

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 3145**

1 On page 1 of the printed A-engrossed bill, line 2, after “Commission;”  
2 delete the rest of the line and delete lines 3 through 5 and insert “and de-  
3 claring an emergency.”.

4 Delete lines 7 through 16 and delete pages 2 through 30 and insert:

5 **“SECTION 1. (1) The Task Force on Public Defense is established**  
6 **to review requirements and best practices related to the delivery and**  
7 **oversight of public defense services and make recommendations to the**  
8 **Legislative Assembly for achieving effective public defense counsel in**  
9 **every courthouse in Oregon.**

10 **“(2) The task force consists of 17 members who must be from ge-**  
11 **ographically diverse areas and represent culturally diverse communi-**  
12 **ties, appointed as follows:**

13 **“(a) The President of the Senate shall appoint two members from**  
14 **among members of the Senate.**

15 **“(b) The Speaker of the House of Representatives shall appoint two**  
16 **members from among members of the House of Representatives.**

17 **“(c) The Governor shall appoint seven members as follows:**

18 **“(A) Two persons with experience working as public defense attor-**  
19 **neys at a nonprofit public defense office.**

20 **“(B) One person with experience working as a public defense attor-**  
21 **ney at a for-profit public defense office.**

1       “(C) One person with experience administering a public defense  
2 consortium.

3       “(D) Two persons with experience representing juveniles, parents  
4 and children in juvenile delinquency and dependency cases.

5       “(E) One person representing the Governor’s office.

6       “(d) The Chief Justice of the Supreme Court shall appoint six  
7 members as follows:

8       “(A) One trial court judge with experience in criminal and juvenile  
9 law.

10       “(B) One person with experience as a court administrator.

11       “(C) One person who is a member of the Public Defense Services  
12 Commission.

13       “(D) One person representing the office of public defense services  
14 established under ORS 151.216.

15       “(E) One person representing a civil liberties, civil rights or crimi-  
16 nal justice organization.

17       “(F) One person representing a civil legal services provider for  
18 low-income Oregonians.

19       “(3) The task force shall:

20       “(a) Review statutes and case law related to the provision of public  
21 defense services;

22       “(b) Review peer-reviewed literature and policy studies related to  
23 public defense delivery systems to identify best practices that meet the  
24 unique needs of Oregon;

25       “(c) Review the outcomes of existing public defense models used  
26 locally and in other states; and

27       “(d) Recommend changes to the existing system of public defense  
28 services in Oregon with the aim of providing effective public defense  
29 counsel statewide and strengthening quality assurance and financial  
30 accountability systems for public defense providers.

1       **“(4)(a) The task force shall submit the following reports with its**  
2 **findings and recommendations, in the manner provided by ORS 192.245,**  
3 **to the interim committees of the Legislative Assembly related to the**  
4 **judiciary and to the interim subcommittee of the Joint Committee on**  
5 **Ways and Means with authority over the budget of the Public Defense**  
6 **Services Commission:**

7       **“(A) No later than February 1, 2020, a progress report detailing the**  
8 **work undertaken by the task force to date and any initial recommen-**  
9 **dations related to caseload standards and reporting requirements; and**

10       **“(B) No later than December 31, 2020, a final report addressing:**

11       **“(i) Whether a different public defense services delivery model is**  
12 **needed in Oregon to achieve effective public defense counsel statewide;**

13       **“(ii) If the task force determines that a different public defense**  
14 **services delivery model is needed in Oregon, the delivery model that**  
15 **the task force recommends to meet the unique needs of Oregon; and**

16       **“(iii) If the task force determines that a different public defense**  
17 **services delivery model is not needed in Oregon, the changes that can**  
18 **be made to the existing delivery model to improve quality and over-**  
19 **sight.**

20       **“(b) The final report described in paragraph (a)(B) of this subsection**  
21 **shall include a high-level, multiyear plan, formulated in partnership**  
22 **with the Public Defense Services Commission and the office of public**  
23 **defense services, to implement all the recommendations offered by the**  
24 **task force under paragraph (a) of this subsection and subsection (3)**  
25 **of this section.**

26       **“(5) A majority of the voting members of the task force constitutes**  
27 **a quorum for the transaction of business.**

28       **“(6) Official action by the task force requires the approval of a**  
29 **majority of the voting members of the task force.**

30       **“(7) The task force shall elect one of its members to serve as**

1 **chairperson.**

2 **“(8) If there is a vacancy for any cause, the appointing authority**  
3 **shall make an appointment to become immediately effective.**

4 **“(9) The task force shall meet at times and places specified by the**  
5 **call of the chairperson or of a majority of the voting members of the**  
6 **task force.**

7 **“(10) The task force may adopt rules necessary for the operation**  
8 **of the task force.**

9 **“(11) The Legislative Policy and Research Director shall provide**  
10 **staff support to the task force.**

11 **“(12) Members of the Legislative Assembly appointed to the task**  
12 **force are nonvoting members of the task force and may act in an ad-**  
13 **visory capacity only.**

14 **“(13) Members of the task force who are not members of the Leg-**  
15 **islative Assembly are not entitled to compensation, but may be reim-**  
16 **bursed for actual and necessary travel and other expenses incurred by**  
17 **them in the performance of their actual duties and in the manner and**  
18 **amounts provided for in ORS 292.495. Claims for expenses incurred in**  
19 **performing functions of the task force shall be paid out of funds ap-**  
20 **propriated to the Governor for purposes of the task force.**

21 **“(14) All agencies of state government, as defined in ORS 174.111,**  
22 **are directed to assist the task force in the performance of the duties**  
23 **of the task force and, to the extent permitted by laws relating to**  
24 **confidentiality, to furnish information and advice the members of the**  
25 **task force consider necessary to perform their duties.**

26 **“SECTION 2. Section 1 of this 2019 Act is repealed on February 1,**  
27 **2021.**

28 **“SECTION 3. This 2019 Act being necessary for the immediate**  
29 **preservation of the public peace, health and safety, an emergency is**  
30 **declared to exist, and this 2019 Act takes effect on its passage.”.**

