

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

**EIGHTEENTH DAY'S PROCEEDINGS**

**Twenty-Fifth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 28, 1999

The Senate was called to order at 1:30 o'clock P.M., by Hon. Randy Ewing, President of the Senate.

**ROLL CALL**

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

**PRESENT**

Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero
Boissiere	Hainkel	Schedler
Branch	Heitmeier	Siracusa
Cain	Hines	Smith
Campbell	Hollis	Tarver
Casanova	Johnson	Theunissen
Cox	Jones	Thomas
Cravins	Jordan	Ullo
Dardenne	Lambert	
Dean	Landry	
Total—37		

**ABSENT**

Fields C	Irons
Total—2	

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

**Prayer**

The prayer was offered by Senator Jones, 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 Jones, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Bean asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 29—**  
BY SENATOR ROMERO

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana on the death of W.L. "Peanut" Estis, husband, father, grandfather, great-grandfather, brother, business/civic leader, and friend.

The resolution was read by title. Senator Romero moved to adopt the Senate Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero
Boissiere	Hainkel	Siracusa
Branch	Heitmeier	Smith
Cain	Hines	Tarver
Campbell	Hollis	Theunissen
Casanova	Jones	Thomas
Cox	Jordan	Ullo
Dardenne	Lambert	
Dean	Landry	
Total—34		

**NAYS**

Total—0

**ABSENT**

Cravins	Irons	Schedler
Fields C	Johnson	
Total—5		

The Chair declared the Senate had adopted the Senate Resolution.

**SENATE CONCURRENT RESOLUTION NO. 93—**  
BY SENATOR EWING

A CONCURRENT RESOLUTION

To designate April 28, 1999, as Workers' Memorial Day.

The resolution was read by title. Senator Ewing moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cravins	Jones	Theunissen
Dardenne	Jordan	Thomas
Dean	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Cox	Fields C	Johnson
Total—3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

April 28, 1999

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 302—**

BY REPRESENTATIVE BOWLER  
AN ACT

To enact R.S. 32:410(A)(3)(d), relative to drivers' licenses; to limit the information which may be contained on the magnetic strip on the back of a driver's license; and to provide for related matters.

**HOUSE BILL NO. 330—**

BY REPRESENTATIVE MCCALLUM  
AN ACT

To amend and reenact R.S. 33:1430, relative to sheriffs; to increase the amount that a sheriff or his deputy receives for attendance at court sessions; and to provide for related matters.

**HOUSE BILL NO. 886—**

BY REPRESENTATIVES MURRAY, HUNTER, AND COPELIN  
AN ACT

To amend and reenact R.S. 26:911(C) and R.S. 47:843(A) and to enact R.S. 26:911(D), relative to the sale of certain tobacco products; to provide for the purposes of regulation and taxation of certain tobacco products, the minimum size of a package of cigarettes, and certain tobacco products which may be sold or distributed; to provide for exceptions; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 1482—**

BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 27:312(C)(1)(b)(introductory paragraph) and R.S. 33:171, relative to annexation; to provide relative to the distribution of proceeds from video draw poker to municipalities which annex certain areas; and to provide for related matters.

**HOUSE BILL NO. 1483—**

BY REPRESENTATIVE DURAND  
AN ACT

To enact R.S. 33:172(E), relative to annexation; to prohibit certain annexations of territory in St. Martin Parish; and to provide for related matters.

**HOUSE BILL NO. 497—**

BY REPRESENTATIVES DEWITT AND CRANE  
A JOINT RESOLUTION

Proposing to amend Article XII, Section 8.1(A) of the Constitution of Louisiana, to provide for the continuing existence of the Louisiana Workers' Compensation Corporation; to provide for the authority to dissolve the corporation; to provide that the corporation shall not be sold; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 597—**

BY REPRESENTATIVE MCCAIN AND SENATOR GREENE  
AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(vi), relative to drivers' licenses; to provide relative to applications for drivers' licenses; to authorize issuance of drivers' licenses to certain persons without social security numbers; to require documentation demonstrating proof of lawful presence; and to provide for related matters.

**HOUSE BILL NO. 641—**

BY REPRESENTATIVES LEBLANC, HEATON, DOWNER, FAUCHEUX,  
TOOMY, WARNER, AND WELCH

A JOINT RESOLUTION

Proposing to amend Article V, Section 33(B) of the Constitution of Louisiana, to provide that persons who are seventy years of age or older are exempt from jury service and may decline to serve as jurors, but may elect to serve as jurors if they meet the other qualifications for service as jurors; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 663—**

BY REPRESENTATIVE LEBLANC  
A JOINT RESOLUTION

Proposing to amend Article III, Section 16(A), Article IV, Section 5(G)(2), Article VII, Sections 10(B) and (C)(1), 10.1(C)(1), 10.4(A)(1), 10.5(C), 11(A) and (C), and 27(B), Article VIII, Sections 7.1(D) and 13(B), and Article X, Sections 13(A) and 51 of the Constitution of Louisiana and to repeal Act No. 1489 of the 1997 Regular Session of the Legislature, to remove limitations that exist on multiyear budgets; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 842—**

BY REPRESENTATIVES DURAND AND CLARKSON  
AN ACT

To amend and reenact Children's Code Art. 1570(F), relative to protective orders issued based upon child molestation; to provide that such orders shall extend until the child attains the age of eighteen years; and to provide for related matters.

**HOUSE BILL NO. 903—**

BY REPRESENTATIVES MCCAIN, DEVILLE, HEBERT, HOPKINS,  
LEBLANC, SALTER, AND TRICHE

AN ACT

To amend and reenact R.S. 27:19(C), 92(C)(1), and 312(C)(2), relative to the use of certain gaming proceeds derived by the state from riverboat gaming and video draw poker device operations; to provide for use of a portion of such monies to support functions of the Department of Justice related to gaming enforcement and administration; and to provide for related matters.

**HOUSE BILL NO. 919—**

BY REPRESENTATIVES WINSTON AND JOHNS  
AN ACT

To enact Children's Code Article 1004(G), relative to termination of parental rights; to authorize foster parents to initiate involuntary termination of parental rights in certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 1004—**

BY REPRESENTATIVE TRICHE  
AN ACT

To amend and reenact R.S. 32:863(A)(3)(b), relative to the use of certain reinstatement fees imposed by the office of motor vehicles within the Department of Public Safety and Corrections; to specify the uses of a portion of the reinstatement fees relative to salary increases of personnel in the office of motor vehicles; and to provide for related matters.

**HOUSE BILL NO. 1030—**

BY REPRESENTATIVE PERKINS  
AN ACT

To enact R.S. 9:1113, relative to local building codes and inspections of non-inhabited structures on private residential property; to provide property owners an exemption from local building codes and inspections by indemnifying the local government agency or municipality; and to provide for related matters.

**HOUSE BILL NO. 471—**

BY REPRESENTATIVE COPELIN  
AN ACT

To amend and reenact R.S. 42:1142(A), relative to the Board of Ethics; to provide that an advisory opinion issued to any person or governmental entity by the board or a panel thereof is subject to the supervisory jurisdiction of the appellate court; and to provide for related matters.

**HOUSE BILL NO. 513—**

BY REPRESENTATIVE GAUTREAU  
AN ACT

To amend and reenact R.S. 56:116(C)(2) and 116.3(B), relative to hunting deer; to authorize certain persons to use magnified scopes on muzzleloaders; to provide for disabled hunters to hunt certain deer; and to provide for related matters.

**HOUSE BILL NO. 1141—**

BY REPRESENTATIVE WADDELL  
AN ACT

To amend and reenact R.S. 18:1485(A) and (B) and R.S. 42:1157.1, relative to the manner in which reports and other documents are timely filed with the Board of Ethics; to permit time of hand-delivery on a receipt from a commercial delivery service to establish the time of filing; to provide for filing when the due date falls on holidays or weekends; and to provide for related matters.

**HOUSE BILL NO. 1144—**

BY REPRESENTATIVE WIGGINS  
AN ACT

To amend and reenact R.S. 46:236.2(A)(1), relative to support enforcement services; to provide for the amendment of support orders when Department of Social Services is providing support enforcement services; and to provide for related matters.

