

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 518 By Representative Lopinto**

May 31, 2012

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 518 by Representative Lopinto, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments Nos. 1 through 3 proposed by the Senate Committee on Judiciary B and adopted by the Senate on May 9, 2012, be rejected.
2. That Legislative Bureau Amendments Nos. 1 through 4 proposed by the Legislative Bureau and adopted by the Senate on May 10, 2012, be rejected.
3. That Senate Floor Amendment No. 1 proposed by Senator Appel and adopted by the Senate on May 14, 2012, be rejected.
4. That Senate Floor Amendment No. 1 proposed by Senator Riser and adopted by the Senate on May 14, 2012, be rejected.
5. That Senate Floor Amendments Nos. 1 through 8 proposed by Senator Murray and adopted by the Senate on May 15, 2012, be rejected.
6. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 4, after "(2)," and before "relative" insert "to enact R.S. 42:1124.2(A)(7), and to repeal R.S. 15:572.2,"

AMENDMENT NO. 2

On page 1, line 7, after "provisions;" and before "and" insert "to provide for financial disclosures;"

AMENDMENT NO. 3

On page 2, line 27, after "Pardons." delete the remainder of the line and delete line 28 in its entirety

AMENDMENT NO. 4

On page 3, line 2, after "Paragraph" and before "of" change "(7)" to "(8)"

AMENDMENT NO. 5

On page 4, line 4, after "office" delete the remainder of the line and insert a period "."

AMENDMENT NO. 6

On page 4, delete lines 6 through 13 in their entirety and insert the following:

~~"(3)(7)~~ The chairman of the board shall receive an annual salary not to exceed fifty thousand dollars, the vice chairman shall receive an annual salary not to exceed forty-seven thousand dollars, the two-at-large appointees to the committee on parole and each of the other members of the board, except for the ex officio member, shall receive an annual salary not to exceed forty-four thousand dollars payable on his own warrant, and shall be reimbursed for necessary travel and other expenses actually incurred in the discharge of his duties. The actual salaries, subject to the limits provided for in this Paragraph, shall be authorized by executive order of the governor."

AMENDMENT NO. 7

On page 4, at the beginning of line 14, change "(7)" to "(8)"

AMENDMENT NO. 8

On page 4, at the beginning of line 25, change "(8)(a)" to "(9)(a)"

AMENDMENT NO. 9

On page 6, line 25, after "the" and before "performance" change "committee" to "committee's"

AMENDMENT NO. 10

On page 6, line 29, after "the" and before "relevant" change "board," to "committee."

AMENDMENT NO. 11

On page 7, line 2, after "the" delete the remainder of the line and insert "committee may conduct of sentencing, parole,"

AMENDMENT NO. 12

On page 8, after line 29, add the following:

"Section 2. R.S. 42:1124.2(A)(7) is hereby enacted to read as follows:

§1124.2. Financial disclosure; certain elected officials; members of certain boards and commissions; ethics administrator

A. Each of the following, except a person who is required to file a financial statement pursuant to R.S. 42:1124, shall annually file a financial statement as provided in this Section:

\* \* \*

(7) Each member of the Board of Pardons.

\* \* \*

Section 3. R.S. 15:572.2 is hereby repealed in its entirety."

AMENDMENT NO. 13

On page 9, at the beginning of line 1, change "Section 2." to "Section 4."

AMENDMENT NO. 14

On page 9, at the beginning of line 4, change "Section 3." to "Section 5."

AMENDMENT NO. 15

On page 9, at the beginning of line 9, change "Section 4." to "Section 6."

AMENDMENT NO. 16

On page 9, at the beginning of line 17, change "Section 5." to "Section 7."

AMENDMENT NO. 17

On page 10, at the beginning of line 3, change "Section 6." to "Section 8."

