

SENATOR MAURSTAD: Public advocate under this bill.

SENATOR KRISTENSEN: Okay. That would be controlled, the guidelines of the commission would determine what guidelines and then the chief counsel would, basically, be the operating person who would try to carry out those guidelines and the allocations of those resources. And then, if it was a request, and again this is under the green copy, my amendment strikes much of this, but there would be...

SPEAKER WITHEM: One minute.

SENATOR KRISTENSEN: ...procedures for applying and distributing to the various counties and attorneys who were doing those for some of the expert witness fees, deposition costs and so on, that that would be an application process under the guidelines created by that commission, so...

SENATOR MAURSTAD: But the state couldn't step in and assign one if the county didn't want them to.

SENATOR KRISTENSEN: I'm sorry, could you run that one by me again.

SENATOR MAURSTAD: Well, the state could not or this commission could not step in, say you must use a public defender in any particular case.

SENATOR KRISTENSEN: Well, I think you start off having the requirement of the county to provide a defender for the indigent and that they could apply for assistance through this act...

SENATOR MAURSTAD: But if they decided to use their own and not do it, the state could not under your bill exercise, I'll call if police power, and come in and say...

SENATOR KRISTENSEN: Oh, no, no, they couldn't come in...that's correct.

SPEAKER WITHEM: Time. Senator Cudaback.

SENATOR CUDABACK: Mr. Speaker, members, Senator Bromm was certainly correct when he stated the county boards worry. I was on a county board for 12 years and one of the biggest questions is, what if, what if, what if? It's kind of like being in