**HOUSE BILL NO. 1149—**

BY REPRESENTATIVES ANSARDI AND HUDSON  
AN ACT

To amend and reenact R.S. 33:1353(A), 1356, and 1359(D), to enact R.S. 33:1359(E), and to repeal R.S. 33:1353(D), relative to interlocal risk management agencies; to provide for housing authorities; to provide for fire and extended risks coverage; to provide for liability; and to provide for related matters.

**HOUSE BILL NO. 1622—**

BY REPRESENTATIVES MCCALLUM, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, FRUGE, GAUTREAU, POWELL, AND DANIEL AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 40:1846.1(E)(1), 1849(A), (B), and (C)(1), and 1850 and to enact R.S. 40:1849(E), relative to the Liquefied Petroleum Gas Commission; to provide for requirements, penalties for violations, and fees; to provide for a reduction in fees; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1623—**

BY REPRESENTATIVES MCCALLUM, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, FRUGE, GAUTREAU, POWELL, AND DANIEL AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 3:1356(C) and 1357 and to enact R.S. 3:1356(D), (E), and (F), relative to the Liquefied Petroleum Gas Commission and the Anhydrous Ammonia Law of Louisiana; to provide for penalties for violations; to provide for fees and fee

reductions; to provide for reciprocal agreements; and to provide for related matters.

**HOUSE BILL NO. 1823—**

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 22:175(B)(introductory paragraph) and (3) and 215(A)(1)(a)(ii), relative to group life and health and accident insurance; to provide relative to the required employee participation if the entire premium is not paid by the employer; and to provide for related matters.

**HOUSE BILL NO. 2015—**

BY REPRESENTATIVE PINAC  
AN ACT

To repeal Part III of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1621 through 1627, relative to ambulance service insurance policies.

**HOUSE BILL NO. 146—**

BY REPRESENTATIVE DURAND  
AN ACT

To enact R.S. 13:2488.80, relative to the City Court of Breau Bridge; to provide for the transfer of funds from the criminal fund and the civil fund of the court to the operating fund of the court; and to provide for related matters.

**HOUSE BILL NO. 161—**

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 13:5202(A) and 5206(B), relative to small claims divisions of city courts; to increase the amount in dispute for civil subject matter jurisdiction; and to provide for related matters.

**HOUSE BILL NO. 175—**

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 33:441(A), relative to the mayor's court; to authorize an increase in court costs for the mayor's court in the town of Vinton, Louisiana; and to provide for related matters.

**HOUSE BILL NO. 250—**

BY REPRESENTATIVE HILL  
AN ACT

To amend and reenact R.S. 33:441(A), relative to the mayor's court; to provide for an increase in court costs for the mayor's court in the town of Kinder; and to provide for related matters.

**HOUSE BILL NO. 291—**

BY REPRESENTATIVE THORNHILL  
AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(2), relative to trial courts of limited jurisdiction; to increase the amount in dispute or the value of the property involved for jurisdiction of the City Court of Slidell; and to provide for related matters.

**HOUSE BILL NO. 765—**

BY REPRESENTATIVE FONTENOT  
AN ACT

To amend and reenact R.S. 47:302.41(B), 322.21, and 332.36, relative to state funds; to rename the Livingston Parish Tourism Improvement Fund; to provide for disposition and uses of monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 767—**

BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 33:1704.1(D), relative to fees and costs of particular city marshals; to increase the mileage allowance of the city marshal of Rayne; and to provide for related matters.

**HOUSE BILL NO. 1992—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

To enact R.S. 42:66(N), relative to dual officeholding; to provide an exception to the dual officeholding and dual employment prohibitions for a toll collector employed in the classified state civil service to be employed as an emergency rural carrier with the United States Postal Service at the same time; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Bills and Joint Resolutions**

Senator Jordan asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE BILL NO. 146—**  
BY REPRESENTATIVE DURAND  
AN ACT

To enact R.S. 13:2488.80, relative to the City Court of Breau Bridge; to provide for the transfer of funds from the criminal fund and the civil fund of the court to the operating fund of the court; and to provide for related matters.

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

**HOUSE BILL NO. 161—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 13:5202(A) and 5206(B), relative to small claims divisions of city courts; to increase the amount in dispute for civil subject matter jurisdiction; and to provide for related matters.

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

**HOUSE BILL NO. 175—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 33:441(A), relative to the mayor's court; to authorize an increase in court costs for the mayor's court in the town of Vinton, Louisiana; and to provide for related matters.

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

**HOUSE BILL NO. 250—**  
BY REPRESENTATIVE HILL  
AN ACT

To amend and reenact R.S. 33:441(A), relative to the mayor's court; to provide for an increase in court costs for the mayor's court in the town of Kinder; and to provide for related matters.

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

**HOUSE BILL NO. 291—**  
BY REPRESENTATIVE THORNHILL  
AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(2), relative to trial courts of limited jurisdiction; to increase the amount in dispute or the value of the property involved for jurisdiction of the City Court of Slidell; and to provide for related matters.

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

**HOUSE BILL NO. 302—**  
BY REPRESENTATIVE BOWLER  
AN ACT

To enact R.S. 32:410(A)(3)(d), relative to drivers' licenses; to limit the information which may be contained on the magnetic strip on the back of a driver's license; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 330—**  
BY REPRESENTATIVE MCCALLUM  
AN ACT

To amend and reenact R.S. 33:1430, relative to sheriffs; to increase the amount that a sheriff or his deputy receives for attendance at court sessions; and to provide for related matters.

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

**HOUSE BILL NO. 471—**  
BY REPRESENTATIVE COPELIN  
AN ACT

To amend and reenact R.S. 42:1142(A), relative to the Board of Ethics; to provide that an advisory opinion issued to any person or governmental entity by the board or a panel thereof is subject to the supervisory jurisdiction of the appellate court; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 497—**  
BY REPRESENTATIVES DEWITT AND CRANE  
A JOINT RESOLUTION

Proposing to amend Article XII, Section 8.1(A) of the Constitution of Louisiana, to provide for the continuing existence of the Louisiana Workers' Compensation Corporation; to provide for the authority to dissolve the corporation; to provide that the corporation shall not be sold; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

**HOUSE BILL NO. 513—**  
BY REPRESENTATIVE GAUTREAUX  
AN ACT

To amend and reenact R.S. 56:116(C)(2) and 116.3(B), relative to hunting deer; to authorize certain persons to use magnified scopes on muzzleloaders; to provide for disabled hunters to hunt certain deer; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

**HOUSE BILL NO. 597—**  
BY REPRESENTATIVE MCCAIN AND SENATOR GREENE  
AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(vi), relative to drivers' licenses; to provide relative to applications for drivers' licenses; to authorize issuance of drivers' licenses to certain persons without social security numbers; to require documentation demonstrating proof of lawful presence; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 302, was read by title and referred to the Committee on Transportation, Highways, and Public Works.

April 28, 1999

**HOUSE BILL NO. 641—**BY REPRESENTATIVES LEBLANC, HEATON, DOWNER, FAUCHEUX,  
TOOMY, WARNER, AND WELCH

## A JOINT RESOLUTION

Proposing to amend Article V, Section 33(B) of the Constitution of Louisiana, to provide that persons who are seventy years of age or older are exempt from jury service and may decline to serve as jurors, but may elect to serve as jurors if they meet the other qualifications for service as jurors; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**HOUSE BILL NO. 663—**

BY REPRESENTATIVE LEBLANC

## A JOINT RESOLUTION

Proposing to amend Article III, Section 16(A), Article IV, Section 5(G)(2), Article VII, Sections 10(B) and (C)(1), 10.1(C)(1), 10.4(A)(1), 10.5(C), 11(A) and (C), and 27(B), Article VIII, Sections 7.1(D) and 13(B), and Article X, Sections 13(A) and 51 of the Constitution of Louisiana and to repeal Act No. 1489 of the 1997 Regular Session of the Legislature, to remove limitations that exist on multiyear budgets; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 765—**

BY REPRESENTATIVE FONTENOT

## AN ACT

To amend and reenact R.S. 47:302.41(B), 322.21, and 332.36, relative to state funds; to rename the Livingston Parish Tourism Improvement Fund; to provide for disposition and uses of monies in the fund; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 767—**

BY REPRESENTATIVE PINAC

## AN ACT

To enact R.S. 33:1704.1(D), relative to fees and costs of particular city marshals; to increase the mileage allowance of the city marshal of Rayne; and to provide for related matters.

