

adopt rules from the council on human services to the mental health and developmental disabilities commission, a rule adopted by the council on human services prior to July 1, 2002, shall remain in effect unless amended or repealed by the commission or pursuant to other executive or legislative branch action.

Sec. 23. COMMISSION TRANSITION. Effective November 1, 2002, the terms of all voting members of the mental health and developmental disabilities commission shall terminate. The governor shall appoint voting members to the mental health and developmental disabilities commission for terms commencing November 1, 2002, to reflect the requirements of section 225C.5, as amended by this Act, including but not limited to the requirement for staggered terms.

Sec. 24. RESIDENT ADVOCATE COMMITTEES — REPORT. The mental health and developmental disabilities commission in consultation with the state long-term care resident's advocate and the governor's developmental disabilities council shall submit a report to the general assembly by January 1, 2003, regarding the continuation of resident advocate committees for residential care facilities licensed to serve persons with mental illness or mental retardation.

Sec. 25. APPLICABILITY. The requirements of section 225C.6, subsection 3, as enacted by this Act, apply to the findings, report, recommendations, or other work product issued by a committee, task force, council, or other advisory body created prior to July 1, 2002.

Approved May 2, 2002

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## CHAPTER 1147

### PROTECTION OF WILD ANIMALS

*H.F. 2616*

**AN ACT** relating to the time of possession of deer venison, increasing the minimum fine for unlawful taking, possessing, injuring, or transporting protected species and game, and subjecting violators to a penalty.

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

Section 1. Section 481A.32, unnumbered paragraph 1, Code 2001, is amended to read as follows:

Whoever shall take, catch, kill, injure, destroy, have in possession, buy, sell, ship, or transport any frogs, fish, mussels, birds, their nests, eggs, or plumage, fowls, game, or animals or their fur or raw pelt in violation of the provisions of this chapter or of administrative rules of the commission or whoever shall use any device, equipment, seine, trap, net, tackle, firearm, drug, poison, explosive, or other substance or means, the use of which is prohibited by this chapter, or use the same at a time, place, or in a manner or for a purpose prohibited, or do any other act in violation of the provisions of this chapter or of administrative rules of the commission for which no other punishment is provided, is guilty of a simple misdemeanor and shall be assessed a minimum fine of ~~ten~~ twenty dollars for each offense.

Sec. 2. Section 481A.57, Code 2001, is amended to read as follows:

**481A.57 POSSESSION AND STORAGE.**

A person having lawful possession of game or fur-bearing animals or their pelts, except deer venison, may hold them for not to exceed thirty days after the close of the open season for such game or furbearers. A person having lawful possession of deer venison which is taken with a valid deer hunting license, may hold the deer venison from the date of taking until the following September 1. From September 1 until the first day of the next deer open season for which the person holds a valid deer hunting license, the person shall not possess more than twenty-five pounds of deer venison. Any person may possess up to twenty-five pounds of deer venison if the deer was obtained from a lawful source. A permit to hold for a longer period may be granted by the department.

Sec. 3. Section 805.8B, subsection 3, paragraph e, Code Supplement 2001, is amended to read as follows:

e. For violations of sections 481A.57, 481A.85, 481A.93, 481A.95, 481A.120, 481A.137, 481B.5, 482.3, 482.9, 482.15, and 483A.42, the scheduled fine is one hundred dollars.

Approved May 2, 2002

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## CHAPTER 1148

### REGULATION OF MILK AND MILK PRODUCTS

*H.F. 2617*

**AN ACT** relating to the regulation of milk and milk products, by providing for permits, fees, and penalties, making penalties applicable, and providing an effective date.

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

Section 1. Section 192.111, subsection 1, Code 2001, is amended to read as follows:

1. The department shall issue and renew permits under this subsection as provided by rules adopted by the department. A permit, unless earlier revoked, is valid until the second July 1 following the issuance or renewal. The department shall establish and assess the fees for the issuance and renewal of permits annually as provided in this subsection. A permit fee for the renewal period shall be due on the date that the permit expires. Except as otherwise provided in this section, all of the following shall apply:

a. The following persons must receive a permit ~~or license~~ from and pay an accompanying permit fee to the department and ~~pay the following fees:~~

(1) A milk plant ~~which is not other than~~ a receiving station which must obtain a milk plant permit and pay a permit fee not greater than ~~one~~ two thousand dollars ~~per year~~.

(2) A transfer station which must obtain a transfer station permit and pay a permit fee not greater than ~~two~~ four hundred dollars ~~per year~~.

(3) A receiving station ~~which is not other than~~ a milk plant which must obtain a receiving station permit and pay a permit fee of not greater than ~~two~~ four hundred dollars ~~per year~~.

(4) A milk hauler which must obtain a license milk hauler permit and pay a license permit fee not greater than ~~ten~~ twenty dollars ~~per year~~.

(5) A milk grader which must obtain a license a<sup>1</sup> milk grader permit and pay a license fee of not greater than ~~ten~~ twenty dollars ~~per year~~.

<sup>1</sup> According to enrolled Act