5)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DP 34</td>
<td>(11)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DR 41</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>DR 44</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appeal, Courts of; judges</td>
<td>CP 6</td>
<td>(8,9)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td>(9,24)</td>
<td></td>
</tr>
<tr>
<td>Assessors</td>
<td>CP 26</td>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td>Attorney General</td>
<td>CP 6</td>
<td>(28)</td>
<td></td>
</tr>
<tr>
<td>Candidacy, public office; denial prohibited</td>
<td>CP 20</td>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 33</td>
<td>(7)</td>
<td></td>
</tr>
<tr>
<td>City Courts; establish, abolish, merge</td>
<td>CP 21</td>
<td>(15)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 20</td>
<td>(16)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 33</td>
<td>(17)</td>
<td></td>
</tr>
<tr>
<td>Commissioner (See also PUBLIC OFFICIALS; Statewide elected)</td>
<td>CP 4</td>
<td>(1,3,12)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DR 42</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>DR 44</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 33</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 28</td>
<td>(20)</td>
<td></td>
</tr>
<tr>
<td>Constitutional amendments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Procedure</td>
<td>CP 24</td>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td>Consumer affairs commissioner</td>
<td>CP 24</td>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td>Contest of; enactment of judicial determination</td>
<td>CP 20</td>
<td>(14)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 33</td>
<td>(15)</td>
<td></td>
</tr>
<tr>
<td>Coroners</td>
<td>CP 36</td>
<td>(34)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CP 21</td>
<td>(32)</td>
<td></td>
</tr>
</tbody>
</table>

75
<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Courts; establish, abolish, merge; judges</td>
<td>CP 6 (15)</td>
</tr>
<tr>
<td>Education board members, state</td>
<td>CP 20 (15, 28)</td>
</tr>
<tr>
<td>Education, superintendent of</td>
<td>CP 7 (3)</td>
</tr>
<tr>
<td>Elementary and Secondary Education, State Board of; certain members</td>
<td>CP 7 (3)</td>
</tr>
<tr>
<td>Family Court; establish, abolish, merge</td>
<td>CP 21 (15)</td>
</tr>
<tr>
<td>Fraud</td>
<td>CP 20 (15)</td>
</tr>
<tr>
<td>Generally</td>
<td>CP 23 (15)</td>
</tr>
<tr>
<td>Initiative; reserved power, procedures, enactment, limitations, provision execution</td>
<td>CP 1 (4-10)</td>
</tr>
<tr>
<td>Insurance commissioner</td>
<td>DR 43</td>
</tr>
<tr>
<td>Judges</td>
<td>CP 6 (24)</td>
</tr>
<tr>
<td>Juvenile Courts</td>
<td>CP 21 (22, 24)</td>
</tr>
<tr>
<td>Orleans Parish</td>
<td>CP 21 (85)</td>
</tr>
<tr>
<td>Laws, schedules, elector privilege from arrest</td>
<td>DP 6 (44)</td>
</tr>
<tr>
<td>Levee districts, tax increase</td>
<td>CP 8 (45)</td>
</tr>
<tr>
<td>Local government</td>
<td></td>
</tr>
<tr>
<td>Bonds, contesting; limited period</td>
<td>CP 3 (39)</td>
</tr>
<tr>
<td>Call, conduct, canvass returns</td>
<td>CP 21 (31)</td>
</tr>
<tr>
<td>Change of parish line</td>
<td>CP 21 (6)</td>
</tr>
<tr>
<td>Charter, home rule</td>
<td>CP 8 (8)</td>
</tr>
<tr>
<td>Commission, home rule charter</td>
<td>CP 8 (8)</td>
</tr>
<tr>
<td>Incorporation of municipalities, home rule parish</td>
<td>CP 8 (8)</td>
</tr>
<tr>
<td>Municipalities</td>
<td></td>
</tr>
<tr>
<td>Civil Service</td>
<td>DP 27 (1)</td>
</tr>
<tr>
<td>Millage rates, increase</td>
<td>CP 8 (31)</td>
</tr>
<tr>
<td>Officials</td>
<td>CP 17 (32)</td>
</tr>
<tr>
<td>Selection</td>
<td>CP 8 (12)</td>
</tr>
<tr>
<td>Vacancies, appointments</td>
<td>CP 8 (13)</td>
</tr>
<tr>
<td>Parish seat change</td>
<td>CP 8 (15)</td>
</tr>
<tr>
<td>Special districts</td>
<td>CP 8 (18)</td>
</tr>
<tr>
<td>Special taxes, public improvements</td>
<td>CP 8 (32)</td>
</tr>
<tr>
<td>Parishes</td>
<td>CP 17 (30)</td>
</tr>
<tr>
<td>Boundary change</td>
<td>CP 8 (2)</td>
</tr>
<tr>
<td>Courts, establish, abolish, merge</td>
<td>CP 6 (19, 20)</td>
</tr>
<tr>
<td>Millage rates increases</td>
<td>CP 8 (20)</td>
</tr>
<tr>
<td>Orleans, certain officials</td>
<td>CP 6 (37)</td>
</tr>
<tr>
<td>Seat change</td>
<td>CP 8 (4)</td>
</tr>
<tr>
<td>Superintendent of schools</td>
<td>CP 7 (12)</td>
</tr>
<tr>
<td>Primary, open</td>
<td>DP 73</td>
</tr>
<tr>
<td>Privilege from arrest; exception</td>
<td>CP 20 (5)</td>
</tr>
<tr>
<td>Public Education Board</td>
<td>DP 53 (5)</td>
</tr>
<tr>
<td>Public funds; use prohibited</td>
<td>CP 20 (9)</td>
</tr>
<tr>
<td>CP 33 (10, 18)</td>
<td></td>
</tr>
<tr>
<td>Public Service Commission</td>
<td>CP 5 (1)</td>
</tr>
<tr>
<td>Qualifications, residence</td>
<td>CP 20 (3)</td>
</tr>
<tr>
<td>Recall</td>
<td>CP 3 (26)</td>
</tr>
<tr>
<td>Regents, Board of</td>
<td>DP 53 (11)</td>
</tr>
<tr>
<td>Registrar of voters</td>
<td>CP 20 (10)</td>
</tr>
<tr>
<td>Service as; prohibition, conditions</td>
<td>CP 33 (11)</td>
</tr>
<tr>
<td>Registration</td>
<td>CP 20 (13)</td>
</tr>
<tr>
<td>Denial of; contest</td>
<td>CP 33 (2)</td>
</tr>
<tr>
<td>Procedure</td>
<td>DP 69</td>
</tr>
<tr>
<td>Returns</td>
<td></td>
</tr>
<tr>
<td>Secretary of state</td>
<td>CP 20 (12)</td>
</tr>
<tr>
<td>Statewide executive officials</td>
<td>CP 4 (3)</td>
</tr>
<tr>
<td>School system consolidation</td>
<td>CP 7 (13)</td>
</tr>
<tr>
<td>Vacancies, statewide elective officials</td>
<td>CP 4 (16)</td>
</tr>
<tr>
<td>Voting and Voters</td>
<td></td>
</tr>
<tr>
<td>Commissioners</td>
<td></td>
</tr>
<tr>
<td>Dual officeholding, excluded</td>
<td>CP 23 (1)</td>
</tr>
<tr>
<td>Poll watcher; selection</td>
<td>CP 20 (12)</td>
</tr>
<tr>
<td>Highest number cast</td>
<td>CP 33 (7)</td>
</tr>
<tr>
<td>Qualifications, rights</td>
<td>CP 2 (8)</td>
</tr>
<tr>
<td>Proxy voting</td>
<td>CP 33 (3)</td>
</tr>
<tr>
<td>Registration</td>
<td>CP 20 (13)</td>
</tr>
<tr>
<td>Secret ballot</td>
<td>CP 33 (14)</td>
</tr>
<tr>
<td>Viva voce</td>
<td>CP 20 (2)</td>
</tr>
</tbody>
</table>

