

8 at some definite time and place shall be retired by the board of trustees, provided, that the medical board shall certify that such member
9 is mentally or physically incapacitated for further performance of
10 duty, that such incapacity is likely to be permanent and that such
11 member should be retired.

12 *Should a member in service become incapacitated for duty as a natural and proximate result of an injury, disease, or exposure incurred
13 or aggravated while in the actual performance of duty at some definite time or place, he shall, upon being found to be temporarily incapacitated following an examination by the board of trustees, be
14 entitled to receive his fixed pay and allowances until reexamined by the board and found to be fully recovered or permanently disabled.*

15 *Disease under this section shall mean heart disease or any disease of the lungs or respiratory tract and shall be presumed to have been
16 contracted while on active duty as a result of strain, exposure, or the inhalation of noxious fumes, poison, or gases.*

17 SEC. 2. Chapter ninety-seven A (97A), Code 1971, is amended by
18 adding the following new section:

19 **"Hospitalization and medical attention.** The board of trustees shall
20 provide hospital, nursing, and medical attention for the members in
21 service when injured while in the performance of their duties. The
22 cost of hospital, nursing, and medical attention shall be paid out of
23 the expense fund. However, any amounts received by the injured
24 person under the workmen's compensation law of the state, or from
25 any other source for such specific purposes, shall be deducted from the
26 amount paid by the board of trustees provisions of this section."

Approved May 27, 1971.

Italics indicate new material added to existing statutes; brackets indicate deletions from existing statutes. However, see Editor's note, page iii.

CHAPTER 116†

TAX ON CIGARETTES

H. F. 177

AN ACT to increase the tax on cigarettes.

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

1 SECTION 1. Section ninety-eight point six (98.6), subsection one
2 (1), Code 1971, is amended as follows:

3 1. There is hereby levied, assessed, and imposed, and shall be col-
4 lected and paid to the department, the following taxes on all cigarettes
5 used or otherwise disposed of in this state for any purpose whatso-
6 ever:

7 Class A. On cigarettes weighing not more than three pounds per
8 thousand, six and one-half mills on each such cigarette.

9 Class B. On cigarettes weighing more than three pounds per thou-
10 sand, seven and one-half mills on each such cigarette.

1 SEC. 2. This Act, being deemed of immediate importance, shall take
2 effect and be in force from and after its publication in The Newton

†See Editor's note, page iii.

3 Daily News, a newspaper published in Newton, Iowa, and in The
4 Sheldon Mail, a newspaper published in Sheldon, Iowa.

Approved March 8, 1971.

I hereby certify that the foregoing Act, House File 177, was published in The Newton Daily News, Newton, Iowa, March 12, 1971, and in The Sheldon Mail, Sheldon, Iowa, March 10, 1971.

MELVIN D. SYNHORST, *Secretary of State.*

CHAPTER 117

EXPLOSIVE MATERIALS

H. F. 522

AN ACT relating to the regulation of the manufacture, sale, transportation, storage, possession, and use of explosive materials; providing penalties for violations of those regulations; and requiring prompt reporting of knowledge or discovery of explosive devices, and providing a penalty for failure to so report.

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

1 SECTION 1. Definitions. As used in this Act:

2 1. "Explosive" or "explosives" means any chemical compound,
3 mixture or device, the primary or common purpose of which is to
4 function by explosion, i.e., with substantially instantaneous release of
5 gas and heat, unless such compound, mixture, or device is otherwise
6 specifically classified by the United States department of transporta-
7 tion. The term "explosives" includes all material which is classified
8 as class A, class B, and class C explosives by the United States de-
9 partment of transportation, and includes, but is not limited to, dyna-
10 mite, black powder, pellet powders, initiating explosives, blasting
11 caps, electric blasting caps, safety fuse, fuse lighters, fuse igniters,
12 squibs, cordeau detonant* fuse, instantaneous fuse, igniter cord,
13 igniters, smokeless propellant, cartridges for propellant-actuated
14 power devices and cartridges for industrial guns, but shall not
15 include "fireworks" as defined and regulated pursuant to sections
16 seven hundred thirty-two point seventeen (732.17) through seven
17 hundred thirty-two point nineteen (732.19) of the Code, nor ammuni-
18 tion or small arms primers manufactured for use in shotguns, rifles,
19 and pistols. Commercial explosives are those explosives which are
20 intended to be used in commercial or industrial operations.

21 2. "Blasting agent" means any material or mixture consisting of a
22 fuel and oxidizer, intended for blasting but not otherwise classified as
23 an explosive, in which none of the finished products as mixed and
24 packaged for use or shipment can be detonated by means of a number
25 eight test blasting cap when unconfined.

26 3. "Commercial license" or "license" means a license issued by the
27 commissioner of public safety pursuant to this Act.

28 4. "Licensee" means a person holding a commercial license issued
29 by the commissioner of public safety pursuant to this Act.

30 5. "Users permit" or "permit" means a permit issued by a county
31 sheriff or chief of police of a city of ten thousand or more population,
32 pursuant to this Act.

33 6. "Permittee" means a person holding a user's permit issued
34 pursuant to this Act.

*According to enrolled Act.