

2012 -- H 8173

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LC02631
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY - LIVESTOCK - WELFARE OF
LIVESTOCK

Introduced By: Representatives Chippendale, Handy, Marcello, Walsh, and Ruggiero

Date Introduced: May 17, 2012

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 4 of the General Laws entitled "ANIMALS AND ANIMAL
2 HUSBANDRY" is hereby amended by adding thereto the following chapter:

3 CHAPTER 26

4 THE RHODE ISLAND LIVESTOCK WELFARE AND CARE STANDARDS ADVISORY

5 COUNCIL ACT OF 2012

6 **4-26-1. Short title.** – This chapter shall be known and may be cited as the “Rhode Island
7 Livestock Welfare and Care Standards Advisory Council Act of 2012.”

8 **4-26-2. Findings.** – The general assembly hereby finds that:

9 (1) Livestock is the core of dairy and livestock farming in Rhode Island.

10 (2) The care and management of livestock are important to the profitability of Rhode
11 Island farms and the maintenance of Rhode Island’s working landscape.

12 (3) There exists in this state a demand for safe, locally produced food.

13 (4) Livestock raised on Rhode Island farms offers profit potential and economic
14 opportunity for Rhode Island producers.

15 (5) Livestock deserve a safe, healthy and humane environment that ensures protection
16 from unnecessary or unjustifiable pain.

17 (6) The state would benefit from a diverse body charged with making policy
18 recommendations to the department regarding livestock care.

1 (7) It is the intent of this legislation to assure the continued success of livestock and dairy
2 farming in Rhode Island and the continuance of a safe, local food supply.

3 **4-26-3. Definitions.** – As used in this chapter, unless the context indicates a different
4 meaning or intent:

5 (1) “Advisory council” or “council” means the Rhode Island livestock welfare and care
6 standards advisory council act of 2012 established pursuant to 4-26-4.

7 (2) “Agricultural operation” means any individual, partnership or corporation that
8 complies with section 44-27-3 and subsection 2-1-22(j) and produces and distributes a
9 commercial food, feed, fiber or horticultural product.

10 (3) “Biosecurity” means security from transmission of infectious diseases, parasites and
11 pests.

12 (4) “Director” means the director of the Rhode Island department of environmental
13 management.

14 (5) “State veterinarian” means a licensed veterinarian employed by the department of
15 environmental management.

16 (6) “License” means the certificate issued by the director to any person, firm, partnership,
17 or corporation regularly engaged in the business of buying, selling and/or transporting livestock
18 to be sold or used for food.

19 (7) “Livestock” means any bovine, equine, caprine, ovine, camelid, swine, poultry, or
20 other animal that is raised for production of food or fiber, or is used for work, commerce, or
21 exhibition.

22 **4-26-4. Advisory council established.** – (a) There is established a livestock care
23 standards advisory council consisting of the state veterinarian, or his or her designee, who shall
24 serve as the chairperson and six (6) public members appointed by the director as follows:

25 (1) A representative from the Rhode Island farm bureau, or his or her designee, who shall
26 serve as secretary;

27 (2) A representative from the Rhode Island society for the prevention of cruelty to
28 animals, or his or her designee;

29 (3) A Rhode island based livestock farmer, or his or her designee;

30 (4) A representative from the University of Rhode Island department of environment and
31 life sciences, or his or her designee;

32 (5) A representative from a Rhode Island nonprofit animal welfare entity, or his or her
33 designee; and

34 (6) A representative from a national nonprofit animal welfare entity.

1 (b) Two (2) of those new members first appointed by the director shall serve initial terms
2 of three (3) years; two (2) of those new members first appointed by the director shall serve an
3 initial term of two (2) years; and two (2) of those new members, appointed by the director shall
4 serve an initial term of one year. Thereafter, all appointed members of the advisory council shall
5 be appointed to serve for terms of three (3) years. The members are eligible to succeed
6 themselves. A vacancy other than by expiration shall be filled in the manner of the original
7 appointment but only for the unexpired portion of the term.

8 (c) The director may remove any member from the council for neglect of any duty
9 required by law, or for incompetence, or unprofessional or dishonorable conduct.

10 (d) The members of the council shall receive no compensation for their services but may
11 receive reimbursement for travel and other necessary expenses while engaged in the performance
12 of official duties of the council.

13 (e) The council shall meet at least quarterly and at the call of the chairperson or four (4)
14 members of the council. A majority of seats filled shall constitute a quorum.

15 (f) The council shall receive staff and administrative support from the department. The
16 director shall furnish the advisory board a suitable location to hold its meeting.

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

20 **4-26-5. Duties of the council.** – The council shall support and work collaboratively with
21 the department as follows:

22 (1) Review and evaluate laws and rules of the state applicable to the care and handling of
23 livestock as defined in subsection 4-26-3(c') including, but not limited to:

24 (i) The overall health and welfare of livestock species;

25 (ii) Agricultural operation best management practices;

26 (iii) Biosecurity and disease prevention;

27 (iv) Humane transport and slaughter practices; and

28 (v) Any other matters the council considers necessary for the proper care and well being
29 of livestock animals in the state.

30 (2) Respond to requests from the legislature for information and comments on proposed
31 legislation;

32 (3) Issue recommendations necessary to achieve these goals;

33 (4) Submit policy recommendations to the director and general assembly on any of the
34 subject matter set forth under subdivision (ii) of this subsection.

1 **4-26-6. Reporting requirements.** – (a) The council shall provide a report of its
2 recommendations and findings. Said report shall be provided to the department, governor and
3 general assembly by April 30, 2013.

4 (b) Thereafter, the council shall provide a written report to the governor and the general
5 assembly, no later than April 30 of each year, on the progress made in achieving the goals and
6 objectives set forth in this chapter and any other pertinent information by April 30, 2013.

7 (c) The council shall be subject to the provisions of chapter 38-2, access to public records
8 act, and chapter 42-46, open meetings act.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO ANIMALS AND ANIMAL HUSBANDRY - LIVESTOCK - WELFARE OF
LIVESTOCK

1 This act would create the Rhode Island Livestock Welfare and Care Standards Advisory
2 Council Act of 2012 whose purpose would be to serve as an advisory body to the director of
3 DEM and general assembly in making recommendations related to the overall health and welfare
4 of livestock species.

5 This act would take effect upon passage.

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