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

**HOUSE BILL NO. 842—**

BY REPRESENTATIVES DURAND AND CLARKSON

## AN ACT

To amend and reenact Children's Code Art. 1570(F), relative to protective orders issued based upon child molestation; to provide that such orders shall extend until the child attains the age of eighteen years; and to provide for related matters.

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

**HOUSE BILL NO. 886—**

BY REPRESENTATIVES MURRAY, HUNTER, AND COPELIN

## AN ACT

To amend and reenact R.S. 26:911(C) and R.S. 47:843(A) and to enact R.S. 26:911(D), relative to the sale of certain tobacco products; to provide for the purposes of regulation and taxation of certain tobacco products, the minimum size of a package of cigarettes, and certain tobacco products which may be sold or distributed; to provide for exceptions; to provide for definitions; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Commerce and Consumer Protection.

**HOUSE BILL NO. 903—**BY REPRESENTATIVES MCCAIN, DEVILLE, HEBERT, HOPKINS,  
LEBLANC, SALTER, AND TRICHE

## AN ACT

To amend and reenact R.S. 27:19(C), 92(C)(1), and 312(C)(2), relative to the use of certain gaming proceeds derived by the state from riverboat gaming and video draw poker device operations; to provide for use of a portion of such monies to support functions of the Department of Justice related to gaming enforcement and administration; and to provide for related matters.

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

**HOUSE BILL NO. 919—**

BY REPRESENTATIVES WINSTON AND JOHNS

## AN ACT

To enact Children's Code Article 1004(G), relative to termination of parental rights; to authorize foster parents to initiate involuntary termination of parental rights in certain circumstances; and to provide for related matters.

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

**HOUSE BILL NO. 1004—**

BY REPRESENTATIVE TRICHE

## AN ACT

To amend and reenact R.S. 32:863(A)(3)(b), relative to the use of certain reinstatement fees imposed by the office of motor vehicles within the Department of Public Safety and Corrections; to specify the uses of a portion of the reinstatement fees relative to salary increases of personnel in the office of motor vehicles; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1030—**

BY REPRESENTATIVE PERKINS

## AN ACT

To enact R.S. 9:1113, relative to local building codes and inspections of non-inhabited structures on private residential property; to provide property owners an exemption from local building codes and inspections by indemnifying the local government agency or municipality; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 1141—**

BY REPRESENTATIVE WADDELL

## AN ACT

To amend and reenact R.S. 18:1485(A) and (B) and R.S. 42:1157.1, relative to the manner in which reports and other documents are timely filed with the Board of Ethics; to permit time of hand-delivery on a receipt from a commercial delivery service to establish the time of filing; to provide for filing when the due date falls on holidays or weekends; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 1149—**

BY REPRESENTATIVES ANSARDI AND HUDSON

## AN ACT

To amend and reenact R.S. 33:1353(A), 1356, and 1359(D), to enact R.S. 33:1359(E), and to repeal R.S. 33:1353(D), relative to interlocal risk management agencies; to provide for housing

authorities; to provide for fire and extended risks coverage; to provide for liability; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 384, was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 1144—**

BY REPRESENTATIVE WIGGINS

AN ACT

To amend and reenact R.S. 46:236.2(A)(1), relative to support enforcement services; to provide for the amendment of support orders when Department of Social Services is providing support enforcement services; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 588.

On motion of Senator Bean, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 1482—**

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 27:312(C)(1)(b)(introductory paragraph) and R.S. 33:171, relative to annexation; to provide relative to the distribution of proceeds from video draw poker to municipalities which annex certain areas; and to provide for related matters.

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

**HOUSE BILL NO. 1483—**

BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 33:172(E), relative to annexation; to prohibit certain annexations of territory in St. Martin Parish; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 1622—**

BY REPRESENTATIVES MCCALLUM, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, FRUGE, GAUTREAU, POWELL, AND DANIEL AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:1846.1(E)(1), 1849(A), (B), and (C)(1), and 1850 and to enact R.S. 40:1849(E), relative to the Liquefied Petroleum Gas Commission; to provide for requirements, penalties for violations, and fees; to provide for a reduction in fees; to provide for an effective date; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

**HOUSE BILL NO. 1623—**

BY REPRESENTATIVES MCCALLUM, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, FRUGE, GAUTREAU, POWELL, AND DANIEL AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 3:1356(C) and 1357 and to enact R.S. 3:1356(D), (E), and (F), relative to the Liquefied Petroleum Gas Commission and the Anhydrous Ammonia Law of Louisiana; to provide for penalties for violations; to provide for fees and fee reductions; to provide for reciprocal agreements; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Natural Resources.

**HOUSE BILL NO. 1823—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:175(B)(introductory paragraph) and (3) and 215(A)(1)(a)(ii), relative to group life and health and accident insurance; to provide relative to the required employee participation if the entire premium is not paid by the employer; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 1992—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 42:66(N), relative to dual officeholding; to provide an exception to the dual officeholding and dual employment prohibitions for a toll collector employed in the classified state civil service to be employed as an emergency rural carrier with the United States Postal Service at the same time; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 2015—**

BY REPRESENTATIVE PINAC

AN ACT

To repeal Part III of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1621 through 1627, relative to ambulance service insurance policies.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Insurance.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**HEALTH AND WELFARE**

Senator Hines, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

April 28, 1999

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

**SENATE CONCURRENT RESOLUTION NO. 48—**

BY SENATOR THOMAS

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to allow Washington Parish Hospital Service District No. 1 to certify, as a contributing public agency, public funds as representing expenditures eligible for federal financial participation in the Medicaid program to the extent authorized by federal law.

Reported with amendments.

**SENATE BILL NO. 100—**

BY SENATOR HINES

AN ACT

To enact Subpart D of Part VII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1236.11 through 1236.14, relative to emergency medical services; to provide for legislative intent; to provide for definitions; to establish certain requirements of any person or entity who possesses an

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automated external defibrillator; to provide for certain requirements of an automated external defibrillator; to provide for civil immunity for certain persons relative to the operation of an automated external defibrillator; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 144—**  
BY SENATOR DARDENNE

AN ACT

To enact R.S. 40:964 (Schedule I)(D)(3), relative to controlled dangerous substances; to add Gamma Hydroxybutyric Acid as a Schedule I depressant; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 175—**  
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 13:3715.1, relative to autopsy records; to provide for the manner of obtaining autopsy records; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 209—**  
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1299.58.2, 1299.58.3(D)(1) and (3), 1299.58.8(A), 1299.58.9(A), and 1299.58.10(B)(5), and to enact R.S. 40:1299.58.3(D)(1)(b), 1299.58.7(E), 1299.58.8(D)(1) and (2), relative to declarations concerning life-sustaining procedures; to provide for definitions; to provide for issuance of do-not-resuscitate identification bracelets by the secretary of state; to provide for procedures and limitation of liability for certified emergency medical technicians and certified first responders; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 542—**  
BY SENATOR HINES

AN ACT

To enact R. S. 40:964, Schedule III(A)(5) and (6), and Schedule IV(35), and to repeal R. S. 40:964, Schedule II(A)(1)(g) and (C)(3),(5) and (6), relative to the Uniform Controlled Dangerous Substances Law; to remove Apomorphine, Phenmetrazine, Phendimetrazine and Phentermine from Schedule II; to add Phenmetrazine and Phendimetrazine to Schedule III; to add Phentermine to Schedule IV; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 576—**  
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 33:1555 relative to coroners; to prohibit certain funeral home personnel from serving as deputy or assistant coroners; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 581—**  
BY SENATOR THOMAS

AN ACT

To enact R.S. 33:1563(I), relative to coroners; to provide for the duties of coroners; to provide relative to the disposition of certain reports by the coroner upon written request and authorization by certain family members; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 709—**

BY SENATORS HINES, DARDENNE, HAINKEL, BARHAM AND SCHEDLER AND REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ AND CRANE

AN ACT

To amend and reenact R.S. 40:3.1(A), (B), (E), and (F) and 8, relative to the powers, duties, and functions of the state health officer and the Department of Health and Hospitals, office of public health; to provide for the investigation of potential threats to the public health; to grant the authority to issue subpoenas and subpoenas duces tecum in such investigations; to provide for confidentiality of information obtained in such investigations; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 789—**  
BY SENATOR THOMAS

