

NEW LETTERED PARAGRAPH. SPA((-)-1-dimethylamino-1, 2-diphenylethane).

Sec. 9. Section 204.210, subsection 8, paragraph a, Code 1981, is amended by striking the paragraph.

Sec. 10. Section 204.210, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid in limited quantities as set forth below:

a. Not more than one milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit.

b. Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxybutane).

Approved March 26, 1982

CHAPTER 1045

CANCELLATION, REISSUANCE, OR REINSTATEMENT OF MOTOR VEHICLE FUEL TAX LICENSES

H.F. 2249

AN ACT relating to the cancellation of motor vehicle fuel tax licenses and providing for a waiting period before a license may be reissued or reinstated.

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

Section 1. Section 324.68, Code 1981, is amended to read as follows:

324.68 POWER OF DEPARTMENT OF REVENUE OR THE STATE DEPARTMENT OF TRANSPORTATION TO CANCEL LICENSES. If a licensee ~~shall at any time file~~ files a false ~~monthly~~ report of the data or information required by this chapter, or ~~shall fail, refuse, or neglect~~ fails, refuses, or neglects to file a ~~monthly~~ report required by this chapter, or to pay the full amount of fuel tax as required by this chapter, then after ten days' written notice by registered mail directed to the last known address of the licensee setting a time and place at which the ~~person~~ licensee may appear and show cause why the licensee's license should not be canceled, and if the licensee fails to appear or if upon the hearing it is shown by a preponderance of the evidence that the failure to correctly report or pay was with intent to evade the tax, the appropriate state agency may cancel the license and shall notify the licensee of the cancellation by registered mail to the licensee's last known address.

If a licensee ~~shall at any time abuse~~ abuses the privileges for which the license was issued, ~~fail~~ fails to produce records reasonably requested or ~~fail~~ fails to extend reasonable cooperation to the appropriate state agency, the licensee shall be advised in writing of a hearing scheduled to determine if ~~said~~ the license shall be canceled. The appropriate state agency upon the presentation of a preponderance of evidence ~~shall be allowed to may~~ cancel a license for cause.

The director of the appropriate state agency may reissue a license which has been canceled for cause. As a condition of reissuance of a license, in addition to requirements for issuing a new license, the director may require a waiting period not to exceed ninety days before a license can be reissued or a new license issued. The director shall adopt rules specifying those instances for which a waiting period will be required.

Upon receipt of written request from any licensee the appropriate state agency shall cancel the license of the licensee effective ~~sixty days from on~~ the date of receipt of the request ~~but no such license shall be canceled upon request unless and until the licensee shall, prior to the date of cancellation, have paid to the appropriate state agency all fuel taxes payable under this chapter, together with any and all penalties, interest and fines appertaining thereto.~~ If, upon investigation, the appropriate state agency finds that a licensee is no longer engaged in the activities for which a license was issued and has not been so engaged for a period of six months, the state agency shall cancel the license and give ~~sixty~~ thirty days' notice of the cancellation mailed to the last known address of the licensee.

Approved March 26, 1982

CHAPTER 1046

BENEFITED FIRE DISTRICTS BOARD OF TRUSTEES

S.F. 499

AN ACT relating to the election or appointment of the board of trustees of benefited fire districts.

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

Section 1. Section 357B.2, Code 1981, is amended to read as follows:

357B.2 BOARD OF TRUSTEES. A benefited fire district shall be governed by a board of trustees consisting of three members who shall serve overlapping, three-year terms. Each trustee shall give bond in an amount to be determined by the board of supervisors, the premium for which shall be paid by the district of the trustee. The members of the board of trustees shall be elected at an election ~~called or, if there are insufficient candidates for the office, appointed~~ by the board of supervisors from among the qualified electors of the district. Notice of the election shall be given by publication in ~~two successive issues of a newspaper having general circulation within the district.~~ The notice shall contain the date, time and location of the election. ~~The final publication of the notice of election shall not be less than one week before the date of election. It is not mandatory for the commissioner of elections to conduct the elections held under this chapter, but the~~ The elections shall be conducted in accordance with the provisions of chapter 49 when such provisions are not in conflict with this chapter. The precinct election officials shall be appointed by the board of supervisors from among the qualified electors of the district and shall serve without pay. Any vacancy on the board shall be filled ~~by election or~~ by appointment of the board of supervisors for the unexpired term. If a benefited fire district is located in more than one county, joint action of the