**EMPLOYMENT AND EMPLOYEES (See CIVIL SERVICE, LABOR)**

**ENVIRONMENT AND ENVIROMENTAL CONTROL (See also NATURAL RESOURCES, AGRICULTURE, WILDLIFE AND FISHERIES, WATER AND WATER DISTRICTS, BUSINESS AND INDUSTRY)**

- Generally | CP 16 (6)
- Junkyards, highway areas; control | DP 4 (1)
- Outdoor advertising, highway areas; control | DP 4

**EQUAL RIGHTS (See CIVIL RIGHTS)**

**ETHICS**

- Board, creation | CP 4 (20)
- Codes, legislative enactment | CP 3 (8)
- Legislature | CP 3 (8)
- State employees, elected officials | CP 4 (20)
## INDEX

### EXECUTIVE DEPARTMENT (See also particular official, subject)
- Alternative proposal .......................... DP 97
- Compensation, non-salaried commissioners .......................... DP 12
- Generally ........................................ CP 4
- Governmental power division, limitations .......................... CP 1
- Reorganization .................................... CP 4

### EXPROPRIATION (See PROPERTY)

### FINANCE

#### Assessors and Assessments
- Assessors
  - Generally ........................................ CP 26
  - New Orleans ..................................... CP 28
  - Powers, home rule charter ........................ CP 26
- Assessments
  - Fair market value, determination ........................ CP 26
  - Property ........................................... CP 26
  - Reappraisal ....................................... CP 26
  - Review by parish governing authority ........................ CP 26

#### Bonds and bonded indebtedness
- Certificates of indebtedness, public improvements ........................ CP 8
- Election, context; 60 days limit .......................... CP 8
- Partisan use of state funds prohibited ........................ CP 20

#### Full faith and credit
- General obligations
  - Authorization ...................................... CP 8
  - Definition ......................................... CP 8
  - Issuance ............................................ CP 8
  - Parish; mineral lease royalties ........................ CP 34
  - Time limit for contesting ........................ CP 34
- Interim Emergency Board .................................... CP 15

#### Levee districts
- Generally ........................................ CP 8
- Obligations ....................................... CP 8
- Local government
  - Authorization ...................................... CP 8
  - Full faith and credit ................................ CP 8
  - Industry inducement ............................... CP 8
  - Parish; general obligation ........................ CP 34
  - Public utilities; local government issue ........................ CP 8
- State Bond Commission .................................... CP 15
- State powers, limitations; issuance, obligation authorization ........................ CP 15

### Tideland revenues ............................... CP 16
### Bond Commission, State; membership, authority ................................ CP 15
### Bond Security and Redemption Fund ................................ CP 15
### Budgets
- Capital .............................................. CP 4
- Estimated, general appropriation bill ........................ CP 15
- Operating ............................................ CP 4
- Capital improvements ................................ CP 15
- Education ............................................ CP 7
### Federal funds
- Legislation ............................................ CP 15
- Interim Emergency Board ................................ CP 15
- Liquidation of State Debt, Board of ................................ CP 16
### Public funds
- Custody, investment, disbursement; treasurer ........................ CP 4
- Elections, use prohibited ................................ CP 20
- Management; donation, loan, credit pledge ........................ CP 27
### Revenue sharing
- Distribution of funds .................................... CP 26
- Fund .................................................. CP 29
### Royalty Road Fund ................................ CP 16
### State funds
- Collection, deposit .................................... CP 15
- Expenditure .......................................... CP 15
- Investment ........................................... CP 15
- Loans, credit, donations ............................... CP 15
- Management ........................................... CP 15
- Public records ........................................ CP 15
### State Public School Fund ................................ CP 7
### Taxes and taxation (See also ASSESSORS herein)
- Ad valorem tax
- Alternative proposal ................................ CP 17
- Bonds, general obligation ................................ CP 15
- Generally ............................................. CP 26
- Local government
  - Authority ............................................ CP 8
  - Full faith and credit ................................ CP 8
  - Millage adjustment ................................... CP 8
  - Municipal levy ....................................... CP 8
  - Parish levy .......................................... CP 8
  - Parish school boards ................................ CP 7
  - State rate ............................................ CP 26
  - Schedule ............................................... CP 38
  - Timber ................................................ CP 15
  - Collection ............................................ CP 15
  - Sheriff ............................................... CP 6
  - Exemptions ......................................... CP 26
- Existing taxes, protection ................................ CP 38
- Generally ............................................. CP 15
- Graduated rates ....................................... CP 15
- Homestead exemption .................................... CP 26
- Income tax ............................................. CP 15
- Federal; state deduction ................................ CP 21
- Legislation, consideration; odd-numbered years ........................ CP 3
- Levee districts; certain property ........................ CP 8
- Motor vehicle license tax ................................ CP 15

---

The image shows a page from a document titled "INDEX" with entries listed under various categories such as EXECUTIVE DEPARTMENT, EXPROPRIATION, FINANCE, etc. Each entry is followed by a reference number (e.g., CP 4, DP 97). The page also contains a table with columns for Instrument No., Section No., Title, and Page No.
<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupational license tax</td>
<td>CP 8 (34)</td>
</tr>
<tr>
<td>Political subdivisions</td>
<td>CP 15 (33)</td>
</tr>
<tr>
<td>Power to tax, limitations</td>
<td>CP 15 (1, 2, 4)</td>
</tr>
<tr>
<td>Property exemptions</td>
<td>CP 26 (3)</td>
</tr>
<tr>
<td>Property tax (See AD VALOREM TAX herein)</td>
<td></td>
</tr>
<tr>
<td>Public improvement</td>
<td>CP 8 (32)</td>
</tr>
<tr>
<td>Refund</td>
<td>CP 15 (26)</td>
</tr>
<tr>
<td>Revenues, control</td>
<td>DP 60 (3)</td>
</tr>
<tr>
<td>Sales tax, local government</td>
<td>CP 8 (35)</td>
</tr>
<tr>
<td>Severance tax</td>
<td>CP 15 (4)</td>
</tr>
<tr>
<td>Special taxes</td>
<td></td>
</tr>
<tr>
<td>Levy continued</td>
<td>CP 8 (32)</td>
</tr>
<tr>
<td>Tax Sales; Redemption of Property</td>
<td>CP 26 (9)</td>
</tr>
<tr>
<td>Tideland revenues</td>
<td>CP 16 (4)</td>
</tr>
</tbody>
</table>

**FINANCIAL INSTITUTIONS**

| Banks | Investment of state funds | CP 16 (4) |
| Limits | Limitations | CP 35 (9) |

**FIREMEN, Civil Service (See CIVIL SERVICE, Municipal)**

**FORESTRY (See NATURAL RESOURCES)**

---

**GAMBLING**

Futures, agricultural products; articles of necessity; prohibition
Lotteries, prohibition

---

**GAS (See NATURAL RESOURCES)**

**GOVERNMENT; origin, purpose**

---

**GOVERNMENTAL REORGANIZATION**

(See REORGANIZATION, GOVERNMENTAL)

