

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 Sections 1 through 6 of this Act are repealed effective four years from the effective date of this Act.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

for judicial review the petitioner shall serve by the means provided in the Iowa rules of civil procedure for the personal service of an original notice, or shall mail file--stamped copies of the petition shall-be-mailed-by-the petitioner to all parties named in the petition and, if the petition involves review of agency action in a contested case, all parties of record in that case before the agency. Such personal service or mailing shall be jurisdictional and-shall-be-addressed-to-the--parties--at--their--last--known mailing--address. The delivery by personal service or mailing referred to in this subsection may be made upon the party's attorney of record in the proceeding before the agency. A mailing shall be addressed to the parties or their attorney of record at their last known mailing address. Proof of mailing shall be by affidavit. Any party of record in a contested case before an agency wishing to intervene and participate in the review proceeding ~~thereon~~ must file an appearance within forty-five days from the time the petition is filed.

Sec. 2. The provisions of section 1 of this Act shall apply to all proceedings for judicial review instituted on or after the effective date of this Act.

Approved June 13, 1981

CHAPTER 25

CRITERIA FOR PURCHASING STANDARDS FOR STATE PRODUCTS

H. F. 737

AN ACT including life cycle cost and energy efficiency as criteria to be used in developing state purchasing standards and specifications for energy consuming products.

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

Section 1. Section 18.3, subsection 1, Code 1981, is amended by adding the following new unnumbered paragraphs after unnumbered paragraph 1:

NEW UNNUMBERED PARAGRAPH. Life cycle cost and energy efficiency shall be included in the criteria used by the department of general services, institutions under the state board of regents, the state department of transportation, the commission for the blind and other state agencies in developing standards and specifications for purchasing energy consuming products. As used in this paragraph "life cycle cost" means the expected total cost of ownership during the life of a product.

NEW UNNUMBERED PARAGRAPH. Preference shall be given to purchasing American made products and purchases from American based businesses if the life cycle costs are comparable to those products of foreign businesses and which most adequately fulfill the department's need.

Approved June 20, 1981