

Members:

Robert Harris, Chair
 Susan Mandiberg, Vice Chair
 Stephanie Engelsman
 Alton Harvey, Jr.
 Leslie Kay
 Philippe Knab
 Tom Lininger
 Angel Lopez

**Nonvoting Members:**

Rep. Paul Evans
 Haley Olson
 Caitlin Plummer
 Sen. Floyd Prozanski

Executive Director:

Kenneth Sanchagrin

Oregon Public Defense Commission Workgroup

*Meeting will occur virtually
 Thursday, September 3, 2026
 5:00 to 5:45pm
 Via Zoom**

Administrative Announcement

This is a public meeting, subject to the public meeting law and it will be recorded. Discussion will only be allowed amongst Commission members and staff for the duration of this meeting. Public comment will not be allowed during this meeting.

AGENDA

Approx. Time	Item	Lead(s)
5:00-5:05	Welcome/Call to Order	Chair Harris
5:05-5:15	Update: Audit Committee Charter	Vice Chair Mandiberg
5:15-5:45	Update: Oregon Administrative Rules	Jennifer Bell
5:45 (Approximately)	***Adjourn***	

**To join the Zoom meeting, click this link: <https://zoom.us/j/99131603548>. This meeting is accessible to persons with disabilities or with additional language service needs. Our Zoom virtual meeting platform is also equipped with Closed Captioning capabilities in various languages, which agency staff can assist you with setting up ahead of meetings.*

Requests for interpreters for the hearing impaired, for other accommodations for persons with disabilities, or for additional interpreter services should be made to info@opdc.state.or.us.

Please make requests as far in advance as possible, and at least 48 hours in advance of the meeting, to allow us to best meet your needs.

Listed times are an estimate, and the Chair may take agenda items out of order and/or adjust times for agenda items as needed.

*Next meeting: **October 1, 2026, 5-6:30pm via Zoom.***

Meeting dates, times, locations, and agenda items are subject to change by the Commission; future meeting dates are posted at: <https://www.oregon.gov/opdc/commission/Pages/meetings.aspx>

Note: *Agenda items not addressed or completed during this meeting will be carried over to the next scheduled meeting, unless otherwise directed by the Chair.*



Date: September 3, 2026

To: Rob Harris, OPDC Chair
Susan Mandiberg, OPDC Vice-Chair

Cc: Kenneth Sanchagrin, Executive Director

From: Jennifer Bell, Senior Policy Analyst

Re: Update on Agency Rulemaking

Nature of Presentation: Briefing

Background:

On June 11, 2026, the Commission opened proposed rulemaking. OPDC staff worked through the process, including engagement with the Oregon Secretary of State (SOS). Initially, SOS only required minor reference changes made to the references within Model Rules for Rulemaking.

During the public comment period and through engagement with the agency's Rules Advisory Committee (RAC) and Oregon Department of Justice (DOJ) partners, additional challenges were brought up regarding the language within the draft of Delegation of Rulemaking Authority. In summary, there was concern that the proposed rule allowed agency staff to proceed with rulemaking without the involvement of the board.

Currently, OPDC statutes (ORS 151) use the term "commission", sometimes with a capital "C" and sometimes with a lowercase "c". This has led to confusion in discussions around policy, authority, and other operational matters. It is also likely what has led to the confusion around this proposed rulemaking.

With feedback from DOJ partners, OPDC staff will be revising this rule to be more inclusive over the board's involvement in rulemaking. Revisions will explicitly call out the fact that the board will vote to open rulemaking and will later vote to adopt proposed rules. The delegation around rulemaking is intended to allow agency staff to coordinate the complicated processes, not to adopt, amend, or repeal the rules without board involvement.

Because the Delegation of Rulemaking Authority must be adopted before other rules can be effective, all rules originally planned to come before the board during the September commission meeting will be paused. They will be brought back as a package again once the revisions are complete.

Fiscal Impact:

None.

Recommendation:

No action at this time. Agency staff will bring this set of rules, including the revised Delegation of Authority rule, back to a future Commission meeting for a vote to open rulemaking.