---

**GOVERNOR**

| Absence, procedure | CP 4 (21) |
| Appointments (See also VACANCIES herein) | |
| Agriculture commissioner | DR 41 |
| Education board members, state; notification | CP 30 (2) |
| Education superintendent | DR 45 |
| Elections commissioner | DR 42 |
| Elementary and Secondary Education | |
| State Board of | CP 7 (3) |
| Forestry Commission | CP 16 (8) |
| Generally | CP 4 (5) |
| Highway board | DP 4 |
| Insurance commissioner | DR 43 |
| Library, state, board of commissioners | DP 64 |
| LSU Board of Supervisors | CP 7 (9) |
| Pardons, Board of | CP 30 (2) |
| Public Education Board | DP 8 (4) |
| Public Service Commission | DP 19 (1) |
| Regents, Board of | CP 7 (7) |
| Library, state, board of commissioners | DP 64 |
| LSU Board of Supervisors | CP 7 (9) |
| Pardons, Board of | CP 30 (2) |
| Public Education Board | DP 8 (4) |
| Public Service Commission | DP 19 (1) |
| Regents, Board of | CP 7 (7) |
| Insurance commissioner | DR 43 |
| Library, state, board of commissioners | DP 64 |
| LSU Board of Supervisors | CP 7 (9) |
| Pardons, Board of | CP 30 (2) |
| Public Education Board | DP 8 (4) |
| Public Service Commission | DP 19 (1) |
| Regents, Board of | CP 7 (7) |
| State civil service commission | CP 9 (1) |

**Handicapped Persons, physically**

---

**HEALTH, Public**

Environment
System

**HIGHER EDUCATION**

(See EDUCATION: Colleges and Universities)

---

**HIGHWAYS, BRIDGES AND ROADS**

General highway fund
Highway department, board; officers, membership, duties

---

78
<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>Section No.</th>
<th>Instrument No.</th>
<th>Section No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Royalty Board Fund</td>
<td>CP 16 (2)</td>
<td>LEGISLATIVE AUDITOR</td>
<td>CP 3 (10)</td>
</tr>
<tr>
<td>State highway, bridge system</td>
<td>DP 4</td>
<td>Election, duties</td>
<td>(9)</td>
</tr>
<tr>
<td>HISTORICAL PRESERVATION (See ART, HISTORICAL AND CULTURAL PRESERVATION)</td>
<td>IMPEACHMENT (See LEGISLATURE AND LEGISLATORS, PUBLIC OFFICIALS)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOMESTEAD EXEMPTIONS (See PROPERTY)</td>
<td>—I—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IMPEACHMENT (See LEGISLATURE AND LEGISLATORS, PUBLIC OFFICIALS)</td>
<td>INDUSTRY (See BUSINESS AND INDUSTRY)</td>
<td>INITIATIVE (See ELECTIONS)</td>
<td>INSURANCE, Commissioner (See also PUBLIC OFFICIALS: Statewide elected)</td>
</tr>
<tr>
<td>INTERGOVERNMENTAL RELATIONS</td>
<td>Levee Districts</td>
<td>Adjoining states</td>
<td>CP 8 (46)</td>
</tr>
<tr>
<td></td>
<td>U. S. Government</td>
<td>CP 8 (47)</td>
<td>Agriculture commissioner; powers, duties</td>
</tr>
<tr>
<td></td>
<td>Local government, generally</td>
<td>CP 8 (25)</td>
<td>Alternative proposal</td>
</tr>
<tr>
<td>JUDGES (See COURTS)</td>
<td>—J—</td>
<td>Appeal, Courts of; circuits, districts, number of judges</td>
<td>CP 6 (9)</td>
</tr>
<tr>
<td>JUDICIARY (See also ATTORNEY GENERAL, COURTS)</td>
<td>Generally</td>
<td>CP 21 (27)</td>
<td>(9)</td>
</tr>
<tr>
<td></td>
<td>Governmental power division, limitations</td>
<td>CP 1 (1, 2)</td>
<td>State examiner</td>
</tr>
<tr>
<td></td>
<td>Judicial system, financing</td>
<td>CP 35 (1, 2)</td>
<td>State system</td>
</tr>
<tr>
<td></td>
<td>Judiciary Commission</td>
<td>DP 33 (27)</td>
<td>Educational purposes</td>
</tr>
<tr>
<td></td>
<td>Generally</td>
<td>CP 6 (25)</td>
<td>Exceed anticipated revenues, prohibition</td>
</tr>
<tr>
<td></td>
<td>Transition</td>
<td>CP 21 (45)</td>
<td>Generally</td>
</tr>
<tr>
<td></td>
<td>Justice, Department of</td>
<td>CP 4 (8)</td>
<td>Law enforcement officers, survivors</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Private, sectarian schools; prohibition</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>State police supplemental pay</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Assessment; agricultural, horticultural, marsh, timber lands; certain historical buildings</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Assurers; duties, compensation, election</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Bicameral unit</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Bond Commission, State; membership, authority</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Bond issuance, indebtedness; authorization, limitations</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Budget, submission</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Capital outlay program</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Civil service, parishes, municipalities; establishment</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Commissioners, regulation</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Clerical officers</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Compensation, unsalaried members; state boards, commissions, authorities</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Constitutional amendments</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approval</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Enact laws to effect</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Proposal</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Constitutional convention, proposal for</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Consumer council</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Corporations, authorization</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Criminal legislation, uniform application</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Discipline</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>District Courts; districts, judgeship terms</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Economic security, system of</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Education boards, statewide</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Elections</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Code enactment</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Commissioners, poll watchers, selection</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Contest of; enactment of judicial determination</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Fraud provisions, penalties</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Laws, procedures</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Suspension</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Labor</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Arbitration</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Compulsory</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Legislation</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Strikes, government employees</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Unemployment compensation</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Unions, monopolistic employment control</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Laws</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Constitutional Amendments; legislation to effect</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Effective date</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>General laws, definition</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Legislative enactments; promulgation, publication; secretary of state</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Local, special laws</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Suspension</td>
</tr>
</tbody>
</table>

79
<table>
<thead>
<tr>
<th>Instrument, private property</th>
<th>Section No.</th>
<th>(See Section No.)</th>
<th>Instrument, private property</th>
<th>Section No.</th>
<th>(See Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration</td>
<td>CP 33</td>
<td>(2)</td>
<td>DP 64</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ties, method for breaking</td>
<td>CP 20</td>
<td>(7)</td>
<td>CP 4</td>
<td>(12)</td>
<td></td>
</tr>
<tr>
<td>Elementary and Secondary Education, State Board of; members</td>
<td>CP 7</td>
<td>(3)</td>
<td>CP 5</td>
<td>(19)</td>
<td></td>
</tr>
<tr>
<td>Emergency powers</td>
<td>CP 3</td>
<td>(15)</td>
<td>CP 21</td>
<td>(13)</td>
<td></td>
</tr>
<tr>
<td>Environmental quality, legislation</td>
<td>CP 16</td>
<td>(6)</td>
<td>CP 32</td>
<td>(20)</td>
<td></td>
</tr>
<tr>
<td>Ethics</td>
<td>CP 3</td>
<td>(8)</td>
<td>CP 4</td>
<td>(20)</td>
<td></td>
</tr>
<tr>
<td>Dual officeholding</td>
<td>CP 23</td>
<td></td>
<td>CP 26</td>
<td>(13)</td>
<td></td>
</tr>
<tr>
<td>Executive branch reorganization (See REORGANIZATION herein)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expulsion</td>
<td>DP 70</td>
<td>(6)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Computation powers, limitation</td>
<td>DP 63</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health, public system</td>
<td>CP 15</td>
<td>(18)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property assessment procedure, improvements</td>
<td>CP 8</td>
<td>(6)</td>
<td>CP 17</td>
<td>(13)</td>
<td></td>
</tr>
<tr>
<td>House of Representatives (See &quot;Membership&quot;, &quot;Presiding Officers&quot;, &quot;Procedure&quot;, etc. herein) Appropriations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Committee chair; Interim Emergency Board, member</td>
<td>CP 15</td>
<td>(8)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 3</td>
<td>(18)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial areas, authorization</td>
<td>CP 17</td>
<td>(24)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>CP 3</td>
<td>(21)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Official state</td>
<td>CP 2</td>
<td>(21)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proceedings</td>
<td>CP 3</td>
<td>(9)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Juror qualifications</td>
<td>CP 21</td>
<td>(35)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Juvenile Courts</td>
<td>CP 6</td>
<td>(18, 19)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Labor</td>
<td>CP 13</td>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unemployment compensation</td>
<td>CP 18</td>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legislation (See also particular subjects herein) Enacting clause</td>
<td>CP 3</td>
<td>(16)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Passage of bills</td>
<td>CP 3</td>
<td>(17)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public action</td>
<td>CP 3</td>
<td>(17)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Resolutions, governor's signature</td>
<td>CP 3</td>
<td>(18)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signature, veto by governor</td>
<td>CP 3</td>
<td>(19, 20)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signing, delivery to governor</td>
<td>CP 3</td>
<td>(19)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veto, procedure</td>
<td>CP 3</td>
<td>(20)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Levee Districts</td>
<td>CP 8</td>
<td>(46)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adjoining states</td>
<td>CP 17</td>
<td>(47)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consolidation, division, reorganization</td>
<td>CP 30</td>
<td>(3)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 30</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Library, state; board of commissioners, membership</td>
<td>DP 64</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## INDEX

