

327D.14, 327D.45, 327D.53, 327D.67, 327D.72, 327D.74, 327D.75, 327D.78, 327D.79, 327D.80, 327D.81, 327D.82, 327D.83, 327D.85, 327D.86, 327D.87, 327D.89, 327D.90, 327D.128, 327G.1, 327G.12, 327G.17, 327G.31, 327G.32, 327G.61, 327G.62, 327G.64, 327G.65, 327G.77, 471.10, 471.11, and 472.42, Code 1981, are amended by striking the words "Board" or "board" and inserting in lieu thereof the words "Authority" or "authority".

Sec. 23. All rules, forms, orders, and directives adopted by and in effect for the transportation regulation board on the effective date of this Act shall continue in full force and effect as rules, forms, orders, and directives of the transportation regulation authority.

Sec. 24. Section 327.14, Code 1981, is repealed.

Sec. 25. This Act takes effect January 1, 1982.

Approved May 18, 1981

CHAPTER 23
APPELLATE DEFENDER
S. F. 332

AN ACT relating to the office of appellate defender.

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

Section 1. NEW SECTION. DEFINITIONS. As used in this Act unless the context otherwise requires:

1. "Appellate defender" means the state appellate defender.
2. "Indigent" means a person found by the trial court to be unable to retain legal counsel without prejudicing the person's financial ability to provide economic necessities for the person and the person's dependents.

Sec. 2. NEW SECTION. CREATION OF OFFICE. The office of state appellate defender is established. The governor shall appoint the state appellate defender and establish the appellate defender's salary.

Sec. 3. NEW SECTION. QUALIFICATIONS OF APPELLATE DEFENDER. Only persons admitted to practice law in this state shall be appointed appellate defender or assistant appellate defender.

Sec. 4. NEW SECTION. DUTIES OF APPELLATE DEFENDER. The appellate defender 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 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 appellate defender to represent the indigent on appeal or on appeal in postconviction proceedings.

Sec. 5. NEW SECTION. STAFF. The appellate defender may appoint assistant appellate defenders who, subject to the direction of the appellate

defender, shall have the same duties as the appellate defender and shall not engage in the private practice of law. The salaries of the staff shall be fixed by the appellate defender. The appellate defender and his or her staff shall receive actual and necessary expenses, including travel at the state rate set forth in section 18.117.

Sec. 6. NEW SECTION. ACCOUNT ESTABLISHED. There is established in the state general fund an account to be known as the appellate defender operating account. The appellate defender is authorized to bill a county for services rendered to the county by the office of the appellate defender. Receipts shall be deposited in the operating account established under this section. There is appropriated from the state general fund all amounts deposited in the appellate defender operating account for use in maintaining the operations of the office of appellate defender. Expenditures by the office of the appellate defender in excess of the amount appropriated to the office by the general assembly for the fiscal year beginning July 1, 1981 and ending June 30, 1982 shall be only from funds collected for services provided by the office.

Sec. 7. Section 19A.3, subsection 5, Code 1981, is amended to read as follows:

5. All employees under the supervision of the attorney general ~~or his assistants or assistant attorneys general~~, and all employees under the supervision of the appellate defender or assistant appellate defenders.

Sec. 8. Sections 1 through 6 of this Act are repealed effective four years from the effective date of this Act.

Approved June 14, 1981

CHAPTER 24

JUDICIAL REVIEW OF AGENCY ACTION

H. F. 503

AN ACT to provide that parties to a judicial review of an administrative agency action may be provided copies of the petition for judicial review by personal service instead of mailing.

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

Section 1. Section 17A.19, subsection 2, Code 1981, is amended to read as follows:

2. Proceedings for judicial review shall be instituted by filing a petition either in Polk county district court or in the district court for the county in which the petitioner resides or has its principal place of business. When a proceeding for judicial review has been commenced, a court may, in the interest of justice, transfer the proceeding to another county where the venue is proper. Within ten days after the filing of a petition