

IN THE SENATE

SENATE BILL NO. 1110

BY FINANCE COMMITTEE

AN ACT

1 APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC
2 DEFENDER FOR FISCAL YEAR 2015; PROVIDING LEGISLATIVE INTENT REGARDING
3 CAPITAL REPRESENTATION COSTS; AND DECLARING AN EMERGENCY.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. In addition to the appropriation made in Section 1, Chap-
7 ter 207, Laws of 2014, and any other appropriation provided for by law, there
8 is hereby appropriated \$94,900 from the General Fund to the Capital and Con-
9 flict Representation Program, which is hereby created within the Office of
10 the State Appellate Public Defender, to be expended for operating expendi-
11 tures, for the period July 1, 2014, through June 30, 2015.

12 SECTION 2. CAPITAL REPRESENTATION COSTS. Of the amount appropriated
13 in Section 1 of this act, \$94,900 from the General Fund, or so much thereof
14 as is necessary, shall be used solely for costs directly related to the
15 provision of representation in capital cases and only to the extent such
16 costs are exclusive of, and can be identified and accounted for separately
17 and distinctly from, the operating, personnel, and capital outlay costs of
18 the Office of the State Appellate Public Defender Program. Such costs may
19 include, but are not limited to, consultation with experts; travel, lodg-
20 ing, and per diem for expert and lay witnesses; depositions; investigation;
21 employee travel associated with witness interviews; court reporting and
22 transcription services; expert witness fees; conflict counsel; and prepara-
23 tion of trial exhibits. Any remaining unexpended and unencumbered amounts
24 not so used shall revert to the General Fund.

25 SECTION 3. An emergency existing therefor, which emergency is hereby
26 declared to exist, this act shall be in full force and effect on and after its
27 passage and approval.