

346--A

2015-2016 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2015

Introduced by M. of A. ROSENTHAL -- Multi-Sponsored by -- M. of A. PERRY
-- read once and referred to the Committee on Agriculture -- recommit-
ted to the Committee on Agriculture in accordance with Assembly Rule
3, sec. 2 -- committee discharged, bill amended, ordered reprinted as
amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to estab-
lishing a task force to study how to improve investigations of animal
abuse and enforcement of anti-animal abuse laws; and providing for the
repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The agriculture and markets law is amended by adding a new
2 section 380 to read as follows:
3 S 380. TASK FORCE ON HOW TO IMPROVE INVESTIGATIONS OF ANIMAL ABUSE
4 AND ENFORCEMENT OF ANTI-ANIMAL ABUSE LAWS. 1. THE TASK FORCE ON HOW TO
5 IMPROVE INVESTIGATIONS OF ANIMAL ABUSE AND ENFORCEMENT OF ANTI-ANIMAL
6 ABUSE LAWS IS HEREBY CREATED TO EXAMINE, EVALUATE AND DETERMINE HOW TO
7 IMPROVE INVESTIGATIONS OF ANIMAL ABUSE AND THE ENFORCEMENT OF ANTI-ANI-
8 MAL ABUSE LAWS.
9 2.(A) SUCH TASK FORCE SHALL CONSIST OF NINE MEMBERS, EACH TO SERVE FOR
10 A TERM OF ONE CALENDAR YEAR. SUCH MEMBERS SHALL BE APPOINTED AS
11 FOLLOWS: ONE SHALL BE APPOINTED BY THE GOVERNOR; ONE SHALL BE APPOINTED
12 BY THE TEMPORARY PRESIDENT OF THE SENATE; ONE SHALL BE APPOINTED BY THE
13 MINORITY LEADER OF THE SENATE; ONE SHALL BE APPOINTED BY THE SPEAKER OF
14 THE ASSEMBLY; ONE SHALL BE APPOINTED BY THE MINORITY LEADER OF THE
15 ASSEMBLY; ONE SHALL BE APPOINTED BY THE COMMISSIONER OF THE DEPARTMENT
16 OF ENVIRONMENTAL CONSERVATION; ONE SHALL BE APPOINTED BY THE COMMISSION-
17 ER OF HEALTH AND THE REMAINING TWO MEMBERS SHALL BE APPOINTED BY THE
18 COMMISSIONER. APPOINTMENTS SHALL BE MADE WITHIN SIXTY DAYS OF THE EFFEC-

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

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1 TIVE DATE OF THIS SECTION. VACANCIES IN THE TASK FORCE SHALL BE FILLED
2 IN THE MANNER PROVIDED FOR ORIGINAL APPOINTMENTS.

3 (B) ALL APPOINTEES SHALL HAVE EXPERTISE IN FIELDS OR DISCIPLINES
4 RELATED TO ANIMALS, ANIMAL ABUSE AND/OR INVESTIGATIONS. ALL APPOINTMENTS
5 SHALL BE COORDINATED TO ENSURE GEOGRAPHIC REPRESENTATION FROM THE
6 ENTIRE STATE.

7 (C) THE TASK FORCE SHALL BE CHAIRED BY ONE OF THE COMMISSIONER'S
8 APPOINTEES. THE TASK FORCE SHALL ELECT A VICE-CHAIR AND OTHER NECESSARY
9 OFFICERS FROM AMONG ALL APPOINTED MEMBERS.

10 (D) A MAJORITY OF THE MEMBERS OF THE TASK FORCE THEN IN OFFICE SHALL
11 CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS OR THE EXERCISE OF
12 ANY POWER OR FUNCTION OF THE TASK FORCE. AN ACT, DETERMINATION OR DECI-
13 SION OF THE MAJORITY OF THE MEMBERS PRESENT DURING THE PRESENCE OF A
14 QUORUM SHALL BE HELD TO BE THE ACT, DETERMINATION, OR DECISION OF THE
15 TASK FORCE.

16 (E) THE TASK FORCE SHALL MEET AT LEAST QUARTERLY AT THE CALL OF THE
17 CHAIR. MEETINGS MAY BE HELD VIA TELECONFERENCE. SPECIAL MEETINGS MAY BE
18 CALLED BY THE CHAIR AT THE REQUEST OF A MAJORITY OF THE MEMBERS OF THE
19 TASK FORCE.

20 (F) MEMBERS OF THE TASK FORCE SHALL RECEIVE NO COMPENSATION FOR THEIR
21 SERVICES BUT SHALL BE REIMBURSED FOR THEIR ACTUAL EXPENSES INCURRED IN
22 THE PERFORMANCE OF THEIR DUTIES IN THE WORK OF THE TASK FORCE.

23 3. THE TASK FORCE ESTABLISHED SHALL:

24 (A) STUDY CURRENT ANIMAL ABUSE INVESTIGATION AND ANTI-ANIMAL ABUSE LAW
25 ENFORCEMENT PRACTICES; AND

26 (B) RECOMMEND ANIMAL ABUSE INVESTIGATION AND ANTI-ANIMAL ABUSE LAW
27 ENFORCEMENT PRACTICES TO INCREASE EFFECTIVENESS ACROSS THE STATE.

28 4. THE TASK FORCE MAY ESTABLISH SUCH ADVISORY COMMITTEES AS IT DEEMS
29 APPROPRIATE ON MATTERS RELATING TO THE TASK FORCE'S FUNCTIONS, POWERS
30 AND DUTIES. SUCH COMMITTEES SHALL BE CHAIRED BY A TASK FORCE MEMBER, BUT
31 MAY BE COMPOSED OF TASK FORCE MEMBERS AS WELL AS OTHER INDIVIDUALS
32 SELECTED BY THE TASK FORCE TO PROVIDE EXPERTISE OF INTEREST SPECIFIC TO
33 THE CHARGE OF SUCH COMMITTEE.

34 5. THE TASK FORCE MAY, AS IT DEEMS APPROPRIATE, REQUEST THAT STUDIES,
35 SURVEYS, OR ANALYSES RELATING TO THE TASK FORCE'S POWERS AND DUTIES BE
36 PERFORMED BY ANY STATE DEPARTMENT, COMMISSION, AGENCY OR PUBLIC AUTHORI-
37 TY. ALL STATE DEPARTMENTS, COMMISSIONS, AGENCIES OR PUBLIC AUTHORITIES
38 SHALL PROVIDE INFORMATION AND ADVICE IN A TIMELY MANNER AND OTHERWISE
39 ASSIST THE TASK FORCE WITH ITS WORK.

40 6. THE TASK FORCE SHALL SUBMIT A REQUEST FOR ANY APPROPRIATION AS
41 SHALL BE NECESSARY TO ENABLE THE TASK FORCE TO PERFORM ITS FUNCTIONS AND
42 DUTIES TO THE GOVERNOR, DIRECTOR OF THE DIVISION OF THE BUDGET, AND
43 CHAIRPERSONS OF THE SENATE FINANCE COMMITTEE AND THE ASSEMBLY WAYS AND
44 MEANS COMMITTEE. THE DEPARTMENT SHALL PROVIDE STAFF SERVICES TO THE TASK
45 FORCE AND SUCH OTHER ADMINISTRATIVE ASSISTANCE AS MAY BE NECESSARY FOR
46 THE TASK FORCE TO CARRY OUT ITS DUTIES, FUNCTIONS AND POWERS.

47 7. THE TASK FORCE MAY HOLD PUBLIC HEARINGS, TAKE TESTIMONY AND MAKE
48 INVESTIGATIONS AT SUCH PLACES AS IT DEEMS NECESSARY.

49 8. THE TASK FORCE SHALL MAKE A PRELIMINARY REPORT TO THE GOVERNOR AND
50 THE LEGISLATURE OF ITS FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND ACTIV-
51 ITIES ALREADY UNDERTAKEN BY THE TASK FORCE, NOT LATER THAN ONE YEAR
52 AFTER THE EFFECTIVE DATE OF THIS SECTION, AND A FINAL REPORT OF ITS
53 FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND ACTIVITIES ALREADY UNDERTAKEN
54 BY THE TASK FORCE, NOT LATER THAN TWO YEARS AFTER THE EFFECTIVE DATE OF
55 THIS SECTION AND SHALL SUBMIT WITH ITS REPORTS LEGISLATIVE PROPOSALS AS
56 IT DEEMS NECESSARY TO IMPLEMENT ITS RECOMMENDATIONS.

1 S 2. This act shall take effect on the sixtieth day after it shall
2 have become a law and shall expire twenty-four months after it shall
3 have become a law when upon such date the provisions of this act shall
4 be deemed repealed.