

9 4. By striking from line eighteen (18) the word "fifteenth" and
10 inserting in lieu thereof the word "twelfth".

11 5. By striking from line thirty-nine (39) the word "two" and
12 inserting in lieu thereof the word "three".

13 6. By striking from line forty-one (41) the word "ninth" and in-
14 serting in lieu thereof the word "fifth".

15 7. By striking from lines forty-two (42) and forty-three (43) the
16 words "three and three-fourths" and inserting in lieu thereof the
17 words "five and one-fourth".

18 8. By striking from line forty-four (44) the words "through the
19 tenth" and inserting in lieu thereof the following: "during the sixth
20 through the twelfth and seven days pay for each completed calendar
21 quarter during the thirteenth".

Approved April 10, 1970.

CHAPTER 1046

HIGHWAY SAFETY PATROL

H. F. 1022

AN ACT to revise the section establishing the Iowa Highway Safety Patrol.

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

1 SECTION 1. Section eighty point four (80.4), Code 1966, as amend-
2 ed by chapter one hundred nine (109), section one (1), Acts of the
3 Sixty-second General Assembly and chapter ninety-eight (98), section
4 one (1), Acts of the Sixty-third General Assembly, First Session, is
5 repealed and the following enacted in lieu thereof:

6 "The Iowa highway safety patrol established in the department of
7 public safety shall consist of a complement of not to exceed four hun-
8 dred ten persons, not more than sixty percent of whom shall at any
9 time be members of the same political party. Said patrol shall be
10 under the direction of the commissioner."

Approved January 28, 1970.

CHAPTER 1047

DRUG LAW ENFORCEMENT

S. F. 238

AN ACT relating to the enforcement of laws and regulations regarding narcotic drugs, counterfeit drugs and depressants, and stimulant drugs.

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

1 SECTION 1. Chapter eighty (80), Code 1966, is amended by add-
2 ing the following sections thereto:

3 1. "The state department of public safety shall be primarily re-
4 sponsible for the enforcement of all laws and regulations relating to

5 narcotic drugs as defined in subsection ten (10) of section two hun-
6 dred four point one (204.1), Code 1966; counterfeit drugs as defined
7 in subsection five (5) of section one (1), chapter one hundred eighty-
8 nine (189), Acts of the Sixty-second General Assembly; and depres-
9 sant or stimulant drugs as defined in subsection six (6) of section
10 one (1), chapter one hundred eighty-nine (189), Acts of the Sixty-
11 second General Assembly; except for making accountability audits
12 of the supply and inventory of narcotic drugs and depressant or
13 stimulant drugs in the possession of pharmacists, doctors, hospitals,
14 rest homes, and nursing homes, as well as in the possession of any
15 and all other individuals or institutions authorized to have possession
16 of any narcotic drugs and depressant or stimulant drugs."

17 2. "All agents of the board of pharmacy examiners who, on the
18 effective date of this Act, are either engaged in the enforcement of
19 laws or regulations relating to narcotic drugs, counterfeit drugs and
20 depressant or stimulant drugs, except whose primary responsibility
21 is making accountability audits, are hereby transferred to and shall
22 be considered part of the department of public safety. Salary and
23 expenses for such transferred agents included in the budget of the
24 board of pharmacy examiners shall be transferred to the department
25 of public safety by the state comptroller upon the effective date of
26 the transfer."

27 3. "Such transferred agents shall not be subject to the require-
28 ments and conditions of employment as set forth in section eighty
29 point fifteen (80.15), Code 1966, as amended by chapter one hundred
30 eleven (111), Acts of the Sixty-second General Assembly. Such
31 transferred agents shall become members of the Iowa department
32 of public safety peace officers' retirement, accident and disability
33 system, shall receive any benefits from such system, and shall be
34 required to contribute to or pay any funds into such system."

35 "There is hereby appropriated from the general fund of the state
36 eleven thousand dollars, or as much as may be necessary, to the
37 department of public safety for the state's prior years contributions
38 to the peace officers' retirement system for the transferred agents.
39 Prior years' contributions shall include those years for which the
40 transferred agents were employed by the board of pharmacy exam-
41 iners. State funds contributed and employees' contributions to the
42 Iowa public employees' retirement system during the period of em-
43 ployment of the transferred agents by the board of pharmacy exam-
44 iners shall be transferred to the peace officers' retirement system
45 by the employment security commission on the effective date of this
46 Act. Contributions to be made by the transferred agents for prior
47 years to the peace officers' retirement system for the period of em-
48 ployment with the board of pharmacy examiners shall be computed
49 by the peace officers' retirement board as of the date of transfer.
50 The board, in making the computation for contributions, shall take
51 into effect the transfers of the employees' contribution from the Iowa
52 public employees' retirement system. The transferred agents shall
53 make payable to the peace officers' retirement system the amount so
54 computed by July 1, 1971."

55 4. "Except as provided in this section, from and after the effective
56 date of this Act, any additional individuals hired by the state depart-

57 ment of public safety for the purpose of enforcement of laws relating
58 to narcotic drugs, counterfeit drugs and depressant or stimulant
59 drugs shall be subject to the provisions of section eighty point fifteen
60 (80.15), Code 1966, as amended by chapter one hundred eleven
61 (111), Acts of the Sixty-second General Assembly, and such indi-
62 viduals shall be covered by the provisions of chapter ninety-seven A
63 (97A), Code 1966. They shall be entitled to receive the benefits pro-
64 vided in chapter ninety-seven A (97A), Code 1966, and will be
65 required to make such contributions and payments into the system
66 as are required by such chapter. However, if there is an individual
67 who is not able to meet the qualifications established by section
68 eighty point fifteen (80.15) or chapter ninety-seven A (97A) of the
69 Code, and he otherwise possesses experience and training which
70 qualifies him as a person capable of enforcing laws relating to nar-
71 cotic drugs, counterfeit drugs and depressant or stimulant drugs, he
72 may be hired by the commissioner of public safety notwithstanding."

73 5. "Nothing in this Act shall be construed as in any manner or
74 degree prohibiting a transferred agent from voluntarily submitting
75 himself to the provisions of section eighty point fifteen (80.15),
76 Code 1966, as amended by chapter one hundred eleven (111), Acts
77 of the Sixty-second General Assembly, and, if such transferred agent
78 satisfactorily meets the requirements of such section, he shall be
79 subject to all the general duties and responsibilities of other mem-
80 bers of the department of public safety and shall be entitled to all
81 benefits available to other members of the department of public
82 safety."

83 6. "The commissioner of public safety shall establish a division
84 of drug law enforcement and assign all enforcement functions and
85 personnel therefor to the division of drug law enforcement. The
86 commissioner shall assign other members of the department of public
87 safety to the division of drug law enforcement on a temporary basis
88 or for the purpose of special assignment. The division of drug law
89 enforcement and any other division of the department of public
90 safety may cooperate and coordinate their efforts in enforcing laws
91 relating to drugs and other laws which the department is charged
92 with enforcing."

93 7. "Every person required by law to keep records, and any carrier
94 maintaining records with respect to any shipment containing any
95 narcotic, counterfeit, depressant or stimulant drug shall, upon re-
96 quest of an authorized agent of the department of public safety,
97 designated by the commissioner of public safety, permit such agent
98 at reasonable times to have access to and copy such records. For the
99 purpose of examining and verifying such records authorized agents
100 of the department of public safety, designated by the commissioner
101 of public safety, may enter at reasonable times any place or vehicle
102 in which any narcotic, counterfeit, depressant or stimulant drug is
103 held, manufactured, dispensed, compounded, processed, sold, deliv-
104 ered, or otherwise disposed of and inspect such place or vehicle, and
105 the contents thereof. For the purpose of enforcing laws relating to
106 narcotic drugs, counterfeit drugs and depressant or stimulant drugs,
107 and upon good cause shown, personnel of the division of drug law
108 enforcement in the department of public safety shall be allowed to

109 inspect audits and records in the possession of the state board of
110 pharmacy examiners."

111 8. "Any authorized agent of the department of public safety desig-
112 nated to conduct examinations, investigations, or inspections and
113 enforce the laws relating to narcotic, depressant, stimulant or coun-
114 terfeit drugs shall have all the powers of other peace officers and
115 may arrest without warrant for offenses under this chapter com-
116 mitted in his presence or, in the case of a felony, if he has probable
117 cause to believe that the person arrested has committed or is com-
118 mitting such offense. Such officers shall have the same powers as
119 other peace officers to seize drugs or articles used in the manufacture
120 or sale of drugs which they have reasonable grounds to believe are
121 in violation of law. Such drugs or articles shall be subject to con-
122 demnation."

