

2012 -- S 2611 SUBSTITUTE A

=====
LC01920/SUB A
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

—————
A N A C T

RELATING TO AGRICULTURE AND FORESTRY - THE RHODE ISLAND LOCAL
AGRICULTURE AND SEAFOOD ACT

Introduced By: Senators Sosnowski, Walaska, McCaffrey, Felag, and Sheehan

Date Introduced: March 01, 2012

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 2 of the General Laws entitled "AGRICULTURE AND FORESTRY"

2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 25

4 THE RHODE ISLAND LOCAL AGRICULTURE AND SEAFOOD ACT

5 2-25-1. Short title. -- This chapter shall be known and may be cited as the "The Rhode
6 Island Local Agriculture and Seafood Act."

7 2-25-2. Legislative findings. -- The general assembly hereby finds and declares:

8 (1) A viable agricultural and seafood sector in Rhode Island represents part of a secure
9 regional food supply, which in turn lends itself to energy and economic efficiencies;

10 (2) The federal government and regional entities have established and continue to
11 establish programs and processes to support local agricultural production and increased
12 consumption of locally produced food, and Rhode Island functions in whole or in part in the
13 context of federal and regional programs;

14 (3) The general public is increasingly interested in locally produced food;

15 (4) The benefits of local food systems to local communities include open land, jobs,
16 nutritious and safe foods, and youth education opportunities;

17 (5) Farms and commercial fishing are an integral part of Rhode Island's overall economy;

18 (6) Encouraging the continued growth of Rhode Island's agricultural and seafood sectors

1 is integral to reducing food insecurity in Rhode Island:

2 (7) Relationship-based food systems such as farm-to-school programs, community
3 supported agriculture (CSA) programs, farmers' markets, and pick-your-own operations are
4 increasingly popular and offer areas of opportunity for new farmers; and

5 (8) The state of Rhode Island has historically established programs to provide for and
6 regulate the agriculture and commercial fishing sectors.

7 **2-25-3. Legislative Intent. --** The general assembly intends:

8 (1) To support and develop more robust and self-sustaining agricultural and seafood
9 sectors that also promotes emerging agricultural industries;

10 (2) That policies and programs of the state will support and promote the Rhode Island
11 agriculture and seafood industries as a vital component of the state's economy and essential
12 steward of our land and coastal waters;

13 (3) That current policies and programs pertaining to the viability of Rhode Island's
14 agricultural and seafood industries be reviewed and confirmed or changed in order to assure the
15 long-term economic prosperity of the industries; and

16 (4) That Rhode Island will promote processing and consumption of agricultural and
17 seafood products from within Rhode Island.

18 **2-25-4. Definitions. --** When used in this chapter, the following terms shall have the
19 following meanings:

20 (1) "Director" means the director of the department of environmental management or his
21 or her duly authorized agent or agents.

22 (2) "Program" means the local agriculture and seafood small grants and technical
23 assistance program.

24 (3) "Fund" means the local agriculture and seafood small grants and technical assistance
25 fund.

26 **2-25-5. Small grants and technical assistance program established. --** The department
27 of environmental management shall establish the local agriculture and seafood small grants and
28 technical assistance program. Through the program the department shall: (1) Assist in the
29 marketing of Rhode Island grown agricultural products and local seafood for the purpose of sale
30 and promotion within the state of Rhode Island or United States; (2) Enhance the economic
31 competitiveness of Rhode Island grown agricultural products and local seafood; (3) Provide
32 financial and technical assistance support to organizations and farmers for activities and
33 programs which enhance the economic viability of local agriculture, and support the development
34 of a locally based, safe and sustainable food system; (4) Provide individual farm grants to small

1 or beginning Rhode Island farmers that support the entry or sustainability within the respective
2 industry; (5) Work with the state department of health to further develop and support food safety
3 related programs and standards pertaining to local agriculture and seafood; and (6) Perform other
4 activities necessary to facilitate the success and viability of the state’s agricultural and seafood
5 sectors.

