

SENATE CONCURRENT RESOLUTION NO. 19

BY SENATORS MORRISH AND JOHNS

A CONCURRENT RESOLUTION

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

WHEREAS, R.S. 24:177(B)(2)(b) provides that the "legislature may 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"; and

WHEREAS, during the 2004 Regular Session of the Legislature of Louisiana, Act No. 725 was enacted into law and provided, in part, that an elected public official as defined in R.S. 42:1 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 as defined by R.S. 27:3, if such employment commenced at least four years prior to holding elective public office; and

WHEREAS, during the 2004 Regular Session of the Legislature of Louisiana, Act No. 725 was enacted into law and provided, in part, that an elected public official as defined in R.S. 42:1 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 as defined by R.S. 27:3, if such employment commenced at least two years prior to August 1, 2004; and

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

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

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

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES