

1081

2015-2016 Regular Sessions

I N S E N A T E

January 8, 2015

Introduced by Sen. MARCHIONE -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to community based initiatives for the purpose of trapping, neutering, vaccinating and returning feral cats to the area from which they were trapped

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

1 Section 1. Subdivision 1 of section 117-a of the agriculture and  
2 markets law, as amended by section 11 of part T of chapter 59 of the  
3 laws of 2010, is amended and a new subdivision 10 is added to read as  
4 follows:

5 1. The commissioner shall submit a request for proposals from not-for-  
6 profit entities as described herein for the purpose of administering a  
7 state animal population control program. The entity chosen to administer  
8 such program shall enter into a contract with the state for a term of  
9 five years, which may be renewed subject to the approval of the commis-  
10 sioner. The purpose of this program shall be to reduce the population of  
11 unwanted and stray dogs and cats thereby reducing incidence of euthana-  
12 sia and potential threats to public health and safety posed by the large  
13 population of these animals. This program shall seek to accomplish its  
14 purpose by encouraging residents of New York state who are the owners of  
15 dogs and cats OR, SUBJECT TO THE CONDITIONS ESTABLISHED PURSUANT TO  
16 SUBDIVISION TEN OF THIS SECTION, COMMUNITY-BASED INITIATIVES OPERATING  
17 IN COORDINATION WITH AN ELIGIBLE NOT-FOR-PROFIT ENTITY AS DEFINED IN  
18 SUBDIVISION EIGHT OF THIS SECTION FOR THE PURPOSES OF TRAPPING, NEUTER-  
19 ING, VACCINATING AND RELEASING FERAL CATS AS DEFINED IN SUBPARAGRAPH TWO  
20 OF PARAGRAPH E OF SUBDIVISION SIX OF SECTION 11-0103 OF THE ENVIRON-  
21 MENTAL CONSERVATION LAW, to have them spayed or neutered by providing  
22 low-cost spaying and neutering services to such owners AND INITIATIVES  
23 meeting the criteria enumerated in subdivision three of this section.  
24 For purposes of this section, "low-cost" shall mean substantially less

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

LBD02582-01-5

1 than the average cost in a particular region of the state for spaying or  
2 neutering services, including any and all ancillary [changes] CHARGES  
3 for services, including but not limited to, presurgical examinations,  
4 tests and immunizations, and other services related to the spay or  
5 neuter procedure. All veterinary services provided pursuant to this  
6 section must be performed by a veterinarian licensed in this state.

7 10. NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE  
8 ADMINISTRATIVE ENTITY SHALL BE AUTHORIZED TO UTILIZE UP TO TWENTY  
9 PERCENT OF THE ANIMAL POPULATION CONTROL PROGRAM FUND BALANCE ANNUALLY  
10 FOR GRANTS TO ELIGIBLE ENTITIES AS DEFINED IN SUBDIVISION EIGHT OF THIS  
11 SECTION WORKING IN COORDINATION WITH COMMUNITY BASED INITIATIVES FOR THE  
12 PURPOSES OF TRAPPING, NEUTERING, VACCINATING AND RETURNING, TO THE AREA  
13 FROM WHICH THEY WERE TRAPPED, FERAL CATS AS DEFINED IN SUBPARAGRAPH TWO  
14 OF PARAGRAPH E OF SUBDIVISION SIX OF SECTION 11-0103 OF THE ENVIRON-  
15 MENTAL CONSERVATION LAW.

16 S 2. Subdivision 3 of section 117-a of the agriculture and markets law  
17 is amended by adding a new paragraph (d) to read as follows:

18 (D) SUBJECT TO THE CONDITIONS ESTABLISHED PURSUANT TO SUBDIVISION TEN  
19 OF THIS SECTION, THE PROVISIONS OF THIS SUBDIVISION SHALL NOT APPLY TO  
20 COMMUNITY-BASED INITIATIVES OPERATED IN COORDINATION WITH AN ELIGIBLE  
21 ENTITY AS DEFINED IN SUBDIVISION EIGHT OF THIS SECTION FOR THE PURPOSE  
22 OF TRAPPING, NEUTERING, VACCINATING AND RELEASING FERAL CATS AS DEFINED  
23 IN SUBPARAGRAPH TWO OF PARAGRAPH E OF SUBDIVISION SIX OF SECTION 11-0103  
24 OF THE ENVIRONMENTAL CONSERVATION LAW.

25 S 3. This act shall take effect immediately.