

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

THIRD 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 13, 2001

The House of Representatives was called to order at 2:00 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	Pratt
Broome	Holden	Quezaire
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
Dupre	Martiny	Toomy
Durand	McCallum	Townsend
Erdey	McDonald	Triche
Farrar	McMains	Waddell

Faucheux
Flavin
Frith
Fruge
Futrell
Total—102

McVea
Montgomery
Morrell
Morrish
Murray

Walsworth
Welch
Winston
Wooton
Wright

ABSENT

Curtis
Total—1

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rep. Lucas.

Pledge of Allegiance

Rep. Devillier 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 12, 2001, was adopted.

Privileged Report of the Committee on Enrollment

March 13, 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 Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 1—

BY REPRESENTATIVE WALSWORTH

A RESOLUTION

To commend Christopher Leader as a State Honoree in the 2001 Prudential Spirit of Community Awards and to recognize and record his generous service and contributions to his community and to the state of Louisiana.

HOUSE RESOLUTION NO. 2—

BY REPRESENTATIVE FAUCHEUX

A RESOLUTION

To commend Ben A. Taylor of Hammond as Louisiana's Conservationist of the Year.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House 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:

Page 2 HOUSE

3rd Day's Proceedings - March 13, 2001

HOUSE RESOLUTION NO. 3—

BY REPRESENTATIVES DOWNER, DARTEZ, DUPRE, AND TRICHE AND
SENATOR GAUTREAUX

A RESOLUTION

To commend Andrew Dunkelman of Houma as Louisiana's top high school student volunteer in the sixth annual Prudential Spirit of Community Awards and to recognize and record his generous service and contributions to his community and to the state of Louisiana.

Read by title.

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

HOUSE RESOLUTION NO. 4—

BY REPRESENTATIVES DOWNER, DARTEZ, DUPRE, AND TRICHE AND
SENATOR GAUTREAUX

A RESOLUTION

To commend Melissa Brennan of Houma as a Distinguished Finalist in the 2001 Prudential Spirit of Community Awards and to recognize and record her generous service and contributions to her community and to the state of Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 2—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To commend the Public Administration Institute Student Association at Louisiana State University and to recognize April 13, 2001, as the third annual PAISA Day.

Read by title.

On motion of Rep. Downer, 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 13, 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:

House Bill No. 6, by Farrar
Reported with amendments. (9-0-1) (Regular)

SHARON WESTON BROOME
Chairman

Report of the Committee on Ways and Means

March 13, 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:

House Bill No. 12, by Faucheux
Reported with amendments. (16-0-1) (Regular)

House Bill No. 14, by Hammett
Reported with amendments. (13-0) (Regular)

House Bill No. 16, by Alario
Reported favorably. (14-0-1) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

Suspension of the Rules

On motion of Rep. Broome, 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. 6—

BY REPRESENTATIVES FARRAR AND DONELON AND SENATORS
MCPHERSON AND ELLINGTON

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 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 Original House Bill No. 6 by Representatives Farrar, et al.

AMENDMENT NO. 1

On page 3, line 24, after "DEVELOPMENT" add "AREA"

AMENDMENT NO. 2

On page 6, line 3, after "Section 4. Sections" change "1 and 2" to "1, 2, 4, and 5"

AMENDMENT NO. 3

On page 6, line 9, after "all" and before "movable" delete "property"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 12—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 47:301(10)(t) and to repeal R.S. 47:305.51, relative to the sales and use tax; to exempt purchases of utilities used by certain steelworks and blast furnaces by enacting a definition of exclusion relative to such purchases; to repeal the exemption for such purchases; to provide for the effectiveness of the exemption; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 12 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 2, after "enact", delete "R.S. 47:301(10)(t) and to repeal R.S. 47:305.51" and insert "R.S. 47:302(P), 321(G), and 331(N)"

AMENDMENT NO. 2

On page 1, delete lines 4 and 5 and insert "and blast furnaces; to provide for"

AMENDMENT NO. 3

On page 1, delete lines 9 through 17 in their entirety and insert the following:

"Section 1. R.S. 47:302(P), 321(G), and 331(N) are hereby enacted to read as follows:

§302. Imposition of tax

* * *

P. Notwithstanding any other provision of law to the contrary, the exemption provided in R.S. 47:305.51 shall be applicable, operable, and effective for the period April 1, 2001 through June 30, 2002.

