S T A T E O F N E W Y O R K

10186

I N A S S E M B L Y

May 10, 2012

Introduced by M. of A. REILLY -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to establishing a livestock standards board

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

Section 1. The agriculture and markets law is amended by adding a new article 26-C to read as follows:

ARTICLE 26-C

LIVESTOCK STANDARDS BOARD

SECTION 420. LIVESTOCK STANDARDS BOARD.

421. PURPOSE OF THE LIVESTOCK STANDARDS BOARD.

S 420. LIVESTOCK STANDARDS BOARD. 1. (A) THERE IS HEREBY CREATED THE LIVESTOCK STANDARDS BOARD WHICH SHALL CONSIST OF TEN MEMBERS. THE MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE GOVERNOR AS FOLLOWS:

(I) THE COMMISSIONER OR HIS OR HER DESIGNEE;

(II) THE DEAN OF CORNELL SCHOOL OF VETERINARY MEDICINE OR HIS OR HER DESIGNEE;

(III) THE STATE VETERINARIAN;

(IV) ONE MEMBER SHALL BE A REPRESENTATIVE OF CORNELL UNIVERSITY'S PRO-DAIRY PROGRAM;

(V) THREE MEMBERS SHALL BE NOMINATED BY THE NEW YORK STATE FARM BUREAU AND SHALL INCLUDE A REPRESENTATIVE OF THE FARM BUREAU FOR A TERM OF TWO YEARS, AN ACTIVE DAIRY FARMER IN THE STATE FOR A TERM OF THREE YEARS, AND AN OWNER OF A FAMILY FARM OF LIVESTOCK IN THE STATE FOR A TERM OF FOUR YEARS;

(VI) ONE MEMBER SHALL BE AN OFFICER FROM AN INCORPORATED HUMANE SOCIETY AS NOMINATED BY A HUMANE SOCIETY, FOR A TERM OF TWO YEARS; AND

(VII) TWO MEMBERS REPRESENTING CONSUMER ORGANIZATIONS, ONE MEMBER SHALL BE NOMINATED BY THE SPEAKER OF THE ASSEMBLY FOR A TERM OF FOUR YEARS AND ONE MEMBER SHALL BE NOMINATED BY THE TEMPORARY PRESIDENT OF THE SENATE, FOR A TERM OF THREE YEARS.

(B) AFTER THE INITIAL APPOINTMENT TERMS, THE APPOINTMENT TERM IS THREE YEARS. APPOINTED MEMBERS MAY BE REAPPOINTED FOR ONE ADDITIONAL TERM.

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

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(C) ALL APPOINTED MEMBERS SERVE UNTIL THEIR SUCCESSOR HAS BEEN APPOINTED AND QUALIFIED. VACANCIES SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT FOR THE REMAINDER OF THE UNEXPIRED TERM.

2. THE CHAIR OF THE LIVESTOCK STANDARDS BOARD SHALL BE ELECTED BY THE MEMBERS OF THE BOARD.

3. THE MEMBERS OF THE BOARD SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES AS MEMBERS BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES INCURRED BY THEM IN THE PERFORMANCE OF THEIR DUTIES PURSUANT TO THIS ARTICLE.

4. THE BOARD SHALL MEET AT LEAST SEMI-ANNUALLY.

5. FOR PURPOSES OF THIS ARTICLE "LIVESTOCK" SHALL MEAN RUMINANT FARM MAMMALS INCLUDING BUT NOT LIMITED TO, CATTLE, SHEEP, AND GOATS.

S 421. PURPOSE OF THE LIVESTOCK STANDARDS BOARD. 1. THE BOARD'S PRIMARY PURPOSE SHALL BE FARMER EDUCATION AS TO THE PROPER STANDARDS FOR LIVESTOCK CARE, INCLUDING BUT NOT LIMITED TO:

(A) BEST PRACTICES FOR THE CARE AND WELL-BEING OF LIVESTOCK;

(B) TO ADVISE ON THE PREVENTION OF LIVESTOCK DISEASES, MORBIDITY AND MORTALITY;

(C) ACCEPTED VETERINARY MEDICAL PRACTICES RELATED TO LIVESTOCK TREATMENT; AND

(D) ANY OTHER AREAS THE BOARD CONSIDERS IMPORTANT FOR THE APPROPRIATE CARE AND TREATMENT OF LIVESTOCK.

2. (A) THE BOARD SHALL SERVE IN AN ADVISORY ROLE TO THE DEPARTMENT AND LEGISLATURE IN THE ESTABLISHMENT OF STANDARDS AND ACCEPTED PRACTICES FOR LIVESTOCK CARE.

(B) THE STANDARDS FOR LIVESTOCK CARE ESTABLISHED BY THE CORNELL SCHOOL OF VETERINARY MEDICINE SHALL BE ADOPTED BY THE BOARD, SUBJECT TO MODIFICATION AND AMENDMENT AS DEEMED NECESSARY BY THE BOARD.

(C) THE LIVESTOCK STANDARDS BOARD SHALL BASE ITS POLICY RECOMMENDATIONS AND GUIDELINES ON THE NEW YORK STATE CATTLE HEALTH ASSURANCE PROGRAM DEVELOPED BY CORNELL UNIVERSITY, TO PROMOTE THE WELL-BEING OF CATTLE BY EMPHASIZING GUIDELINES FOR THEIR PROPER CARE AND HANDLING.

3. THE BOARD SHALL PROPOSE RECOMMENDATIONS AND LEGISLATION CONSISTENT WITH PROMOTING THE HEALTH AND WELL-BEING OF LIVESTOCK. ALL EMERGING REGULATIONS AND LEGISLATION SHALL BE MEASURED AGAINST THE STANDARDS FOR LIVESTOCK CARE, AS ESTABLISHED BY THE CORNELL SCHOOL OF VETERINARY MEDICINE AND AS ADOPTED BY THE BOARD.

4. ALL ADOPTED STANDARDS AND BOARD RECOMMENDATIONS SHALL BE ACCESSIBLE TO THE PUBLIC AND SHALL BE POSTED IN A MANNER THAT WILL MOST EFFECTIVELY PROMOTE THE PROVISIONS OF THIS SECTION.

5. THE LIVESTOCK STANDARDS BOARD, ESTABLISHED PURSUANT TO SECTION FOUR HUNDRED TWENTY OF THIS ARTICLE SHALL BE FUNDED BY THE DEPARTMENT.

S 2. This act shall take effect July 1, 2013. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made and completed on or before such effective date.