

CHAPTER 111

[Engrossed House Bill No. 177]

JUDICIAL PROCEEDINGS--INDIGENTS, COUNSEL, COSTS, FEES, EXPENSES

AN ACT Relating to appointment and payment of counsel and payment of certain costs and expenses for indigents; amending section 5, chapter 126, Laws of 1913 as last amended by section 1, chapter 31, Laws of 1970 ex. sess. and RCW 2.32.240; amending section 2, chapter 133, Laws of 1965 as amended by section 2, chapter 31, Laws of 1970 ex. sess. and RCW 10.01.112; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 5, chapter 126, Laws of 1913 as last amended by section 1, chapter 31, Laws of 1970 ex. sess. and RCW 2.32.240 are each amended to read as follows:

(1) When a record has been taken in any cause as provided in RCW 2.32.180 through 2.32.320, if the court, or either party to the suit or action, or his attorney, request a transcript, the official reporter shall make, or cause to be made, with reasonable diligence, full and accurate transcript of the testimony and other proceedings, which shall, when certified to as hereinafter provided, be filed with the clerk of the court where such trial is had for the use of the court or parties to the action. The fees of the reporter for making such transcript shall be fixed in accordance with costs as allowed in cost bills in civil cases by the supreme court of the state of Washington, and when such transcript is ordered by any party to any suit or action, said fee shall be paid forthwith by the party ordering the same, and in all cases where a transcript is made as provided for under the provisions of RCW 2.32.180 through 2.32.320 the cost thereof shall be taxable as costs in the case, and shall be so taxed as other costs in the case are taxed: PROVIDED, That when the defendant in any criminal case, (~~or~~) a juvenile in any case determining such juvenile to be a delinquent or incorrigible child under RCW 13.04.010, or petitioner for a writ of habeas corpus (~~shall present to the court satisfactory proof by affidavit or otherwise that he is unable~~) has been judicially determined to have a constitutional right to a free transcript and to be unable by reason of poverty to pay for such transcript, the court may order said transcript to be made by the official reporter, which transcript fee therefor shall be paid by the state upon submission of appropriate vouchers to the clerk of the supreme court.

Sec. 2. Section 2, chapter 133, Laws of 1965 as last amended by section 2, chapter 31, Laws of 1970 ex. sess. and RCW 10.01.112 are each amended to read as follows:

When (~~a judge of the superior court, in the exercise of his~~

discretion authorizes expenditure of funds on behalf of) an individual criminal defendant, ((or)) a juvenile in any case determining such juvenile to be a delinquent or incorrigible child under RCW 13.04.010, or petitioner for a writ of habeas corpus ((who is)) has been judicially determined to have a constitutional right to obtain a review and to be unable by reason of poverty to procure counsel to perfect ((a)) the review ((by the supreme court, and where the court re-appoints counsel representing the defendant at the trial or such juvenile in hearings or designates new counsel to represent the defendant or juvenile in securing this review,)) all costs necessarily incident to the proper consideration of the ((appeal)) review ((by the supreme court)) including preparation of the record, ((appropriate)) reasonable ((counsel)) fees for court appointed counsel to be determined by the supreme court, and actual travel expenses of counsel for appearance in the supreme court or court of appeals, shall be paid by the state ((7)). Upon satisfaction of requirements established by supreme court rules and submission of appropriate vouchers to the clerk of the supreme court, payment shall be made from funds specifically appropriated by the legislature for that purpose.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 19, 1972.

Passed the Senate February 19, 1972.

Approved by the Governor February 23, 1972.

Filed in Office of Secretary of State February 24, 1972.

CHAPTER 112

[Substitute House Bill No. 196]

AGRICULTURAL COMMISSIONS AND COMMODITY BOARDS

AN ACT Relating to agricultural commissions and commodity boards; amending section 15.66.130, chapter 11, Laws of 1961 and RCW 15.66.130; adding new sections to chapter 256, Laws of 1961 and to chapter 15.65 RCW; and adding new sections to chapter 11, Laws of 1961 and to chapter 15.66 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 256, Laws of 1961 and to chapter 15.65 RCW a new section to read as follows:

Any member of an agricultural commodity board may also be a member or officer of an association which has the same objectives for