* * *

§321. Imposition of tax

* * *

G. Notwithstanding any other provision of law to the contrary, the exemption provided in R.S. 47:305.51 shall be applicable, operable, and effective for the period April 1, 2001 through June 30, 2002.

* * *

§331. Imposition of tax

* * *

N. Notwithstanding any other provision of law to the contrary, the exemption provided in R.S. 47:305.51 shall be applicable, operable, and effective for the period April 1, 2001 through June 30, 2002."

AMENDMENT NO. 4

On page 2, delete lines 1 through 14 in their entirety

AMENDMENT NO. 5

On page 2, at the beginning of line 15, change "Section 4" to "Section 2"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 14—
BY REPRESENTATIVE HAMMETT
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.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 14 by Representative Hammett

AMENDMENT NO. 1

On page 3, line 1, after "required," delete the remainder of the line and lines 2 through 5 in their entirety.

AMENDMENT NO. 2

On page 3, at the end of line 8, before the period "." insert a comma "," and the following:

"subject to conditions or limitations provided by law"

AMENDMENT NO. 3

On page 3, line 9, change "D." to "D.(1)"

AMENDMENT NO. 4

On page 3, between lines 10 and 11, insert the following:

"(2) If a taxpayer has overpaid a particular tax for more than one taxable year and seeks a refund of the total amount, the secretary may issue the refund incrementally. The number of increments shall not exceed the total number of years the tax was overpaid."

AMENDMENT NO. 5

On page 4, line 22, change "1996" to "1997"

Page 4 HOUSE

3rd Day's Proceedings - March 13, 2001

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 16—

BY REPRESENTATIVES ALARIO, K. CARTER, DIEZ, SCALISE, SNEED, AND WINSTON AND SENATOR HOLLIS
AN ACT

To amend and reenact Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature, as amended by Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature, Section 3 of Act No. 1291 of the 1997 Regular Session of the Legislature, and Section 1 of Act No. 50 of the 1998 Regular Session of the Legislature, relative to the Louisiana Tax Free Shopping Program; to change the termination date of the program; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill 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. Riddle, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

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:

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 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.

Suspension of the Rules

On motion of Rep. Riddle, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

Rep. Riddle moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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	Pratt
Broome	Holden	Quezaire
Bruce	Hopkins	Richmond
Bruneau	Hudson	Riddle
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
Faucheux	McVea	Welch
Flavin	Montgomery	Winston
Frith	Morrell	Wooton
Fruge	Morrish	Wright
Futrell	Murray	
Total—101		

NAYS

Romero
Total—1

ABSENT

Curtis
Total—1

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Riddle 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.

HOUSE BILL NO. 2—

BY REPRESENTATIVES DEWITT, MORRELL, 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.

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. 2 by Representative DeWitt

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 15, delete line 11 in its entirety.

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

Acting Speaker LeBlanc in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed House Bill No. 2 by Representative DeWitt

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

AMENDMENT NO. 3

On page 7, at the end of line 20, insert "and limited"

AMENDMENT NO. 4

On page 8, line 21, after "and" and before "the" insert "shall be limited by"

AMENDMENT NO. 5

On page 8, at the beginning of line 22, delete "27:66.2." and insert "27:66.2(B)"

AMENDMENT NO. 6

On page 10, at the beginning of line 16, delete "by the" and insert "by this Chapter and by any applicable"

AMENDMENT NO. 7

On page 10, line 16, after "Guard" and before "for" insert "rules and regulations"

AMENDMENT NO. 8

On page 10, line 19, after "standards" delete the remainder of the line

AMENDMENT NO. 9

On page 10, line 20, delete "Section required by this Chapter." and insert in lieu thereof "required by this Chapter which are not inconsistent with this Section."

AMENDMENT NO. 10

On page 10, line 21, after "by" and before "has" delete "a person who" and insert "one or more persons, at least one of whom"

AMENDMENT NO. 11

On page 11, between lines 18 and 19, insert the following:

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

AMENDMENT NO. 12

On page 11, delete at the end of line 24, delete "a"

AMENDMENT NO. 13

On page 11, delete line 25 in its entirety and insert "as provided"

AMENDMENT NO. 14

On page 12, line 6, after "R.S. 27:65(B)(1)(a)" delete the remainder of the line and insert a comma "," and insert "66, and 66.1 shall"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed House Bill No. 2 by Representative DeWitt

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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. 3

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

Page 6 HOUSE

3rd Day's Proceedings - March 13, 2001

AMENDMENT NO. 4

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."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed House Bill No. 2 by Representative DeWitt

AMENDMENT NO. 1

On page 10, line 11, after "vessels" and before "and" insert "including but not limited to hull integrity"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Murray and Townsend to Engrossed House Bill No. 2 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 15, after "construction;" and before "and" insert "to provide for the number of riverboats which may operate on a designated waterway;"

AMENDMENT NO. 2

On page 4, at the end of line 19, delete "parish." and insert "designated waterway."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Landrieu to Engrossed House Bill No. 2 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 27:" and before "44" insert "28,"

AMENDMENT NO. 2

On page 1, line 4, after "gaming;" and before "to" insert "to provide for the authority of the Louisiana Gaming Control Board;"

AMENDMENT NO. 3

On page 3, line 9, after "R.S. 27:" and before "44" insert "28,"

AMENDMENT NO. 4

On page 3, between lines 10 and 11, insert the following:

§28. Uniform compulsive and problem gambling identification and treatment program

A. The Louisiana Gaming Control Board shall adopt rules establishing a uniform compulsive and problem gambling identification and treatment program.

B. The uniform compulsive and problem gambling identification and treatment program shall provide that the holder of any license issued by the board for the conducting of gaming activities as provided by law shall implement the policies and procedures which are adopted by the board and are designed to:

(1) Identify problem gamblers.

(2) Prevent previously identified problem gamblers from gambling at the licensee's facility or other facilities licensed by the state of Louisiana.

C. The policies and procedures shall be developed in cooperation with the office of alcohol and drug abuse for the Department of Health and Hospitals as provided in R.S. 28:841 and shall include the following:

(1) Training of key employees to identify and report suspected problem gamblers.

(2) Procedures for recording and tracking identified problem gamblers.

(3) Policies designed to prevent serving alcohol to intoxicated gaming patrons.

(4) Steps for removing problem gamblers from the licensed establishment or facility.

(5) Procedures for preventing re-entry of problem gamblers.

D. All rules adopted pursuant to the provisions of this Section shall be adopted in accordance with the provisions of the Administrative Procedure Act and R.S. 27:15(B)(8).

E. Nothing herein shall be construed to relieve the licensee from the requirements of posting of signs to inform customers of the toll-free telephone number available to provide information and referral services regarding compulsive or problem gambling as required by R.S. 27:58(10), 249(B), 320, or 377."

Point of Order

Rep. Jack Smith 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. Landrieu, 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. 2 by Representative DeWitt

AMENDMENT NO. 1

On page 10, delete lines 8 through 23 in their entirety and insert the following:

"(2) The licensee at its expense shall cause to be conducted annually an inspection of the permanently moored riverboat vessel. The inspector shall certify to the Louisiana Gaming Control Board that the permanently moored riverboat vessel is in compliance with the standards required by this Section."

AMENDMENT NO. 2

On page 10, line 24, change "(4)" to "(3)"

AMENDMENT NO. 3

On page 11, line 4, change "(5)" to "(4)"

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 germane to the call.

Rep. Morrish moved the adoption of the amendments.

Rep. Murray objected.

By a vote of 33 yeas and 67 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 2 by Representative DeWitt

AMENDMENT NO. 1

On page 1, at the end of line 2, after "and" delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 3, after "enact" and before "R.S. 27:44(17.1)" delete "R.S. 17:421.7,"

AMENDMENT NO. 3

On page 1, line 11, after "fees;" delete the remainder of the line and insert in lieu thereof "to"

AMENDMENT NO. 4

On page 1, delete line 12

AMENDMENT NO. 5

On page 1, at the beginning of line 13, delete "uses of monies in the fund;"

AMENDMENT NO. 6

On page 1, delete line 18

AMENDMENT NO. 7

On page 2, delete lines 1 through 26 in their entirety

AMENDMENT NO. 8

On page 3, delete lines 1 through 7 in their entirety

AMENDMENT NO. 9

On page 3, line 8, after "Section" and before "R.S." change "2" to "1" and after "(B)(1)," delete the remainder of the line and insert in lieu thereof "and 91(C) are"

AMENDMENT NO. 10

On page 15, delete lines 19 through 26 in their entirety

AMENDMENT NO. 11

On page 16, delete lines 1 through 17 in their entirety

AMENDMENT NO. 12

On page 16, line 18, after "Section" and before the period "." change "3" to "2"

AMENDMENT NO. 13

On page 16, line 20, after "Section" and before the period "." change "4" to "3"

AMENDMENT NO. 14

On page 16, line 25, after "Section" and before the period "." change "5" to "4"

AMENDMENT NO. 15

On page 17, line 1, after "Section" and before the period "." change "6" to "5"

Rep. Daniel moved the adoption of the amendments.

