

Requested by HOUSE COMMITTEE ON VETERANS AND EMERGENCY PREPAREDNESS

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4038**

1 On page 1 of the printed bill, line 15, before the period insert “(9)”.

2 In line 19, delete “initially”.

3 On page 2, line 8, delete “or”.

4 In line 9, delete the period and insert “; or

5 “(d) The Oregon Military Museum established under ORS 396.555.”.

6 On page 3, after line 7, insert:

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8 **“VETERANS’ LEGAL SERVICES PROGRAM**

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10 **“SECTION 6. (1) The Department of Veterans’ Affairs shall estab-**  
11 **lish and implement a pilot Veterans’ Legal Services Program to pro-**  
12 **vide legal defense services without charge to veterans who have been**  
13 **charged with or convicted of a crime or otherwise confined under**  
14 **court order. The department shall adopt rules on or before July 1, 2019,**  
15 **to implement the pilot program and provide standards and guidelines**  
16 **for legal service providers receiving funding from the program. The**  
17 **rules shall also provide methods for evaluating legal service providers.**

18 **“(2) Funding received under the program may be used only for the**  
19 **provision of legal defense services to veterans and for expenses in-**  
20 **curring by the department in the administration of the program.**

21 **“(3) The department shall appoint a director of the Veterans’ Legal**

1 **Services Program. The department shall prescribe the duties of the**  
2 **director and fix the salary of the director.**

3 **“(4) The department may establish any advisory or technical com-**  
4 **mittees it deems necessary to advise the department in establishing**  
5 **and operating the program.**

6 **“SECTION 7. (1) The director of the Veterans’ Legal Services Pro-**  
7 **gram appointed under section 6 of this 2018 Act shall periodically re-**  
8 **view legal service providers who receive funding from the Veterans’**  
9 **Legal Services Program. If the director determines that there are**  
10 **reasonable grounds to believe that a provider is not in substantial**  
11 **compliance with the standards and guidelines adopted by rule by the**  
12 **Department of Veterans’ Affairs under section 6 of this 2018 Act, the**  
13 **director shall negotiate with the provider in an attempt to bring the**  
14 **provider into compliance.**

15 **“(2) If the director is unable to negotiate satisfactory compliance**  
16 **with the standards and guidelines of the program, the director shall**  
17 **give the provider 30 days in which to bring the provider into compli-**  
18 **ance. If the director concludes that the provider is not in compliance**  
19 **at the end of the 30-day period, the matter shall be submitted to me-**  
20 **diation. The director and the provider shall jointly select a mediator.**  
21 **If the director and provider are unable to select a mediator within 15**  
22 **days after the expiration of the 30-day period, any presiding judge for**  
23 **a judicial district may appoint a mediator upon the petition of the di-**  
24 **rector.**

25 **“(3) If mediation under subsection (2) of this section fails to produce**  
26 **a resolution of the matter, the director shall give the provider notice**  
27 **that a hearing will be held not sooner than 30 days after the date the**  
28 **notice is given. If, after hearing, the director determines that the**  
29 **provider is not in compliance with the standards and guidelines of the**  
30 **program and that the provider has failed to show satisfactory progress**

1 toward achieving compliance, the director shall suspend further pay-  
2 ments to the provider until such time as the provider makes a showing  
3 of compliance.

4 **“SECTION 8.** No later than September 15, 2021, the Department of  
5 Veterans’ Affairs shall prepare and submit a report to the standing  
6 or interim committees of the Legislative Assembly that have authority  
7 over the subject area of veterans’ affairs regarding the implementation  
8 and status of the pilot Veterans’ Legal Services Program.

9 **“SECTION 9.** Sections 6 to 8 of this 2018 Act are repealed on June  
10 **30, 2023.”**

11 In line 11, delete “6” and insert “10”.

12 In line 17, delete “7” and insert “11”.

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