AN ACT

To enact R.S. 40:1234(H) and (I), relative to duties of emergency medical personnel; to provide for emergency medical service protocol in parishes without organized or functional medical societies; to require the Department of Health and Hospitals to promulgate rules relative to statewide emergency medical service protocols; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
DONALD E. HINES  
Chairman

**REPORT OF COMMITTEE ON  
COMMERCE AND CONSUMER PROTECTION**

Senator Hollis, Chairman on behalf of the Committee on Commerce and Consumer Protection, submitted the following report:

April 28, 1999

To the President and Members of the Senate:

I am directed by your Committee on Commerce and Consumer Protection to submit the following report:

**SENATE BILL NO. 132—**  
BY SENATOR CAMPBELL

AN ACT

To enact Part XIX-A of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3577.11 through 3577.23, and to repeal Part XIX-A of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3577.1 through 3577.8; to replace the Louisiana Small Loan Act with the Louisiana Pay Day Loan Act on January 1, 2000 in order to provide for comprehensive regulation of the deferred deposit loan or "pay day loan" business; to provide for civil and criminal penalties; to provide for civil remedies; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 155—**  
BY SENATOR SMITH

AN ACT

To enact R.S. 37:3124(C), relative to compensation of auctioneers; to limit fees charged by auctioneers; to require notification of fees to bidders; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 850—**

BY SENATOR DARDENNE

**AN ACT**

To enact R.S. 37:2950(D)(3), relative to the effect of felony convictions on trade or occupational and professional licensing; to provide for certain exemptions for the Louisiana State Board of Private Investigator Examiners; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 851—**  
BY SENATOR DARDENNE

**AN ACT**

To amend and reenact R.S. 37:3503(3) and (4), 3505(A)(1), (B)(6), (C) and (D), 3506, 3510(C), 3514(F)(1), and 3518, relative to private investigators; to provide for definitions; to provide for the powers, duties and responsibilities of the board; to provide for the position of executive director and his duties; to provide for time period for retaking licensing examination; to provide for the term of registration cards, to provide with respect to reciprocity; and to provide for related matters.

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 70—**  
BY SENATOR ROMERO

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Public Service Commission to investigate the use of regulated funds by public utility companies for non-regulated contracting activities.

Reported favorably.

Respectfully submitted,  
KEN HOLLIS  
Chairman

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

Senator Dardenne, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 28, 1999

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

**SENATE RESOLUTION NO. 28—**  
BY SENATORS EWING, DARDENNE, LANDRY, BARHAM, SCHEDLER,  
HAINKEL, TARVER AND BEAN

**A RESOLUTION**

To adopt Senate Rule Nos. 10.13(D) and 13.9(D) of the Rules of Order of the Senate, relative to deadline for Senate Bills to be reported from committee and deadline for consideration of Senate Bills on final passage.

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 67—**  
BY SENATOR DARDENNE

**A CONCURRENT RESOLUTION**

To authorize and direct the commissioner of administration to establish a Year 2000 contingency planning committee to develop and implement a statewide contingency plan as it relates to disruptions caused by the Year 2000 problem.

Reported favorably.

**SENATE CONCURRENT RESOLUTION NO. 92—**  
BY SENATORS EWING, DARDENNE, LANDRY, BARHAM, SCHEDLER,  
HAINKEL, TARVER, AND BEAN

**A CONCURRENT RESOLUTION**

To adopt Joint Rule No. 20 of the Joint Rules of Order of the Senate and House of Representatives, relative to legislative instruments with fiscal impact; to provide procedures for and deadlines relative to legislative instruments recommitted due to fiscal impact; and to prohibit the recommitment of certain legislative instruments with a fiscal impact; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 229—**  
BY SENATOR SMITH

**A JOINT RESOLUTION**

Proposing to amend Article VIII, Sections 3(B), 5(B), 6(B), 7(B), and 7.1(B), relative to the terms of certain elected and appointed officials; to provide that a person who has served for more than one and one-half consecutive terms as a member of the State Board of Elementary and Secondary Education shall not be appointed or elected for the succeeding term; to provide that a person who has served for more than one and one-half consecutive terms as a member of the Board of Regents, the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, and the Board of Supervisors of Community and Technical Colleges shall not be appointed to the succeeding term; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

**SENATE BILL NO. 354—**  
BY SENATOR JONES

**AN ACT**

To direct the Louisiana State Law Institute to change certain references in the law in matters of workforce development; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 378—**  
BY SENATOR DYESS

**AN ACT**

To enact R.S. 49:155.5, relative to state symbols; to designate "Leadership" by Jean McGivney Boese as the official state legislative poem; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 572—**  
BY SENATOR JORDAN

**AN ACT**

To enact R.S. 18:435(E), relative to the Louisiana Election Code; to authorize the use of video cameras at polling places; to provide for access of watchers; to provide for ejection of watcher; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 575—**  
BY SENATOR JORDAN

**AN ACT**

To amend and reenact R.S. 18:1398, relative to the Louisiana Election Code; to require the commissioner of elections to utilize mechanical or electronic voting machines which are capable of producing printed election results; to require the utilization of such voting machines throughout the state in any parish or parishes thereof for any election; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 662—**  
BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 49:158.1; to designate the last week of September each year as "Native American Week" in Louisiana; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 782—**  
BY SENATOR LENTINI

AN ACT

To enact R.S. 46:56 (F)(10), relative to records and reports concerning children; to provide limited access to complaints against sitters for children; to provide for retroactivity; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 853—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:1470 and the introductory paragraph of 30:2544(C), (C)(2), (D), and (E) and to enact R.S. 30:2544(F), relative to political campaign signs; to provide for notice and opportunity for hearing to political candidates relative to certain prohibitions involving campaign signs; to provide for removal of certain political campaign signs; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 870—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 13:3715.1(J) and to enact R.S. 44:4(25), relative to the Louisiana State Board of Social Work Examiners; to exempt the board from complying with certain notice provisions governing the release of certain medical or hospital records; to exempt certain records in the custody of the board from the public records law; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JAY DARDENNE  
Chairman

**REPORT OF COMMITTEE ON**

**INSURANCE**

Senator Tarver, Chairman on behalf of the Committee on Insurance, submitted the following report:

April 28, 1999

To the President and Members of the Senate:

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

**SENATE BILL NO. 197—**  
BY SENATOR W. FIELDS

AN ACT

To enact R.S. 32:393.2, relative to traffic; to provide relative to administrative violation checkpoints established by law enforcement; to provide relative to traffic infraction detection checkpoints; to require publication of certain information in local journals at the completion of such checkpoints; to require certain time limits for such publication; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 680—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 22:1405(B), relative to the Property Insurance Association of Louisiana; to decrease the membership of the association; to provide for requirements for members of the board of directors; and to provide for related matters.

Reported with amendments

**SENATE BILL NO. 710—**  
BY SENATOR BEAN

AN ACT

To enact Part XVII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2101 through 2106, relative to insurers; to provide for the limited licensing of rental car companies to sell insurance in conjunction with the leasing of rental cars from such rental car companies; to establish certain licensing and reporting requirements; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 878—**  
BY SENATOR THOMAS

AN ACT

To amend and reenact the introductory paragraph of R.S. 22:233(A) and Part VI-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:244 through 248, to enact R.S. 22:231(G), 232(29), and 233(A)(3), and to repeal R.S. 22:6(2)(b)(ii), relative to health insurance pilot programs; to authorize the Department of Insurance to develop pilot programs for small employers; to authorize development of such pilot programs for small employers that include options for reinsurance of excess risk, enhanced benefit design options, and purchasing cooperatives; to authorize the Louisiana Health Insurance Association to maintain a small employer insurance risk account; to abolish the Basic Health Insurance Plan Pilot Program Development Council and its advisory committee; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
GREGORY TARVER  
Chairman

**Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE BILL NO. 28—**  
BY SENATOR COX

AN ACT

To amend and reenact R.S. 15:587.1 and R.S. 46:51.2(E) and (F), relative to the provision of information to protect children, to require child care providers to obtain a criminal history background information report on every child care provider who occupies a position of supervisory or disciplinary authority over a child outside of the home; to provide definitions; to provide penalties; and to provide for related matters.

