

Approved April 9, 1988
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS

The meeting was called to order by SENATOR AUGUST "GUS" BOGINA at
Chairperson

11:00 a.m./~~xxx~~ on March 29, 1988 in room 123-S of the Capitol.

All members were present except:

Committee staff present:

Research Department: Scott Rothe, Russ Mills

Revisor's Office: Norman Furse

Committee Office: Judy Bromich, Pam Parker

Conferees appearing before the committee:

HB 2675 - Appropriations for FY 1989, judicial branch, judicial council, crime victims reparations board, board of indigents' defense services.

Senator Werts reviewed the Senate Subcommittee Report on HB 2675 and HB 2796, the supplemental appropriations bill, sections pertaining to the Judicial Council, State Board of Indigents' Defense Services, Judicial Branch and crime Victims Reparations Board.

During discussion relating to the State Board of Indigents' Defense Services, Senator Werts explained that the Subcommittee felt it would be difficult to dismantle a regional public defender program if it was found unacceptable, and that the state would be better served if an interim study could thoroughly evaluate options for providing these defense services prior to making a permanent decision.

There was discussion concerning whether or not caps per case are permissible. Ron Miles, Director of the Board of Indigents' Defense Services, stated that it was his understanding that they could not arbitrarily reduce vouchers; however, they could determine a reasonable level of compensation. If they took what is considered an attorney's services without compensation, they would be in violation of the constitution. He said that regardless of which system is adopted, they will have a rule allowing reasonable compensation levels.

Senator Johnston offered a motion to amend the Senate Subcommittee Report on HB 2675 by including language expressing concern relating to the openended nature of the Senate Subcommittee recommendation regarding rate of compensation for voluntary assigned counsel and the need for proper supervision to prevent abuse. Senator Gaines seconded the motion and it carried on a voice vote.

Following the conclusion of the review of the Senate Subcommittee Report, Senator Werts moved, Senator Gannon seconded, the adoption of the Senate Subcommittee Report on HB 2675, FY 1989 Appropriations for the judicial branch, judicial council, crime victims reparations board, board of indigents' defense services and HB 2796, the supplemental appropriations bill, as amended. The motion passed on a voice vote.

Senator Werts moved, Senator Gaines seconded, to report HB 2675 favorably as amended. The motion carried on a roll call vote.

The meeting was adjourned.

GUEST LIST

AM

COMMITTEE: SENATE WAYS AND MEANS

DATE: 3/29/88

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SWAM 3-29-88
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