

CHAPTER 51**STATE PUBLIC DEFENDER AND APPELLATE DEFENDER***H.F. 699*

AN ACT relating to the state public defender and the appointment of a state appellate defender.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 13B.4, Code 1989, is amended to read as follows:

13B.4 JURISDICTION DUTIES OF STATE PUBLIC DEFENDER.

1. The state public defender shall ~~represent~~ coordinate the provision of legal representation of indigents under arrest or charged with a crime, on appeal in criminal cases, and on appeal in proceedings to obtain postconviction relief when appointed ordered to do so by the district court in which the judgment or order was issued, and may represent provide for the representation of indigents in proceedings instituted pursuant to chapter 908, and shall not engage in the private practice of law. The court may, upon the application of the indigent or the indigent's trial attorney, or on its own motion, appoint the state public defender to represent the indigent on appeal or on appeal in postconviction proceedings. The state public defender may represent an indigent under arrest or charged with a crime at the discretion of the state public defender or upon the request of a local public defender.

2. The state public defender may contract with persons admitted to practice law in this state for the provision of legal services to indigents where there is no local public defender office in the area.

Sec. 2. NEW SECTION. 13B.11 STATE APPELLATE DEFENDER.

The state public defender shall appoint a state appellate defender who shall represent indigents on appeal in criminal cases and on appeal in proceedings to obtain postconviction relief when appointed to do so by the district court in which the judgment or order was issued, and may represent indigents in proceedings instituted pursuant to chapter 908 when required to do so by the state public defender, and shall not engage in the private practice of law.

Approved April 26, 1989

CHAPTER 52**LONG-TERM CARE COORDINATING UNIT MEMBERSHIP***H.F. 270*

AN ACT relating to the membership of the long-term care coordinating unit within the department of elder affairs.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 249D.58, subsection 1, Code 1989, is amended by adding the following new paragraphs:

NEW PARAGRAPH. d. The director of the department of inspections and appeals.

NEW PARAGRAPH. e. Two members appointed by the governor.

Approved April 26, 1989

CHAPTER 53

RECREATIONAL LAKE DISTRICT PETITIONERS

H.F. 319

AN ACT relating to the establishment of benefited recreational lake districts and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 357E.3, subsection 1, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The supervisors shall, on the petition of twenty-five percent of the resident property owners ~~in~~ of a proposed district if the assessed valuation of the property owned by the petitioners represents at least twenty-five percent of the total assessed value of the proposed district, hold a public hearing concerning the establishment of a proposed district. The petition shall include a statement containing the following information:

Sec. 2. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 26, 1989

CHAPTER 54

DEAF SERVICES DIVISION OFFICE SPACE

H.F. 399

AN ACT relating to restrictions on the power of the division of deaf services of the department of human rights to obtain office space for utilization in carrying out service projects for deaf persons, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 601K.114, subsection 2, Code 1989, is amended to read as follows:

2. Obtain without additional cost to the state available office space in public and private agencies which service providers may utilize in carrying out service projects for deaf persons. However, if space is not available in a specific service area without additional cost to the state, the commission may obtain other office space which is colocated with public or private agencies. The space shall be obtained at the lowest cost available and the terms of the lease must be approved by the director of general services.

Sec. 2. This Act, being deemed of immediate importance, is effective upon enactment.

Approved April 26, 1989