

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 823*
House Committee Substitute Favorable 7/13/04

Short Title: Amend Environmental Laws-3.

(Public)

Sponsors:

Referred to:

April 3, 2003

A BILL TO BE ENTITLED

AN ACT TO AMEND VARIOUS LAWS RELATED TO THE ENVIRONMENT,
ENVIRONMENTAL HEALTH, AND NATURAL RESOURCES TO: (1) MAKE
CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS; (2)
MODIFY ENVIRONMENTAL REPORTING REQUIREMENTS; (3) ABOLISH
OBSOLETE AND INACTIVE COUNCILS; (4) EXTEND BY ONE YEAR THE
TIME FOR THE DEVELOPMENT OF PERMANENT RULES RELATED TO
WATER CONSERVATION PURSUANT TO SECTION 3 OF S.L. 2002-167; (5)
PROVIDE FOR STAGGERED TERMS OF THE MEMBERS OF THE
AGRICULTURAL FINANCE AUTHORITY AND SPECIFY THE MAXIMUM
NUMBER OF SUCCESSIVE TERMS THAT MEMBERS OF THE AUTHORITY
MAY SERVE; AND (6) PROHIBIT THE SALE OR DISPENSING OF RAW
MILK.

The General Assembly of North Carolina enacts:

PART I. TECHNICAL CORRECTIONS

SECTION 1.1. G.S. 113-301.1 reads as rewritten:

"§ 113-301.1. Wildlife Resources Commission obligated to make efforts to notify members of the public who may be affected by operative provisions of statutes and ~~regulations~~rules.

(a) The Wildlife Resources Commission must prepare and distribute to license agents informational materials relating to hunting, fishing, trapping, and boating laws and ~~regulations~~rules administered by the Wildlife Resources Commission. The materials furnished an agent should be appropriate to the types of licenses ~~he~~the agent customarily handles, and in a quantity reasonably anticipated to be sufficient to meet the needs of licensees obtaining licenses from the agent.

(b) In issuing new licenses and permits from the Raleigh office by mail, the Wildlife Resources Commission must generally inform the licensee or permittee of governing provisions of law and ~~regulations~~rules applicable to the type of license or permit secured. In issuing renewal licenses and permits by mail, the Wildlife Resources

1 Commission must inform the licensee or permittee of any substantial changes in the law
2 or ~~regulations which~~ rules that may affect the activities of the licensee or permittee.

3 (c) After adopting ~~regulations which~~ rules that impose new restrictions upon the
4 activities of members of the public who do not normally hold licenses or permits to
5 engage in the activity in question, the Wildlife Resources Commission must take
6 appropriate steps to publicize the new restrictions. These steps may include press
7 releases to the media, informing local authorities, and other forms of communication
8 that give promise of reaching the segment of the public affected.

9 (d) After adopting new restrictions on hunting, fishing, trapping, or boating at a
10 time other than when usual annual changes in the ~~regulations~~ rules affecting those
11 activities are adopted, the Wildlife Resources Commission must take appropriate steps
12 to publicize the new restrictions in a manner designed to reach persons who may be
13 affected.

14 (e) Repealed by Session Laws 1987, c. 827, s. 9."

15 **SECTION 1.2.** G.S. 113A-115.1(b) reads as rewritten:

16 "(b) No person shall construct a permanent erosion control structure in an ocean
17 shoreline. The Commission shall not permit the construction of a temporary erosion
18 control structure that consists of anything other than sandbags in an ocean shoreline.
19 This section shall not apply to (i) any permanent erosion control structure that is
20 approved pursuant to an exception set out in a rule adopted by the Commission prior to
21 1 July 2003 or (ii) any permanent erosion control structure that was originally
22 constructed prior to 1 July 1974 and that has since been in continuous use to protect an
23 inlet that is maintained for navigation. This section shall not be construed to limit the
24 authority of the Commission to adopt rules to designate or protect areas of
25 environmental concern, to govern the use of sandbags, or to govern the use of erosion
26 ~~coastal control~~ structures in estuarine shorelines."

27 **SECTION 1.3.** G.S. 121-34 reads as rewritten:

28 "**§ 121-34. Short title.**

29 The title of this Article shall be known as the "~~Historic~~ Conservation and Historic
30 Preservation and Conservation Agreements Act." "

31 **SECTION 1.4.** G.S. 121-42 reads as rewritten:

32 "**§ 121-42. Citation of Article.**

33 This Article shall be known and may be cited as "~~Uniform Conservation~~ the
34 'Conservation and Historic Preservation Agreement Agreements Act.'" "

35 **SECTION 1.5.** G.S. 143-215.1 reads as rewritten:

36 "**§ 143-215.1. Control of sources of water pollution; permits required.**

37 ...

38 (c2) Any person who is required to obtain an individual wastewater permit under
39 this section for a facility discharging to the surface waters of the State that have been
40 classified as nutrient sensitive waters (NSW) under rules adopted by the Commission
41 where ~~phosphorous~~ phosphorus is designated by the Commission as a nutrient of
42 concern shall not discharge more than an average annual mass load of total
43 ~~phosphorous~~ phosphorus than would result from a discharge of the permitted flow,
44 determined at the time the Commission makes a finding that those waters are

1 experiencing or are subject to excessive growth of microscopic or macroscopic
2 vegetation, having a total ~~phosphorous~~phosphorus concentration of two milligrams of
3 ~~phosphorous~~phosphorus per liter (2.0 mg/l). The total ~~phosphorous~~phosphorus
4 concentration of 2.0 mg/l for nutrient sensitive waters required by this subsection
5 applies only to:

6 (1) Facilities that were placed into operation prior to 1 July 1997 or for
7 which an authorization to construct was issued prior to 1 July 1997 and
8 that have a design capacity to discharge 500,000 gallons per day or
9 more.

10 (2) Facilities for which an authorization to construct is issued on or after 1
11 July 1997.

12 (c3) A person to whom subsection (c1) or (c2) of this section applies may meet the
13 limits established under those subsections either individually or on the basis of a
14 cooperative agreement with other persons who hold individual wastewater permits if the
15 cooperative agreement is approved by the Commission. A person to whom subsection
16 (c1) or (c2) of this section applies whose agreement to accept wastewater from another
17 wastewater treatment facility that discharges into the same water body and that results
18 in the elimination of the discharge from that wastewater treatment facility shall be
19 allowed to increase the average annual mass load of total nitrogen and total
20 ~~phosphorous~~phosphorus that person discharges by the average annual mass load of total
21 nitrogen and total ~~phosphorous~~phosphorus of the wastewater treatment facility that is
22 eliminated. If the wastewater treatment facility that is eliminated has a permitted flow of
23 less than 500,000 gallons per day, the average annual mass load of total nitrogen or
24 ~~phosphorous~~phosphorus shall be calculated from the most recent available data. A
25 person to whom this subsection applies shall comply with nitrogen and
26 ~~phosphorous~~phosphorus discharge monitoring requirements established by the
27 Commission. This average annual load of nitrogen or ~~phosphorous~~phosphorus shall be
28 assigned to the wastewater discharge allocation of the wastewater treatment facility that
29 accepts the wastewater.

30 (c4) A person to whom subsection (c1) of this section applies may request the
31 Commission to approve a total nitrogen concentration greater than that set out in
32 subsection (c1) of this section at a decreased permitted flow so long as the average
33 annual mass load of total nitrogen is equal to or is less than that required under
34 subsection (c1) of this section. A person to whom subsection (c2) of this section applies
35 may request the Commission to approve a total ~~phosphorous~~phosphorus concentration
36 greater than that set out in subsection (c2) of this section at a decreased permitted flow
37 so long as the average annual mass load of total ~~phosphorous~~phosphorus is equal to or is
38 less than that required under subsection (c2) of this section. If, after any 12-month
39 period following approval of a greater concentration at a decreased permitted flow, the
40 Commission finds that the greater concentration at a decreased permitted flow does not
41 result in an average annual mass load of total nitrogen or total ~~phosphorous~~phosphorus
42 equal to or less than those that would be achieved under subsections (c1) and (c2) of this
43 section, the Commission shall rescind its approval of the greater concentration at a

1 decreased permitted flow and the requirements of subsections (c1) and (c2) of this
2 section shall apply.

3 (c5) For surface waters to which the limits set out in subsection (c1) or (c2) of this
4 section apply and for which a calibrated nutrient response model that meets the
5 requirements of this subsection has been approved by the Commission, mass load limits
6 for total nitrogen or total ~~phosphorous~~phosphorus shall be based on the results of the
7 nutrient response model. A calibrated nutrient response model shall be developed and
8 maintained with current data, be capable of predicting the impact of nitrogen or
9 ~~phosphorous~~phosphorus in the surface waters, and incorporated into nutrient
10 management plans by the Commission. The maximum mass load for total nitrogen or
11 total ~~phosphorous~~phosphorus established by the Commission shall be substantiated by
12 the model and may require individual discharges to be limited at concentrations that are
13 different than those set out in subsection (c1) or (c2) of this section. A calibrated
14 nutrient response model shall be developed by the Department in conjunction with the
15 affected parties and is subject to approval by the Commission.

16"

17 **SECTION 1.6.** G.S. 143-215.1B reads as rewritten:

18 "**§ 143-215.1B. Extension of date for compliance with nitrogen and**
19 **~~phosphorous~~phosphorus discharge limits.**

20 ...

21 (d) A permit holder who is granted an extended compliance date under this
22 section shall:

23 (1) Develop a calibrated nutrient response model in conjunction with other
24 affected parties and in accordance with a timetable for the
25 development of the model that has been approved by the Commission.
26 The model shall be based on current data, capable of predicting the
27 impact of nitrogen and ~~phosphorous~~phosphorus in the surface waters,
28 capable of being incorporated into any nutrient management plan
29 developed by the Commission, and approved by the Commission.

30"

31 **SECTION 1.7.** G.S. 159G-3(18) reads as rewritten:

32 "(18) 'Wastewater treatment works' means the various facilities and devices
33 used in the treatment of sewage, industrial waste or other wastes of a
34 liquid nature, including the necessary interceptor sewers, outfall
35 sewers, ~~phosphorous~~phosphorus removal equipment, pumping, power
36 and other equipment and their appurtenances."

37 **SECTION 1.8.** G.S. 159G-10(b)(5) reads as rewritten:

38 "(5) Wastewater Treatment Works Improvements to Meet Nitrogen and
39 ~~Phosphorous-Phosphorus~~ Limits. – The Environmental Management
40 Commission shall adopt a rule specifying priority criteria for
41 modifications to existing permitted wastewater treatment facilities that
42 are owned or operated by local government units and that are subject
43 to G.S. 143-215.1(c1) or G.S. 143-215.1(c2) to enable local

1 government units to comply with G.S. 143-215.1(c1) and
2 G.S. 143-215.1(c2)."

3 **PART II. MODIFY REPORTING REQUIREMENTS**

4 **SECTION 2.1.** Article 4 of Chapter 113A of the General Statutes is
5 amended by adding a new section to read:

6 "**§ 113A-67. Annual report.**

7 The Department shall report to the Environmental Review Commission on the
8 implementation of this Article on or before 1 October of each year. The Department
9 shall include in the report an analysis of how the implementation of the Sedimentation
10 Pollution Control Act of 1973 is affecting activities that contribute to the sedimentation
11 of streams, rivers, lakes, and other waters of the State. The report shall also include a
12 review of the effectiveness of local erosion and sedimentation control programs."

13 **SECTION 2.2.** G.S. 113A-235(c) reads as rewritten:

14 "(c) Report. – The Department shall report on the implementation of this Article
15 to the Environmental Review Commission no later than 1 ~~November~~October of each
16 year. The Department shall maintain an inventory of all conservation easements held by
17 the Department. The inventory shall be included in the report required by this
18 subsection."

19 **SECTION 2.3.** G.S. 113A-241(c) reads as rewritten:

20 "(c) The Secretary of Environment and Natural Resources shall report to the
21 Governor and the Environmental Review Commission on or before 1 ~~September~~
22 October of each year on the State's progress towards attaining the goal established in
23 this section."

24 **SECTION 2.4.** G.S. 143-215.107C(b) reads as rewritten:

25 "(b) It shall be the goal of the State that on and after 1 January 2004 at least
26 seventy-five percent (75%) of the new or replacement light duty cars and trucks
27 purchased by the State will be alternative-fueled vehicles or low emission vehicles. The
28 Department of Administration, the Department of Transportation, and the Department
29 of Environment and Natural Resources shall jointly develop a plan to achieve this goal
30 and to fuel and maintain these vehicles. ~~The Department of Administration shall report~~
31 ~~on progress in developing and implementing this plan and achieving this goal to the~~
32 ~~Environmental Review Commission on 1 September of each year beginning 1~~
33 ~~September 2000.~~ For purposes of this section, a light duty car or truck is one that is
34 rated at 8,500 pounds or less Gross Vehicle Weight Rating (GVWR)."

35 **SECTION 2.5.** G.S. 143-355.1 is amended by adding a new subsection to
36 read:

37 "(g) The Council shall report on the implementation of this section to the
38 Secretary, the Governor, and the Environmental Review Commission no later than 1
39 October of each year. The report shall include a review of drought advisories issued by
40 the Council and any recommendations to improve coordination among local, State, and
41 federal agencies; public water systems; and water users to improve the management and
42 mitigation of the harmful effects of drought."

43 **SECTION 2.6.** The Department of Environment and Natural Resources shall
44 submit the first report required by G.S. 113A-67, as enacted by Section 2.1 of this act,

1 to the Environmental Review Commission on or before 1 October 2005. The Drought
2 Management Advisory Council shall submit the first report required by G.S. 143-355.1,
3 as enacted by Section 2.5 of this act, to the Secretary of Environment and Natural
4 Resources, the Governor, and the Environmental Review Commission on or before 1
5 October 2005.

6 **PART III. ABOLISH INACTIVE COUNCILS**

7 **SECTION 3.1.** G.S. 143-214.6 (Watershed Protection Advisory Council),
8 G.S. 143-215.22J (Scientific Advisory Council on Water Resources and Coastal
9 Fisheries Management established; membership, compensation), and G.S. 143-215.22K
10 (Scientific Advisory Council on Water Resources and Coastal Fisheries Management;
11 functions and responsibilities) are repealed.

12 **SECTION 3.2.** G.S. 143-215.8C reads as rewritten:

13 **"§ 143-215.8C. Neuse River Modeling and Monitoring Project reports.**

14 The Primary Investigator or Researcher receiving funding pursuant to Subsection
15 14.14(a) of S.L. 1998-212 shall provide progress reports to the Environmental Review
16 Commission, the Joint Legislative Commission on Governmental Operations, ~~the~~
17 ~~Scientific Advisory Council on Water Resources and Coastal Fisheries Management,~~
18 and the Fiscal Research Division on 1 January and 1 July of each year until the project
19 or study is complete. Upon completion of the project or study, the Primary Investigator
20 or Researcher shall provide a final report to the entities listed above."

21 **SECTION 3.3.** G.S. 143-215.8D(a) reads as rewritten:

22 "(a) The Department of Environment and Natural Resources and North Carolina
23 State University shall jointly establish the North Carolina Water Quality Workgroup.
24 The Workgroup shall work collaboratively with the appropriate divisions of the
25 Department of Environment and Natural Resources and North Carolina State
26 University, ~~the Scientific Advisory Council on Water Resources and Coastal Fisheries~~
27 ~~Management,~~ the Environmental Management Commission, and the Environmental
28 Review Commission to identify the scientific and State agency databases that can be
29 used to formulate public policy regarding the State's water quality, evaluate those
30 databases to determine the information gaps in those databases, and establish the
31 priorities for obtaining the information lacking in those databases. The Workgroup shall
32 have the following duties:

- 33 (1) To address specifically the ongoing need of evaluation, synthesis, and
34 presentation of current scientific knowledge that can be used to
35 formulate public policy on water quality issues.
- 36 (2) To identify knowledge gaps in the current understanding of water
37 quality problems and fill these gaps with appropriate research projects.
- 38 (3) To maintain a web-based water quality data distribution site.
- 39 (4) To organize and evaluate existing scientific and State agency water
40 quality databases.
- 41 (5) To prioritize recognized knowledge gaps in water quality issues for
42 immediate funding."

43 **SECTION 3.4.** G.S. 143-215.8D(e) reads as rewritten:

1 "(e) The Chair of the North Carolina Water Quality Workgroup shall report each
2 year by January 30 to the ~~Scientific Advisory Council on Water Resources and Coastal~~
3 ~~Fisheries Management, to the Environmental Review Commission, to the Cochairs of~~
4 the House of Representatives and Senate Appropriations Subcommittees on Natural and
5 Economic Resources, and to the Chancellor of North Carolina State University or the
6 Chancellor's designee on the previous year's activities, findings, and recommendations
7 of the North Carolina Water Quality Workgroup."

8 **PART IV. EXTEND THE TIME FOR DEVELOPMENT OF RULES RELATED**
9 **TO WATER CONSERVATION**

10 **SECTION 4.** Section 3(c) of S.L. 2002-167 reads as rewritten:

11 "**SECTION 3.(c)** Rules adopted pursuant to subsection (a) of this section shall not
12 supersede or modify existing rules governing water used in the generation of electricity.
13 This section shall not be construed to authorize the Commission to adopt temporary
14 rules. The Commission shall adopt permanent rules so that the rules will become
15 effective following legislative review pursuant to G.S. 150B-21.3(b) by the ~~2005-2006~~
16 Regular Session of the 2005 General Assembly."

17 **PART V. STAGGER TERMS OF AGRICULTURAL FINANCE AUTHORITY**

18 **SECTION 5.1.** G.S. 122D-4 reads as rewritten:

19 "**§ 122D-4. North Carolina Agricultural Finance Authority.**

20 (a) The North Carolina Agricultural Finance Authority, a body politic and
21 corporate, is hereby created within the Department of Agriculture and Consumer
22 Services. The Authority shall be constituted a public agency and an instrumentality of
23 the State for the performance of essential public functions.

24 (b) The Authority shall be composed of ~~10 members.~~ members appointed to
25 three-year terms as follows:

- 26 (1) One member appointed by the Governor to a term that expires on 1
27 July of years that precede by one year those years that are evenly
28 divisible by three.
- 29 (2) One member appointed by the Governor to a term that expires on 1
30 July of years that are evenly divisible by three.
- 31 (3) One member appointed by the Governor to a term that expires on 1
32 July of years that follow by one year those years that are evenly
33 divisible by three.
- 34 (4) One member appointed by the General Assembly upon the
35 recommendation of the President Pro Tempore of the Senate to a term
36 that expires on 1 July of years that precede by one year those years that
37 are evenly divisible by three.
- 38 (5) One member appointed by the General Assembly upon the
39 recommendation of the President Pro Tempore of the Senate to a term
40 that expires on 1 July of years that are evenly divisible by three.
- 41 (6) One member appointed by the General Assembly upon the
42 recommendation of the President Pro Tempore of the Senate to a term
43 that expires on 1 July of years that follow by one year those years that
44 are evenly divisible by three.

- 1 (7) One member appointed by the General Assembly upon the
2 recommendation of the Speaker of the House of Representatives to a
3 term that expires on 1 July of years that precede by one year those
4 years that are evenly divisible by three.
- 5 (8) One member appointed by the General Assembly upon the
6 recommendation of the Speaker of the House of Representatives to a
7 term that expires on 1 July of years that are evenly divisible by three.
- 8 (9) One member appointed by the General Assembly upon the
9 recommendation of the Speaker of the House of Representatives to a
10 term that expires on 1 July of years that follow by one year those years
11 that are evenly divisible by three.
- 12 (10) The Commissioner or the Commissioner's designee shall serve ex
13 officio, with the same rights and privileges, including voting rights, as
14 other members. The other nine members shall be appointed in the
15 following manner:
- 16 (1) ~~Three members appointed by the General Assembly upon the~~
17 ~~recommendation of the Speaker of the House under G.S. 120-121;~~
- 18 (2) ~~Three members appointed by the General Assembly upon the~~
19 ~~recommendation of the President Pro Tempore of the Senate under~~
20 ~~G.S. 120-121; and~~
- 21 (3) ~~Three members appointed by the Governor.~~
- 22 (c) ~~Members shall serve for three year terms. Initial terms shall commence July~~
23 ~~1, 1986. Appointed members shall serve until their successors are appointed and~~
24 ~~qualify. A member appointed under subdivisions (1) through (9) of subsection (b) of~~
25 ~~this section may be reappointed to no more than two successive three-year terms. Upon~~
26 ~~the expiration of a three-year term, a member shall continue to serve until a successor is~~
27 ~~appointed and duly qualified as provided by G.S. 128-7.~~
- 28 (d) Vacancies in the offices of any appointed members of the Authority shall be
29 filled in accordance with G.S. 120-122 for the remainder of the unexpired term. No
30 vacant office shall be included in the determination of a quorum. No vacancy in office
31 shall impair the rights of the members to exercise all rights and to conduct official
32 business of the Authority.
- 33 (e) The domicile of the Authority shall be the City of Raleigh.
- 34 (f) A majority of the members shall constitute a quorum for the transaction of
35 official business. All official actions of the Authority shall require an affirmative vote of
36 a majority of the members present and voting at any meeting.
- 37 (g) Members of the Authority shall not receive any salary for the performance of
38 their duties as members. Appointed members may be reimbursed for such actual
39 expenses as may be incurred for travel and subsistence in the performance of official
40 duties and such per diem as is allowed by law for members of other State boards,
41 commissions and committees receive per diem and necessary travel and subsistence
42 expenses in accordance with the provisions of G.S. 138-5.
- 43 (h) The Authority shall meet quarterly and may meet more frequently upon call.