Respectfully submitted,

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Representative Joseph P. Lopinto

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Senator Jean-Paul J. Morrell

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Representative Helena N. Moreno

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Senator Neil Riser

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Representative Bryan Adams

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Senator Robert Adley

CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 518 by Representative Lopinto

**Keyword and oneliner of the instrument as it left the House**

PARDON/PAROLE: Merges the functions and duties of the Board of Parole into the Board of Pardons and creates a committee on parole which shall be part of the Board of Pardons

**Report rejects Senate amendments which would have:**

1. Added provision which requires each member of the Board of Pardons to file an annual financial statement pursuant to present law.
2. Deleted provision which requires members of the committee on parole to devote full-time to the duties of his office and prohibits each member of the committee on parole from engaging in any other business or profession or holding any other public office.
3. Added a provision and clarified language relative to the compensation of the at-large appointees to the committee on parole.
4. Made technical corrections.

**Report amends the bill to:**

1. Repeal present law provision relative to the compensation of members of the Board of Pardons and amend present law provision relative to the compensation of members of the Board of Parole to apply to the members of the Board of Pardons and the two at-large appointees to the committee on parole.
2. Remove provision which prohibits each member of the committee on parole from engaging in any other business or profession or holding any other public office.
3. Add each member of the Board of Pardons to the list of persons who are required to file an annual financial statement pursuant to present law.
4. Make technical corrections to incorporate these changes.

**Digest of the bill as proposed by the Conference Committee**

Present law provides for the Board of Pardons which consists of five members, appointed by the governor and confirmed by the Senate, and one ex officio member. Present law further provides for the duties, functions, and powers of the Board of Pardons.

Proposed law amends present law and provides that each member of the Board of Pardons shall have at least five years actual experience in the field of penology, corrections, law enforcement, sociology, law, education, social work, medicine, or a combination thereof. Provides an exception to proposed law requirements for any person serving as a member of the board on Aug. 1, 2012.

Present law provides for the Board of Parole which consists of seven members, appointed by the governor and confirmed by the Senate, and one ex officio member. Present law also provides for the qualifications, salaries, powers, duties, functions, and training requirements of the Board of Parole, and further provides the procedures by which the Board of Parole shall function and the procedures the board shall follow when deciding whether to grant or deny parole.

Proposed law merges the duties, functions, powers, and training requirements of the Board of Parole into the Board of Pardons, creates a committee on parole which shall be part of present law Board of Pardons, and further provides as follows:

- (1) Provides that the committee on parole shall consist of the following persons:

- (a) The five members of the Board of Pardons.
  - (b) Two at-large appointees, appointed by the governor, who shall only serve as members of the committee on parole and shall not serve as a member of the Board of Pardons.
- (2) Provides that the two at-large appointees shall possess at least five-years experience in the field of penology, corrections, law enforcement, sociology, law, education, social work, medicine, or a combination thereof. Provides an exception to proposed law requirements for any member serving as a member of the board on Aug. 1, 2012.
  - (3) Provides for the compensation of the chairman, vice chairman, and members of the Board of Pardons and the two at-large appointees of the committee on parole.
  - (4) Provides for the transfer of all powers, duties, functions, responsibilities, and obligations of present law Board of Parole to proposed law committee on parole who shall exercise and perform each.
  - (5) Deletes provision which prohibits each member from engaging in any other business or profession or holding any other public office.
  - (6) Provides that all administrative rules and regulations adopted by present law Board of Parole shall be considered valid and remain in effect until amended or repealed by proposed law committee on parole which shall adopt the rules necessary to implement proposed law.
  - (7) Provides for the transfer of any pending and unfinished business of present law Board of Parole to proposed law committee on parole.
  - (8) Provides that all references to present law Board of Parole shall be deemed to refer to proposed law committee on parole and provides that all legal proceedings shall be continued in the name of the committee on parole without the necessity for amendment of any document.
  - (9) Provides that proposed law committee on parole shall be the successor in every way to present law Board of Parole, including all of the obligations and debts thereof.
  - (10) Directs the La. State Law Institute to make technical changes to statutory laws as necessary to reflect the name changes provided for in proposed law.
  - (11) Requires each member of the Board of Pardons to file an annual financial statement pursuant to present law.

(Amends R.S. 15:572.1(A)(1) and 574.2(A), (B), (C)(1), (2)(intro. para.), and (3), (D)(intro. para.), (4), (9), and (11), (E), (F)(1)(intro. para.), (G), and (H)(1) and (2); Adds R.S. 42:1124.2(A)(7); Repeals R.S. 15:572.2)