

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

SIXTH 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 19, 2001

The House of Representatives was called to order at 1:30 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	Glover	Odinet
Alario	Green	Perkins
Alexander, E	Guillory	Pierre
Alexander, R	Hammett	Pinac
Ansardi	Heaton	Pitre
Baudoin	Hebert	Powell
Baylor	Hill	Pratt
Bowler	Holden	Quezaire
Broome	Hopkins	Richmond
Bruce	Hudson	Riddle
Bruneau	Hunter	Romero
Carter, K	Hutter	Salter
Carter, R	Iles	Scalise
Cazayoux	Jackson, L	Schneider
Clarkson	Jackson, M	Schwegmann
Crane	Johns	Shaw
Crowe	Katz	Smith, G.—56th
Damico	Kennard	Smith, J.D.—50th
Daniel	Kenney	Smith, J.H.—8th
Dartez	LaFleur	Smith, J.R.—30th
Devillier	Lancaster	Sneed
Diez	Landrieu	Stelly
Doerge	LeBlanc	Strain
Donelon	Lucas	Thompson
Downer	Martiny	Toomy
Durand	McCallum	Townsend
Erdey	McDonald	Triche
Farrar	McMains	Waddell
Fauchoux	McVea	Walsworth

Flavin	Montgomery	Welch
Frith	Morrell	Winston
Fruge	Morrish	Wooton
Futrell	Murray	Wright
Gallot	Nevers	
Total—101		

ABSENT

Curtis
Total—1

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

Prayer

Prayer was offered by Rep. Salter.

Pledge of Allegiance

Rep. Iles 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 18, 2001, was adopted.

Privileged Report of the Committee on Enrollment

March 19, 2001

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVES PRATT, BAUDOIN, BOWLER, BROOME, BRUCE, K. CARTER, CLARKSON, DARTEZ, DEVILLIER, DOERGE, DURAND, HUTTER, ILES, L. JACKSON, KATZ, SCHWEGMANN, JANE SMITH, SNEED, WELCH, AND WINSTON AND SENATORS BAJOIE, IRONS, AND MOUNT
A CONCURRENT RESOLUTION

To commend the YWCA of Greater New Orleans on its accomplishments and to recognize March 15 through March 24, 2001, as "Celebration of Women Week".

HOUSE CONCURRENT RESOLUTION NO. 5—

BY REPRESENTATIVE ERDEY AND SENATOR LAMBERT
A CONCURRENT RESOLUTION

To commend Colyell Baptist Church upon its one hundred fiftieth anniversary.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE CONCURRENT RESOLUTION NO. 9—
BY REPRESENTATIVE MCCALLUM
A CONCURRENT RESOLUTION**

To express the condolences of the Legislature of Louisiana upon the death of Joe Freeman Woods.

Read by title.

On motion of Rep. McCallum, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on
Municipal, Parochial and Cultural Affairs**

March 19, 2001

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

Senate Bill No. 2, by McPherson
Reported with amendments. (6-0-1) (Regular)

SHARON WESTON BROOME
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

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

March 19, 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:

Senate Bill No. 1, by Hollis
Reported favorably. (9-2) (Regular)

DANIEL MARTINY
Chairman

Suspension of the Rules

On motion of Rep. Martiny, the rules were suspended in order to take up and consider Senate Bills on Second Reading Reported by Committee at this time.

**Senate Bills on Second Reading
Reported by Committee**

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

**SENATE BILL NO. 1—
BY SENATORS HOLLIS, BOISSIERE, BEAN, CRAVINS, HOYT, MOUNT
AND THEUNISSEN AND REPRESENTATIVE MURRAY
AN ACT**

To amend and reenact R.S. 27:243(C) and 270(A)(3)(a) and to enact R.S. 17:421.7 and R.S. 27:241.1 and R.S. 27:244(A)(11) and (12), relative to the land-based casino; to reduce the annual minimum compensation payments; to authorize the casino gaming operator to offer certain seated restaurant facilities and food services; to authorize the casino gaming operator to lease or operate certain businesses in the official gaming establishment; to provide for restrictions on advertising; to prohibit the offering of onsite lodging in the official gaming establishment; to authorize the casino gaming operator to offer certain offsite lodging; to provide for complimentary offerings and discounts and restrictions thereof; to delete restrictions on the sale of products; to provide for the authority of the Gaming Control Board to set aside or renegotiate, amend, approve, execute, and implement an amendment of the casino operating contract and issue or modify regulatory approvals related thereto; to provide for the dedication of certain revenues; to establish a special fund in the state treasury and to provide for the deposit of certain monies into the fund; to provide for the use of monies in the fund; to provide for the allocation of appropriations from the state general fund in the event that the monies in the special fund are not available for appropriation for the dedications in this Act; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Under the rules, the bill was recommitted to the Committee on Ways and Means.

Privileged Report of the Legislative Bureau

March 19, 2001

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 2
Reported without amendments.

Respectfully submitted,

JOE SALTER
Chairman

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

Rep. Farrar asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

SENATE BILL NO. 2—

BY SENATORS MCPHERSON, ELLINGTON AND SMITH AND REPRESENTATIVES FARRAR AND DONELON
AN ACT

To amend and reenact the heading of Subpart B-27 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to enact R.S. 29:33.2 and R.S. 33:130.541.1, and to repeal R.S. 33:130.541 and 130.542 through 130.547, relative to the Esler Industrial Development District; to transfer ownership by cooperative endeavor of the immovable and movable property and assets of the Esler Industrial Development District to the military department of the state for use by the Louisiana National Guard; to authorize the Rapides Parish Police Jury to transfer certain property including Esler Field in Rapides Parish to the military department of the state; to repeal provisions creating the Esler Industrial Development District; to provide for the Esler Industrial Development Area Advisory Board and the powers and duties thereof; to provide for effective dates; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 2 by Senator McPherson

AMENDMENT NO. 1

On page 5, line 27, after "Sections" and before "of this" delete "1 and 2" and insert in lieu thereof "1, 2, 4, and 5"

AMENDMENT NO. 2

On page 6, line 6, after "all" and before "movable" delete "property"

AMENDMENT NO. 3

On page 6, line 6, after "as" and before "in" insert "provided for"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

Motion

Rep. Hebert moved to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Rep. Montgomery objected.

By a vote of 52 yeas and 33 nays, the motion was agreed to.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Suspension of the Rules

Rep. Hebert moved for a suspension of the rules in order to call House Bill No. 19 from the calendar at this time.

Rep. Montgomery objected.

By a vote of 53 yeas and 38 nays, the motion not having received a two-thirds vote of the members present and voting, the House refused to suspend the rules.

Suspension of the Rules

Rep. Hammett moved to suspend the rules to permit the Committee on Ways and Means to meet upon recess, and consider Senate Bill No. 1 without giving the notice required by House Rule 14.24(A):

Rep. McMains objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Heaton	Pinac
Alario	Hill	Pitre
Alexander, E	Holden	Pratt
Alexander, R	Hopkins	Quezaire
Ansardi	Hunter	Romero
Baylor	Iles	Salter
Bowler	Jackson, L	Schneider
Bruce	Jackson, M	Schwegmann
Carter, K	Johns	Shaw
Cazayoux	Kenney	Smith, G.—56th
Damico	LaFleur	Smith, J.D.—50th
Daniel	Lancaster	Smith, J.H.—8th
Dartez	Landrieu	Smith, J.R.—30th
Durand	LeBlanc	Sneed
Farrar	Lucas	Stelly
Faucheux	Martiny	Toomy
Frith	McVea	Townsend
Gallot	Montgomery	Waddell
Glover	Morrell	Welch
Guillory	Murray	Wooton
Hammett	Odinot	
Total—62		

NAYS

Baudoin	Erdey	Powell
Broome	Futrell	Riddle
Bruneau	Hebert	Scalise
Carter, R	Katz	Strain
Clarkson	McCallum	Thompson
Crane	McDonald	Triche
Crowe	McMains	Walsworth
Devillier	Morrish	Winston
Diez	Nevers	Wright
Downer	Perkins	
Total—29		

ABSENT

Curtis	Fruge	Kennard
Doerge	Green	Pierre

Donelon
Flavin
Total—11

Hudson
Hutter

Richmond

The rules were suspended.

Suspension of the Rules

On motion of Rep. McCallum, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

Suspension of the Rules

On joint motion of Reps. DeWitt and Michael Jackson, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

Recess

On motion of Rep. Hammett, the Speaker declared the House at recess until 5:00 P.M.

After Recess

Speaker DeWitt called the House to order at 5:00 P.M.

ROLL CALL

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

PRESENT

Mr. Speaker	Glover	Odinot
Alario	Green	Perkins
Alexander, E	Guillory	Pierre
Alexander, R	Hammett	Pinac
Ansardi	Heaton	Pitre
Baudoin	Hebert	Powell
Baylor	Hill	Pratt
Bowler	Holden	Quezaire
Broome	Hopkins	Richmond
Bruce	Hudson	Riddle
Bruneau	Hunter	Romero
Carter, K	Hutter	Salter
Carter, R	Iles	Scalise
Cazayoux	Jackson, L	Schneider
Clarkson	Jackson, M	Schwegmann
Crane	Johns	Shaw
Crowe	Katz	Smith, G.—56th
Damico	Kennard	Smith, J.D.—50th
Daniel	Kenney	Smith, J.H.—8th
Dartez	LaFleur	Smith, J.R.—30th
Devillier	Lancaster	Sneed
Diez	Landrieu	Stelly
Doerge	LeBlanc	Strain
Donelon	Lucas	Thompson
Downer	Martiny	Toomy
Durand	McCallum	Townsend
Erdey	McDonald	Triche
Farrar	McMains	Waddell
Faucheux	McVea	Walsworth
Flavin	Montgomery	Welch
Frith	Morrell	Winston
Fruge	Morrish	Wooton
Futrell	Murray	Wright
Gallot	Nevers	
Total—101		

ABSENT

Curtis
Total—1

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

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 10—
BY REPRESENTATIVES R. ALEXANDER AND ALARIO
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Dr. Mervin Lee Trail.

Read by title.

On motion of Rep. Rodney Alexander, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Ways and Means

March 19, 2001

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

Senate Bill No. 1, by Hollis
Reported favorably. (17-0) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

March 19, 2001

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 1
Reported without amendments.

Respectfully submitted,

JOE SALTER
Chairman

Suspension of the Rules

Rep. Murray moved for a suspension of the rules in order to take up and consider Senate Instruments on Second Reading Returned from the Legislative Bureau at this time.

Rep. Devillier objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Heaton	Pinac
Alario	Hill	Pratt
Alexander, R	Holden	Quezaire
Ansardi	Hopkins	Richmond
Baylor	Hudson	Schneider
Bruce	Hunter	Schwegmann
Carter, K	Jackson, L	Smith, G.—56th
Damico	Johns	Smith, J.H.—8th
Daniel	Lancaster	Smith, J.R.—30th
Durand	Landrieu	Sneed
Farrar	LeBlanc	Stelly
Faucheux	Lucas	Thompson
Flavin	Martiny	Toomy
Frith	Montgomery	Townsend
Gallot	Morrell	Waddell
Glover	Murray	Welch
Guillory	Odinet	Wooton
Hammett	Pierre	
Total—53		

NAYS

Alexander, E	Erdey	Perkins
Baudoin	Fruge	Pitre
Bowler	Futrell	Powell
Bruneau	Hebert	Riddle
Carter, R	Iles	Romero
Cazayoux	Katz	Scalise
Clarkson	Kennard	Shaw
Crane	Kenney	Smith, J.D.—50th
Crowe	LaFleur	Strain
Dartez	McCallum	Triche
Devillier	McDonald	Walsworth
Diez	McMains	Winston
Donelon	Morrish	
Downer	Nevers	
Total—40		

ABSENT

Broome	Green	McVea
Curtis	Hutter	Salter
Doerge	Jackson, M	Wright
Total—9		

The motion, not having received two-thirds vote of the members present and voting, the House refused to suspend the rules.

Motion

Rep. Hebert moved to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Rep. Montgomery objected.

By a vote of 45 yeas and 47 nays, the motion failed.

Suspension of the Rules

Rep. Alario moved for a suspension of the rules in order to take up and consider Senate Instruments on Second Reading Returned from the Legislative Bureau at this time.

Rep. Perkins objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hebert	Quezaire
Alario	Hill	Richmond
Alexander, R	Holden	Riddle
Ansardi	Hopkins	Romero
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Jackson, L	Schneider
Carter, K	Jackson, M	Schwegmann
Cazayoux	Johns	Smith, G.—56th
Clarkson	Katz	Smith, J.D.—50th
Damico	LaFleur	Smith, J.H.—8th
Daniel	Lancaster	Smith, J.R.—30th
Dartez	Landrieu	Sneed
Devillier	LeBlanc	Stelly
Donelon	Lucas	Strain
Durand	Martiny	Thompson
Farrar	Montgomery	Toomy
Faucheux	Morrell	Townsend
Flavin	Murray	Triche
Frith	Odinet	Waddell
Gallot	Pierre	Welch
Guillory	Pinac	Wooton
Hammett	Pitre	
Heaton	Pratt	
Total—70		

NAYS

Alexander, E	Erdey	Morrish
Baudoin	Fruge	Nevers
Bruneau	Futrell	Perkins
Carter, R	Iles	Powell
Crane	Kennard	Shaw
Crowe	Kenney	Walsworth
Diez	McDonald	Winston
Downer	McMains	
Total—23		

ABSENT

Broome	Glover	McCallum
Curtis	Green	McVea
Doerge	Hutter	Wright
Total—9		

The rules were suspended.

Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 1—

BY SENATORS HOLLIS, BOISSIERE, BEAN, CRAVINS, HOYT, MOUNT
AND THEUNISSEN AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 27:243(C) and 270(A)(3)(a) and to enact R.S. 17:421.7 and R.S. 27:241.1 and R.S. 27:244(A)(11) and (12), relative to the land-based casino; to reduce the annual minimum compensation payments; to authorize the casino gaming operator to offer certain seated restaurant facilities and food services; to authorize the casino gaming operator to lease or operate certain businesses in the official gaming establishment; to provide for restrictions on advertising; to prohibit the offering of onsite lodging in the official gaming establishment; to authorize the casino gaming operator to offer certain offsite lodging; to provide for complimentary offerings and discounts and restrictions thereof; to delete restrictions on the sale of products; to provide for the authority of the Gaming Control Board to set aside or renegotiate, amend, approve, execute, and implement an amendment of the casino operating contract and issue or modify regulatory approvals related thereto; to provide for the dedication of certain revenues; to establish a special fund in the state treasury and to provide for the deposit of certain monies into the fund; to provide for the use of monies in the fund; to provide for the allocation of appropriations from the state general fund in the event that the monies in the special fund are not available for appropriation for the dedications in this Act; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Murray, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Leave of Absence

Rep. Curtis - 1 day

Adjournment

On motion of Rep. Kenney, at 5:30 P.M., the House agreed to adjourn until Tuesday, March 20, 2001, at 9:30 A.M.

The Speaker of the House declared the House adjourned until 9:30 A.M., Tuesday, March 20, 2001.

ALFRED W. SPEER
Clerk of the House