Reported by substitute by the Committee on Judiciary A. The bill was read by title; the committee substitute bill was read.

**SENATE BILL NO.**

April 28, 1999

BY SENATOR COX (Substitute for Senate Bill No. 28 by Senator Cox.)

AN ACT

To amend and reenact R.S. 15:545(A) and to enact R.S. 15:587.1(G) and 587.3, relative to children; to provide relative to the sharing of information between local law enforcement officials and the Louisiana Bureau of Criminal Identification and Information; to authorize the use of the National Crime Information Center to conduct such background checks as are required by the Louisiana Child Protection Act; to provide for release of certain background information; to provide for fingerprints samples; to provide for certain training programs; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:545(A) is hereby amended and reenacted and R.S. 15:587.1(G) and 587.3 are hereby enacted to read as follows:

§545. Duty of law enforcement

A. It shall be the duty of the sheriff of every parish, the chief of police of each municipality, and every chief officer of every other law enforcement agency operating within this state, to record the fingerprints of all persons held in or remanded to their custody when convicted of any sex offense for which the penalty of imprisonment might be imposed and to disseminate and file such fingerprints in the same manner as those recorded upon every arrest. The sheriff shall forward the fingerprints and information obtained pursuant to R.S. 15:542 and 15:542.1 to the Louisiana Bureau of Criminal Identification and Information, hereinafter referred to as "the bureau" within five working days. The bureau shall maintain a central registry of sex offenders required to register under R.S. 15:542 and 542.1 and shall adopt rules, regulations, and policies in accordance with the provisions set forth pursuant to R.S. 15:547.

\* \* \*

§587.1. Provision of information to protect children

\* \* \*

R.S. 15:587.1(G) is all proposed new law.

Notwithstanding any other provision of law to the contrary, the bureau and the Department of Public Safety and Corrections, corrections services, may utilize the National Crime Information Center to conduct such background checks as are required by this Section.

\* \* \*

§587.3. Volunteers and employees in youth-serving organizations; background information

R.S. 15:587.3 is all proposed new law.

A. A religious, charitable, scientific, educational, athletic or youth-serving institution or organization may require any person, who applies to work with children as a volunteer or as a paid employee, to do one or more of the following:

(1) Agree to the release of all investigative records to such religious, charitable, scientific, educational, athletic, or youth-service institution or organization for examination for the purpose of verifying the accuracy of criminal violation information contained on an application to work for such institution or organization.

(2) Supply fingerprint samples and submit to a criminal history records check to be conducted by the Louisiana State Police.

(3) Attend a comprehensive youth protection training program which includes adult training on recognition, disclosure, reporting and prevention of abuse and submit to character, employment, education and reference checks.

B. Any person who is requested to comply with the requirements set forth in Subsection A, and refuses to do so, shall be prohibited from working with children as a volunteer or as a paid employee.

Section 2. On or before January 1, 2000, the sheriff of every parish, the chief of police of each municipality, and every chief officer of every other law enforcement agency operating within this state, shall forward to the Louisiana Bureau of Criminal Identification and

Information the fingerprints and information obtained pursuant to R.S. 15:542 and 15:542.1, not previously forwarded to the bureau

On motion of Senator Ullo, the committee substitute bill was adopted and becomes Senate Bill No. 1113 by Senator Cox, substitute for Senate Bill No. 28 by Senator Cox.

**SENATE BILL NO. 1113—**

BY SENATOR COX (Substitute for Senate Bill No. 28 by Senator Cox.)

AN ACT

To amend and reenact R.S. 15:545(A) and to enact R.S. 15:587.1(G) and 587.3, relative to children; to provide relative to the sharing of information between local law enforcement officials and the Louisiana Bureau of Criminal Identification and Information; to authorize the use of the National Crime Information Center to conduct such background checks as are required by the Louisiana Child Protection Act; to provide for release of certain background information; to provide for fingerprints samples; to provide for certain training programs; and to provide for related matters.

The bill was read by title; lies over under the rules.

**SENATE BILL NO. 57—**

BY SENATOR LANDRY

AN ACT

To enact R. S. 15:874.1, relative to Louisiana State Penitentiary; to provide for the receipt of inmate funds at the Louisiana State Penitentiary; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 57 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert "enact R. S. 15:874.1, relative to Louisiana State Penitentiary; to provide for the receipt of inmate funds at the Louisiana State Penitentiary;"

AMENDMENT NO. 2

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

"874.1 is hereby enacted to read as follows:

§874.1. Receipt of inmate funds

R.S. 14:874.1 is all proposed new law.

Funds from permissible sources may be accepted in the following forms:

1. Postal, bank, or commercially issued money orders.
2. Government checks.
3. Bank cashier's check.
4. Cash.
5. Checks drawn on federal, state, and local governmental, political subdivisions, or public officials.
6. Checks drawn on reputable commercial accounts."

AMENDMENT NO. 3

On page 2, delete lines 1 through 12 in their entirety.

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

**SENATE BILL NO. 136—**  
BY SENATOR COX

AN ACT

To amend and reenact R.S. 14:80.2(A) and 81(A), relative to sexual offenses affecting minors; to remove certain elements of law relative to the crimes of molestation of a juvenile and indecent behavior with juveniles; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 136 by Senator Cox

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 14:" insert "80.2(A) and" and after "relative to" delete "criminal law" and insert "sexual offenses affecting minors"

AMENDMENT NO. 2

On page 1, line 3, after "relative to" insert "the crimes of molestation of a juvenile and"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 14:" insert "80.2(A) and" and after "81(A)" change "is" to "are"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:

"§80.2. Molestation of a juvenile

A. Molestation of a juvenile is the commission by anyone over the age of seventeen of any **intentionally** lewd or lascivious act upon the person or in the presence of any child under the age of seventeen, ~~where there is the intention of arousing or gratifying the sexual desires of either person;~~ by the use of force, violence, duress, menace, psychological intimidation, threat of great bodily harm or by the use of influence by virtue of a position of control or supervision over the juvenile. Lack of knowledge of the juvenile's age shall not be a defense.

\* \* \*

AMENDMENT NO. 5

On page 1, line 9, after "of any" insert "intentionally"

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

**SENATE BILL NO. 158—**  
BY SENATOR LENTINI

AN ACT

To enact R.S. 40:1299.44(D)(6), relative to medical malpractice; to prohibit certain indemnity agreements by the Patient's Compensation Fund Oversight Board and its employees, agents, and representatives; to provide for discovery of certain evidence; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 158 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 12, after "(6)" insert (a)

AMENDMENT NO. 2

On page 1, line 13, after "any" delete the remainder of the line and delete lines 14 through 16, and insert the following:

"of the cost of defense that the health care provider or insurer may incur in defense of any claim filed under this Part, including attorneys fees, legal interest, court costs, expert fees, and appeal bonds."

AMENDMENT NO. 3

On page 2, delete lines 1 and 2, and insert the following:

(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, the board may pay the cost of defense in those cases where the health care provider or his insurer is insolvent and unrepresented by counsel."

AMENDMENT NO. 4

On page 2, line 4, after "party." delete the remainder of the line and delete lines 5 and 6 in their entirety

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

**SENATE BILL NO. 277 (DUPLICATE OF HOUSE BILL NO. 63)—**

BY SENATOR COX AND REPRESENTATIVE SCHNEIDER AND COAUTHORED BY REPRESENTATIVES BRUCE AND MARIONNEAUX  
AN ACT

To amend and reenact R.S. 15:571.3(C)(4), relative to eligibility for diminution of sentence; to provide that inmates convicted of attempting certain crimes shall be ineligible for diminution of sentence; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 277 by Senator Cox

AMENDMENT NO. 1

On page 1, line 15, after "state" insert ", any other state or the federal government"

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

**SENATE BILL NO. 361—**  
BY SENATOR JONES

AN ACT

To enact R.S. 15:574.4(A)(4), relative to parole eligibility; to provide with respect to parole eligibility for certain prisoners; to provide for conditions of parole; 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. 361 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 15:574.4(A)(3) and to"

AMENDMENT NO. 2

On page 1, line 7, delete "R.S. 15:574.4(A)(3) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, delete line 16 and insert

"(A) \* \* \*"

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AMENDMENT NO. 4

On page 2, delete lines 1 through 9

AMENDMENT NO. 5

On page 2, between lines 10 and 11, insert the following:

"(4)(a) Notwithstanding any provisions of law to the contrary, a person committed to the Department of Public Safety and Corrections and serving a life sentence shall be consider for parole consideration upon serving at least forty years of the term or terms of imprisonment in actual custody and upon reaching the age of sixty-five."

AMENDMENT NO. 6

On page 2, line 11, change "(4)" to "(b)"

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

**SENATE BILL NO. 370—**

BY SENATOR ROMERO

AN ACT

To amend and reenact R. S. 40:1379.8(B), relative to the Weights and Standards Mobile Police Force; to provide that certain members of the Weights and Standards Mobile Police Force shall be considered peace officers; to provide for the duties and powers of such peace officers; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. On motion of Senator Ellington, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 431—**

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 9:5628, relative to prescription; to provide for prescriptive period applicable to state and private health care providers for actions for medical malpractice; to provide that the peremptive period does not apply in cases of fraud; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 431 by Senator Landry

AMENDMENT NO. 1

On 1, line 11, after "A." insert "(1)"

AMENDMENT NO. 2

On page 2, between lines 11 and 12, insert "(2) A wrongful death action may be filed any time during the pendency of the survival action."

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

**SENATE BILL NO. 441—**

BY SENATOR COX

AN ACT

To amend and reenact R.S. 40:5.6, relative to safe drinking water; to require the office of public health to perform annual contaminant testing of public water supplies; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. On motion of Senator Cox, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 488—**

BY SENATOR LANDRY

AN ACT

To enact R.S. 9:2444.1, relative to statutory wills; to authorize a certified interpreter for the deaf or deaf blind to assist in the execution of a statutory will; to provide for a form; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 488 by Senator Landry

AMENDMENT NO. 1

On page 1, line 3, after "deaf" insert "or deaf blind"

AMENDMENT NO. 2

On page 1, line 7, after "Deaf" insert "or deaf blind"

AMENDMENT NO. 3

On page 1, line 10, after "deaf" insert "or deaf blind" and on line 11, after "language", insert ", braille"

AMENDMENT NO. 4

On page 3, line 1, after "F." insert "(1)" and on line 6, after "deaf " insert the following:

"as provided for in R.S. 46:2361 et seq.

(2) The testator shall be given the choice of accommodation services afforded by the use of large print, braille, or a tactile interpreter"

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

**SENATE BILL NO. 511—**

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 15:536, 15:537, 15:538(C)(1), and 574.4(B) and Code of Criminal Procedure Art. 895(E), relative to criminal procedure; to provide for mandatory minimum sentences for certain sex offenders; to provide for conditions of parole, probation, and diminution or suspension of sentence for certain sex offenders; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. SB 511 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 2, after "who has" insert "on two or more occasions" and after "pleaded guilty" delete "to" insert ", nolo contendere,"

AMENDMENT NO. 2

On page 2, line 3, after "violating" delete the remainder of the line and lines 4 and 5 in their entirety and insert the following:

"R.S. 14:42, R.S. 14:42.1, R.S. 14:43, R.S. 14:43.1, R.S. 14:43.2, R.S. 14:43.3, R.S. 14:43.4, R.S. 14:43.5, R.S. 14:78, R.S. 14:78.1, R.S. 14:80, R.S. 14:81, R.S. 14:81.1, R.S. 14:81.2, R.S. 14:89, R.S. 14:89.1, or R.S. 14:107.1(C)(2).

AMENDMENT NO. 3

On page 2, line 11, after "court" delete the remainder of the sentence and delete lines 12 and 13 and insert "shall deny any eligibility for

diminution of sentence for good behavior, parole, or suspension of sentence."

AMENDMENT NO. 4

On page 2, line 15, after "who has" insert "on two or more occasions" and on line 16 after "pleaded guilty" delete "to" and insert ", nolo contendere," and after "been" delete "previously"

AMENDMENT NO. 5

On page 2, at the end of line 16, delete "any" and delete lines 17 and 18 in their entirety and "Statutes of 1950" at the beginning of line 19, inserting in lieu thereof:

"R.S. 14:42, R.S. 14:42.1, R.S. 14:43, R.S. 14:43.1, R.S. 14:43.2, R.S. 14:43.3, R.S. 14:43.4, R.S. 14:43.5, R.S. 14:78, R.S. 14:78.1, R.S. 14:80, R.S. 14:81, R.S. 14:81.1, R.S. 14:81.2, R.S. 14:89, R.S. 14:89.1, or R.S. 14:107.1(C)(2)"

AMENDMENT NO. 6

On page 2, line 19, after "1950" delete the remainder of the line and on line 20, delete "which term shall be served" and insert "to life imprisonment"

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

**SENATE BILL NO. 615—**

BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 15:901(C), relative to juvenile institutions; to provide for custody of an adjudicated juvenile; to provide for reimbursement of local governments; 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. 615 by Senator Siracusa

AMENDMENT NO. 1

On page 2, line 5, change "signing" to "receipt"

AMENDMENT NO. 2

On page 2, line 6, after "order" insert "by the juvenile intake center as designated by the Department of Public Safety and Corrections"

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

**SENATE BILL NO. 664—**

BY SENATOR MALONE

AN ACT

To amend and reenact Civil Code Art. 2324.1, relative to the discretion of the court; to provide for additional discretion in determination of reasonability and the necessity of medical treatment and resultant expenditures; to provide that the court shall also consider damage to vehicles in determining the measure of damages; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 664 by Senator Malone

AMENDMENT NO. 1

On page 2, line 1, after "cases," delete the remainder of the line and delete line 2 in its entirety and insert "the court shall determine whether the medical expenses incurred by the injured party are necessary and reasonable"

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

**SENATE BILL NO. 679—**

BY SENATOR HEITMEIER

AN ACT

To amend and reenact Civil Code Art. 811, relative to judicial partitions; to clarify the circumstances under which a court shall order a juridical partition by private act instead of by licitation; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 679 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, at the end of line 1, change the period "." to a comma "," and on line 2 change "If" to "if"

AMENDMENT NO. 2

On page 2, line 4, after "licitation" delete ",the sales" and at the beginning of line 5, delete "shall be"

AMENDMENT NO. 3

On page 2, line 5, delete "or greater than" and insert "the greater of"

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

**SENATE BILL NO. 776—**

BY SENATORS DARDENNE, ELLINGTON AND HOLLIS

AN ACT

To amend and reenact R.S. 46:1842 and 1844, Code of Evidence Art. 615(A), and Code of Criminal Procedure Art. 877(A), 886(A), and 905.2(A), and to enact Code of Criminal Procedure Art. 883.2, relative to rights of crime victims and witnesses; to provide relative to definitions; to provide relative to basic rights for victims and witnesses; to provide relative to the exclusion of witnesses; to provide relative to investigation reports; to provide relative to enforcement of fines and restitution; to provide relative to sentencing hearing; to provide relative to victim restitution; 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. 776 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 4, change "871.2" to "883.2"

AMENDMENT NO. 2

On page 2, line 9, after "**means a family member**" insert "**or legal guardian**"

AMENDMENT NO. 3

On page 2, line 14, after "Chapter." insert "**A substitution of the designated family member may be made upon agreement by the majority of the victim's family members. In specific cases, the court**"

or the district attorney may allow more than one designated family member."

AMENDMENT NO. 4

On page 2, lines 19 - 20, change "an offense against the person that is a felony has been committed" to:

"an offense against a person that is a felony has been committed: any of the following offenses have been committed:

(a) Any homicide or felony offense defined or enumerated in R.S. 14:2.

(b) Any sexual offense in which the victim is an individual."

AMENDMENT NO. 5

On page 2, line 24, after "clerk" insert "and the Department of Public Safety and Corrections, and the Department of Probation and Parole"

AMENDMENT NO. 6

On page 3, delete lines 4 and 5, and insert the following:

"agency" means the sheriff, constable, or police force as defined by law, and the Department of Public Safety and Corrections."

AMENDMENT NO. 7

On page 3, delete line 25, and insert:

"(a) Any homicide, or felony offense, defined or enumerated in R.S. 14:2."

