

appear before and provide assistance to the Legislature. The group wanted to...they had some concern that this body was going to be mandated to come down and appear before the Legislature to lobby. We've taken that out. We have changed subsection (6) and said that they can allow and now we provide that they can contract for conferences and training seminars relating to criminal defense and not to various types of indigent defense systems. This group may be able to put on good seminars and assist other people and that this limits this group by that manner. We also in subsection (5) take out performing other duties related to the administration of an indigent defense systems. We basically just leave in that they perform duties as directed by the commission, so we're not going to have the fear that they're going to go in and run someone's public defender's office. Finally, we also strike out subsection (11) under Section 11. This is the collect, develop and maintain statistical information. That's consistent with the policy that we talked about earlier of not letting them go in and take information and mandate it and try to infringe upon any public defender system existing. The final thing we do is add a new subsection and this is one of those that I think is the substantive change that probably brought most people together, is that this allows that when the commission is done and when they finish the representation of a county, that the chief counsel shall make a showing to the district court of the actual cost of that defense. Now not, you know, some hypothetical hourly rate, this is going to be actual cost of defense, a begin 6-8-95, a reasonable amount of administrative and support time, the actual expenditures for litigation support and a reasonable amount of overhead that's going to be allocated to do that. They submit that to the district judge. There is a hearing and after that hearing the district court shall order the county to pay a third of the actual cost of the defense. This acts as a deductible and this is something that I know the administration has said that they wanted to buy in. I know, Senator Bromm, you had some concern in one of the counties to be able to buy in. The counties, after reviewing this, feel that this is a fair way to do it. They have agreed to, in effect, this procedure. I submit this amendment to you. I think that...and I thank Senator Hall and Senator Lindsay. Sometimes we stand and have open and honest disagreements. This is one where we've come together and I think solved many of those differences and I hope have taken care of some of those fears and I hope, Senator Bromm, we've addressed some of your concerns in this as well by having the counties participate in some level, not to a level