6 **2-25-6. Local agriculture and seafood small grants and technical assistance fund**
7 **established and solicitation of funding.** -- (a) For the purpose of paying the costs to the
8 department of environmental management of administering the local agriculture and seafood
9 small grants and technical assistance program and for the purpose of carrying out the purposes of
10 the program as stated in subdivisions 2-25-5(3) and 2-25-5(4) a restricted receipt account is
11 hereby created and known as the “local agriculture and seafood small grants and technical
12 assistance fund.”

13 (b) The program shall be empowered to apply for and receive from any federal, state, or
14 local agency, private foundation, or individual, any grants, appropriations, or gifts in order to
15 carry out the purposes of the program established in section 2-25-5.

16 **2-25-7. Use of Funds.**-- (a) A non-profit entity or small or beginning farmer may apply
17 to the department of environmental management for a grant to be used to fulfill the purposes of
18 the program as stated in subdivisions 2-25-5(3) and 2-25-5(4). Any grant disbursed under this
19 program shall not exceed twenty thousand dollars (\$20,000) per year. Applications for grants
20 authorized under this section shall:

21 (1) Provide a brief summary of the nonprofit entity or small or beginning farmer’s
22 mission, goals, history, programs, and major accomplishments, success stories and qualifications;

23 (2) Briefly describe the proposed project or program, the capacity to carry out the
24 program and who will benefit from the program;

25 (3) Describe the expected outcomes and the indicators of those outcomes;

26 (4) Outline the timeline to be used in the implementation of the program or project; and

27 (5) Provide a program or project budget.

28 (b) The funds shall also be used by the department to provide administrative and
29 technical support of the program, and to leverage program funds with other potential federal, state
30 or nonprofit funding sources, and shall serve to develop, implement and enforce when appropriate
31 food safety related standards and programs related to local agriculture and seafood in
32 coordination with the Rhode Island department of health and appropriate federal agencies.

33 **2-25-8. Accountability and oversight.** -- (a) On an annual basis, the department shall
34 prepare a report that details the performance of the local agriculture and seafood small grants and

1 technical assistance program, and the disbursements made during the prior year from the local
2 agriculture and seafood small grants and technical assistance fund and other sources, and how the
3 department plans to allocate and use funds provided through the local agriculture and seafood
4 small grants and technical assistance fund during the next year. The report shall include any
5 additional, relevant information relating to the administration of the program, and the status of
6 any state-based agricultural assessments and local food production assessments.

7 (b) The department shall annually schedule and conduct one or more public meetings to
8 solicit input from the general public on whether the program is meeting its intended purposes, and
9 to solicit recommendations for modifying the program.

10 (c) The department shall annually submit the report, including an addendum summarizing
11 the feedback provided at the public meeting(s) referenced section in 2-25-9, to the general
12 assembly.

13 **2-25-9. Powers and Duties. -- The department of environmental management may adopt**
14 **any rules necessary for the administration of this section.**

15 SECTION 2. Section 2-1-8 of the General Laws in Chapter 2-1 entitled “Agricultural
16 Functions of the Department of Environmental Management” is hereby amended to read as
17 follows:

18 **2-1-8. Marketing functions of director. -- Promotion of Rhode Island grown farm**
19 **products and Rhode Island seafood. --** The director of environmental management ~~is vested~~
20 ~~with authority as follows:~~ shall establish and administer a program to promote the marketing of
21 Rhode Island seafood and farm products grown and produced in Rhode Island for the purpose of
22 encouraging the development of the commercial fishing and agricultural sectors in the state. The
23 director of environmental management shall:

24 (1) ~~To collect~~ Collect and diffuse timely information relative to the seasonal supply,
25 demand and prevailing prices of seafood and farm products, both at wholesale and retail, the
26 movement of seafood and farm products through commercial channels, and the quantities and
27 conditions of seafood and farm products in dry and cold storage.

28 (2) ~~To assist~~ Assist and advise in the organization and maintenance of producers' and
29 consumers' cooperative selling and buying associations.

