

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

SEVENTH 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

Tuesday, March 20, 2001

The House of Representatives was called to order at 9:30 A.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 100 members present and a quorum.

Prayer

Prayer was offered by Reverend Rodney Wood.

Pledge of Allegiance

Rep. Dartez 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 19, 2001, was adopted.

**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. 11—
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION**

To urge and request the Louisiana Wildlife and Fisheries Commission to extend the oyster harvest season in the public oyster seed grounds east of the Mississippi River for an additional thirty days.

Read by title.

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

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Holden, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

**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:

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HOUSE BILL NO. 19—

BY REPRESENTATIVES HEBERT, CAZAYOUX, DEVILLIER, AND LAFLEUR

AN ACT

To amend and reenact R.S. 27:44(23), 65(A) and (B)(1), 91(C), and 92(B)(2)(b), to enact R.S. 17:421.7 and 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.

Called from the calendar.

Read by title.

Rep. Salter, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 19 by Representative Hebert

AMENDMENT NO. 1

On page 2, line 9, following "pay" and before "an" insert " to the TSIF Fund"

AMENDMENT NO. 2

On page 14, line following line 23 and before line 24 insert "****"

AMENDMENT NO. 3

On page 15, line 18, following "the" and before "Teachers" delete "Support"

AMENDMENT NO. 4

On page 15, line 21, following "the" and before "Teachers" delete "Support"

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

Rep. Hebert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Engrossed House Bill No. 19 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 and 4 in their entirety and insert in lieu thereof "R.S. 27:65(B)(1)(b), and to repeal R.S. 27:24(E), relative to riverboat"

AMENDMENT NO. 2

On page 1, line 5, after "gaming;" delete the remainder of the line and delete lines 6 through 15 in their entirety and insert the following:

"to provide for the adoption of rules providing for a schedule for the embarking and disembarking of passengers on certain riverboats; to repeal provisions prohibiting the adoption of certain rules regarding the conducting of gaming; to delete certain obsolete provisions authorizing certain local option elections; and to"

AMENDMENT NO. 3

On page 1, delete line 18 in its entirety

AMENDMENT NO. 4

Delete pages 2 and 3 in their entirety

AMENDMENT NO. 5

On page 4, delete lines 1 through 12 in their entirety and insert:

"Section 1. R.S. 27:65(B)(1)(b) is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 6

On page 4, delete lines 14 through 19 in their entirety and insert:

"* * *"

AMENDMENT NO. 7

On page 4, delete line 22, in its entirety and insert:

"(1)

* * *"

AMENDMENT NO. 8

On page 4, delete lines 23 through 26 in their entirety

AMENDMENT NO. 9

On page 5, delete lines 1 through 14 in their entirety

AMENDMENT NO. 10

On page 5, line 20, after "docked." delete the remainder of the line and delete lines 21 through 24 in their entirety and insert in lieu thereof the following:

"However, passengers shall be permitted to embark the riverboat only in accordance with a schedule adopted by the Louisiana Gaming Control Board pursuant to rules adopted in accordance with the Administrative Procedure Act. The schedule for embarking shall not apply to gaming conducted on permanently moored riverboat vessels authorized pursuant to the provisions of R.S. 27:66.1."

AMENDMENT NO. 11

On page 7, delete lines 4 through 26 in their entirety

AMENDMENT NO. 12

Delete pages 8 through 15 in their entirety and insert in lieu thereof:

"Section 2. R.S. 27:24(E) is hereby repealed in its entirety."

AMENDMENT NO. 13

On page 16, delete lines 1 through 13 in their entirety and insert in lieu thereof:

"Section 3. This Act shall become effective August 15, 2003."

Point of Order

Rep. Townsend asked for a ruling from the Chair as to whether the above amendments were germane to the call.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the call.

On motion of Rep. Hebert, the amendments were withdrawn.

Rep. Hebert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Engrossed House Bill No. 19 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete the remainder of the line and delete lines 3 and 10 and insert:

"27:65(B)(1)(b), 91(C), and 92(B)(2)(b) and to enact R.S. 17:421.7, relative to riverboat gaming; to provide for an additional franchise fee for riverboats that conduct gaming while the riverboat is docked"

AMENDMENT NO. 2

On page 1, at the beginning of line 11, delete "franchise fees"

AMENDMENT NO. 3

On page 1, delete lines 13 through 15 and insert:

"uses of monies in the fund; and to"

AMENDMENT NO. 4

On page 2, line 1, delete "Teachers"

AMENDMENT NO. 5

On page 2, line 3, delete "Teacher" and change "TSIF" to "SIF"

AMENDMENT NO. 6

On page 2, line 9, after "pay" and before "an" insert "to the SIF Fund"

AMENDMENT NO. 7

On page 2, line 11, after "R.S. 27:91(C)(2)" delete the remainder of the line and delete line 12 in its entirety and insert a period "." and at the beginning of line 13, insert "The"

AMENDMENT NO. 8

On page 2, line 22, change "TSIF" to "SIF"

AMENDMENT NO. 9

On page 2, delete lines 23 through 26, and insert the following:

"and exclusively to provide an increase in the salary of non-certificated support personnel whose salaries are funded through the Minimum Foundation Program Formula and for non-certificated unclassified support personnel at the Louisiana School for the Visually Impaired, Louisiana School for the Deaf, Louisiana School for Math, Science and Arts, Louisiana Special Education Center, Southern University and Louisiana State University Laboratory Schools, Special School District Number 1, and for nonpublic lunchroom employees eligible for state salary supplements."

