

SENATE CONCURRENT RESOLUTION NO. 179

BY SENATORS ALARIO, ADLEY, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVES ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BROWN, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHA, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, IVEY, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LOPINTO, LORUSSO, MACK, MILLER, MONToucET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RITCHIE, ROBIDEAUX, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN, SIMON, SMITH, ST. GERMAIN, STOKES, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, WILLMOTT AND WOODRUFF

A CONCURRENT RESOLUTION

To recognize the fortieth anniversary of the ratification of the Louisiana Constitution of 1974 and to commend those framers and delegates to the Constitutional Convention of 1973 for their extraordinary public service to the state of Louisiana.

WHEREAS, the Legislature of Louisiana duly recognizes April 20, 2014, as the fortieth anniversary of the ratification of the Constitution of 1974 by the electorate and commends the delegates to the Constitutional Convention of 1973 upon the successful confection of a new constitution, a collaborative effort of representative democracy considered to be the most significant achievement in Louisiana's history during the twentieth century; and

WHEREAS, the present constitution lies at the epicenter of the infrastructure of state government as a definitive legal instrument composed of fourteen articles that clearly delineate the rights of individuals, describes the distribution and powers to state officials and local governments, and establishes both state and local civil service systems; and

WHEREAS, as a historic document, the constitution reflects Louisiana's European origins with singular emphasis applied to individual civil liberties and property rights, with precedence found in Spanish law and the Napoleonic Code; "to protect individual rights to life, liberty, and property"; and

WHEREAS, the delegation drafted the tenth revision of the state's constitution since statehood in 1812, that had previously been reworked in 1845, 1852, 1864, 1868, 1879, 1898, 1913, and 1921; and

WHEREAS, its predecessor, the Constitution of 1921, had become a conflicted legal quagmire, the most lengthy of all state constitutions with over 20,000 words containing five hundred amendments, one hundred seventy outside references, dedication of two-thirds of all state funding, and no internal provisions for constitutional reform; and

WHEREAS, lawmakers and government watch dog organizations such as the Public Affairs Research Council (PAR) raised objections to the antiquated 1921 Constitution as a hindrance to economic growth and flexibility within state and local governments; and

WHEREAS, in 1971, gubernatorial candidate, Congressman Edwin W. Edwards, ran on a campaign plank to implement a modern constitution and to streamline government; when elected, he was stymied in his efforts to reorganize the executive branch due to the inflexibility of the 1921 Constitution; and

WHEREAS, Act No. 2 of the 1972 Regular Session (House Bill No. 181 by Representative McLeod, and others) was the legislative instrument used to bring about change through the creation of the Constitutional Convention of 1973, known as CC 73, a collective of one hundred five delegates elected by popular vote from existing districts of the House of Representatives and twenty-seven delegates appointed by the governor; and

WHEREAS, convened on January 5, 1973, CC 73 delegates came from all corners of the state; they represented a cross-section of state demographics, as the greatest generation whose strength of character was forged by the global conflict of World War II, as activists of the "New South" who were the emerging national voice for minorities and women, and as a new generation of political novices taking their first steps in public service; Phillip Bergeron was the youngest elected delegate at eighteen years of age; and

WHEREAS, the roll call of elected delegates in order beginning with District One

are Jasper K. Smith, Alphonse Jackson Jr., Wellborn Jack, V. C. Shannon, Tom Stagg, Frank Fulco, Dr. Emmett Asseff, Ford E. Stinson, Charles "Buddy" Roemer, R. Harmon Drew, Bill P. Grier, Kenneth Dale Kilpatrick, E. L. "Bubba" Henry, Paul David Ginn, Shady Wall, Judge James L. "Jim" Dennis, Thomas W. Leigh, R. M. Elkins, J. A. "Jim" McDaniel, Lantz Womack, Jim Brown, Terry R. Reeves, Donald G. Kelly, H. M. "Mutt" Fowler, Richard S. Thompson, Chris J. Roy, Charles Slay, Miss Lynn Perkins, Cecil R. Blair, F. E. "Pete" Hernandez, Dr. J. E. Stephenson, Errol D. Deshotels, A. J. Planchard, Dr. Gerald N. Weiss, Mack Abraham, Conway LeBleu, Greg Arnette Jr., Clyde Fontenot, Walter J. Champagne Jr., Lawrence B. Sandoz Jr., I. Jackson Burson Jr., Ralph L. Cowen, Pat Juneau, Heloise C. Corne, E. J. Chatelain, J. Burton Willis, G. Hardee Jr., Minos H. Armentor, Perry Segura, F. D. "Dan" Winchester, Anthony J. Guarisco Jr., Stanwood R. Duval Jr., Charles A. Badeaux, Donald T. Bollinger, Walter I. Lanier Jr., Eual J. Landry Sr., Gordon J. Martin, N. E. Carmouche, Louis J. Lambert Jr., Jessel M. Ourso Sr., Herman J. "Monday" Lowe, Richard H. Kilbourne, George Dewey Hayes, Gary O'Neill, Harvey W. Cannon Jr., Louis "Woody" Jenkins, Miss Mary E. Wisham, J. D. De Blieux, Robert J. Aertker, R. Gordon Kean Jr., Calvin C. Fayard Jr., Joseph "Joe" E. Anzalone Jr., Autley B. Newton, James T. "Jim" Burns, B. B. "Sixty" Rayburn, Alvin D. Singletary, Edward J. "Eddie" D'Gerolamo, Wendell H. Gauthier, Rev. James L. Stovall, Joseph A. Conino, David Conroy, Harold J. Toca, John A. Alario Jr., Dr. Frank J. Ullo, Joseph F. Toomy, Matthew R. Sutherland, Earl J. Schmitt Jr., Mrs. Novyse E. Soniat, Moise W. Dennery, Thomas A. Casey, Louis Landrum Sr., Edward F. LeBreton Jr., Rev. Avery C. Alexander, Anthony J. Vesich Jr., Claude Mauberret Jr., James G. Derbes, Thomas A. Velazquez, Joseph I. Giarrusso Sr., Louis G. Riecke Sr., Phillip O. Bergeron, Johnny Jackson Jr., Mrs. George Ethel Warren, Elmer R. Tapper, Samuel B. Nunez Jr., and Chalin Perez; and

