

Cities, 400,000 population. Civic center, administration and management.

scribed by ordinance which may include authority to enter into leases, concessions and other agreements on behalf of the city, appoint and remove employees subject to applicable civil service provisions, advertise events and publicize and otherwise promote the use of such civic center facilities, and operate, manage and control municipal off-street parking and public transportation facilities heretofore or hereafter erected primarily to serve such civic center. All expenditures, purchases and improvements made or performed by or under the direction of said department shall be subject to applicable charter provisions and statutes.

Passed the Senate March 11, 1965.

Passed the House March 10, 1965.

Approved by the Governor March 20, 1965.

CHAPTER 133.

[Senate Bill No. 61.]

INDIGENT DEFENDANTS—ATTORNEY'S FEES, EXPENSES —APPEAL COSTS—TRANSCRIPT.

AN ACT relating to the appointment and payment of counsel and the payment of certain costs and expenses for the accused in a criminal case who by reason of poverty is unable to employ counsel; amending section 53, chapter 249, Laws of 1909, as amended by section 1, chapter 151, Laws of 1941 and RCW 10.01.110; amending section 5, chapter 126, Laws of 1913 as last amended by section 4, chapter 244, Laws of 1957, and RCW 2.32.240; and adding a new section to chapter 10.01 RCW.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 53, chapter 249, Laws of 1909 as amended by section 1, chapter 151, Laws of 1941, and RCW 10.01.110 are each amended to read as follows:

RCW 10.01.110 amended.

Indigent defendants.

Whenever a defendant shall be arraigned or first

appear before a court, magistrate or justice of the peace upon the charge that he has committed any felony, and the defendant has requested the court to appoint counsel to assist in his defense, and shall by his own oath or such other proof as may be required satisfy the court that he is unable, by reason of poverty, to procure counsel, the court shall appoint counsel, not exceeding two, for such defendant. Counsel so appointed shall be paid a reasonable amount as attorney's fees together with reimbursement of actual expenses necessarily incurred upon the court's order by the county in which such proceeding is had: *Provided*, That this section shall also apply to such other proceedings and at such other time as may be constitutionally required.

Counsel—
Right to—
Fees.

SEC. 2. There is added to chapter 10.01 RCW a new section to read as follows:

New section.

When a judge of the superior court, in the exercise of his discretion authorizes expenditure of funds on behalf of an individual criminal defendant who is unable by reason of poverty to procure counsel to perfect a review by the supreme court, and where the court re-appoints counsel representing the defendant at the trial or designates new counsel to represent the defendant in securing this review, all costs necessarily incident to the proper consideration of the appeal by the supreme court including preparation of the record, appropriate counsel fees to be determined by the supreme court, and actual travel expenses of counsel for appearance in the supreme court, shall be paid by the state, upon satisfaction of requirements established by supreme court rules and submission of appropriate vouchers to the clerk of the supreme court, from funds specifically appropriated by the legislature for that purpose.

Cost on appeal
to supreme
court—Right
to.

SEC. 3. Section 5, chapter 126, Laws of 1913 as last amended by section 4, chapter 244, Laws of 1957

RCW 2.32.240
amended.

and RCW 2.32.240 are each amended to read as follows:

Indigent defendants.
Transcript of record—Fee—Forma pauperis.

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 shall present to the court satisfactory proof by affidavit or otherwise that he is unable 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.

Severability.

SEC. 4. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the Senate March 11, 1965.

Passed the House March 9, 1965.

Approved by the Governor March 20, 1965.