

**2015 -- H 5897 SUBSTITUTE A**

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LC001729/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2015**

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A N A C T

RELATING TO FISH AND WILDLIFE -- SEAFOOD MARKETING

Introduced By: Representatives McNamara, Filippi, Price, Chippendale, and Tanzi

Date Introduced: March 13, 2015

Referred To: House Environment and Natural Resources

(Environmental Management)

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 20-38-2, 20-38-3 and 20-38-4 of the General Laws in Chapter 20-  
2   38 entitled "The Rhode Island Seafood Marketing Collaborative of 2011" are hereby amended to  
3   read as follows:

4           **20-38-2. Legislative findings.** -- The general assembly hereby finds that there are  
5   currently insufficient resources and information necessary to support Rhode Island's local  
6   fishermen and aquaculturists and related small businesses ~~and~~ to ensure the best possible  
7   economic and environmental outcomes for the creation of more locally produced sustainable food  
8   systems, that in particular includes seafood, in the State of Rhode Island.

9           **20-38-3. Definitions.** -- When used in this chapter, the following terms shall have the  
10   following meanings:

11           (1) "Collaborative" means the Rhode Island seafood marketing collaborative established  
12   under § 20-38-4;

13           (2) "Rhode Island's local fishermen and aquaculturists" means commercial fishermen  
14   and aquaculturists licensed in the State of Rhode Island.

15           (3) "State agencies" means state entities responsible for the implementation of Rhode  
16   Island's fishery management and economic development, including, but not be limited to:

17           (i) The department of environmental management, which shall include:

18           (A) The division of ~~agricultural and resource management,~~ agriculture; and

19           (B) The division of fish and wildlife ~~marine program;~~

1 (ii) The ~~economic development~~ commerce corporation;

2 (iii) The coastal resources management council;

3 (iv) The department of health;

4 (v) The department of administration.

5 (4) "Aquaculture" means the farming of aquatic organisms such as fish, crustaceans,  
6 mollusks and aquatic plants.

7 (5) "Sustainable food system" means one in which resources (including natural resources  
8 such as soil and water, as well as human resources such as labor) are used at or below their rate of  
9 recovery.

10 (6) "Seafood dealers" means any person engaged in purchasing, raising, propagating,  
11 breeding, or acquiring or possessing live fish or fish eggs to be sold or furnished to others for the  
12 purpose of resale licensed in the State of Rhode Island.

13 ~~(7) "Locally landed" means legally produced species of fish or aquaculture caught by a~~  
14 ~~vessel landing and licensed to fish in the State of Rhode Island.~~

15 **20-38-4. Collaborative established.** -- (a) There is hereby created ~~an interagency a~~  
16 collaborative known as "The Rhode Island Seafood Marketing Collaborative" consisting of ~~nine~~  
17 ~~(9)~~ nineteen (19) members as follows:

18 (1) The director of the department of environmental management or his or her designee,  
19 who shall serve as chairperson;

20 (2) The executive director of the ~~economic development~~ commerce corporation, or his or  
21 her designee;

22 (3) The chief of the division of fish and wildlife ~~in marine management~~ of the  
23 department of environmental management, or his or her designee;

24 (4) The director of the department of health, or his or her designee;

25 (5) The chief of the division of ~~agricultural management~~ agriculture of the department of  
26 environmental management, or his or her designee;

27 (6) The executive director of the coastal resources management council, or his or her  
28 designee;

29 (7) The director of administration, or his or her designee;

30 (8) The dean of the University of Rhode Island ~~department~~ college of environment and  
31 life sciences, or his or her designee; ~~and~~

32 ~~(9) One representative of higher education to be appointed by the senate president.~~

33 (9) The director of the Rhode Island sea grant program, or his or her designee; and

34 (10) Ten (10) additional members, each of whom shall be appointed by the director of the

1 department of environmental management, in accordance with the following categories:

2 (i) Two (2) Rhode Island-based dealers/wholesalers/processors who purchase and sell  
3 finfish, shellfish, and/or crustaceans;

4 (ii) Two (2) commercial aquaculturists;

5 (iii) A Rhode Island-based retailer of seafood products associated with a restaurant or  
6 restaurant organization;

7 (iv) A Rhode Island-based retailer of seafood products associated with an independent or  
8 franchised store;

9 (v) Two (2) commercial fishermen licensed to harvest and/or land in Rhode Island;

10 (vi) A member of an independent organization or association representing the Rhode  
11 Island hospitality industry;

12 (vii) An economist with expertise in seafood marketing.

13 (b) Forthwith upon the passage of this chapter, the members of the collaborative shall  
14 meet at the call of the chairperson and organize. Thereafter, the collaborative shall meet ~~quarterly~~  
15 ~~and~~ at the call of the chairperson or three (3) members of the collaborative.

16 (c) All departments and agencies of the state shall furnish such advice and information,  
17 documentation, and otherwise to the collaborative and its agents as is deemed necessary or  
18 desirable by the collaborative to facilitate the purposes of this chapter.

19 (d) The members of the collaborative shall receive no compensation for their services.

20 SECTION 2. Section 20-38-6 of the General Laws in Chapter 20-38 entitled "The Rhode  
21 Island Seafood Marketing Collaborative of 2011" is hereby repealed.

22 ~~**20-38-6. Advisory council.** (a) The Rhode Island seafood marketing collaborative~~  
23 ~~advisory council is hereby established. The advisory council shall consist of ten (10) members~~  
24 ~~each of whom shall be appointed by the director of the department of environmental~~  
25 ~~management:~~

26 ~~(1) A fish dealer/wholesaler/processor or representative;~~

27 ~~(2) A shellfish dealer or processor of lobster and crab;~~

28 ~~(3) A shellfish dealer or processor of clams, etc;~~

29 ~~(4) A aquaculture dealer or processor;~~

30 ~~(5) A retailer of seafood product representing a restaurant organization;~~

31 ~~(6) A seafood retailer representing an independent or franchised store;~~

32 ~~(7) A shellfish harvester;~~

33 ~~(8) A fisheries manager specialist;~~

34 ~~(9) A marine scientist;~~

1 ~~(10) An independent organization or association representing the hospitality industry.~~

2 ~~(b) Advisory council members shall serve two (2) year terms and are eligible to succeed~~  
3 ~~themselves. In the event a member is unable to complete his or her term, the director of the~~  
4 ~~department of environmental management shall appoint a successor, and the successor appointed~~  
5 ~~to the vacancy shall serve for the remainder of the unexpired term. The members of the board~~  
6 ~~shall receive no compensation.~~

7 ~~(c) The advisory council shall elect annually a chairperson from among its members.~~

8 ~~(d) The advisory council shall meet at least quarterly at the call of the chairperson or~~  
9 ~~three (3) council members. The chairperson of the Rhode Island seafood marketing collaborative,~~  
10 ~~or designee from among the members of the collaborative, shall be present for all advisory~~  
11 ~~council meetings.~~

12 ~~(e) The advisory council shall advise the collaborative on all matters pertaining to the~~  
13 ~~collaborative duties and powers.~~

14 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO FISH AND WILDLIFE -- SEAFOOD MARKETING

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1           This act would add aquaculturist membership and representation to the seafood  
2 marketing collaborative of 2011.

3           This act would take effect upon passage.

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