AMENDMENT NO. 8

On page 3, line 26, after "(b)" delete the period "." and change "a minor" to "an individual"

AMENDMENT NO. 9

On page 4, line 3, after "notice" insert "and registration"

AMENDMENT NO. 10

On page 4, line 5, change "Q" to "R"

AMENDMENT NO. 11

On page 4, line 8, after "Chapter" insert "or other criminal statutes"

AMENDMENT NO. 12

On page 4, between lines 14 and 15, insert:

\* \* \*

AMENDMENT NO. 13

On page 4, line 25, change "Q" to "R"

AMENDMENT NO. 14

On page 6, delete lines 23 through 24, and insert "to be present. If requested by registering with the appropriate law enforcement or judicial agency as"

AMENDMENT NO. 15

On page 8, line 13, change "investigator" to "employee or agent"

AMENDMENT NO. 16

On page 8, line 15, change "must" to "shall"

AMENDMENT NO. 17

On page 9, line 8, after "notification," insert "contact the victim and"

AMENDMENT NO. 18

On page 10, line 12, after "Presentence" insert "or postsentence"

AMENDMENT NO. 19

On page 10, line 15, after "presentence" delete the remainder of the line and insert "or postsentence"

AMENDMENT NO. 20

On page 10, line 16, after "victim" delete the comma ","

AMENDMENT NO. 21

On page 10, delete line 19, and at the beginning of line 20, delete "defendant."

AMENDMENT NO. 22

On page 10, lines 20 and 21, change "this information" to "the presentence report"

AMENDMENT NO. 23

On page 10, at the end of line 21, insert "The Department of Public Safety and Corrections shall regulate how the postsentence report is provided to the victim or designated family member."

AMENDMENT NO. 24

On page 11, line 14, after "law enforcement" insert "or judicial"

AMENDMENT NO. 25

On page 11, line 24, after "make a" insert "written and oral"

AMENDMENT NO. 26

On page 12, lines 9 and 10, change "provided by Article 402 of the Louisiana code of Evidence" to "of relevance"

AMENDMENT NO. 27

On page 13, line 1, after "loss" insert "that has been or may be reasonably"

AMENDMENT NO. 28

On page 13, line 7, change "psychological services initiated" to "medical or counseling services needed"

AMENDMENT NO. 29

On page 14, line 3, after "present a" insert "written and oral impact"

AMENDMENT NO. 30

On page 15, line 3, change "Notification of right to request" to "Victims' right to seek"

AMENDMENT NO. 31

On page 15, lines 6 and 7, change "in cash or services to the victim or to the Crime Victims Reparations Fund" to "to the appropriate party" and on line 7, after "amount" insert "and manner"

AMENDMENT NO. 32

On page 15, delete lines 8 through 12, and insert "the court. In addition, the court shall, as a condition of probation, or parole board may require the"

AMENDMENT NO. 33

On page 15, lines 14, after "court." delete the remainder of the line and delete lines 15 and 16.

AMENDMENT NO. 34

On page 15, line 18, after "court" insert "or the parole board"

AMENDMENT NO. 35

On page 15, line 24, after "Notification" change "of" to "to"

AMENDMENT NO. 36

On page 15, line 26, change "appropriate court" to "Department of Public Safety and Corrections"

AMENDMENT NO. 37

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On page 15, line 27, change "representative of the" to "minimum of two representatives of the victim's"

AMENDMENT NO. 38

On page 16, line 2, change "Filing of a victim notice and registration form" to "Notice of appeal or release to victim and victim's family"

AMENDMENT NO. 39

On page 16, line 6, after "inmate" change "named in that form" to "including a juvenile inmate,"

AMENDMENT NO. 40

On page 16, lines 12 and 13, change "Information concerning escape from a state correctional institution" to "Notice of escape to the victim, victim's family, and witness"

AMENDMENT NO. 41

On page 16, line 14, change "named in a victim or witness notice form" to "including a juvenile inmate,"

AMENDMENT NO. 42

On page 16, line 26, after "family" insert "and the appropriate district attorney"

AMENDMENT NO. 43

On page 17, line 1, after "make" delete "a" and change "or oral statement" to "or and oral statement statements"

AMENDMENT NO. 44

On page 17, line 2, after "board" add "and to rebut any statements or evidence introduced by the inmate or defendant" and after "The victim" change "of" to "or"

AMENDMENT NO. 45

On page 17, line 4, after "board" insert "in person or"

AMENDMENT NO. 46

On page 18, delete lines 4 through 6, and insert "S. Q. Victim assistance education and training. Victim assistance education and training shall be offered to persons taking courses at law enforcement training facilities and to district attorney and assistant"

AMENDMENT NO. 47

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

AMENDMENT NO. 48

On page 18, line 9, change "F Q" to "F R"

AMENDMENT NO. 49

On page 18, line 20, change "Crime Victims Reparations Fund" to "Louisiana Commission on Law Enforcement. Such forms shall be promulgated no later than January 1, 2000. Until such forms are distributed to law enforcement and judicial agencies, current notice forms and informational brochures shall continue to be distributed"

AMENDMENT NO. 50

On page 18, line 21, change "U R" to "U S"

AMENDMENT NO. 51

On page 18, line 26, change "V S" to "V T.(1)"

AMENDMENT NO. 52

On page 19, line 8, after "law enforcement" insert "or judicial"

AMENDMENT NO. 53

On page 19, line 13, delete "in its entirety"

AMENDMENT NO. 54

On page 19, line 23, after "sent" insert "by the clerk of court"

AMENDMENT NO. 55

On page 19, between lines 25 and 26, insert the following:

**"(2) All victim notice and registration forms, and the information contained therein, shall be kept confidential by all law enforcement and judicial agencies having possession. The information shall be used only for the purposes required by this Chapter, and shall be released only upon court order after contradictory hearing.**

**"(3) The victim and designated family member shall have the right to register with the appropriate agency at any time and exercise prospectively the rights guaranteed by this Chapter."**

AMENDMENT NO. 56

On page 20, line 5, change "X T" to "X U"

AMENDMENT NO. 57

On page 20, at the end of line 12, insert "Nothing in this Chapter precludes filing for a writ of mandamus as provided in the Code of Civil Procedure to compel the performance of a ministerial duty required by law."

AMENDMENT NO. 58

On page 20, line 13, change "Y U" to "Y V"

AMENDMENT NO. 59

On page 20, line 21, change "Z V" to "Z W"

AMENDMENT NO. 60

On page 22, line 19, change "871.2" to "883.2"

AMENDMENT NO. 61

On page 22, line 20, change "871.2" to "883.2"

AMENDMENT NO. 62

On page 22, line 21, change "871.2" to "883.2"

AMENDMENT NO. 63

On page 22, line 22, change "involving" to "in which the court finds an" and on line 23, after "where" insert "the court finds that"

AMENDMENT NO. 64

On page 23, line 2, before "investigation" insert "and postsentence"

AMENDMENT NO. 65

On page 24, after line 18, insert the following:

"Section 4. This Act shall be effective January 1, 2000."

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

**SENATE BILL NO. 856 (DUPLICATE OF HOUSE BILL NO. 1304)—**

BY SENATOR DARDENNE AND REPRESENTATIVE DIEZ  
AN ACT

To enact R.S. 15:587.2, relative to children; to provide for release of certain background information; to provide for fingerprints samples; to provide for certain training programs; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

**SENATE BILL NO. 876—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER, MCMAINS AND CRANE  
AN ACT

To amend and reenact R.S. 40:1299.39, the introductory paragraph of (F), and (L)(1) and 1299.39.1(B)(1)(b) and the introductory paragraph of (G), and to enact R.S. 40:1299.39(L)(4), relative to medical malpractice liability for state services; to provide for a definition of "malpractice"; to provide that the commissioner of administration promulgate reimbursement schedules for the payment of future medical care and related benefits and that such payments are to be paid directly to the health care provider; to reduce the amount of future medical care and related benefits due a patient in a sum equal to the amount received by such patient from a collateral source; to provide relative to the medical review panel's expert opinions; to provide for an extension of a medical review upon written stipulation of the parties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 876 by Senator Hainkel

AMENDMENT NO. 1  
On page 1, line 2, delete "(A)(4)."

