

SENATE No. 1979

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act establishing a Massachusetts Seafood Marketing Program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Matthew A. Beaton</i>	<i>11th Worcester</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Eileen M. Donoghue</i>	<i>First Middlesex</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>

<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>
<i>Theodore C. Speliotis</i>	<i>13th Essex</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>
<i>Jerald A. Parisella</i>	<i>6th Essex</i>

SENATE No. 1979

By Mr. Tarr, a petition (subject to Joint Rule 12) of Bruce E. Tarr, James M. Cantwell, Matthew A. Beaton, Antonio F. D. Cabral and other members of the General Court for legislation to establish a Massachusetts Seafood Marketing Program. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act establishing a Massachusetts Seafood Marketing Program.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 21A of the General Laws, as appearing in the 2012 Official
2 Edition, is hereby amended by adding the following new section:-

3 Section 24. (a) There shall be established within the division of marine fisheries (DMF) a
4 coordinated program to market seafood landed in the commonwealth and to take other actions to
5 increase consumer demand and preference for the said local seafood products and support for the
6 commonwealth’s fishing and seafood industry and the residents and communities that benefit
7 from these activities. More specifically, the objectives of said program may include, but are not
8 limited to:

9 (i) Increasing the public’s knowledge about the health benefits of consuming seafood
10 and the economic importance of the commonwealth’s fishing industry to the local economy and
11 communities;

12 (ii) Educating the public on fisheries resources, fisheries management and
13 commercial fishing to build consumer confidence in the sustainable basis for commercial fishing
14 in the commonwealth;

15 (iii) Creating name recognition and increasing consumer demand and preference for
16 commonwealth seafood products, including through the use of brand name, logo or other actions
17 to differentiate them from other seafood products;

18 (iv) Stabilizing market prices through the promotion of the commonwealth seafood
19 products in low consumer demand or when the supply of said products is high;

20 (v) Developing a variety of promotional and educational tools and strategies to
21 achieve the program's purpose and objectives, including employing market research and social
22 media; and

23 (vi) Identifying a range of sources and mechanisms to fund program activities and to
24 increase the scope of program outreach to the public and other stakeholders.

25 (b) The director of dmf shall appoint a permanent steering committee to assist DMF in
26 the administration of its seafood marketing program, including in the areas of strategic planning,
27 financial management, prioritization of programmatic initiatives, and in pursuing funding for
28 program activities from outside sources such as governments, non-governmental organizations, and
29 industry stakeholders and other private parties. The membership of said steering committee shall
30 be composed of 2 members of the senate, one of whom shall be appointed by the senate minority
31 leader; 2 members from the house of representatives, 1 of whom shall be appointed by the house
32 minority leader; 1 representative of wholesale seafood dealers; 1 representative of seafood retail
33 businesses; 1 representative of seafood restaurant businesses; 2 representatives of fishing
34 industry advocacy organizations; 4 representatives of the commercial fishing/harvesting industry,
35 1 of whom shall be a representative of the lobster industry, 1 of whom shall be a representative
36 of the scallop industry, and 1 of whom shall be a representative of the wild caught shellfish
37 industry; the director of the division of the marine fisheries or his designee; the commissioner of
38 the department of the fish and game or her designee; and the commissioner of the department of
39 agricultural resources or his designee.

40 SECTION 2. Chapter 29 of the General Laws as appearing in the 2012 official edition is
41 hereby amended by inserting after section 2XXXX the following section:

42 2XXXX. There shall be established and set up on the books of the Commonwealth a
43 separate fund to be administered by the division of marine fisheries (DMF), and to be known as
44 the Massachusetts Seafood Marketing Program Fund. The following monies shall be credited to
45 the fund: notwithstanding any general or special law to the contrary, a portion of the monies
46 collected from the sale of commercial harvester and dealer permits issued by the division of
47 marine fisheries pursuant to chapter 130 not to exceed \$250,000 per fiscal year; any
48 appropriations, grants, gifts, or other monies authorized by the general court or other parties and
49 specifically designed to be credited to the fund; and any income derived from the investment of
50 amounts credited to the fund. All amounts credited to the fund shall be used, without further
51 appropriation, for the purpose of developing and administering the Massachusetts Seafood

52 Marketing Program established pursuant to section 23 of Chapter 21A, provided that said
53 program expenditures shall be made in consultation with the department of fish and game and its
54 division of marine fisheries and are consistent with any program priorities identified by the
55 steering committee established pursuant to said section 23 of chapter 21a. No expenditure from
56 the fund shall cause the fund to be in deficiency at the close of a fiscal year. Monies deposited in
57 the fund that are unexpended at the end of the fiscal year shall not revert to the general fund and
58 shall be available for expenditure in the subsequent year. The fund shall be exempt from the
59 indirect and fringe benefits that would otherwise be assessed by the commonwealth pursuant to
60 chapter 29.

61 SECTION 3 Section 1 of said chapter 29 of the General Laws as appearing in the 2012
62 official edition is hereby amended by inserting at the end of the definition of “Consolidated net
63 surplus in the budgetary funds” in line 54 the following words :- “and section 2XXXX of
64 chapter 29.”