

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**  
**OF THE**  
**STATE OF LOUISIANA**

**SECOND DAY'S PROCEEDINGS**

**Twenty-ninth Extraordinary Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Monday, March 12, 2001

The House of Representatives was called to order at 5:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

Mr. Speaker	Gallot	Nevers
Alario	Glover	Odinot
Alexander, E	Green	Perkins
Alexander, R	Guillory	Pierre
Ansardi	Hammett	Pinac
Baudoin	Heaton	Pitre
Baylor	Hebert	Powell
Bowler	Hill	Quezaire
Broome	Holden	Richmond
Bruce	Hopkins	Riddle
Bruneau	Hudson	Romero
Carter, K	Hunter	Salter
Carter, R	Hutter	Scalise
Cazayoux	Iles	Schneider
Clarkson	Jackson, L	Schwegmann
Crane	Jackson, M	Shaw
Crowe	Johns	Smith, G.—56th
Damico	Katz	Smith, J.D.—50th
Daniel	Kennard	Smith, J.H.—8th
Dartez	Kenney	Smith, J.R.—30th
Devillier	LaFleur	Sneed
Diez	Lancaster	Stelly
Doerge	Landrieu	Strain
Donelon	LeBlanc	Thompson
Downer	Lucas	Toomy
Dupre	Martiny	Townsend
Durand	McCallum	Triche
Erdey	McDonald	Waddell
Farrar	McMains	Walsworth

Fauchoux	McVea	Welch
Flavin	Montgomery	Winston
Frith	Morrell	Wooton
Fruge	Morrish	Wright
Futrell	Murray	
Total—101		

ABSENT

Curtis	Pratt
Total—2	

The Speaker announced that there were 101 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Perkins.

**Pledge of Allegiance**

Rep. Clarkson led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Frith, the Journal of March 11, 2001, was adopted.

**Introduction of House Bills  
and Joint Resolutions**

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

**HOUSE BILL NO. 20—  
BY REPRESENTATIVE CROWE  
AN ACT**

To amend and reenact R.S. 26:344 and to enact R.S. 26:342.1, relative to alcoholic beverages taxes; to provide for an additional excise tax on certain alcoholic beverages; to create the Public School Classroom Teacher Salary Fund in the state treasury; to provide for the deposit of the proceeds from the tax into the fund; to provide for the use of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. McDonald, the bill was returned to the calendar.

**HOUSE BILL NO. 21—  
BY REPRESENTATIVE CROWE  
AN ACT**

To amend and reenact R.S. 26:344 and to enact R.S. 26:342.1, relative to alcoholic beverages taxes; to provide for an additional excise tax on certain alcoholic beverages; to create the Public School Classroom Teacher Salary Fund in the state treasury; to provide for deposit of the proceeds from the tax into the fund; to provide for the use of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. McDonald, the bill was returned to the calendar.

**HOUSE BILL NO. 22—**  
BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 47:44.3, relative to the individual income tax; to exempt certain income of certain certificated public school classroom teachers, librarians, and counselors from taxation; to provide for certification of classroom teacher status and income; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. McDonald, the bill was returned to the calendar.

**HOUSE BILL NO. 23—**  
BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 47:44.3, relative to the individual income tax; to exempt certain income of firefighters and law enforcement officers from taxation; to provide for definitions; to provide a procedure for applying for the exemption; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. McDonald, the bill was returned to the calendar.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
Administration of Criminal Justice**

March 12, 2001

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 2, by DeWitt  
Reported with amendments. (11-1) (Regular)

House Bill No. 4, by Martiny  
Reported with amendments. (10-0) (Regular)

House Bill No. 19, by Hebert  
Reported with amendments. (7-4-1) (Regular)

DANIEL MARTINY  
Chairman

**Report of the Committee on Labor and Industrial Relations**

March 12, 2001

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

House Bill No. 5, by Riddle  
Reported with amendments. (9-0) (Regular)

ELCIE GUILLORY  
Chairman

**Suspension of the Rules**

On motion of Rep. Martiny, the rules were suspended in order to take up House Bills contained in the committee report at this time.

**House Bills and Joint Resolutions on  
Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 2—**

BY REPRESENTATIVES DEWITT AND MURRAY AND SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 27:44(23), 65(A), (B)(1), 91(C), and 92(B)(2)(b) to enact R.S. 17:421.7, R.S. 27:44(17.1), 66, 66.1, and 66.2 and to repeal R.S. 27:44(16) and 52(2)(f), relative to riverboat gaming; to authorize licensed riverboats to conduct gaming while the riverboat is docked subject to certain provisions; to provide for gaming on a permanently moored riverboat vessel; to provide for riverboat gaming under certain conditions in the parish of the official gaming establishment and the payment of franchise fees; to provide for definitions; to provide for exceptions; to provide for additional franchise fees; to establish a special fund in the state treasury; to provide for the deposit of certain monies into the fund; to provide for uses of monies in the fund; to provide for applicability; to repeal obsolete provisions authorizing certain local option elections; to repeal certain requirements applicable to riverboat construction; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 2 by Representative DeWitt

AMENDMENT NO. 1

On page 3, line 20, after "which" and before the colon ":" insert "complies with all of the following"

AMENDMENT NO. 2

On page 7, line 15, after "(3)" and before "(4)" change "and" to "or"

AMENDMENT NO. 3

On page 8, at the end of line 18, insert a period "."

AMENDMENT NO. 4

On page 10, line 10, after "safety" and before "standards" insert "and employee training"

AMENDMENT NO. 5

On page 10, at the beginning of line 14, change "annually" to "quarterly"

AMENDMENT NO. 6

On page 10, at the end of line 14, delete the period "." and insert in lieu thereof the following:

"for compliance with the safety and employment standards as are required by the United States Coast Guard for such vessels including but not limited to hull integrity."

AMENDMENT NO. 7

On page 10, line 17, delete "standards required by this Section" and insert in lieu thereof "applicable standards not inconsistent with this Section required by this Chapter."

AMENDMENT NO. 8

On page 10, after line 26, insert the following:

"(5) Nothing in this Section shall be construed to limit the authority of the United States Coast Guard with regard to permanently moored riverboat vessels."

AMENDMENT NO. 9

On page 15, between lines 2 and 3, insert the following:

"(5) A riverboat gaming licensee conducting gaming while the riverboat is docked shall not be required to pay an additional franchise fee under the provisions of Paragraph (3) or (4)(b) of this Subsection. A riverboat gaming licensee conducting gaming on a permanently moored vessel shall not be required to pay an additional franchise fee under the provisions of Paragraph (2) or (4)(a) of this Subsection."

AMENDMENT NO. 10

On page 16, line 5, after "Section" and before the period "." change "2" to "3"

AMENDMENT NO. 11

On page 16, line 7, after "Section" and before the period "." change "3" to "4"

AMENDMENT NO. 12

On page 16, line 12, after "Section" and before the period "." change "4" to "5"

AMENDMENT NO. 13

On page 16, line 14, after "Section" and before the period "." change "5" to "6"

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 4—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:44(23), 65(A), (B)(1), 91(C), and 92(B)(2)(b) to enact R.S. 17:421.7, R.S. 27:44(17.1), 66, 66.1, and 66.2 and to repeal R.S. 27:44(16) and 52(2)(f), relative to riverboat gaming; to authorize licensed riverboats to conduct gaming while the riverboat is docked subject to certain provisions; to provide for gaming on a permanently moored riverboat vessel; to provide for riverboat gaming under certain conditions in the parish of the official gaming establishment and the payment of franchise fees; to provide for definitions; to provide for exceptions; to provide for additional franchise fees; to establish a special fund

in the state treasury; to provide for the deposit of certain monies into the fund; to provide for uses of monies in the fund; to provide for applicability; to repeal obsolete provisions authorizing certain local option elections; to repeal certain requirements applicable to riverboat construction; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 4 by Representative Martiny

AMENDMENT NO. 1

On page 3, line 17, after "(23)" insert "Except as otherwise provided in this Chapter,"

AMENDMENT NO. 2

On page 9, line 9, after "Guard." and before "shall" delete "A permanently moored riverboat vessel" and insert "A riverboat authorized to conduct gaming while docked pursuant to this Section"

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 5—**

BY REPRESENTATIVE RIDDLE AND SENATOR HINES

AN ACT

To amend and reenact R.S. 23:1472(12)(F)(III)(c)(ii) and (v) and (e) and (I), 1552(A)(introductory paragraph) and (2) and (E), and 1600(6)(a)(introductory paragraph) and to enact R.S. 23:1472(11)(i), (12)(F)(VII) and (H)(XXI), 1543(J), and 1592(H), relative to unemployment compensation taxes; to define employer and employment to include Indian tribes and services performed in the employ of an Indian tribe; to permit the imposition of taxes on Indian tribes for unemployment compensation purposes; to provide for the imposition of penalties for the delinquent payment of employment taxes by an Indian tribe; to permit an Indian tribe to elect payments in lieu of contributions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Labor and Industrial Relations to Original House Bill No. 5 by Representative Riddle and Senator Hines

AMENDMENT NO. 1

On page 1, line 6, after "compensation" delete "taxes;" and insert "benefits;"

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## AMENDMENT NO. 2

On page 1, line 8, after "to" delete "permit the imposition of taxes on" and insert "allow for reimbursement by"

## AMENDMENT NO. 3

On page 1, at the beginning of line 11, delete "taxes" and insert "reimbursements"

On motion of Rep. Guillory, the amendments were adopted.

On motion of Rep. Guillory, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **Suspension of the Rules**

On motion of Rep. McMains, the rules were suspended to permit the Committee on Civil Law and Procedure to meet on Tuesday, March 13, 2001, without giving the notice required by House Rule 14.24(B).

### **Suspension of the Rules**

On motion of Rep. Broome, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to meet on Tuesday, March 13, 2001.

### **Leave of Absence**

Rep. Curtis - 1 day

### **Adjournment**

On motion of Rep. Kenney, at 5:20 P.M., the House agreed to adjourn until Tuesday, March 13, 2001, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Tuesday, March 13, 2001.

ALFRED W. SPEER  
Clerk of the House