AMENDMENT NO. 10

On page 3, delete lines 1 through 10, and insert:

"Section 2. R.S. 27:65(B)(1)(b), 91(C), and 92(B)(2)(b) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 11

On page 3, delete lines 11 through 24

AMENDMENT NO. 12

On page 4, delete lines 1 through 12

AMENDMENT NO. 13

On page 4, delete lines 14 through 19, and insert:

"* * *

AMENDMENT NO. 14

On page 4, line 22, after "(1)" delete the remainder of the line and delete lines 23 through 26 and on page 5, delete lines 1 through 14 and insert:

"* * *

AMENDMENT NO. 15

On page 5, line 15, after "(b)" and before "For" insert "(i)"

AMENDMENT NO. 16

On page 5, delete lines 25 and 26 in their entirety, and delete pages 6 through 12 in their entirety, and on page 13, delete lines 1 through 4

AMENDMENT NO. 17

On page 13, line 14, after "docked" insert a period "." and delete the remainder of the line and delete lines 15 through 26, and on page 14, delete lines 1 through 23 and insert:

"* * *

AMENDMENT NO. 18

On page 15, line 7, after "(b)(i)" delete the remainder of the line and insert "The"

AMENDMENT NO. 19

On page 15, at the beginning of line 8, delete "the"

AMENDMENT NO. 20

On page 15, delete lines 10 through 19

AMENDMENT NO. 21

On page 15, at the beginning of line 20, change "(iv)" to "(ii)"

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AMENDMENT NO. 22

On page 15, at the beginning of line 21, delete "through (4) to the Support Teachers" and before "Salary" insert "to the"

AMENDMENT NO. 23

On page 15, delete lines 24 and 25

AMENDMENT NO. 24

On page 16, delete lines 1 through 7

AMENDMENT NO. 25

On page 16, line 8, change "Section 6." to "Section 3."

Point of Order

Rep. Montgomery asked for a ruling from the Chair as to whether the above amendments were germane to the call.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the call.

On motion of Rep. Hebert, the amendments were withdrawn.

Rep. Hebert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Engrossed House Bill No. 19 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 15, after "construction;" and before "and" insert "to provide for the inspection and certification of riverboats;"

AMENDMENT NO. 2

On page 2, line 25, after "provide" and before "an increase" delete "and support"

AMENDMENT NO. 3

On page 3, at the end of line 2, delete the period "." and insert "in Fiscal Year 2001-2002 and annually to support such increase."

AMENDMENT NO. 4

On page 3, line 4, after "provide" and before "public" delete "and support"

AMENDMENT NO. 5

On page 3, at the end of line 7, delete the period "." and insert "in Fiscal Year 2001-2002 and annually to support such increase."

AMENDMENT NO. 6

On page 4, line 22, after "R.S.27:66." and before "in" insert "R.S. 27:66.1 and R.S. 27:66.2(B)."

AMENDMENT NO. 7

On page 7, at the end of line 14, insert "and limited"

AMENDMENT NO. 8

On page 8, line 3, after "and" and before "the" insert "shall be limited by"

AMENDMENT NO. 9

On page 8, at the beginning of line 4, delete "27:66.2." and insert "27:66.2(B)"

AMENDMENT NO. 10

On page 9, line 18, after "vessels" and before "and" insert "including but not limited to hull integrity"

AMENDMENT NO. 11

On page 9, at the beginning of line 23, delete "by the" and insert "by this Chapter and by any applicable"

AMENDMENT NO. 12

On page 9, line 23, after "Guard" and before "for" insert "rules and regulations"

AMENDMENT NO. 13

On page 9, line 26, after "standards" delete the remainder of the line

AMENDMENT NO. 14

On page 10, line 1, delete "Section required by this Chapter." and insert in lieu thereof "required by this Chapter which are not inconsistent with this Section."

AMENDMENT NO. 15

On page 10, line 2, after "by" and before "has" delete "a person" and insert "one or more persons, at least one of whom"

AMENDMENT NO. 16

On page 10, after line 25, insert the following:

"G. A riverboat licensed to conduct gaming in the parish of the official gaming establishment shall comply requirements and limitations provided in R.S. 27:66.2."

AMENDMENT NO. 17

On page 11, delete at the end of line 6, delete "a"

AMENDMENT NO. 18

On page 11, delete line 7 in its entirety and insert "as provided"

AMENDMENT NO. 19

On page 11, line 14, after "R.S. 27:65(B)(1)(a)" delete the remainder of the line and insert a comma "," and insert "R.S. 27:66 and R.S. 27:66.1 shall"

AMENDMENT NO. 20

On page 13, line 14, after "gaming" and before "pursuant" delete "while the riverboat is docked" and insert "activities on a riverboat"

Point of Order

Rep. Townsend asked for a ruling from the Chair as to whether the above amendments were germane to the call.

Ruling of the Chair

The Chair ruled that the above amendments were germane to the call.

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

Rep. Hopkins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hopkins to Engrossed House Bill No. 19 by Representative Hebert

AMENDMENT NO. 1

On page 1, at the end of line 3, delete "and"

AMENDMENT NO. 2

On page 1, line 4, after "66.2" and before "and" insert "and 311(D)(1)(c)"

AMENDMENT NO. 3

On page 1, at the end of line 4, delete "riverboat"

AMENDMENT NO. 4

On page 1, line 11, after "franchise fee;" and before "to establish" insert "to increase franchise payments relative to video draw poker devices;"

AMENDMENT NO. 5

On page 2, line 12, after "R.S. 27:92(B)(2)(b)", delete the remainder of the line and insert ", 270(A)(3) and 317(D)(1)(c). The"

AMENDMENT NO. 6

On page 2, line 22, delete "Monies" and insert "Except for monies in the fund derived from R.S. 311(D)(1)(c), monies"

AMENDMENT NO. 7

On page 3, line 9, after "66.1" delete the remainder of the line and insert "66.2 and 311(D)(1)(c)"

AMENDMENT NO. 8

On page 15, between lines 23 and 24 insert the following:

"§311. Licensing by division; fees; franchise payments; enforcement activities

* * *

D.(1) Each device owner shall remit to the division a franchise payment, in an amount equal to a percentage of the net device revenue derived from the operation of each video draw poker device owned by him. The amount of the percentage shall be based on the type of licensed establishment authorized by the division for the placement of video draw poker devices, as follows:

* * *

(c) In addition to the franchise payments provided in Subparagraphs (a) and (b) of this Paragraph, an additional franchise fee in the amount of three percent of net device revenue derived from the operation of cash video draw poker devices shall be remitted to the division. The revenue derived from this additional franchise payment shall be deposited in the Teacher Salary Increase Fund as provided in R.S. 27:421.7 and shall be used and expended solely for the purposes as provided in R.S. 27:421.7(B)(1).

