

STATE OF NEW YORK

S. 5385

A. 6893

2017-2018 Regular Sessions

SENATE - ASSEMBLY

March 24, 2017

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Economic Development

AN ACT to amend the economic development law, in relation to the establishment of a New York seafood marketing task force

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The economic development law is amended by adding a new article 23 to read as follows:

ARTICLE 23

NEW YORK SEAFOOD MARKETING TASK FORCE

Section 455. Short title.

456. Legislative findings.

457. Definitions.

458. Task force established.

459. Powers and duties.

460. Meeting and reporting requirements.

§ 455. Short title. This act shall be known and may be cited as the "New York seafood marketing task force act of 2017."

§ 456. Legislative findings. The legislature hereby finds that there are currently insufficient resources and information necessary to support New York's local fishermen and aquaculturists and related small businesses to ensure the best possible economic and environmental outcomes for the creation of more locally produced sustainable food systems in the state of New York.

§ 457. Definitions. When used in this article, the following terms shall have the following meanings:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 1. "Task force" means the New York seafood marketing task force estab-
2 lished under section four hundred fifty-eight of this article.

3 2. "New York's local fishermen and aquaculturists" means commercial
4 fishermen and aquaculturists licensed in the state of New York.

5 3. "State agencies" means state entities responsible for the implemen-
6 tation of New York's fishery management and economic development,
7 including, but not be limited to:

8 (a) the department;

9 (b) the department of agriculture and markets; and

10 (c) the department of health.

11 4. "Aquaculture" means the farming of aquatic organisms such as fish,
12 crustaceans, mollusks, and aquatic plants.

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

16 6. "Seafood dealers" means any person engaged in purchasing, raising,
17 propagating, breeding, or acquiring or possessing live fish or fish eggs
18 to be sold or furnished to others for the purpose of resale licensed in
19 the state of New York.

20 § 458. Task force established. 1. There is hereby created a task force
21 known as the "New York seafood marketing task force" consisting of eigh-
22 teen members as follows:

23 (a) The commissioner, or his or her designee, who shall serve as
24 chairperson;

25 (b) The commissioner of environmental conservation, or his or her
26 designee;

27 (c) The commissioner of agriculture and markets, or his or her desig-
28 nee;

29 (d) The commissioner of health, or his or her designee;

30 (e) A representative of the School of Marine and Atmospheric Sciences
31 at Stony Brook University;

32 (f) A representative of the New York sea grant program;

33 (g) A representative of Cornell Cooperative Extension;

34 (h) A representative of the New York state seafood council; and

35 (i) Ten additional members, each of whom shall be appointed by the
36 governor, in accordance with the following categories:

37 (i) Two New York-based dealers/wholesalers/processors who purchase and
38 sell finfish, shellfish, and/or crustaceans;

39 (ii) Two commercial aquaculturists;

40 (iii) A New York-based retailer of seafood products associated with a
41 restaurant or restaurant organization;

42 (iv) A New York-based retailer of seafood products associated with an
43 independent or franchised store;

44 (v) Two commercial fishermen licensed to harvest and/or land in New
45 York;

46 (vi) A member of an independent organization or association represent-
47 ing the New York hospitality industry; and

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

49 2. Forthwith upon the passage of this article, the members of the task
50 force shall meet at the call of the chairperson and organize. Thereaft-
51 er, the task force shall meet at the call of the chairperson or three
52 members of the task force.

53 3. All departments and agencies of the state shall furnish such advice
54 and information, documentation, and otherwise to the task force and its
55 agents as is deemed necessary or desirable by the task force to facili-
56 tate the purposes of this article.

1 4. The members of the task force shall receive no compensation for
2 their services.

3 § 459. Powers and duties. The task force shall support and work colla-
4 boratively with the New York fishing community to promote the marketing
5 and sustainability of New York seafood, including but not limited to:

6 1. Identify regulatory restrictions preventing and/or inhibiting local
7 seafood marketing initiatives and identify opportunities to remove those
8 regulatory restrictions;

9 2. Identify and facilitate opportunities to increase consumer demand
10 for local seafood;

11 3. Identify and facilitate opportunities to establish agreements with
12 local fishermen and seafood dealers for potential seafood marketplace
13 expansion;

14 4. Review and identify existing studies, pilot programs and initi-
15 atives of this state and other states regarding seafood-marketing prac-
16 tices;

17 5. Provide educational opportunities for consumers and the fishing
18 community regarding local seafood issues and initiatives;

19 6. Identify funding sources available to the fishing community to
20 support seafood marketing;

21 7. Respond to requests for information from the legislature and
22 comment on proposed legislation;

23 8. Issue recommendations necessary to achieve these goals;

24 9. Identify opportunities for potential funding to support New York
25 seafood marketing efforts and initiatives.

26 § 460. Meeting and reporting requirements. 1. The task force shall
27 provide a report of its findings addressing the research, marketing,
28 expansion and funding opportunities for local seafood. Such report shall
29 be provided to the governor and the state legislature by December thir-
30 ty-first, two thousand eighteen.

31 2. Thereafter, the task force shall report to the governor and the
32 state legislature, no later than December thirty-first of each year, on
33 the progress made in achieving the goals and objectives set forth in
34 this article.

35 3. The task force shall be subject to the provisions of articles six
36 and seven of the public officers law.

37 § 2. Severability. If any provision of this act or the application
38 thereof shall for any reason be adjudged by any court of competent
39 jurisdiction to be invalid, such judgment shall not affect, impair or
40 invalidate the remainder of this act, but shall be confined in its oper-
41 ation to the provision thereof directly involved in the controversy in
42 which the judgment shall have been rendered.

43 § 3. This act shall take effect immediately.