<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Education Board; per diem, expense</td>
<td>DP 53 (16)</td>
</tr>
<tr>
<td>Public educational system</td>
<td></td>
</tr>
<tr>
<td>Educational responsibilities</td>
<td>CP 7 (2)</td>
</tr>
<tr>
<td>Finance responsibilities</td>
<td>DP 10 (2, 3)</td>
</tr>
<tr>
<td></td>
<td>DP 8 (15)</td>
</tr>
<tr>
<td></td>
<td>DP 53 (15)</td>
</tr>
<tr>
<td></td>
<td>DP 54 (4)</td>
</tr>
<tr>
<td>Public funds, management</td>
<td>CP 27</td>
</tr>
<tr>
<td>Public notice</td>
<td></td>
</tr>
<tr>
<td>Local, special laws</td>
<td>CP 3 (13)</td>
</tr>
<tr>
<td>Retirement laws, changes</td>
<td>CP 11 (1)</td>
</tr>
<tr>
<td>Public officials</td>
<td></td>
</tr>
<tr>
<td>Impeachment</td>
<td>CP 3 (24)</td>
</tr>
<tr>
<td>Legislative removal</td>
<td>CP 3 (25)</td>
</tr>
<tr>
<td>Recall</td>
<td>CP 3 (22, 27)</td>
</tr>
<tr>
<td></td>
<td>CP 8 (27)</td>
</tr>
<tr>
<td></td>
<td>CP 17 (15)</td>
</tr>
<tr>
<td>Salary changes</td>
<td>CP 3 (11)</td>
</tr>
<tr>
<td>Public Service Commission; initial terms, rate proposals</td>
<td>CP 16 (10, 13)</td>
</tr>
<tr>
<td></td>
<td>DP 19 (1, 4)</td>
</tr>
<tr>
<td></td>
<td>DR 68</td>
</tr>
<tr>
<td>Public welfare system</td>
<td>CP 14 (1)</td>
</tr>
<tr>
<td>Qualifications</td>
<td>CP 3 (4, 6)</td>
</tr>
<tr>
<td>Quorum</td>
<td>CP 3 (9)</td>
</tr>
<tr>
<td>Reapportionment</td>
<td>CP 3 (4, 5)</td>
</tr>
<tr>
<td>Recall, governmental officials</td>
<td>CP 3 (27)</td>
</tr>
<tr>
<td></td>
<td>CP 3 (26)</td>
</tr>
<tr>
<td>Regents, Board of Per diem, expenses</td>
<td>CP 7 (7)</td>
</tr>
<tr>
<td>Staff</td>
<td>DP 53 (14)</td>
</tr>
<tr>
<td>Reorganization, executive branch</td>
<td>CP 4 (22, 23)</td>
</tr>
<tr>
<td></td>
<td>CP 19</td>
</tr>
<tr>
<td></td>
<td>CP 31</td>
</tr>
<tr>
<td></td>
<td>CP 32</td>
</tr>
<tr>
<td></td>
<td>DP 29</td>
</tr>
<tr>
<td></td>
<td>DR 46</td>
</tr>
<tr>
<td>Retirement</td>
<td>DR 47</td>
</tr>
<tr>
<td>Retirement</td>
<td>CP 11 (1)</td>
</tr>
<tr>
<td>State officers and employees</td>
<td>DP 36</td>
</tr>
<tr>
<td>Revenue Sharing</td>
<td></td>
</tr>
<tr>
<td>Fund, allocations to</td>
<td>CP 26 (6)</td>
</tr>
<tr>
<td>Funds, distribution</td>
<td>CP 26 (7)</td>
</tr>
<tr>
<td>Rules, discipline</td>
<td>CP 3 (6)</td>
</tr>
<tr>
<td>Salaries</td>
<td></td>
</tr>
<tr>
<td>Legislators</td>
<td>CP 3 (4)</td>
</tr>
<tr>
<td>Public officers</td>
<td>CP 3 (11)</td>
</tr>
<tr>
<td>DP 56</td>
<td></td>
</tr>
<tr>
<td>School board expenditures, increases</td>
<td>DP 3</td>
</tr>
<tr>
<td>School boards, systems; existing, legislative power; creation</td>
<td>CP 7 (13)</td>
</tr>
<tr>
<td></td>
<td>DP 52 (9)</td>
</tr>
<tr>
<td></td>
<td>DP 54 (7)</td>
</tr>
<tr>
<td></td>
<td>DP 92 (5)</td>
</tr>
<tr>
<td>Senate (See also &quot;Membership&quot;, &quot;Presiding Officers&quot;, Procedure&quot;, etc. herein)</td>
<td></td>
</tr>
<tr>
<td>Appointment confirmations</td>
<td>CP 4 (13)</td>
</tr>
<tr>
<td>Gubernatorial Education Superintendent</td>
<td>DR 45</td>
</tr>
<tr>
<td>Elementary and Secondary Education, State Board of; certain members</td>
<td>CP 7 (3)</td>
</tr>
<tr>
<td>Generally</td>
<td>CP 4 (5)</td>
</tr>
<tr>
<td>Library, state; board of commissioners</td>
<td>DP 54</td>
</tr>
<tr>
<td>LSU Board of Supervisors</td>
<td>CP 7 (9)</td>
</tr>
<tr>
<td>Pardons, Board of</td>
<td>CP 4 (5)</td>
</tr>
<tr>
<td>Public education board</td>
<td>DP 8</td>
</tr>
<tr>
<td></td>
<td>DP 53 (5)</td>
</tr>
<tr>
<td>Public Service Commission</td>
<td>DP 19 (1)</td>
</tr>
<tr>
<td>Regents, Board of</td>
<td>CP 7 (7)</td>
</tr>
<tr>
<td>Trustees, Board of</td>
<td>CP 7 (8)</td>
</tr>
<tr>
<td>Appropriations</td>
<td>CP 3 (18)</td>
</tr>
<tr>
<td>Finance committee chairman; Interim Emergency Board, member</td>
<td>CP 15 (8)</td>
</tr>
<tr>
<td>Impeachment trial</td>
<td>CP 3 (24)</td>
</tr>
<tr>
<td>Sessions</td>
<td></td>
</tr>
<tr>
<td>Alternative proposal</td>
<td>DP 103</td>
</tr>
<tr>
<td>Annual</td>
<td>CP 3 (2)</td>
</tr>
<tr>
<td>Extraordinary</td>
<td></td>
</tr>
<tr>
<td>Appropriation</td>
<td>CP 3 (18)</td>
</tr>
<tr>
<td>Generally</td>
<td>CP 3 (2)</td>
</tr>
<tr>
<td>Governor, call</td>
<td>CP 3 (2)</td>
</tr>
<tr>
<td>Implement</td>
<td>CP 38 (25)</td>
</tr>
<tr>
<td>Length</td>
<td>CP 3 (2)</td>
</tr>
<tr>
<td>Recess</td>
<td>DP 16 (1)</td>
</tr>
<tr>
<td>Veto</td>
<td>CP 3 (20)</td>
</tr>
<tr>
<td>Size</td>
<td>CP 3 (3)</td>
</tr>
<tr>
<td>Statewide elected officials</td>
<td></td>
</tr>
<tr>
<td>Appointment in lieu of election</td>
<td>CP 4 (23)</td>
</tr>
<tr>
<td></td>
<td>DR 46</td>
</tr>
<tr>
<td></td>
<td>DR 47</td>
</tr>
<tr>
<td></td>
<td>DP 51</td>
</tr>
<tr>
<td></td>
<td>DP 52</td>
</tr>
<tr>
<td>Compensation</td>
<td>CP 4 (4)</td>
</tr>
<tr>
<td>Inability declaration, consideration</td>
<td>CP 4 (4)</td>
</tr>
<tr>
<td>Reestablish elective office</td>
<td>DR 46</td>
</tr>
<tr>
<td></td>
<td>DR 47</td>
</tr>
<tr>
<td></td>
<td>DP 51</td>
</tr>
<tr>
<td></td>
<td>DP 52</td>
</tr>
<tr>
<td>Subpoena powers</td>
<td>CP 3 (6)</td>
</tr>
<tr>
<td>Special districts; creation</td>
<td>CP 8 (16)</td>
</tr>
<tr>
<td>Suits against the state</td>
<td>CP 17 (22)</td>
</tr>
<tr>
<td>Supreme Court; districts, number of judges</td>
<td>CP 3 (14)</td>
</tr>
<tr>
<td></td>
<td>CP 6 (4)</td>
</tr>
<tr>
<td></td>
<td>CP 21 (4)</td>
</tr>
<tr>
<td></td>
<td>DP 35</td>
</tr>
<tr>
<td></td>
<td>DP 38</td>
</tr>
<tr>
<td>Taxation</td>
<td></td>
</tr>
<tr>
<td>Ad valorem prohibition</td>
<td>CP 8 (33)</td>
</tr>
<tr>
<td>Legislation; introduction, consideration; certain sessions</td>
<td>CP 3 (2)</td>
</tr>
<tr>
<td>Local government</td>
<td>CP 8 (29)</td>
</tr>
<tr>
<td>Occupational license tax local government levy</td>
<td>CP 8 (34)</td>
</tr>
<tr>
<td></td>
<td>CP 17 (23)</td>
</tr>
<tr>
<td>Powers, limitations</td>
<td>CP 15 (1, 2, 4, 17)</td>
</tr>
<tr>
<td>Relief</td>
<td>CP 26 (1)</td>
</tr>
<tr>
<td>Sales tax, exemptions</td>
<td>CP 8 (35)</td>
</tr>
<tr>
<td></td>
<td>CP 17 (34)</td>
</tr>
<tr>
<td>Term of office, taking office</td>
<td>DP 39</td>
</tr>
<tr>
<td>Treasurer's report</td>
<td>CP 3 (4, 27)</td>
</tr>
<tr>
<td>determination, degree</td>
<td>CP 4 (9)</td>
</tr>
<tr>
<td>Trusts; heirship, substitution</td>
<td>DR 31</td>
</tr>
<tr>
<td>Vacancies</td>
<td>CP 3 (4, 8)</td>
</tr>
<tr>
<td>Vote, record</td>
<td>CP 3 (9)</td>
</tr>
<tr>
<td>Water bottoms, alienation</td>
<td>CP 10 (1)</td>
</tr>
<tr>
<td>Wildlife and Fisheries Commission; functions, duties, compensation</td>
<td>CP 16 (7)</td>
</tr>
</tbody>
</table>