1 SEC. 2. Section two hundred four point nineteen (204.19), Code
2 1966, is hereby amended by striking subsection one (1) and insert-
3 ing in lieu thereof the following:

4 "It is hereby made the primary duty and responsibility of the state
5 department of public safety, and of the board and of all peace officers
6 within the state, and of all county attorneys, to enforce all provisions
7 of this chapter, except those specifically delegated, and to cooperate
8 with all agencies charged with the enforcement of the laws of the
9 United States, of this state, and of all other states relating to nar-
10 cotic drugs."

1 SEC. 3. Chapter one hundred eighty-nine (189), Acts of the
2 Sixty-second General Assembly, is hereby amended as follows:

3 1. Section twelve (12), line one (1), by inserting after the word
4 "board" the words "or the commissioner of the department of public
5 safety".

6 2. Section thirteen (13), line three (3), by inserting after the
7 word "board" the words "or the commissioner of the department of
8 public safety".

1 SEC. 4. Section eighty point nine (80.9), Code 1966, is hereby
2 amended by inserting in subsection one (1) after paragraph *f* a new
3 paragraph as follows:

4 "When engaged in the investigation and enforcement of laws re-
5 lating to narcotic, counterfeit, stimulant, and depressant drugs."

1 SEC. 5. Section one hundred eighty-nine point two (189.2), Code
2 1966, is hereby amended by striking from subsection one (1), lines
3 two (2), three (3), and four (4), the following: ", which shall be
4 executed and enforced by the pharmacy examiners".

5 Section one hundred eighty-nine point two (189.2), subsection one
6 (1), Code 1966, is hereby further amended by inserting in line two
7 (2) after the figures "203," the words and figures "two hundred
8 three A (203A),".

1 SEC. 6. Section ninety-seven A point one (97A.1), Code 1966, is
2 amended as follows:

3 1. Add to subsection two (2), line ten (10), after the figures
4 "80.15" the words "and the division of drug law enforcement in the

5 department of public safety except clerical workers”.

6 2. Add to subsection six (6), lines four (4) and five (5), after
7 the word “identification” the words “or division of drug law enforce-
8 ment”.

1 SEC. 7. Section ninety-seven A point three (97A.3), Code 1966,
2 subsection one (1), line nine (9), is amended by adding after the
3 word “safety” the words “or division of drug law enforcement in
4 said department”.

1 SEC. 8. This Act being deemed of immediate importance shall be
2 in full force and effect from and after its final approval and publica-
3 tion in *The Sheffield Press*, a newspaper published at Sheffield, Iowa,
4 and *The DeWitt Observer*, a newspaper published at DeWitt, Iowa.

Approved April 24, 1970.

I hereby certify that the foregoing Act, Senate File 238, was published in *The Sheffield Press*, Sheffield, Iowa, May 7, 1970, and in *The DeWitt Observer*, DeWitt, Iowa, April 30, 1970.

MELVIN D. SYNHORST, *Secretary of State*.

CHAPTER 1048

OFFICERS' TRAINING ACADEMY

S. F. 344

AN ACT relating to the law-enforcement officers' training academy and transfer of funds therefor, and pertaining to the powers of the police provided for under chapter eighteen (18) of the Code.

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

1 SECTION 1. Chapter one hundred twelve (112), section three (3),
2 Acts of the Sixty-second General Assembly, is hereby amended by
3 striking from lines two (2) and three (3) the words “division of the
4 department of public safety”.

1 SEC. 2. Chapter one hundred twelve (112), section five (5), Acts
2 of the Sixty-second General Assembly, is hereby amended by striking
3 from line two (2) the words “commissioner of public safety” and in-
4 serting in lieu thereof the words “office of the governor”.

1 SEC. 3. Chapter one hundred twelve (112), Acts of the Sixty-sec-
2 ond General Assembly, is hereby amended by adding to the end there-
3 of the following new section:

4 “The Iowa law-enforcement academy council shall submit to the
5 state comptroller, annually and in such form as required by chapter
6 eight (8) of the Code, estimates of its expenditure requirements.
7 Such estimates shall include the costs of administration, maintenance,
8 and operation, and the cost of any proposed capital improvements or
9 additional programs.”

1 SEC. 4. Chapter one hundred twelve (112), Acts of the Sixty-sec-
2 ond General Assembly, is hereby amended by inserting in section three