WHEREAS, delegates appointed by the governor to represent special interests included Edward N. Lennox, industry; Gordon Flory, labor; Horace C. Robinson, education; Anthony M. Rachal Jr., civil service; John L. "Jack" Avant, wildlife and conservation; Frank M. Edwards Jr., law enforcement; Albert Tate Jr., judiciary; Ruth Miller, professions;

Hilda Brien, consumers; Robert J. Munson, agriculture; Max N. Tobias Jr., youth; and Dorothy Mae Taylor, racial minorities; and

WHEREAS, at-large delegates appointed by the governor for extraordinary expertise in law and local governmental affairs included Tom Colten, Ambroise H. Landry, Pegram J. Mire, Clyde F. Bel Sr., Mary Zervigon, Joe N. Silverberg, John R. Thistlethwaite, Lawrence A. Chehardy, Kendall Vick, Judy Dunlap, J. K. Haynes, Richard P. Guidry, J. Kenneth Leithman, Risley C. Triche, and Camille F. Gravel Jr.; and

WHEREAS, emergency appointment of delegates to fulfill unexpired terms were filled by Dean Louis Berry, Emile Comar Jr., Paul H. Goldman, R. W. "Buzzy" Graham, Norman "Pete" Heine, Louis M. Jones, Corrine Maybruce, James W. Morris, Robert G. Pugh, and Charles Wattigny; and

WHEREAS, CC 73 was a unicameral body comprised of one hundred thirty-two delegates from all walks of life and some were the best legal minds of the time; it was a self-governing body that employed Mason's Manual of Legislative Procedure, a committee system, compromise and good humor, transparency of process with open debate, news media access, and community involvement with public meetings held across the state to gather public opinion and a sense of popular needs and wants, all of which advanced the acceptance of a new constitution; and

WHEREAS, CC 73 was reflective of the changing face of Louisiana's political scene; among its ranks were future leaders that included a governor, house clerk, senate secretary, judges, mayors, outstanding attorneys-at-law, and future legislators, such as the African American delegates who were the predecessors of an alliance that would become the Legislative Black Caucus; there were young movers and shakers who gave rise to the vanguard of the Young Turks of the 1970's in the House of Representatives, and future state officials who would contribute immeasurably to the executive, legislative, and judicial branches of state and local government; and

WHEREAS, CC 73 was a learning process that created a familiarity between delegates and constituents who were often separated by distance and biased by cultural stereotype; and

WHEREAS, at times, the atmosphere of CC 73 was highly contested, but mostly

congenial, and strong friendships were forged that have lasted over four decades; and

WHEREAS, CC 73 was a great success; the delegation had drafted a constitutional blueprint for a basic form of state government laden with protections for the individual and it had championed the tenets of equal opportunity, fair labor relations, small business interests, and expanded voter participation; and

WHEREAS, on January 16, 1974, CC 73 had concluded its business, and on January 19, 1974, the document was attested to with the signatures of its framers; that included chairman of the convention, E. L. "Bubba" Henry; vice chairmen, Ruth L. Miller, Thomas A. Casey, the Reverend Avery C. Alexander, and Chris J. Roy, treasurer, Herman J. "Monday" Lowe; and the remaining convention delegates that included among its number, Senate President John A. Alario Jr., then a member of the House of Representatives; and

WHEREAS, the new Louisiana Constitution of 1974 was ratified by an affirmative vote of the people on April 20, 1974, and took effect of January 1, 1975; and

WHEREAS, with the approach of change through positive deliberation, the delegates of CC 73 leave a remarkable legacy of genuine public service to the citizenry of Louisiana, who in turn, owe a great debt to these framers of the new constitution whose contributions have made Louisiana a better and more prosperous state in which to live.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby recognize the fortieth anniversary of the ratification of the Louisiana Constitution of 1974 and does hereby commend the delegates to the Constitutional Convention of 1973 for their extraordinary public service to the state of Louisiana.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to E. L. "Bubba" Henry, chairman of CC 73 and delegate from District 13, Senate President John A. Alario Jr., delegate from District 83, Alvin D. Singletary, attorney and delegate from District 76 and Judge Tom Stagg, delegate from District 5.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES