

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

THIRD DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, March 13, 2001

The Senate was called to order at 9:00 o'clock A.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Fields, W	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Campbell	Hoyt	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, C	Thomas
Dean	Lambert	Ullo
Ellington	Lentini	
Fields, C	Malone	
Total—37		

ABSENT

Irons	Vacant-Dist. 20
Total—2	

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Senator Ellington, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Ellington, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Introduction of Senate Bills
and Joint Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 4—
BY SENATOR MARIONNEAUX

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 and R.S. 27:44(17.1), 66, 66.1, 66.2, and to repeal R.S. 27:44(16), 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.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Judiciary B.

Rules Suspended

Senator Lambert asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Bajoie, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

March 12, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 2—

BY SENATORS MCPHERSON AND ELLINGTON 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 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.

Reported with amendments.

Respectfully submitted,
DIANA E. BAJOE
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

March 13, 2001

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

March 12, 2001

To the President and Members of the Senate:

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

SENATE BILL NO. 1—

BY SENATORS HOLLIS AND BOISSIERE 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, 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; and to provide for related matters.

Reported with amendments.

Respectfully submitted, DONALD R. CRAVINS Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

Senator Ullo asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 1—

BY SENATORS HOLLIS AND BOISSIERE 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; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 1 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 3, between "27:241.1" and the comma "," insert the following: "and R.S. 27:244(A)(11) and (12)"

AMENDMENT NO. 2

On page 3, line 4, delete "and support"

AMENDMENT NO. 3

On page 3, line 7, after "teachers" delete the period "." and add the following: "in Fiscal Year 2001-2002 and to annually support such increase."

AMENDMENT NO. 4

On page 3, line 9, delete "and support"

AMENDMENT NO. 5

On page 3, line 12, after "administration" delete the period "." and add the following: "in Fiscal Year 2001-2002 and to annually support such increase."

AMENDMENT NO. 6

On page 3, line 14, change "is" to "and 244(A)(11) and (12) are"

AMENDMENT NO. 7

On page 3, line 22, change "or" to "and"

AMENDMENT NO. 8

On page 6, between lines 12 and 13 insert the following:

"R.S. 27:243(C)(1)(i) is all proposed new law.

(i) May have a meeting space for parties, VIP events, and the like but shall not rent business meeting space for business seminars and training associated with the sale or purchase of rentable units, unless such rentable units are rented at the rates established as provided in Subparagraph (C)(2)(b)."

AMENDMENT NO. 9

On page 6, line 13, after "operator" insert "on its own or through an affiliate."

AMENDMENT NO. 10

On page 6, line 14, delete "in the official gaming establishment"

AMENDMENT NO. 11

On page 6, line 20 delete "but" and insert "except that the casino gaming operator" and on line 20, delete "lease."

AMENDMENT NO. 12

On page 7, line 4, after "the" insert "Greater New Orleans Hotel-Motel Association" and on lines 4 and 5 delete "hotel trade association in the parish in which the official gaming establishment is located"

AMENDMENT NO. 13

On page 7, lines 8 and 9, delete "As a guide for setting such rates." and change "the" to "The"

AMENDMENT NO. 14

On page 7, line 13, insert a period "." after "parish" and delete lines 14 through 17 in their entirety.

AMENDMENT NO. 15

On page 7, line 21, after "of" delete "a" and insert "the casino gaming operator's or manager's"

AMENDMENT NO. 16

On page 7, line 22, after "on" delete "a" and insert "the casino gaming operator's or manager's"

AMENDMENT NO. 17

On page 7, line 25, after "upon" insert "observed" and after "levels" and before the comma ";" insert "at the casino"

AMENDMENT NO. 18

On page 8, line 5, delete "(i)" and on line 6, after "public" delete "in print ads or billboards that offer" and insert ", which does not include those individuals specified in Subsubparagraphs (2)(c)(i)-(vi) above."

AMENDMENT NO. 19

On page 8, line 7, after the semicolon ";" delete "(ii) shall not" and insert "however the casino gaming operator may"

AMENDMENT NO. 20

On page 8, line 7, after "advertise" delete "room rates" and insert "rooms rented at the rates established in Subparagraph (2)(b) above"

AMENDMENT NO. 21

On page 8, line 8, delete "within" and insert "outside"

AMENDMENT NO. 22

On page 8, line 9, after "establishment" delete "that is also within" and insert "or on billboards outside of"

AMENDMENT NO. 23

On page 8, line 18, insert a period "." after "establishment" and delete "as" and delete lines 19 and 20 in their entirety

AMENDMENT NO. 24

On page 8, between lines 25 and 26, insert the following:

"§244. Contract to conduct casino gaming operations; other requirements; breach of contract

A. In addition to the requirements of R.S. 27:241 through 243, the casino operating contract shall include provisions requiring the casino operator to do the following:

* * *

R.S. 27:244(A)(11) is all proposed new law.

(11) The casino gaming operator shall not reduce its total operating force or personnel level below ninety percent of the force or level as such existed on March 8, 2001.

R.S. 27:244(A)(12) is all proposed new law.

(12) The casino gaming operator shall not reduce the total salary levels or compensation of its operating force or personnel by more than ten percent of the salary level or compensation as such existed on March 8, 2001."

AMENDMENT NO. 25

On page 10, line 6, change "for" to "through"

AMENDMENT NO. 26

On page 10, lines 6 and 7, delete the commas " , "

AMENDMENT NO. 27

On page 10, line 15, between "Section 3." and "Included" insert "A."

AMENDMENT NO. 28

On page 10, between lines 23 and 24, insert the following:

"B. Notwithstanding Subsection A, no further amendment to the Amended and Renegotiated Casino Operating contract entered into on

October 30, 1998, as previously amended effective October 19, 1999, and on March 8, 2001, shall be acted upon by the Gaming Control Board until the amendment is approved by the Joint Legislative Committee on the Budget."

On motion of Senator Cravins, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 2—

BY SENATORS MCPHERSON AND ELLINGTON 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 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.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 2 by Senator McPherson

AMENDMENT NO. 1

On page 3, line 24, between "DISTRICT" and "ADVISORY" insert "AREA"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

Leaves of Absence

The following leaves of absence were asked for and granted:

Irons 1 Day Vacant-Dist 20 1 Day

Adjournment

Senator Lambert moved that the Senate adjourn until Wednesday, March 14, 2001 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, March 14, 2001.

MICHAEL S. BAER, III Secretary of the Senate

GAYE F. HAMILTON Journal Clerk