AMENDMENT NO. 2  
On page 1, line 16, delete "(A)(4)."

AMENDMENT NO. 3  
On page 2, delete lines 3 through 27 and on page 3, delete lines 1 through 5

AMENDMENT NO. 4  
On page 5, line 25, delete "However, the" and insert "The" and on line 26, after "period" insert ", however, the period may not be extended beyond a total of thirty-six months."

AMENDMENT NO. 5  
On page 6, line 16, after "shall" insert ", within thirty days but in all events within one hundred eighty days after the selection of the last panel member,"

AMENDMENT NO. 6  
On page 6, line 19, after "panelists" delete the remainder of the line and delete lines 20 through 21 and insert ", together with written reasons supporting each opinion, which shall constitute part of the report:"

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

**SENATE BILL NO. 877 (DUPLICATE OF HOUSE BILL NO. 1913)—**

BY SENATOR HAINKEL AND REPRESENTATIVE DEWITT AND COAUTHORED BY SENATORS DARDENNE, EWING AND BARHAM AND REPRESENTATIVES DOWNER, MCMAINS, DIEZ AND CRANE  
AN ACT

To amend and reenact R.S. 40:1299.41(A)(8), 1299.42(B)(1) and (2), 1299.44(C)(5), and 1299.47(B)(1)(b) and (3), (G) and (J), and to enact R.S. 40:1299.41(A)(21) and (K), 1299.43(B)(3), and 1299.44(C)(9), relative to medical malpractice; to provide for definitions; to provide for limitations on recovery; to provide for notice and participation by the Patient's Compensation Fund Oversight Board in arbitration proceedings; to provide for payment of medical care and related benefits; to provide an extension of a medical review panel upon written stipulation of the parties; to provide relative to the medical review panel; to provide relative to the Patient's Compensation Fund; to provide for recovery of future

medical care and related benefits; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 877 by Senator Hainkel

AMENDMENT NO. 1  
On page 7, line 27, after "shown" insert "provided, however, the panel may not extend the period beyond a total of 36 months"

AMENDMENT NO. 2  
On page 8, line 27, after "shall" insert "within thirty days but in all events within ten days after the selection of the last panel member."

AMENDMENT NO. 3  
On page 10, between lines 5 and 6 insert the following:

"Section 6. This Act shall only apply to those causes of action for medical malpractice occurring on or after July 1, 1999."

AMENDMENT NO. 4  
On page 10, line 7, change "6." to "7."

On motion of Senator Ullo, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 913, was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 959—**  
BY SENATOR SMITH

AN ACT

To amend and reenact Code of Criminal Procedure Art. 893(A), relative to suspension and deferral of sentence and probation in felony cases; to increase the probation period for certain offenses; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. On motion of Senator Jordan, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 977—**  
BY SENATOR JOHNSON

AN ACT

To enact R.S. 14:107.3, relative to the criminal offense of blighting of property; to provide for the offense; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 977 by Senator Johnson

AMENDMENT NO. 1  
On page 1, line 17, after "blighted" change "or" to "and"

AMENDMENT NO. 2  
On page 2, line 10, after "or structure, that" delete "is"

AMENDMENT NO. 3  
On page 2, line 25, after "such" delete "a"

AMENDMENT NO. 4  
On page 3, line 2, after "as blighted" delete "or a public nuisance"

AMENDMENT NO. 5

On page 3, delete lines 5 through line 27

AMENDMENT NO. 6

On page 4, delete lines 1 through 14, and insert the following:

"(C) On the first conviction, the offender shall be punished by a fine not to exceed five hundred dollars. Imposition of a fine may be suspended and in lieu thereof, the court may require the offender to perform repairs on the blighted property to correct all existing violations.

(D) On a second conviction, the offender shall be punished by a fine not to exceed five hundred dollars and ordered to perform not more than forty hours of community service. Additionally, the court shall require that the offender perform repairs on the blighted property to correct all existing violations.

(E) On any third or subsequent conviction, the offender shall be punished by a fine not to exceed two thousand dollars, and ordered to perform not more than eighty hours of community service, or both. Additionally, the court shall require that the offender perform repairs on the blighted property to correct all existing violations.

(F) On any conviction under Paragraphs D or E, the court may order the offender to occupy the blighted property for a designated period of time."

AMENDMENT NO. 7

On page 4, line 15, change "F." to "G."

AMENDMENT NO. 8

On page 4, line 18, change "G." to "H."

AMENDMENT NO. 9

On page 4, line 24, change "H." to "I."

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

**SENATE BILL NO. 987—**

BY SENATORS LANDRY, W. FIELDS AND JORDAN  
AN ACT

To enact R.S. 14:141.1 and R.S. 30:2026.1, relative to offenses affecting the public and the environment; to create the crime of environmental fraud by state employees; to provide for criminal and civil penalties and fines; to provide relative to the prosecution of environmental fraud crimes; to provide for citizen suits under certain circumstances; to provide relative to prohibited reprisals and remedies; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 987 by Senator Landry

AMENDMENT NO. 1

On page 1, line 13, after "any" insert "intentional"

AMENDMENT NO. 2

On page 2, line 7, delete "or person"

AMENDMENT NO. 3

On page 2, line 10, after "committed." insert "There shall be no affirmative duty of any state employee to report the commission of the offense described in this Section if such offense has been previously reported or has been made public.

AMENDMENT NO. 4

On page 2, line 26, delete "or person"

AMENDMENT NO. 5

On page 3, line 22, delete "investigate or prosecute" and insert "initiate an investigation, present the case to a grand jury, or begin prosecution of"

AMENDMENT NO. 6

On page 4, line 8, delete "or person"

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

**SENATE BILL NO. 997—**

BY SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 13:782(A), relative to compensation and expenses of clerks; to provide for participation by clerks in deferred compensation plans; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. On motion of Senator Ellington, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1002 (DUPLICATE OF HOUSE BILL NO. 1474)—**

BY SENATOR BRANCH AND REPRESENTATIVE FONTENOT  
AN ACT

To amend and reenact R.S. 27:311(I), relative to the Video Draw Poker Devices Control Law; to provide that the office of a distributor, device owner, or service entity may be located in a parish which voted against the operation of video draw poker devices; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. On motion of Senator Ellington, the bill, which was designated a duplicate of House Bill No. 1474, was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1028—**

BY SENATOR DARDENNE  
AN ACT

To amend and reenact R. S. 14:62.4(A), relative to the unauthorized entry of a place of business; to provide that a place of business shall include any structure or premises that is partially or completely enclosed by any type of physical barrier; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 1028 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 12, after "is" delete "partially or"

AMENDMENT NO. 2

On page 1, line 13, after "barrier" insert "that is at least six feet in height"

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

**Motion to Recommit**

Senator Theunissen asked for and obtained a suspension of the rules and recommitted House Bill No. 1438 from the Committee on Commerce and Consumer Protection to the Committee on Natural Resources.

**Motion to Recommit**

Senator Heitmeier asked for and obtained a suspension of the rules and recommitted Senate Bill No. 467 from the Committee on Insurance to the Committee on Retirement.

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Dardenne, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 28, 1999

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolutions have been properly enrolled:

**SENATE RESOLUTION NO. 26—**  
BY SENATOR DARDENNE

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana on the death of Albert Lloyd Clary, Jr., father, grandfather, registrar, director, executive assistant, captain, veteran, and friend.

**SENATE RESOLUTION NO. 27—**  
BY SENATOR ROMERO

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana on the death of Pierre L. Larroque, husband, father, grandfather, brother, business/community leader, engineer, and friend.

Respectfully submitted,  
JAY DARDENNE  
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Dardenne, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 28, 1999

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 84—**

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To commend Reverend Everett Mayo for fifty years in the ministry, the last thirty-nine years at Aimwell Pentecostal Church in Aimwell, Louisiana.

**SENATE CONCURRENT RESOLUTION NO. 86—**

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Max W. Maxwell, former state representative, father, grandfather, veteran, businessman, Christian, and friend.

Respectfully submitted,  
JAY DARDENNE  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Irons	1 Day	C. Fields	1 Day
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**Adjournment**

Senator Bean moved that the Senate adjourn until Thursday, April 29, 1999 at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, April 29, 1999.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk