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BY HOLLY LELEUX-THUBRON

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Amendment addresses issue of deployed legislators

State Rep. Nicholas Lorusso, R-New Orleans, said he hopes after the Nov. 4 elections, seats left vacant by legislators called to active military duty could be filled.

One of seven constitutional amendments on the ballot for November, temporary successors for legislators ordered to active military duty, is an issue close to home for Lorusso, a lieutenant colonel in the U.S. Army Reserve, who has been notified that he could be called up to service by the end of the year.

In the past, if a member of the state Legislature reported for active duty, their seat in the house was left vacant until they returned. They continued to be paid for their service regardless of their absence, which was to the detriment of their district that lacked representation.

Nathan Abercrombie, Lorusso's legislative aide, said there are two and perhaps three members of the Legislature who currently serve in the military and are eligible to be deployed.

Abercrombie said widely known former state legislator and speaker of the House Hunt Downer was called to serve in Desert Storm during his years in office and because there was no protocol for such an event, the Legislature was not able to do anything about the vacant seat that remained empty until his return.

"Without an amendment like this, you are penalizing those that run for office and you are penalizing the folks that vote for affected legislators who, during their absence, lack representation in state government," he said.

He said in these situations taxpayers continue to pay the salary of a legislator regardless of whether they are present or on active duty. If a temporary successor was appointed as called for in the proposed amendment, the salary would be transferred to the successor.

Lorusso's amendment "would require that the Legislature provide for a method of appointing a temporary successor for legislators who are called to active duty."

He said the temporary successor would be prohibited from qualifying to run for the office while serving as a replacement, immediate family members would not be allowed to serve as temporary successors, and the elected legislator's order to active duty must be for a period of 180 days or more for a successor to be appointed with all eligibility qualifications required.

Although Abercrombie said there is a possibility of other legislators being affected by military active duty orders, the Public Affairs Research Council of Louisiana found Lorusso to be the only member of the current Legislature at risk of being called to active duty. PAR said this legislation was proposed so his

district would be represented in his absence and as a solution to this rare situation.

Lorusso said to his knowledge, the proposed amendment faces little opposition in the November election.

“We have heard there is zero opposition,” Lorusso said. “Everyone writing about it said there is as much sunshine on this bill as you could have.”