Rep. Murray objected.

By a vote of 22 yeas and 79 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fruge to Engrossed House Bill No. 2 by Representative Dewitt

AMENDMENT NO. 1

On page 6, line 3, after "R.S. 27:91(C)(1)" and before the period "." insert "and the additional franchise fee in the amount provided in R.S. 27:91(C)(2)"

AMENDMENT NO. 2

On page 14, line 7, after "gaming" and before "pursuant" delete "while the riverboat is docked" and insert in lieu thereof "on a licensed riverboat"

AMENDMENT NO. 3

On page 14, line 8, after "of" and before "R.S.27:66" insert "R.S. 27:65(B)(1)(b) or"

Page 8 HOUSE

3rd Day's Proceedings - March 13, 2001

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 germane to the call.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Flavin to Engrossed House Bill No. 2 by Representative DeWitt

AMENDMENT NO. 1

On page 16, after line 26, add the following:

"Section 6. Notwithstanding the provisions of Section 6 or any other provisions of this Act to the contrary, riverboat gaming operations authorized by R.S. 27:66, 66.1, or 66.2 shall not be conducted until an election is conducted as provided in Chapter 6-B of Title 18 of the Louisiana Revised Statutes of 1950 is conducted in the parish where the riverboat gaming operations will be conducted and approved by a majority of the electors voting on the proposal. Such election shall be held not later than October 1, 2001 and shall be conducted at the expense of the licensee."

AMENDMENT NO. 2

On page 17, line 1, change "6" to "7"

Motion

Rep. Martiny moved the previous question be ordered on the entire subject matter.

As a substitute motion, Rep. Alario moved to end consideration of amendments.

Rep. Fruge objected.

The vote recurred on the substitute motion.

By a vote of 59 yeas and 36 nays, the House agreed to end consideration of amendments.

Rep. Flavin 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

Baudoin	Futrell	Riddle
Broome	Guillory	Romero
Clarkson	Hill	Salter
Crane	Iles	Shaw

Crowe
Daniel
Donelon
Downer
Erdey
Farrar
Fauchaux
Flavin
Fruge
Total—37

Johns
Katz
Kennard
McDonald
McMains
Morrell
Morrish
Nevers
Perkins

Smith, J.R.—30th
Stelly
Strain
Thompson
Triche
Walsworth
Wright

NAYS

Mr. Speaker
Alario
Alexander, E
Alexander, R
Ansardi
Baylor
Bowler
Bruce
Bruneau
Carter, K
Carter, R
Cazayoux
Damico
Darte
Devillier
Diez
Doerge
Dupre
Durand
Frith
Gallot
Total—63

Glover
Green
Hammett
Heaton
Hebert
Holden
Hopkins
Hudson
Hunter
Jackson, L
Jackson, M
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Martiny
McCallum
McVea
Montgomery
Murray

Odinot
Pierre
Pinac
Pitre
Powell
Pratt
Quezaire
Richmond
Scalise
Schneider
Schwegmann
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Sneed
Toomy
Townsend
Waddell
Welch
Winston
Wooton

ABSENT

Curtis
Total—3

Hutter

Lucas

The amendments were rejected.

Suspension of the Rules

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander, R
Ansardi
Baylor
Bowler
Bruce
Bruneau
Carter, K
Carter, R
Cazayoux
Clarkson
Crane
Damico

Hammett
Heaton
Hebert
Hill
Holden
Hopkins
Hudson
Hunter
Hutter
Jackson, L
Jackson, M
Johns
Katz
Kenney

Pinac
Pitre
Powell
Pratt
Quezaire
Richmond
Salter
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th

Daniel	LaFleur	Sneed
Dartez	Lancaster	Stelly
Devillier	Landrieu	Strain
Doerge	LeBlanc	Thompson
Dupre	Martiny	Toomy
Durand	McDonald	Townsend
Farrar	McMains	Triche
Faucheux	McVea	Waddell
Flavin	Montgomery	Walsworth
Frith	Morrell	Welch
Fruge	Morrish	Winston
Gallot	Murray	Wooton
Glover	Odinot	
Guillory	Pierre	
Total—82		

NAYS

Alexander, E	Erdey	Nevers
Baudoin	Futrell	Perkins
Broome	Green	Riddle
Crowe	Iles	Romero
Diez	Kennard	Scalise
Donelon	Lucas	Wright
Downer	McCallum	
Total—20		

ABSENT

Curtis
Total—1

The chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

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.

Speaker DeWitt in the Chair**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.

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. 4 by Representative Martiny

AMENDMENT NO. 1

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

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. 4 by Representative Martiny

AMENDMENT NO. 1

On page 6, line 6, after "R.S. 27:91(C)(1)" and before the period ".", insert "and the additional franchise fee in the amount provided in R.S. 27:91(C)(2)"

AMENDMENT NO. 2

On page 14, line 24, after "gaming" and before "pursuant" delete "while the riverboat is docked" and insert in lieu thereof "on a licensed riverboat"

AMENDMENT NO. 3

On page 14, line 25, after "of" and before "R.S.27:66" insert "R.S. 27:65(B)(1)(b) or"

Point of Order

Rep. Hopkins 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.

Rep. Hebert moved the adoption of the amendments.

Rep. Martiny objected.

By a vote of 67 yeas and 34 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed House Bill No. 4 by Representative Martiny

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 4, line 19, after "R.S.27:66," and before "in" insert "R.S. 27:66.1 and R.S. 27:66.2(B)."

Page 10 HOUSE

3rd Day's Proceedings - March 13, 2001

AMENDMENT NO. 3

On page 8, at the end of line 4, insert "and limited"

AMENDMENT NO. 4

On page 9, line 21, after "and" and before "the" insert "shall be limited by"

AMENDMENT NO. 5

On page 9, at the beginning of line 22, delete "27:66.2" and insert "27:66.2(B)"

AMENDMENT NO. 6

On page 12, between lines 8 and 9, insert the following:

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

AMENDMENT NO. 7

On page 12, at the beginning of line 9, change "G" to "H"

AMENDMENT NO. 8

On page 12, delete at the end of line 17, delete "a"

AMENDMENT NO. 9

On page 11, delete line 18 in its entirety and insert "as provided"

AMENDMENT NO. 10

On page 12, line 25, 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"

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

Motion

On motion of Rep. Martiny, the bill, as amended, was returned to the calendar.

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. 3—

BY REPRESENTATIVES JOHNS, GUILLORY, FLAVIN, HILL, MORRISH, AND STELLY AND SENATORS CAIN, MOUNT, AND THEUNISSEN
A CONCURRENT RESOLUTION

To urge and request the U.S. Army Corps of Engineers to review and correct the siltation problem in Moss Lake in Calcasieu Parish.

Read by title.

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

Ordered to the Senate.

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. 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.

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. 19 by Representative Hebert

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 5, delete lines 13 through 20 in their entirety and insert "R.S. 27:91(C)(1) and the additional franchise fee in the amount provided in R.S. 27:91(C)(2)."

AMENDMENT NO. 3

On page 6, line 3, after "R.S. 27:91(C)(1)" delete the period "." and insert "and the additional franchise fee in the amount provided in R.S. 27:91(C)(2)."

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 7, line 22, after "by" delete the remainder of the line and at the beginning of line 23, delete "(1) Transmitting" and insert "transmitting"

AMENDMENT NO. 6

On page 8, delete lines 4 through 14 in their entirety.

AMENDMENT NO. 7

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

AMENDMENT NO. 8

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

AMENDMENT NO. 9

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

AMENDMENT NO. 10

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. 11

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. 12

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. 13

On page 13, at the end of line 23, delete "five" and insert "three"

AMENDMENT NO. 14

On page 13, line 25, after "of" and before "R.S." insert "R.S. 27:65(B)(1)(b) or"

AMENDMENT NO. 15

On page 14, at the end of line 2, delete "eight" and insert "five"

AMENDMENT NO. 16

On page 15, delete line 3 in its entirety and 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. 17

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

AMENDMENT NO. 18

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

AMENDMENT NO. 19

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

AMENDMENT NO. 20

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.

Leave of Absence

Rep. Curtis - 1 day

Adjournment

On motion of Rep. Kenney, at 5:40 P.M., the House agreed to adjourn until Wednesday, March 14, 2001, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Wednesday, March 14, 2001.

ALFRED W. SPEER
Clerk of the House