30 (3) ~~To investigate~~ Investigate the cost of distributing seafood and farm products, both at
31 wholesale and retail, and to publish these findings that may be of practical interest to the public.

32 (4) ~~To furnish~~ Furnish advice and assistance to the public with reference to buying of
33 seafood and farm products and other matters relative to seafood and farm products.

34 (5) ~~To take~~ Take those lawful measures that may be deemed advisable to prevent waste

1 or uneconomical use of seafood and farm products.

2 (6) ~~To co-operate~~ Cooperate with various state and federal agencies having to do with
3 seafood and farm products.

4 (7) Conduct efforts to promote interaction and business relationships between farmers,
5 fishermen and restaurants, grocery stores, institutional cafeterias and other potential institutional
6 purchasers of Rhode Island seafood and Rhode Island grown farm products, including, but not
7 limited to:

8 (i) Organizing state-wide or regional events promoting Rhode Island grown or harvested
9 seafood and farm products, where farmers, fishermen, and potential institutional customers are
10 invited to participate. The director shall use his or her best efforts to solicit cooperation and
11 participation from the farm, corporate, retail, wholesale and grocery communities in such
12 advertising, internet-related and event planning efforts.

13 (8) The director shall report annually to the general assembly having cognizance of
14 matters relating to the environment on issues with respect to efforts undertaken pursuant to the
15 requirements of this section. The director may adopt, in accordance with section 2-1-9, such
16 regulations as deemed necessary to carry out the purposes of this section.

17 SECTION 3. Title 21 of the General Laws entitled "FOOD AND DRUGS" is hereby
18 amended by adding thereto the following chapter:

19 CHAPTER 36

20 THE INTER-AGENCY FOOD & NUTRITION POLICY ADVISORY COUNCIL

21 **21-36-1. Short title.** -- This chapter shall be known and may be cited as the "The Inter-
22 Agency Food and Nutrition Policy Advisory Council Act."

23 **21-36-2. Definitions.** -- As used in this chapter, unless otherwise specified, the following
24 words have the following meaning:

25 (1) "Council" means the inter-agency food and nutrition policy advisory council.

26 **21-36-3. Council Composition.** -- There shall be an inter-agency food and nutrition
27 policy advisory council which shall consist of three (3) members: the director of health or his or
28 her designee; the director of environmental management or his or her designee; and the director
29 of administration or his or her designee. The members of the commission shall elect a chairperson
30 from among themselves.

31 **21-36-4. Powers and Duties.** -- (a) The council shall examine issues regarding the
32 identification and development of solutions to regulatory and policy barriers to developing a
33 strong sustainable food economy and healthful nutrition practices.

34 (b) The council shall collaborate with other task forces, committees, or organizations that

1 are pursuing initiatives or studies similar to the purposes and duties outlined in this chapter.

2 (c) The council shall collaborate with, serve as a resource to, and receive input from food
3 policy councils in the state.

4 (d) The council shall examine any other program and policy issues the council considers
5 pertinent.

6 **21-36-5. Reporting requirements. --** The council shall provide a written report to the
7 general assembly by March 30th of each year regarding its activities for the preceding calendar
8 year.

9 **21-36-6. Severability. --** If any clause, sentence, paragraph or part of this chapter shall
10 for any reason be adjudged by any court of competent jurisdiction to be invalid, that judgment
11 shall not affect, impair or invalidate the remainder of it, but shall be confined in its operation to
12 the clause, sentence, paragraph or part directly involved in the controversy in which the judgment
13 shall have been rendered.

14 SECTION 4. This act shall take effect upon passage.

=====
LC01920/SUB A
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO AGRICULTURE AND FORESTRY - THE RHODE ISLAND LOCAL
AGRICULTURE AND SEAFOOD ACT

1 This act would direct the department of environmental management would establish the
2 local agriculture and seafood small grants and technical assistance program. The purpose of these
3 grants and programs would be to promote the sale of Rhode Island seafood and farm products. It
4 would also create the interagency food and nutrition policy advisory council.

5 This act would take effect upon passage.

=====
LC01920/SUB A
=====