## LEVEES AND LEVEE DISTRICTS

<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bonds, indebtedness use of tax avails</td>
<td>CP 8 (45)</td>
</tr>
<tr>
<td>CP 17 (46)</td>
<td></td>
</tr>
<tr>
<td>Districts</td>
<td></td>
</tr>
<tr>
<td>Existence, continuation</td>
<td>CP 8 (43)</td>
</tr>
<tr>
<td>CP 17 (44)</td>
<td></td>
</tr>
<tr>
<td>Interstate, creation</td>
<td>CP 8 (45)</td>
</tr>
<tr>
<td>CP 17 (47)</td>
<td></td>
</tr>
<tr>
<td>Water bottoms, alienation</td>
<td>CP 30 (3)</td>
</tr>
<tr>
<td>Instrument No.</td>
<td>Section No.</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Organization</td>
<td>DP 30</td>
</tr>
<tr>
<td>Orleans Board of Levee Commissioners; taxation, increase</td>
<td>CP 8 (44)</td>
</tr>
<tr>
<td>Property use, destruction; compensation</td>
<td>CP 17 (45)</td>
</tr>
<tr>
<td>Taxation</td>
<td>CP 17 (45)</td>
</tr>
<tr>
<td>Levy</td>
<td>CP 17 (45)</td>
</tr>
<tr>
<td>Millage limitation</td>
<td>CP 8 (44)</td>
</tr>
<tr>
<td>Property use, destruction; compensation</td>
<td>CP 8 (48)</td>
</tr>
<tr>
<td>Transition, statutory</td>
<td>CP 8 (49)</td>
</tr>
<tr>
<td>U. S. government, cooperation</td>
<td>CP 8 (51)</td>
</tr>
<tr>
<td></td>
<td>CP 17 (45)</td>
</tr>
<tr>
<td></td>
<td>CP 17 (45)</td>
</tr>
<tr>
<td></td>
<td>CP 17 (45)</td>
</tr>
<tr>
<td>LIBRARY, State; board of commissioners</td>
<td>DP 64</td>
</tr>
<tr>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
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</tr>
<tr>
<td>LIEUTENANT GOVERNOR</td>
<td></td>
</tr>
<tr>
<td>Compensation</td>
<td>CP 4 (4)</td>
</tr>
<tr>
<td>Election, term of office</td>
<td>CP 4 (3)</td>
</tr>
<tr>
<td>Executive branch</td>
<td>CP 4 (1)</td>
</tr>
<tr>
<td>Governor, acting</td>
<td>CP 4 (21)</td>
</tr>
<tr>
<td>Legislative removal immunity</td>
<td>CP 8 (25, 26)</td>
</tr>
<tr>
<td>Powers, duties</td>
<td>CP 8 (6)</td>
</tr>
<tr>
<td>Qualifications</td>
<td>CP 8 (2)</td>
</tr>
<tr>
<td>Vacancy, succession procedure</td>
<td>CP 8 (15)</td>
</tr>
<tr>
<td>LOBBYING (See CONSTITUTIONAL CONVENTION, Rules)</td>
<td></td>
</tr>
<tr>
<td>LOCAL GOVERNMENT</td>
<td></td>
</tr>
<tr>
<td>Assessment procedures, public improvements</td>
<td>CP 8 (40)</td>
</tr>
<tr>
<td></td>
<td>CP 8 (40)</td>
</tr>
<tr>
<td>Authority; codify ordinances</td>
<td>CP 8 (12)</td>
</tr>
<tr>
<td>Bonds, general obligation</td>
<td>CP 8 (40)</td>
</tr>
<tr>
<td>Authorization</td>
<td>CP 8 (25)</td>
</tr>
<tr>
<td>Publication of issue; election</td>
<td>CP 8 (39)</td>
</tr>
<tr>
<td></td>
<td>CP 17 (41)</td>
</tr>
<tr>
<td>Charters</td>
<td>CP 8 (30)</td>
</tr>
<tr>
<td>Continued effect</td>
<td>CP 8 (30)</td>
</tr>
<tr>
<td>Home rule</td>
<td>CP 8 (30)</td>
</tr>
<tr>
<td></td>
<td>CP 17 (41)</td>
</tr>
<tr>
<td>Employees; duties, compensation</td>
<td>DP 36</td>
</tr>
<tr>
<td>Ethics</td>
<td>CP 22</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Instrument No.</td>
<td>(Section No.)</td>
</tr>
<tr>
<td>---------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Legislative action</td>
<td>CP 8 (5)</td>
</tr>
<tr>
<td>CP 17 (5)</td>
<td></td>
</tr>
<tr>
<td>Classification by population, other basis</td>
<td>CP 8 (6)</td>
</tr>
<tr>
<td>CP 17 (6)</td>
<td></td>
</tr>
<tr>
<td>Ethics</td>
<td>CP 22</td>
</tr>
<tr>
<td>Governing authority; codify ordinances</td>
<td>CP 17 (12.1)</td>
</tr>
<tr>
<td>Incorporation, consolidation, merger, government</td>
<td>CP 8 (5)</td>
</tr>
