

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1228: Office of Capital Post-Conviction Counsel and Statewide Public Defender System; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

AMEND after line 563 by inserting the following and renumbering succeeding sections:

"SECTION 30. (1) There is created the Mississippi Public Defender Task Force which shall be composed of eleven (11) members as follows:

(a) The President of the Mississippi Public Defender Association, or his designee;

(b) The President of the Mississippi Prosecutors Association, or his designee;

(c) A representative of the Administrative Office of Courts;

(d) A representative of the Mississippi Supreme Court;

(e) A representative of the Conference of Circuit Judges;

(f) A representative of the Mississippi Attorney General's Office;

(g) A representative of the Mississippi Association of Supervisors;

(h) The Chairman of the Senate Judiciary Committee, or his designee;

(i) The Chairman of the Senate Appropriations Committee, or his designee;

(j) The Chairman of the House Judiciary En Banc

Committee, or his designee;

(k) The Chairman of the House Appropriations Committee, or his designee.

(2) At its first meeting, the task force shall elect a chairman and vice chairman from its membership and shall adopt rules for transacting its business and keeping records. Members of the task force shall receive a per diem in the amount provided in Section 25-3-69 for each day engaged in the business of the task force. Members of the task force other than the legislative members shall receive reimbursement for travel expenses incurred while engaged in official business of the task force in accordance with Section 25-3-41 and the legislative members of the task force shall receive the expense allowance provided for in Section 5-1-47.

(3) The duties of the task force shall be to:

(a) Make a comprehensive study of the needs by circuit court districts for state-supported indigent defense counsel, examining existing public defender programs. This report shall be provided to the Legislature by September 29, 2000.

(b) Examine and study approaches taken by other states in the implementation and costs of state-supported indigent criminal cases.

(c) To study the relationship between presiding circuit court judges and the appointment of criminal indigent defense counsel."

AMEND further the title by inserting the following after the semicolon on line 36:

"TO CREATE THE MISSISSIPPI PUBLIC DEFENDERS SYSTEM TASK FORCE TO MAKE A COMPREHENSIVE STUDY OF THE EXISTING PUBLIC DEFENDER LAW IN MISSISSIPPI; TO EXAMINE AND STUDY APPROACHES TAKEN IN OTHER STATES REGARDING THE IMPLEMENTATION AND COST OF STATEWIDE PUBLIC DEFENDER SYSTEMS; TO MAKE RECOMMENDATIONS FOR ACTION BY THE LEGISLATURE TO STUDY THE RELATIONSHIP BETWEEN THE ESTABLISHMENT OF DISTRICT PUBLIC DEFENDERS AND CIRCUIT JUDGES; TO ANALYZE DISTRICT NEEDS; TO PROVIDE FOR THE COMPENSATION OF THE TASK FORCE; TO PROVIDE THAT THE TASK FORCE SHALL MAKE A REPORT OF ITS WORK; AND

FOR RELATED PURPOSES."

CONFEREES FOR THE HOUSE

X _____
Percy W. Watson

X _____
Linda Coleman

X _____
Charlie Capps, Jr.

CONFEREES FOR THE SENATE

X _____
Bennie L. Turner

X _____
Ron Farris

X _____
Jack Gordon