* * *

Point of Order

Rep. Fruge asked for a ruling from the Chair as to whether the above amendments were germane to the call.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the call.

On motion of Rep. Hopkins, the amendments were withdrawn.

Rep. Morrish sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrish to Engrossed House Bill No. 19 by Representative Hebert

AMENDMENT NO. 1

On page 9, delete lines 9 through 11 and insert "riverboat vessel shall comply with the laws, ordinances."

AMENDMENT NO. 2

On page 9, delete lines 14 through 26 and insert the following: "structures and shall comply with all other applicable United States Coast Guard rules and regulations."

AMENDMENT NO. 3

On page 10, delete lines 1 through 4 in their entirety

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

Rep. Jack Smith sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Engrossed House Bill No. 19 by Representative Hebert

AMENDMENT NO. 1

On page 16, between lines 7 and 8, add the following:

"Section 6. The provisions of this Act shall not apply to the fifteenth riverboat license for a period of three years beginning with the opening of any riverboat authorized under such license."

AMENDMENT NO. 2

On page 16, line 8, after "Section" and before the period "." change "6" to "7"

On motion of Rep. Jack Smith, the amendments were adopted.

Rep. Hebert moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, E	Erdey	Nevers
Baudoin	Farrar	Perkins
Bowler	Frith	Pitre
Broome	Fruge	Powell
Bruneau	Futrell	Riddle
Carter, R	Hebert	Romero
Cazayoux	Hunter	Scalise
Clarkson	Iles	Smith, G.—56th
Crane	Kennard	Smith, J.D.—50th
Crowe	Kenney	Smith, J.R.—30th
Dartez	LaFleur	Strain
Devillier	Lancaster	Toomy
Diez	McCallum	Triche
Donelon	McDonald	Walsworth
Downer	McMains	Winston
Durand	Morrish	Wright
Total—48		

NAYS

Mr. Speaker	Holden	Pinac
Alario	Hopkins	Pratt
Alexander, R	Hudson	Quezaire
Ansardi	Hutter	Richmond
Baylor	Jackson, L	Salter
Bruce	Jackson, M	Schneider
Carter, K	Johns	Schwegmann
Damico	Katz	Shaw
Daniel	Landrieu	Smith, J.H.—8th
Doerge	LeBlanc	Sneed
Flavin	Martiny	Stelly
Gallot	McVea	Thompson
Glover	Montgomery	Townsend
Green	Morrell	Waddell
Guillory	Murray	Welch
Hammett	Odinet	Wooton
Hill	Pierre	
Total—50		

ABSENT

Curtis	Heaton
Faucheux	Lucas
Total—4	

The chair declared the above bill, not having received a two-thirds vote of the elected members, failed to pass.

Rep. LeBlanc moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Acting Speaker LeBlanc in the Chair

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

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.

Recess

On motion of Rep. Pierre, the Acting Speaker declared the House at recess until 1:30 P.M.

After Recess

Speaker DeWitt called the House to order at 2:10 P.M.

ROLL CALL

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

PRESENT

Mr. Speaker	Gallot	Murray
Alario	Glover	Nevers
Alexander, E	Green	Odinet
Alexander, R	Guillory	Perkins
Ansardi	Hammett	Pierre
Baudoin	Heaton	Pinac
Baylor	Hebert	Pitre
Bowler	Hill	Powell
Broome	Holden	Pratt
Bruce	Hopkins	Richmond
Bruneau	Hudson	Riddle
Carter, K	Hunter	Romero
Carter, R	Hutter	Salter
Cazayoux	Iles	Scalise
Clarkson	Jackson, L	Schneider
Crane	Jackson, M	Schwegmann
Crowe	Johns	Shaw
Damico	Katz	Smith, G.—56th
Daniel	Kennard	Smith, J.D.—50th
Dartez	Kenney	Smith, J.H.—8th
Devillier	LaFleur	Smith, J.R.—30th

Diez	Lancaster	Sneed
Doerge	Landrieu	Stelly
Donelon	LeBlanc	Strain
Downer	Lucas	Thompson
Durand	Martiny	Toomy
Erdey	McCallum	Townsend
Farrar	McDonald	Waddell
Faucheux	McMains	Walsworth
Flavin	McVea	Welch
Frith	Montgomery	Winston
Fruge	Morrell	Wooton
Futrell	Morrish	Wright
Total—99		

ABSENT

Curtis	Quezaire	Triche
Total—3		

The Speaker announced there were 99 members present and a quorum.

Rep. McMains sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McMains to Re-reengrossed Senate Bill No. 1 by Senator Hollis

AMENDMENT NO. 1

On page 12, line 17, after "A," and before "no" delete "July 1, 2001"

AMENDMENT NO. 2

On page 13, after line 11, insert the following:

"Section 7. The casino operating contract shall not contain any provision which prohibits the state, the Louisiana Gaming Control Board, the governor, or the attorney general from instituting, fomenting, assisting, or encouraging litigation contesting the validity or enforceability of the casino operating contract and any amendments or renegotiations thereof. Any provision of the contract that is not in accord with this Section is contrary to the public policy of this state and shall be null, void, and unenforceable. This Section shall have retroactive application to and including March 8, 2001."

AMENDMENT NO. 3

On page 13, after line 11, add the following:

"Section 8. This Act shall take effect and become operative if and when the Act which originated as House Bill No. 2 of this 2001 Regular Session of the Legislature is enacted and becomes effective."

Rep. McMains moved the adoption of the amendments.

Rep. Murray objected.

Rep. Ansardi asked for and obtained a division of the question.

Rep. McMains moved the adoption of Amendment No. 1.

Rep. Murray objected.

By a vote of 27 yeas and 67 nays, the amendment was rejected.

Rep. McMains moved the adoption of Amendment No. 2.

Rep. Murray objected.

By a vote of 38 yeas and 63 nays, the amendment was rejected.

Rep. McMains moved adoption of Amendment No. 3.

Rep. Murray objected.

By a vote of 42 yeas and 59 nays, the amendment was rejected.

Rep. Riddle sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Riddle to Re-reengrossed Senate Bill No. 1 by Senator Hollis

AMENDMENT NO. 1

On page 12, line 13, after "Act" and before "and to" insert the following:

", provided that any such amendment shall contain an express resolatory condition that the contract shall be null, void, and of no effect at such time as the Revenue Estimating Conference designates the net revenues received by the state treasury pursuant to Chapter 5 of Title 27 of the Louisiana Revised Statutes and such contract to be nonrecurring."

Rep. Riddle moved the adoption of the amendments.

Rep. Murray objected.

By a vote of 28 yeas and 70 nays, the amendments were rejected.

Rep. McMains sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McMains to Re-reengrossed Senate Bill No. 1 by Senator Hollis

AMENDMENT NO. 1

On page 4, line 16, change "eighteen" to "twenty-one"

Point of Order

Rep. Richmond asked for a ruling from the Chair as to whether the above amendments were germane to the call.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the call.

On motion of Rep. McMains, the amendments were withdrawn.

Rep. Riddle sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Riddle to Re-reengrossed Senate Bill No. 1 by Senator Hollis

AMENDMENT NO. 1

On page 12, at the end of line 16, insert the following:

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"The exercise of this authority shall be subject to legislative approval either by vote or by mail ballot, or by Act or Resolution ratifying the action of the Gaming Control Board."

AMENDMENT NO. 2

On page 12, at the end of line 22, after "by" delete the remainder of the line and delete line 23 in its entirety and insert in lieu thereof:

"the legislature either by vote or mail ballot or by Act or Resolution."

Rep. Riddle moved the adoption of the amendments.

Rep. Murray objected.

By a vote of 30 yeas and 66 nays, the amendments were rejected.

Rep. Perkins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Re-reengrossed Senate Bill No. 1 by Senator Hollis

AMENDMENT NO. 1

On page 13, after line 11, insert the following:

"Section 7. Chapter 5 of Title 27 of the Louisiana Revised Statutes of 1950, shall be repealed in its entirety upon a violation by the casino gaming operator of one or more terms of the casino operating contract including the failure to pay the minimum compensation required by R.S. 27:241(C)."

Rep. Perkins moved the adoption of the amendments.

Rep. Murray objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, E	Erdey	Perkins
Ansardi	Fruge	Pitre
Baudoin	Futrell	Powell
Bowler	Hebert	Riddle
Broome	Iles	Scalise
Bruneau	Kennard	Schneider
Carter, R	Kenney	Shaw
Clarkson	Martiny	Smith, J.R.—30th
Crane	McCallum	Sneed
Crowe	McDonald	Thompson
Devillier	McMains	Triche
Donelon	Morrish	Walsworth
Downer	Nevers	Wright
Total—39		

NAYS

Mr. Speaker	Guillory	Odinot
Alario	Hammett	Pierre
Alexander, R	Heaton	Pinac
Baylor	Hill	Pratt
Bruce	Holden	Quezaire
Carter, K	Hopkins	Richmond

Cazayoux	Hudson	Romero
Damico	Hunter	Salter
Daniel	Hutter	Schwegmann
Dartez	Jackson, L	Smith, G.—56th
Diez	Jackson, M	Smith, J.D.—50th
Doerge	Johns	Smith, J.H.—8th
Durand	Katz	Stelly
Farrar	LaFleur	Strain
Faucheux	Lancaster	Toomy
Flavin	Landrieu	Townsend
Frith	LeBlanc	Waddell
Gallot	Montgomery	Welch
Glover	Morrell	Winston
Green	Murray	Wooton
Total—60		

ABSENT

Curtis	Lucas	McVea
Total—3		

The amendments were rejected.

Rep. Clarkson sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Clarkson to Re-reengrossed Senate Bill No. 1 by Senator Hollis, et al.

AMENDMENT NO. 1

On page 4, at the end of line 19, after "thereafter." insert:

"Notwithstanding any other provision of law to the contrary, the total of all minimum compensation payments required under this Section for each casino year through Fiscal Year 2004-2005 shall be paid in full no later than June 30, 2001. Amounts due each year in excess of the minimum compensation shall be paid in the year in which the revenue is generated."

Rep. Clarkson moved the adoption of the amendments.

Rep. Murray objected.

By a vote of 31 yeas and 63 nays, the amendments were rejected.

Rep. Perkins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Re-reengrossed Senate Bill No. 1 by Senator Hollis, et al.

AMENDMENT NO. 1

On page 13, between lines 5 and 6, insert the following:

"Section 6. This Act is nonseverable. If any provision or item of this Act, or the application thereof, is held invalid, this Act shall be null and void."

AMENDMENT NO. 2

On page 13, at the beginning of line 6, change "Section 6." to "Section 7."

Motion

Rep. Alario moved to end consideration of amendments.

As a substitute motion, Rep. Perkins moved that the House adjourn until 9:30 A.M., on Wednesday, March 21, 2001.

Rep. Jack Smith objected.

The vote recurred on the substitute motion.

By a vote of 10 yeas and 82 nays, the House refused to adjourn until 9:30 A.M., on Wednesday, March 21, 2001.

Rep. Alario insisted on his motion to end consideration of amendments.

Rep. Perkins objected.

By a vote of 53 yeas and 41 nays, the motion was agreed to.

Rep. Perkins moved the adoption of the amendments.

Rep. Murray objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, E	Erdey	Perkins
Ansardi	Fruge	Pitre
Baudoin	Futrell	Riddle
Broome	Hebert	Scalise
Bruneau	Iles	Schneider
Clarkson	Kennard	Shaw
Crane	Kenney	Smith, J.R.—30th
Crowe	McCallum	Triche
Devillier	McDonald	Walsworth
Donelon	McMains	Winston
Downer	Nevers	Wright
Total—33		

NAYS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander, R	Heaton	Powell
Baylor	Hill	Pratt
Bowler	Holden	Quezaire
Bruce	Hopkins	Richmond
Carter, K	Hudson	Romero
Cazayoux	Hunter	Salter
Damico	Jackson, L	Schwegmann
Daniel	Jackson, M	Smith, G.—56th
Dartez	Johns	Smith, J.D.—50th
Diez	Katz	Sneed
Doerge	LaFleur	Stelly
Durand	Lancaster	Strain
Farrar	Landrieu	Thompson
Faucheux	LeBlanc	Toomy
Flavin	McVea	Townsend
Frith	Montgomery	Welch
Gallot	Morrell	Wooton
Glover	Murray	
Green	Odinet	
Total—61		

ABSENT

Carter, R	Lucas	Smith, J.H.—8th
Curtis	Martiny	Waddell
Hutter	Morrish	
Total—8		

The amendments were rejected.

Rep. Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Odinet
Alario	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Hammett	Pratt
Baylor	Heaton	Quezaire
Bowler	Hebert	Richmond
Bruce	Holden	Salter
Carter, K	Hopkins	Schneider
Cazayoux	Hudson	Schwegmann
Clarkson	Hunter	Smith, G.—56th
Damico	Hutter	Smith, J.D.—50th
Daniel	Jackson, L	Smith, J.H.—8th
Dartez	Jackson, M	Sneed
Devillier	Johns	Thompson
Doerge	LaFleur	Toomy
Donelon	Lancaster	Townsend
Durand	Landrieu	Waddell
Faucheux	LeBlanc	Welch
Flavin	Martiny	Winston
Frith	Montgomery	Wooton
Fruge	Morrell	
Gallot	Murray	
Total—64		

NAYS

Alexander, E	Hill	Pitre
Baudoin	Iles	Powell
Broome	Katz	Riddle
Bruneau	Kennard	Romero
Carter, R	Kenney	Scalise
Crane	McCallum	Shaw
Crowe	McDonald	Smith, J.R.—30th
Diez	McMains	Stelly
Downer	McVea	Strain
Erdey	Morrish	Triche
Farrar	Nevers	Walsworth
Futrell	Perkins	Wright
Total—36		

ABSENT

Curtis	Lucas
Total—2	

The Chair declared the above bill was finally passed.

Rep. Murray moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Perkins
Alario	Guillory	Pierre
Alexander, E	Hammett	Pinac
Alexander, R	Heaton	Pitre
Ansardi	Hebert	Powell
Baudoin	Hill	Pratt
Baylor	Holden	Quezaire
Bowler	Hopkins	Richmond
Broome	Hudson	Riddle
Bruce	Hunter	Romero
Bruneau	Hutter	Salter
Carter, K	Iles	Scalise
Carter, R	Jackson, L	Schneider
Cazayoux	Jackson, M	Schwegmann
Clarkson	Johns	Shaw
Crane	Katz	Smith, G.—56th
Crowe	Kennard	Smith, J.D.—50th
Damico	Kenney	Smith, J.H.—8th
Daniel	LaFleur	Smith, J.R.—30th
Dartez	Lancaster	Sneed
Devillier	Landrieu	Stelly
Diez	LeBlanc	Strain
Doerge	Lucas	Thompson
Donelon	Martiny	Toomy
Downer	McCallum	Townsend
Durand	McDonald	Triche
Erdey	McMains	Waddell
Farrar	McVea	Walsworth
Flavin	Montgomery	Welch
Frith	Morrell	Winston
Fruge	Morrish	Wooton
Futrell	Murray	Wright
Gallot	Nevers	
Glover	Odinet	
Total—100		

NAYS

Total—0

ABSENT

Curtis
Total—2
Faucheux

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE BILLS

March 20, 2001

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

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 2
Returned with amendments.

House Bill No. 5
Returned with amendments.

House Bill No. 12
Returned with amendments.

House Bill No. 14
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

**House Bills and Joint Resolutions
Returned from the Senate with Amendments**

Rep. Murray asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

HOUSE BILL NO. 2—

BY REPRESENTATIVES DEWITT, MORRELL, MURRAY, ALARIO, ANSARDI, BAYLOR, K. CARTER, DUPRE, FRITH, GLOVER, GUILLORY, HEATON, HOPKINS, HUDSON, L. JACKSON, JOHNS, MARTINY, MONTGOMERY, ODINET, PIERRE, PINAC, PRATT, RICHMOND, JACK SMITH, STELLY, TOWNSEND, TRICHE, WELCH, AND WOOTON 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; to provide for the inspection and certification of riverboats; to provide for the number of riverboats which may operate on a designated waterway; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 2 by Representative DeWitt

AMENDMENT NO. 1

On page 7, line 23, after "(4)" insert "(b)"

AMENDMENT NO. 2

On page 11, line 13, change "or" to "and"

AMENDMENT NO. 3

On page 11, line 14, after "and" and before "shall" insert "both"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Reengrossed House Bill No. 2 by Representative Dewitt

AMENDMENT NO. 1

On page 1, line 2, after "(B)(1)," and before "91(C)" insert "70(B)(7)"

AMENDMENT NO. 2

On page 3, line 17, after "(B)(1)" and before "91(C)" insert "70(B)(7)"

AMENDMENT NO. 3

On page 14, between lines 12 and 13, insert the following:

"§70. Gaming operator license and permits; suitability

* * *

B. In addition to meeting the above requirement, no person shall be issued a license to conduct gaming operations unless the division finds that:

* * *

(7)

* * *

R.S. 27:70(B)(7)(c) is all proposed new law.

(c) The legislature hereby further directs that the written policies, procedures and regulations shall provide for the inclusion of businesses owned by minorities to the maximum extent practicable.

* * *

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 2 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 27:" delete ""44(23),"

AMENDMENT NO. 2

On page 1, line 3, after "R.S. 27:" delete the remainder of the line and insert "66 and 66.1, and to"

AMENDMENT NO. 3

On page 1, line 6, delete "to provide for gaming on a" and on line 7, delete "permanently moored riverboat vessel;"

AMENDMENT NO. 4

On page 2, line 16, delete "(2) though (4)"

AMENDMENT NO. 5

On page 3, line 17, after "R.S. 27:" delete "44(23),"

AMENDMENT NO. 6

On page 3, line 18, "R.S. 27:" delete the remainder of the line and insert "66 and 66.1 are"

AMENDMENT NO. 7

On page 3, delete lines 20 through 26 and on page 4, delete lines 1 through 19

AMENDMENT NO. 8

On page 5, line 5, after "27:66" delete the remainder of the line and on line 6, delete "66.2(B)" and insert "and 66.1(B)"

AMENDMENT NO. 9

On page 5, line 22, after "(C)" delete "(1)"

AMENDMENT NO. 10

On page 6, line 2, after "(C)" delete the remainder of the line and delete line 3 and insert a period

AMENDMENT NO. 11

On page 6, line 12, after "(C)" delete "(1)"

AMENDMENT NO. 12

On page 7, delete lines 18 through 23

AMENDMENT NO. 13

On page 8, line 6, after "by" delete the remainder of the line and on line 7, change "(1) Transmitting" to "transmitting"

AMENDMENT NO. 14

On page 8, delete lines 14 through 24

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AMENDMENT NO. 15

On page 9, line 9, after "(C)" delete the remainder of the line and delete lines 10 and 11 and insert a period

AMENDMENT NO. 16

On page 9, delete lines 12 through 25 and on page 10, delete lines 1 through 26 and on page 11, delete lines 1 through 26 and on page 12, delete lines 1 through 8

AMENDMENT NO. 17

On page 12, line 9, change "66.2" to "66.1" and after "docked" delete the remainder of the line and on line 10, delete "moored riverboat vessel"

AMENDMENT NO. 18

On page 12, line 16, delete "or moored"

AMENDMENT NO. 19

On page 12, delete lines 22 through 24 and insert "contrary, the provisions of R.S. 27:65(B)(1)(a) and 66 shall apply to not more than one licensed riverboat at any time which must be located on Lake"

AMENDMENT NO. 20

On page 14, line 15, after "C." delete "(1)"

AMENDMENT NO. 21

On page 14, line 17, change "fifteen" to "fifteen eighteen"

AMENDMENT NO. 22

On page 14, delete lines 18 through 25 and on page 15, delete line 1 through 25 and on page 16, delete lines 1 through 6

AMENDMENT NO. 23

On page 16, delete lines 16 through 26 and on page 15, delete lines 1 through 5 and insert the following:

"(b) ~~The~~ Of the total of eighteen percent franchise fee paid pursuant to R.S. 27:91(C), fifteen percent to the state general fund and three percent to the Support Education in Louisiana First Fund, as provided in R.S. 17:421.7."

Rep. Murray moved that the amendments proposed by the Senate be rejected.

As a substitute motion, Rep. Hebert moved that the amendments proposed by the Senate be concurred in.

Rep. Hebert withdrew his substitute motion.

Rep. Murray insisted on his motion that the amendments proposed by the Senate be rejected.

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

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 benefits; to define employer and employment to include Indian tribes and services performed in the employ of an Indian tribe; to allow for reimbursement by Indian tribes for unemployment compensation purposes; to provide for the imposition of penalties for the delinquent payment of employment reimbursements 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.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Engrossed House Bill No. 5 by Representative Riddle

AMENDMENT NO. 1

On page 1, line 2, after "(F)" insert "(I)(b),"

AMENDMENT NO. 2

On page 1, line 3, after "1552" insert "(introductory paragraph),"

AMENDMENT NO. 3

On page 1, line 14, after "(F)" insert "(I)(b),"

AMENDMENT NO. 4

On page 1, line 15, after "1552" insert "(introductory paragraph),"

AMENDMENT NO. 5

On page 2, between lines 16 and 17, insert the following:

"I. Except as excluded by Subparagraph III of this Paragraph:

* * *

(b) Service performed after December 31, 1977, in the employ of this state or any of its instrumentalities or any political subdivision thereof or any of its instrumentalities or any instrumentality of more than one of the foregoing or any instrumentality of any of the foregoing and one or more other states or political subdivisions or any Indian tribe or tribal unit, provided that such service is excluded from "employment" as defined in the Federal Unemployment Tax Act by Section 3306(c)(7) of that Act."

AMENDMENT NO. 6

On page 3, at the end of line 13, insert "or" and delete lines 14 through 16 in their entirety

AMENDMENT NO. 7

On page 4, line 26, after "Act" insert a period "." and delete the remainder of the line and insert in lieu thereof the following, "The administrator shall have the discretion to determine when such failure of payment is"

AMENDMENT NO. 8

On page 5, line 1, after "and to" insert "determine the date of" and after "Chapter" insert a period "." and delete the remainder of the line and line 2 in its entirety

AMENDMENT NO. 9

On page 5, line 6, after "subdivisions" insert "and Indian tribes or tribal units"

AMENDMENT NO. 10

On page 5, delete line 7, and insert in lieu thereof the following:

"Benefits paid to employees of the state, its political subdivisions and employees of nonprofit organizations and employees of Indian tribes or tribal units, as defined in R.S. 23:1472(12)(F)(I), (II) ~~and~~ (IV), and (VII), shall be financed in accordance with the provisions of this Section. For the purposes of this Section, a nonprofit organization is an organization (or group of organizations) described in 26 U.S.C. § 501(c)(3) of the U.S. Internal Revenue Code which is exempt from income tax under 26 U.S.C. § 501(a) of said code."

AMENDMENT NO. 11

On page 6, line 7, after "election" delete the remainder of the line and insert in lieu thereof the following, "by the tribe for itself and each subdivision."

AMENDMENT NO. 12

On page 8, line 2, after "(I)" delete "and" and insert a comma ","

Rep. Riddle moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Odinot
Alario	Green	Perkins
Alexander, E	Guillory	Pierre
Alexander, R	Hammitt	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	Martiny	Thompson
Downer	McCallum	Toomy
Durand	McDonald	Townsend

Erdy	McMains	Triche
Farrar	McVea	Waddell
Faucheux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Winston
Futrell	Murray	Wooton
Gallot	Nevers	
Total—98		

NAYS

Total—0

ABSENT

Curtis	Lucas
Fruge	Wright
Total—4	

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 12—

BY REPRESENTATIVES FAUCHEUX, ALARIO, HILL, AND MONTGOMERY
AN ACT

To enact R.S. 47:302(P), 321(G), and 331(N), relative to the sales and use tax; to exempt purchases of utilities used by certain steelworks and blast furnaces; to provide for the effectiveness of the exemption; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 12 by Representative Faucheux

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 47:305.51 and to"

AMENDMENT NO. 2

On page 1, line 4, between "furnaces;" and "to provide" insert "to limit the exemption to entities with more than two-hundred fifty employees or who make certain investment in the state;"

AMENDMENT NO. 3

On page 1, line 7, between "Section 1." and "R.S. 47:302(P)" insert "R.S. 47:305.51 is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, line 13, after "2002" insert:

"for those taxpayers who had in good faith applied for and received an exemption pursuant to that Section prior to October 1, 2000 or those taxpayers who locate a facility eligible for such exemption in a parish which has a population between two hundred twenty thousand and two hundred eighty thousand"

AMENDMENT NO. 5

On page 1, between lines 14 and 15, insert the following:

"§305.51. Exemption; utilities used by steelworks and blast furnaces

The sales and use tax imposed by the state of Louisiana or any of its political subdivisions shall not apply to sales or purchases of utilities used by steelworks and blast furnaces with more than two-hundred and fifty employees, including coke ovens and rolling mills, or in which there has been an investment of seven hundred fifty million dollars in this state, and which are classified as SIC 3312 by the Standard Industrial Classification Code. However, this exemption shall not apply to utilities used in and around the production of coke in oil refineries and the use of coke in oil refineries and other chemical processes.

* * *

AMENDMENT NO. 6

On page 2, line 3, after "2002" insert:

"for those taxpayers who had in good faith applied for and received an exemption pursuant to that Section prior to October 1, 2000 or those taxpayers who locate a facility eligible for such exemption in a or those taxpayers who locate a facility eligible for such exemption in a parish which has a population between two hundred twenty thousand and two hundred eighty thousand"

AMENDMENT NO. 7

On page 2, line 9, after "2002" insert:

"for those taxpayers who had in good faith applied for and received an exemption pursuant to that Section prior to October 1, 2000 or those taxpayers who locate a facility eligible for such exemption in a or those taxpayers who locate a facility eligible for such exemption in a parish which has a population between two hundred twenty thousand and two hundred eighty thousand"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 12 by Representative Faucheux

AMENDMENT NO. 1

In Amendment No. 2, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on March 19, 2001, on page 1, line 5, after "insert" delete the remainder of the line and delete lines 6 and 7 and insert:

"to define steelworks and blast furnaces eligible for such exemption,"

AMENDMENT NO. 2

Delete Amendment No. 4, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on March 19, 2001.

AMENDMENT NO. 3

In Amendment No. 5, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on March 19, 2001:

On page 1, line 25, change "two hundred fifty employees" to "one hundred twenty-five full-time employees"

On page 1, line 26, after "mills," delete the remainder of the line and delete line 27, and on line 28, at the beginning of the line delete "and" and after "classified" insert "by the Louisiana Department of Labor" and after "SIC 3312" change "by" to "of"

AMENDMENT NO. 4

Delete Amendment Nos. 6 and 7, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on March 19, 2001.

Rep. Faucheux moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—101

NAYS

Total—0

ABSENT

Curtis Total—1

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 14—

BY REPRESENTATIVES HAMMETT, ALARIO, BRUNEAU, K. CARTER, DANIEL, DARTEZ, DURAND, FARRAR, FAUCHEUX, HILL, HUNTER, L. JACKSON, LEBLANC, MONTGOMERY, ODINET, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, DAMICO, DEVILLIER, DEWITT, DIEZ, DONELON, DOWNER, ERDEY, FLAVIN, FRITH, FRUGE, FUTRELL, GLOVER, GUILLORY, HEATON, HEBERT, HOLDEN, HUDSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, MARTINY, MCDONALD, MCMAINS, MORRISH, MURRAY, NEVERS, PIERRE, PINAC, PITRE, POWELL, PRATT,

RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JANE SMITH, SNEED, STELLY, THOMPSON, TOOMY, TOWNSEND, TRICHE, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 47:1621, relative to the Department of Revenue; to expand the authority of the secretary to refund overpayments under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 14 by Representative Hammett, et al.

AMENDMENT NO. 1

On page 4, line 21, after "apply" insert "(1)"

AMENDMENT NO. 2

On page 4, at the beginning of line 23, insert:

"and which were not appealed to the Board of Tax Appeals under the provisions of R.S. 47:1625 prior to January 1, 2000," and after "and" insert "(2)"

AMENDMENT NO. 3

On page 5, line 1, after "for" delete "all" and insert "Corporation Franchise"

AMENDMENT NO. 4

On page 5, line 2, after "1997," insert "and all other tax periods beginning after December 31, 1996,"

Rep. Alario moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schneider
Cazayoux	Jackson, L	Schwegmann
Clarkson	Jackson, M	Shaw
Crane	Johns	Smith, G.—56th
Crowe	Katz	Smith, J.D.—50th
Damico	Kennard	Smith, J.H.—8th

Daniel	Kenney	Smith, J.R.—30th
Dartez	LaFleur	Sneed
Devillier	Lancaster	Stelly
Diez	Landrieu	Strain
Doerge	LeBlanc	Thompson
Donelon	Lucas	Toomy
Downer	Martiny	Townsend
Durand	McCallum	Triche
Erdey	McDonald	Waddell
Farrar	McMains	Walsworth
Faucheux	McVea	Welch
Flavin	Montgomery	Winston
Frith	Morrell	Wooton
Fruge	Morrish	Wright
Futrell	Murray	
Gallot	Nevers	
Total—100		

NAYS

Total—0

ABSENT

Curtis	Romero
Total—2	

The amendments proposed by the Senate were concurred in by the House.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

March 20, 2001

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

I am directed to inform your honorable body that the Senate has finally passed the following House Concurrent Resolutions:

House Concurrent Resolution No. 6
Returned without amendments.

House Concurrent Resolution No. 7
Returned without amendments.

House Concurrent Resolution No. 8
Returned without amendments.

House Concurrent Resolution No. 9
Returned without amendments.

House Concurrent Resolution No. 10
Returned without amendments.

House Concurrent Resolution No. 11
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE BILLS

March 20, 2001

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

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 16
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

March 19, 2001

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

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 2, 4, 5, 6, 7, 8, 9, and 10

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Riddle, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 2—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of Mervin Lee Trail, MD.

Read by title.

On motion of Rep. Riddle, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 4—

BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Charles M. Lanie.

Read by title.

On motion of Rep. Romero, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Daniel L. Regard.

Read by title.

On motion of Rep. Hebert, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Landis "Noon" Ortemond.

Read by title.

On motion of Rep. Morrish, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Sidney J. Guidry, Sr.

Read by title.

On motion of Rep. Durand, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 8—

BY SENATOR B. JONES

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of John Smoker Hunt II.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 9—

BY SENATORS BAJOIE, HAINKEL, BOISSIERE, HEITMEIER, AND JOHNSON

A CONCURRENT RESOLUTION

To express the condolences of the members of the legislature to the family of Florida "Flo" Riley Wilson, mother of Senator Paulette R. Irons.

Read by title.

On motion of Rep. Heaton, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 10—

BY SENATORS SMITH, MALONE, AND CAMPBELL

A CONCURRENT RESOLUTION

To commend the Northwestern State University Demons basketball team on its outstanding performance and showing in the NCAA basketball tournament.

Read by title.

On motion of Rep. Townsend, and under a suspension of the rules, the resolution was concurred in.

**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 RESOLUTION NO. 7—

BY REPRESENTATIVE HOLDEN

A RESOLUTION

To commend Johnny Mathis on his successful journey as a renowned performer and to welcome him to Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 12—

BY REPRESENTATIVES KENNARD, ALARIO, DANIEL, HOLDEN, MCVEA, ODINET, AND POWELL

A CONCURRENT RESOLUTION

To commend and congratulate the LSU men's track and field team and its coaches, managers, and trainers upon winning the 2001 National Collegiate Athletic Association Indoor Track and Field Championship.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 13—

BY REPRESENTATIVES KENNARD, ALARIO, DANIEL, HOLDEN, MCVEA, MONTGOMERY, ODINET, POWELL, AND SALTER

A CONCURRENT RESOLUTION

To commend and congratulate LSU head basketball coach John Brady for his achievements in leading the Tigers through the 2000-2001 season.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 14—

BY REPRESENTATIVES KENNARD, ALARIO, DANIEL, GLOVER, HOLDEN, MCVEA, MONTGOMERY, ODINET, POWELL, AND SALTER

A CONCURRENT RESOLUTION

To commend and congratulate LSU head football coach Nick Saban for his outstanding achievements in leading the Tigers to a remarkable 2000 season.

Read by title.

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

Ordered to the Senate.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 2: Reps. DeWitt, Martiny, and Murray.

Leave of Absence

Rep. Curtis - 1 day

Adjournment

On motion of Rep. Kenney, at 5:20 P.M., the House agreed to adjourn until Wednesday, March 21, 2001, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Wednesday, March 21, 2001.

ALFRED W. SPEER
Clerk of the House