<tr>
<td>CP 17 (5)</td>
<td></td>
</tr>
<tr>
<td>Monroe; educational finance purposes, treatment as parish</td>
<td>CP 7 (16)</td>
</tr>
<tr>
<td>DP 54 (4.1)</td>
<td></td>
</tr>
<tr>
<td>New Orleans</td>
<td></td>
</tr>
<tr>
<td>Assessors, Board of; election, terms</td>
<td>CP 26 (8)</td>
</tr>
<tr>
<td>Government, home rule charter</td>
<td>CP 8 (7)</td>
</tr>
<tr>
<td>CP 17 (7)</td>
<td></td>
</tr>
<tr>
<td>Tax limits, exception</td>
<td>CP 8 (32)</td>
</tr>
<tr>
<td>CP 17 (32)</td>
<td></td>
</tr>
<tr>
<td>Parish school board, general ad valorem tax proceeds</td>
<td>CP 7 (16)</td>
</tr>
<tr>
<td>DP 54 (4.1)</td>
<td></td>
</tr>
<tr>
<td>Board, teachers; dual officeholding</td>
<td>CP 23</td>
</tr>
<tr>
<td>School Financing; bonded indebtedness, limitations</td>
<td>CP 8 (38)</td>
</tr>
<tr>
<td>CP 17 (40)</td>
<td></td>
</tr>
<tr>
<td>Shreveport; government, home rule charter</td>
<td>CP 8 (7)</td>
</tr>
<tr>
<td>CP 17 (7)</td>
<td></td>
</tr>
<tr>
<td>Statute applicability, ordinance</td>
<td>CP 8 (6)</td>
</tr>
<tr>
<td>CP 17 (6)</td>
<td></td>
</tr>
<tr>
<td>Taxation, ad valorem; levy, increase</td>
<td>CP 8 (31)</td>
</tr>
<tr>
<td>CP 17 (32)</td>
<td></td>
</tr>
<tr>
<td>Terms, definitions</td>
<td>CP 17 (51)</td>
</tr>
<tr>
<td>—— N ——</td>
<td></td>
</tr>
<tr>
<td>NATURAL RESOURCES (See also ENVIRONMENT, WILDLIFE AND FISHERIES, AGRICULTURE, WATER AND WATER DISTRICTS)</td>
<td></td>
</tr>
<tr>
<td>Alienation, water bottoms; legislative authority</td>
<td>CP 16 (1)</td>
</tr>
<tr>
<td>Alluvion, mineral rights</td>
<td>CP 34 (4)</td>
</tr>
<tr>
<td>CP 16 (15)</td>
<td></td>
</tr>
<tr>
<td>Coastal waterways, three-mile limit; minerals</td>
<td>CP 16 (3)</td>
</tr>
<tr>
<td>Erosion, land lost; mineral rights</td>
<td>CP 16 (16)</td>
</tr>
<tr>
<td>CP 34 (7)</td>
<td></td>
</tr>
<tr>
<td>Forestry</td>
<td></td>
</tr>
<tr>
<td>Acreage taxes</td>
<td>CP 34 (13)</td>
</tr>
<tr>
<td>Commission</td>
<td>CP 16 (8)</td>
</tr>
<tr>
<td>CP 34 (13)</td>
<td></td>
</tr>
<tr>
<td>Generally</td>
<td>CP 15 (6)</td>
</tr>
<tr>
<td>State Forester</td>
<td>CP 16 (9)</td>
</tr>
<tr>
<td>CP 34 (13)</td>
<td></td>
</tr>
<tr>
<td>Timber, ad valorem taxation</td>
<td>CP 15 (4)</td>
</tr>
<tr>
<td>Geothermal-Geopressure Resources</td>
<td>CP 16 (14)</td>
</tr>
<tr>
<td>CP 34 (2)</td>
<td></td>
</tr>
<tr>
<td>Minerals</td>
<td></td>
</tr>
<tr>
<td>Leases</td>
<td>CP 34 (6.1)</td>
</tr>
<tr>
<td>Generally; public notice</td>
<td>CP 34 (2.4)</td>
</tr>
<tr>
<td>Royalty Road Fund</td>
<td>CP 34 (2)</td>
</tr>
<tr>
<td>Natural gas</td>
<td>CP 34 (2)</td>
</tr>
<tr>
<td>Pipeliners, interstate, intrastate</td>
<td>CP 34 (2)</td>
</tr>
<tr>
<td>Public Policy</td>
<td>CP 34 (2)</td>
</tr>
<tr>
<td>Mineral rights</td>
<td></td>
</tr>
<tr>
<td>Prescription</td>
<td>CP 34 (5)</td>
</tr>
<tr>
<td>Public notice, bidding</td>
<td>CP 34 (6.1)</td>
</tr>
<tr>
<td>Reservation</td>
<td>CP 34 (5)</td>
</tr>
<tr>
<td>Severance tax</td>
<td>CP 15 (4)</td>
</tr>
<tr>
<td>Tidelands, mineral revenues</td>
<td>CP 16 (4)</td>
</tr>
<tr>
<td>CP 34 (10)</td>
<td></td>
</tr>
<tr>
<td>Water bottoms, mineral rights</td>
<td>CP 16 (1)</td>
</tr>
<tr>
<td>CP 34 (8)</td>
<td></td>
</tr>
</tbody>
</table>

**NEWS MEDIA**

Free activity | CP 2 (9) |
| CP 25 (9) |
| Journal, official | |
| Initiative proposal, publication | CP 1 (7) |
| Laws enacted, publication | CP 3 (21) |
| Reporters, information sources; protection | DP 2 |

**NOTARIES PUBLIC**

Dual officeholding, exclusion | CP 23 |
| Ex officio, clerks of district court | CP 6 (33) |
| CP 21 (31) |

**OIL** (See NATURAL RESOURCES)

**P**

**PARDON, BOARD**

Continuance, provisional | CP 38 (21) |

**PARISHES** (See also LOCAL GOVERNMENT, MUNICIPALITIES)

Boundaries | |
<p>| Assets, liabilities; proportionate adjustment | CP 8 (3) |
| CP 17 (3) |
| Election | CP 8 (2) |
| CP 17 (2) |
| Generally | CP 8 (1) |
| CP 17 (1) |
| Charter, home rule | CP 8 (7) |
| CP 17 (7) |
| Commission, election | CP 8 (8) |
| CP 17 (8) |
| Incorporation | CP 8 (9) |
| CP 17 (11) |
| City-parish government; civil service, establishment | CP 9 (1) |
| CP 10 (1) |
| CP 27 (1) |
| Classification by population, other basis | CP 8 (6) |
| CP 17 (6) |
| East Baton Rouge Parish; government, home rule charter | CP 8 (7) |
| CP 17 (7) |
| Ethics | CP 22 |
| Governing authority | CP 34 (8) |
| CP 34 (33) |
| Certain vacancies, filling | CP 21 (33) |
| Codify ordinances | CP 17 (12.1) |
| Industrial areas, authorization | CP 8 (24) |
| CP 17 (21) |
| Jackson Parish, ad valorem taxation | CP 8 (30) |
| CP 17 (31) |
| Jefferson Parish; government, home rule charter | CP 8 (7) |
| CP 17 (7) |
| Ouachita Parish, Monroe school funds | DP 54 (4.1) |
| School systems | CP 7 (16) |
| Orleans Parish | |
| Assessor board, composition | CP 26 (8) |
| CP 28 (1) |
| Board of Commissioners, Port of New Orleans | CP 8 (42) |
| CP 17 (50) |
| Levee Commissioners, board; tax increases | CP 8 (44) |
| CP 17 (45) |
| Municipal civil service | CP 9 (1) |
| CP 27 (1) |
| Parish court officials, certain; continuation | CP 6 (37) |
| CP 21 (35) |
| DP 37 |
| DP 40 |</p>
<table>
<thead>
<tr>
<th>Instrument No.</th>
<th>(Section No.)</th>
<th>Instrument No.</th>
<th>(Section No.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxation, ad valorem</td>
<td>CP 8 (30)</td>
<td>Legislation, action</td>
<td>CP 3 (17)</td>
</tr>
<tr>
<td>CP 17 (31)</td>
<td>CP 17 (31)</td>
<td>Observation, individual right</td>
<td>CP 1 (11)</td>
</tr>
<tr>
<td>Plaquemines Parish; government, home rule charter</td>
<td>CP 8 (7)</td>
<td>PUBLIC OFFICIALS</td>
<td>CP 35 (4)</td>
</tr>
<tr>
<td>CP 17 (31)</td>
<td>CP 17 (31)</td>
<td>Advisory boards, commissions; dual officeholding, exclusion</td>
<td>CP 23*</td>
</tr>
<tr>
<td>CP 54 (4.1)</td>
<td>CP 54 (4.1)</td>
<td>Compensation; non-salaried commissioners</td>
<td>DP 12*</td>
</tr>
<tr>
<td>Registrar of voters, appointment</td>
<td>CP 20 (10)</td>
<td>Dual officeholding</td>
<td>DP 11 (19)</td>
</tr>
<tr>
<td>Royalty Road Fund</td>
<td>CP 16 (2, 4)</td>
<td></td>
<td>CP 4 (19)</td>
</tr>
<tr>
<td>School board, teachers; dual officeholding</td>
<td>CP 23</td>
<td>Highway, Board of</td>
<td>DP 26</td>
</tr>
<tr>
<td>Seat, change; petition, election</td>
<td>CP 8 (4)</td>
<td>Elected</td>
<td>DP 26</td>
</tr>
<tr>
<td>Sheriff, financing office</td>
<td>DP 77</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State penal institutions, reimbursement</td>
<td>CP 12 (1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Statute applicability, ordinance</td>
<td>CP 8 (6)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Superintendent of schools; creation, election, qualifications, duties</td>
<td>CP 7 (12)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taxation, ad valorem</td>
<td>CP 17 (31)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PENAL INSTITUTIONS (See CORRECTIONAL AND PENAL INSTITUTIONS)</td>
<td></td>
<td>PUBLIC RECORDS</td>
<td></td>
</tr>
<tr>
<td>POLICE AND POLICEMEN, Civil Service (See CIVIL SERVICE, Municipal)</td>
<td></td>
<td>Examination, individual right</td>
<td>CP 1 (11)</td>
</tr>
<tr>
<td>POLICE JURIES (See PARISHES, LOCAL GOVERNMENT)</td>
<td></td>
<td>Mineral leases; public notice</td>
<td>CP 34 (1)</td>
</tr>
<tr>
<td>POLITICAL RIGHTS (See CIVIL RIGHTS)</td>
<td></td>
<td>Financial reports, records</td>
<td>CP 15 (14)</td>
</tr>
<tr>
<td>POLITICAL SUBDIVISIONS (See LOCAL GOVERNMENT, PARISHES, MUNICIPALITIES, particular subject)</td>
<td></td>
<td>Journal, official state</td>
<td>CP 1 (7)</td>
</tr>
<tr>
<td>PORTS, HARBORS AND TERMINALS</td>
<td></td>
<td>Official; administration, preservation; secretary of state</td>
<td>CP 4 (10)</td>
</tr>
<tr>
<td>Board of Commissioners, Port of New Orleans, composition, powers, functions, territorial jurisdiction</td>
<td>CP 8 (42)</td>
<td>Parish recorder, clerk of district court</td>
<td>CP 6 (33)</td>
</tr>
<tr>
<td>Commissions, districts; existence continued</td>
<td>CP 8 (42)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terms, definitions</td>
<td>CP 8 (50)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transition, statutory</td>
<td>CP 38 (16)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PRESCRIPTION; state, political subdivisions</td>
<td>CP 8 (22)</td>
<td></td>
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<td></td>
<td>CP 17 (29)</td>
<td></td>
<td></td>
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<tr>
<td>PROPERTY (See also NATURAL RESOURCES)</td>
<td></td>
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<tr>
<td>Confiscated, taxes</td>
<td>CP 15 (17)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highway rights of way, acquisition</td>
<td>DP 4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homestead exemptions</td>
<td>DP 16 (1, 2, 3)</td>
<td></td>
<td></td>
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<tr>
<td>Levees</td>
<td></td>
<td>Reestablishment of elective office, legislative power</td>
<td>DR 46</td>
</tr>
<tr>
<td>Appropriation</td>
<td>CP 25 (3)</td>
<td></td>
<td>DR 47</td>
</tr>
<tr>
<td>Districts; use, destruction; compensation</td>
<td>CP 8 (48)</td>
<td></td>
<td>DR 51</td>
</tr>
<tr>
<td>Local government</td>
<td></td>
<td></td>
<td>DP 52</td>
</tr>
<tr>
<td>Acquisition, expropriation</td>
<td>CP 8 (20, 21)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zoning</td>
<td>CP 17 (27, 28)</td>
<td></td>
<td></td>
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<tr>
<td>CP 17 (27, 28)</td>
<td>CP 17 (27, 28)</td>
<td></td>
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<tr>
<td>Private ownership, expropriation</td>
<td>CP 2 (4)</td>
<td></td>
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<tr>
<td>CP 25 (4)</td>
<td>CP 25 (4)</td>
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<td>Public</td>
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<tr>
<td>Loan, credit, donation</td>
<td>CP 15 (16)</td>
<td></td>
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<tr>
<td>Seizure, judgment</td>
<td>CP 3 (14)</td>
<td></td>
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<td>CP 35 (7)</td>
<td>CP 35 (7)</td>
<td></td>
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<tr>
<td>State-owned, definition</td>
<td>CP 34 (8)</td>
<td></td>
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<tr>
<td>CP 35 (7)</td>
<td>CP 35 (7)</td>
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</tr>
<tr>
<td>Trusts, minors; heirship</td>
<td>CP 31</td>
<td></td>
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<tr>
<td>Vested Rights</td>
<td>CP 35 (8)</td>
<td></td>
<td></td>
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<tr>
<td>PUBLIC HEALTH (See HEALTH)</td>
<td></td>
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<td>PUBLIC MEETINGS</td>
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<tr>
<td>Assembly, right to</td>
<td>CP 2 (11)</td>
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<td></td>
<td>CP 25 (11)</td>
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<td>DP 10</td>
<td>(1)</td>
<td>Five districts</td>
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<tr>
<td>DP 68</td>
<td></td>
<td>CP 38 (18)</td>
<td></td>
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<td></td>
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<td>PUBLIC UTILITIES</td>
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<td>Bonds, debt obligation; local government</td>
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<td>CP 8 (41)</td>
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<td>Public Service Commission, authority</td>
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<td>CP 18 (11-13)</td>
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<td>CP 19 (2)</td>
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<td>DP 68</td>
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<td>PUBLIC WELFARE</td>
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<td>Economic security</td>
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<td>CP 14 (1)</td>
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<td>System</td>
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<td>CP 14 (1)</td>
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<td>RACE (See CIVIL RIGHTS)</td>
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<td>REAPPORTIONMENT (See LEGISLATURE, COURTS)</td>
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<td>RECALL (See ELECTIONS)</td>
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<td>RELIGION (See CIVIL RIGHTS)</td>
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<td>REORGANIZATION, GOVERNMENTAL; executive branch</td>
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<td>CP 4 (22, 23)</td>
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<td>CP 19</td>
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<td>CP 31 (1)</td>
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<td>CP 32</td>
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<td>DP 29</td>
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<td>DR 48</td>
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<td>DP 52</td>
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<td>RETIREMENT AND RETIREMENT SYSTEMS</td>
<td></td>
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<td>Amendments, legislative changes; public notice</td>
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<td>CP 11 (1)</td>
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<td>Generally</td>
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<td>CP 11 (1)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Judges</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>CP 6 (25)</td>
<td></td>
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<td></td>
<td></td>
<td>CP 21 (23)</td>
<td></td>
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<td></td>
<td></td>
<td>DP 45</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Law enforcement officers, survivors; financial security</td>
<td></td>
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<td>CP 11 (1)</td>
<td></td>
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<td></td>
<td></td>
<td>Monies, handling</td>
<td></td>
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<tr>
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<td></td>
<td>CP 4 (9)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Public school employees</td>
<td></td>
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<td>CP 11 (1)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>State officers and employees</td>
<td></td>
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<td></td>
<td>CP 11 (1)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>REVENUE (See FINANCE)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>ROADS (See HIGHWAYS, BRIDGES AND ROADS)</td>
<td></td>
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<td></td>
<td></td>
<td>RULES (See CONSTITUTION CONVENTION)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>RUSSELL SAGE WILDLIFE AND GAME REFUGE</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>CP 34 (8)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SALARIES (See particular official)</td>
<td></td>
</tr>
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<td></td>
<td>SCHOOLS (See EDUCATION)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>SECRETARY OF STATE</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Compensation</td>
<td></td>
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<tr>
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<td></td>
<td>CP 4 (4)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Corporate stockholders, registration</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>DP 57</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Election returns, promulgation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>CP 4 (3)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Election, state education boards; notification</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>CP 30 (3)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Election, term of office</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>CP 4 (3)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Executive branch</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>CP 4 (1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Initiative, procedures</td>
<td></td>
</tr>
<tr>
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<td></td>
<td>CP 1 (5-7)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Powers, duties</td>
<td></td>
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<tr>
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<td>CP 4 (7)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Qualifications</td>
<td></td>
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<tr>
<td></td>
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<td>CP 4 (2)</td>
<td></td>
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<tr>
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<td></td>
<td>Statewide elective official; disability declaration, filing</td>
<td></td>
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<td>CP 4 (19)</td>
<td></td>
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<td></td>
<td>Vacancies, local government; notification</td>
<td></td>
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<td></td>
<td>CP 17 (15)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>SHERIFFS AND EX OFFICIO TAX COLLECTORS</td>
<td></td>
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<td></td>
<td>Election, term, duties</td>
<td></td>
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<td></td>
<td>CP 3 (32)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Financing of office</td>
<td></td>
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<td></td>
<td>DP 77</td>
<td></td>
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<td></td>
<td></td>
<td>Orleans Parish; continuation, terms, duties, powers; reduction of terms,</td>
<td></td>
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<td></td>
<td></td>
<td>retirement benefits, compensation</td>
<td></td>
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<td>CP 6 (37)</td>
<td></td>
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<td></td>
<td></td>
<td>Powers; home rule charter</td>
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<td></td>
<td>CP 17 (8)</td>
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<td>CP 21 (35)</td>
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<td>Salary, retirement benefits; reduction</td>
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<td>CP 21 (34)</td>
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<td>Vacancies</td>
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<td>CP 6 (33)</td>
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<td>CP 21 (32)</td>
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<td>SPECIAL DISTRICTS</td>
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<td>Consolidation, debt assumption</td>
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<td>CP 8 (18)</td>
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<td>Prescription</td>
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<td>CP 8 (18)</td>
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<td>CP 17 (22)</td>
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<td>STATE AGENCIES</td>
<td></td>
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<td>Executive Department, number</td>
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<td>CP 4 (1)</td>
<td></td>
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<td></td>
<td>Stock purchase; corporations, associations; prohibition</td>
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<td>DP 94</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>SUITS AGAINST THE STATE AND POLITICAL SUBDIVISIONS</td>
<td></td>
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<td></td>
<td>Legislative authorization</td>
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<td>CP 3 (14)</td>
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<td>Survivors, certain law enforcement officers</td>
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<td>CP 11 (1)</td>
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<td>Waiving immunity; effective date</td>
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<td>CP 38 (23)</td>
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<td>TAXATION (See FINANCE)</td>
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<td>TRADEMARKS (See BUSINESS AND INDUSTRY)</td>
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<td>TRANSITIONAL PROVISIONS (Also see particular subject)</td>
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<td>CP 38 (1-26)</td>
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<td>Election, term of office</td>
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**CONSTITUTIONAL CONVENTION CALENDAR**

**VOCATIONAL-TECHNICAL EDUCATION**  
(See EDUCATION)

**VOTING**  
(See ELECTIONS, SECRETARY OF STATE)

**WATER AND WATER DISTRICTS, mineral rights**

**WELFARE**  
(See PUBLIC WELFARE)

**WILDLIFE AND FISHERIES**  
(See also ENVIRONMENT, NATURAL RESOURCES,

**WATER AND WATER DISTRICTS**
- Commission  
- Director, Forestry Commission member
- Wildlife, definition

**WOMEN**  
(See CIVIL RIGHTS)

**ZONING**
- Highway development