1 (i) The Authority may delegate to one or more of its members, officers,
2 employees or agents such powers and duties as it may deem proper."

3 **SECTION 5.2.** In order to alter the schedule of staggered terms of three
4 years for the North Carolina Agricultural Finance Authority so that the same number of
5 terms will expire each year and to provide for an orderly transition in membership of the
6 Authority to the terms specified in G.S. 122D-4(b), as amended by Section 5.1 of this
7 act, the following provisions shall apply:

- 8 (1) The Governor shall appoint a member to serve in the position
9 established by G.S. 122D-4(b)(1) through 1 July 2006.
- 10 (2) The Governor shall appoint a member to serve in the position
11 established by G.S. 122D-4(b)(2) through 1 July 2007.
- 12 (3) The Governor shall appoint a member to serve in the position
13 established by G.S. 122D-4(b)(3) through 1 July 2008.
- 14 (4) The General Assembly, upon the recommendation of the President Pro
15 Tempore of the Senate, shall appoint a member to serve in the position
16 established by G.S. 122D-4(b)(4) through 1 July 2006.
- 17 (5) The General Assembly, upon the recommendation of the President Pro
18 Tempore of the Senate, shall appoint a member to serve in the position
19 established by G.S. 122D-4(b)(5) through 1 July 2007.
- 20 (6) The General Assembly, upon the recommendation of the President Pro
21 Tempore of the Senate, shall appoint a member to serve in the position
22 established by 122D-4(b)(6) through 1 July 2008.
- 23 (7) The General Assembly, upon the recommendation of the Speaker of
24 the House of Representatives, shall appoint a member to serve in the
25 position established by 122D-4(b)(7) through 1 July 2006.
- 26 (8) The General Assembly, upon the recommendation of the Speaker of
27 the House of Representatives, shall appoint a member to serve in the
28 position established by 122D-4(b)(8) to serve through 1 July 2007.
- 29 (9) The General Assembly, upon the recommendation of the Speaker of
30 the House of Representatives, shall appoint a member to serve in the
31 position established by G.S. 122D-4(b)(9) through 1 July 2008.

32 **PART VI. PROHIBIT SALE OR DISPENSING OF RAW MILK**

33 **SECTION 6.1.** G.S. 130A-274(2) reads as rewritten:

34 "(2) 'Milk' means the lacteal secretion practically free from colostrum
35 obtained by the ~~complete~~-milking of one or more ~~ewes or goats.~~cows,
36 goats, or other lactating animals."

37 **SECTION 6.2.** G.S. 130A-279 reads as rewritten:

38 **"§ 130A-279. Sale or dispensing of milk.**

39 Only milk which is Grade 'A' pasteurized milk may be sold or dispensed directly to
40 consumers for human consumption. Raw milk and raw milk products shall be sold or
41 dispensed only to a permitted milk hauler or to a processing facility at which the
42 processing of milk is permitted, graded, or regulated by a local, State, or federal agency.
43 The Commission may adopt rules to provide exceptions for dispensing raw milk and
44 raw milk products for nonhuman consumption. 'Sale' or 'sold' shall mean any transaction

1 that involves the transfer or dispensing of milk and milk products or the right to acquire
2 milk and milk products through barter or contractual arrangement or in exchange for
3 any other form of compensation including, but not limited to, the sale of shares or
4 interest in a cow, goat, or other lactating animal or herd."

5 **PART VII. EFFECTIVE DATE**

6 **SECTION 7.** This act is effective when it becomes law.