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2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to enacting the "veterinary emergency response and mobility act of 2015"

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

- 1 Section 1. This act shall be known and may be cited as the "veterinary
2 emergency response and mobility act of 2015".
3 S 2. Section 6705 of the education law is amended by adding two new
4 subdivisions 14 and 15 to read as follows:
5 14. A VETERINARIAN WHO IS LICENSED IN ANOTHER STATE PROVIDING SERVICES
6 DIRECTLY IN CONNECTION WITH AN INVESTIGATION BY LAW ENFORCEMENT OF AN
7 ALLEGED VIOLATION OF FEDERAL OR STATE ANIMAL FIGHTING OR ANIMAL CRUELTY
8 LAWS, WITHIN THE SCOPE OF THE INVESTIGATION AND/OR ANY RELATED JUDICIAL
9 PROCEEDINGS, SUBJECT TO THE FOLLOWING REQUIREMENTS: (A) AN OFFICIAL
10 INVITATION HAS BEEN EXTENDED TO THE VETERINARIAN FOR A SPECIFIED PERIOD
11 OF TIME BY THE LAW ENFORCEMENT AUTHORITY WITH JURISDICTION OVER THE
12 INVESTIGATION; AND (B) SUCH LAW ENFORCEMENT AUTHORITY DETERMINES THAT
13 THE VETERINARIAN POSSESSES SKILLS, TRAINING, OR EXPERIENCE NECESSARY AND
14 RELEVANT TO SUCH INVESTIGATION OF ALLEGED INCIDENTS OF ANIMAL FIGHTING
15 OR ANIMAL CRUELTY. SUCH EXEMPTION SHALL NOT EXTEND BEYOND THE TIME PERI-
16 OD SPECIFIED BY THE LAW ENFORCEMENT AUTHORITY WITH JURISDICTION OVER
17 SUCH INVESTIGATION. THE LAW ENFORCEMENT AUTHORITY SHALL NOTIFY THE STATE
18 VETERINARIAN OF ANY INVESTIGATION CONDUCTED PURSUANT TO THIS SUBDIVISION
19 FOR THE PURPOSES OF FACILITATING APPROPRIATE ANIMAL DISEASE CONTROL
20 MEASURES, IF NECESSARY, PURSUANT TO ARTICLES FIVE AND TWENTY-SIX OF THE
21 AGRICULTURE AND MARKETS LAW.
22 15. A VETERINARIAN WHO IS LICENSED IN ANOTHER STATE PROVIDING SERVICES
23 DURING AN EMERGENCY OR NATURAL DISASTER WITHIN THE SCOPE AND LOCATION OF
24 ASSIGNED VETERINARY MEDICAL DUTIES OF THE RESPONSE EFFORTS IF: (A) AN

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

LBD03379-01-5

1 OFFICIAL DECLARATION OF THE DISASTER OR EMERGENCY HAS BEEN MADE BY THE
2 GOVERNOR OR THE DELEGATED STATE OFFICIAL; AND (B) AN OFFICIAL INVITATION
3 HAS BEEN EXTENDED TO THE VETERINARIAN FOR A SPECIFIED TIME BY THE
4 AUTHORITY THAT HAS JURISDICTION FOR COORDINATING THE ANIMAL/AGRICULTURAL
5 ISSUES IN THE STATE DURING EMERGENCIES EITHER WITHIN OR OUTSIDE THE
6 EMERGENCY MANAGEMENT ASSISTANCE COMPACT (EMAC).

7 S 3. Subdivision 3 of section 6712 of the education law, as amended by
8 chapter 333 of the laws of 1990, is amended and two new subdivisions 4
9 and 5 are added to read as follows:

10 3. Any student engaging in clinical practice under the supervision of
11 a licensed veterinarian in pursuance of an approved program for the
12 training of veterinary technology[.];

13 4. A TECHNICIAN WHO IS LICENSED IN ANOTHER STATE PROVIDING SERVICES
14 OTHERWISE PERMISSIBLE PURSUANT TO THIS ARTICLE DIRECTLY IN CONNECTION
15 WITH AN INVESTIGATION BY LAW ENFORCEMENT OF AN ALLEGED VIOLATION OF
16 FEDERAL OR STATE ANIMAL FIGHTING OR ANIMAL CRUELTY LAWS, WITHIN THE
17 SCOPE OF THE INVESTIGATION AND/OR ANY RELATED JUDICIAL PROCEEDINGS,
18 SUBJECT TO THE FOLLOWING REQUIREMENTS: (A) AN OFFICIAL INVITATION HAS
19 BEEN EXTENDED TO THE TECHNICIAN FOR A SPECIFIED PERIOD OF TIME BY THE
20 LAW ENFORCEMENT AUTHORITY WITH JURISDICTION OVER THE INVESTIGATION; AND
21 (B) SUCH LAW ENFORCEMENT AUTHORITY DETERMINES THAT THE TECHNICIAN
22 POSSESSES SKILLS, TRAINING, OR EXPERIENCE NECESSARY AND RELEVANT TO SUCH
23 INVESTIGATION OF ALLEGED INCIDENTS OF ANIMAL FIGHTING OR ANIMAL CRUELTY.
24 SUCH EXEMPTION SHALL NOT EXTEND BEYOND THE TIME PERIOD SPECIFIED BY THE
25 LAW ENFORCEMENT AUTHORITY WITH JURISDICTION OVER SUCH INVESTIGATION. THE
26 LAW ENFORCEMENT AUTHORITY SHALL NOTIFY THE STATE VETERINARIAN OF ANY
27 INVESTIGATION CONDUCTED PURSUANT TO THIS SECTION FOR THE PURPOSES OF
28 FACILITATING APPROPRIATE ANIMAL DISEASE CONTROL MEASURES, IF NECESSARY,
29 PURSUANT TO ARTICLES FIVE AND TWENTY-SIX OF THE AGRICULTURE AND MARKETS
30 LAW.

31 5. A TECHNICIAN WHO IS LICENSED IN ANOTHER STATE PROVIDING SERVICES
32 OTHERWISE PERMISSIBLE PURSUANT TO THIS ARTICLE DURING AN EMERGENCY OR
33 NATURAL DISASTER WITHIN THE SCOPE AND LOCATION OF ASSIGNED VETERINARY
34 TECHNICIAN DUTIES OF THE RESPONSE EFFORTS IF: (A) AN OFFICIAL DECLARA-
35 TION OF THE DISASTER OR EMERGENCY HAS BEEN MADE BY THE GOVERNOR OR THE
36 DELEGATED STATE OFFICIAL; AND (B) AN OFFICIAL INVITATION HAS BEEN
37 EXTENDED TO THE TECHNICIAN FOR A SPECIFIED TIME BY THE AUTHORITY THAT
38 HAS JURISDICTION FOR COORDINATING THE ANIMAL/AGRICULTURAL ISSUES IN THE
39 STATE DURING EMERGENCIES EITHER WITHIN OR OUTSIDE THE EMERGENCY MANAGE-
40 MENT ASSISTANCE COMPACT (EMAC).

41 S 4. This act shall take effect immediately.