

Regular Session, 2013

HOUSE CONCURRENT RESOLUTION NO. 1

BY REPRESENTATIVE LOPINTO

STATE OFFICIALS: Expresses intent of the legislature regarding Act No. 725 of the 2004 Regular Session

1 A CONCURRENT RESOLUTION

2 To express the intent of the Louisiana Legislature regarding Act No. 725 of the 2004  
3 Regular Session of the Legislature.

4 WHEREAS, R.S. 24:177(B)(2)(b) provides that the "legislature may express the  
5 intended meaning of a law in a duly adopted concurrent resolution, by the same vote and,  
6 except for gubernatorial veto and time limitations for introduction, according to the same  
7 procedures and formalities required for enactment of that law"; and

8 WHEREAS, during the 2004 Regular Session of the Legislature of Louisiana, Act  
9 No. 725 was enacted into law and provided, in part, that an elected public official as defined  
10 in R.S. 42:1 who is a member of a governing authority of a parish who was elected to his  
11 initial term in 2004, may engage in any business activity with a licensee if he is a non-key  
12 gaming employee as defined by R.S. 27:3, if such employment commenced at least four  
13 years prior to holding elective public office; and

14 WHEREAS, during the 2004 Regular Session of the Legislature of Louisiana, Act  
15 No. 725 was enacted into law and provided, in part, that an elected public official as defined  
16 in R.S. 42:1 who is a member of a school board who took his oath of office for his initial  
17 term in 2004, may engage in any business activity with a licensee if he is a non-key gaming  
18 employee as defined by R.S. 27:3, if such employment commenced at least two years prior  
19 to August 1, 2004; and

20 WHEREAS, it has become apparent that the language of these foregoing provisions  
21 is ambiguous as it relates to "a licensee"; and

1           WHEREAS, while the term "licensee" is appropriately defined in law, the issue is  
2 whether "a licensee" is limited to the original employing licensee or whether it includes any  
3 subsequent employing licensee.

4           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
5 express its intent regarding the meaning of the language "a licensee", as contained in R.S.  
6 27:96(A)(2) and enacted into law by Act No. 725 of the 2004 Regular Session of the  
7 Legislature, to mean a licensee who is either the original or subsequent employer of the non-  
8 key gaming employee.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Lopinto

HCR No. 1

Present law (R.S. 24:177(B)(2)) authorizes the legislature to express the intended meaning of a law in a duly adopted concurrent resolution, by the same vote and, except for gubernatorial veto and time limitations for introduction, according to the same procedures and formalities required for enactment of that law.

Present law (R.S. 27:96(A)(2)), which was enacted pursuant to Act No. 725 of the 2004 Regular Session, provides that an elected public official who is a member of a governing authority of a parish who was elected to his initial term in 2004, may engage in any business activity with a licensee if he is a non-key gaming employee, if such employment commenced at least four years prior to holding elective public office. Present law further provides that an elected public official who is a member of a school board who took his oath of office for his initial term in 2004, may engage in any business activity with a licensee if he is a non-key gaming employee, if such employment commenced at least two years prior to Aug. 1, 2004.

Proposed resolution expresses the intent of the legislature regarding the meaning of "a licensee" to mean a licensee who is either the original or subsequent employer of the non-key gaming employee.