

6919

I N S E N A T E

March 7, 2016

Introduced by Sen. GOLDEN -- 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 establishing 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 ASSEMBLY, 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-
19 TIVE DATE OF THIS SECTION. VACANCIES IN THE TASK FORCE SHALL BE FILLED
20 IN THE MANNER PROVIDED FOR ORIGINAL APPOINTMENTS.

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

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

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

4 (D) A MAJORITY OF THE MEMBERS OF THE TASK FORCE THEN IN OFFICE SHALL
5 CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS OR THE EXERCISE OF
6 ANY POWER OR FUNCTION OF THE TASK FORCE. AN ACT, DETERMINATION OR DECISION OF THE MAJORITY OF THE MEMBERS PRESENT DURING THE PRESENCE OF A
7 QUORUM SHALL BE HELD TO BE THE ACT, DETERMINATION, OR DECISION OF THE
8 TASK FORCE.

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10 (E) THE TASK FORCE SHALL MEET AT LEAST QUARTERLY AT THE CALL OF THE
11 CHAIR. MEETINGS MAY BE HELD VIA TELECONFERENCE. SPECIAL MEETINGS MAY BE
12 CALLED BY THE CHAIR AT THE REQUEST OF A MAJORITY OF THE MEMBERS OF THE
13 TASK FORCE.

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

17 3. THE TASK FORCE ESTABLISHED SHALL:

18 (A) STUDY CURRENT ANIMAL ABUSE INVESTIGATION AND ANTI-ANIMAL ABUSE LAW
19 ENFORCEMENT PRACTICES; AND

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

22 4. THE TASK FORCE MAY ESTABLISH SUCH ADVISORY COMMITTEES AS IT DEEMS
23 APPROPRIATE ON MATTERS RELATING TO THE TASK FORCE'S FUNCTIONS, POWERS
24 AND DUTIES. SUCH COMMITTEES SHALL BE CHAIRED BY A TASK FORCE MEMBER, BUT
25 MAY BE COMPOSED OF TASK FORCE MEMBERS AS WELL AS OTHER INDIVIDUALS
26 SELECTED BY THE TASK FORCE TO PROVIDE EXPERTISE OF INTEREST SPECIFIC TO
27 THE CHARGE OF SUCH COMMITTEE.

28 5. THE TASK FORCE MAY, AS IT DEEMS APPROPRIATE, REQUEST THAT STUDIES,
29 SURVEYS, OR ANALYSES RELATING TO THE TASK FORCE'S POWERS AND DUTIES BE
30 PERFORMED BY ANY STATE DEPARTMENT, COMMISSION, AGENCY OR PUBLIC AUTHORITY. ALL STATE DEPARTMENTS, COMMISSIONS, AGENCIES OR PUBLIC AUTHORITIES
31 SHALL PROVIDE INFORMATION AND ADVICE IN A TIMELY MANNER AND OTHERWISE
32 ASSIST THE TASK FORCE WITH ITS WORK.

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

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

43 8. THE TASK FORCE SHALL MAKE A PRELIMINARY REPORT TO THE GOVERNOR AND
44 THE LEGISLATURE OF ITS FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND ACTIVITIES ALREADY UNDERTAKEN BY THE TASK FORCE, NOT LATER THAN ONE YEAR
45 AFTER THE EFFECTIVE DATE OF THIS SECTION, AND A FINAL REPORT OF ITS
46 FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND ACTIVITIES ALREADY UNDERTAKEN
47 BY THE TASK FORCE, NOT LATER THAN TWO YEARS AFTER THE EFFECTIVE DATE OF
48 THIS SECTION AND SHALL SUBMIT WITH ITS REPORTS LEGISLATIVE PROPOSALS AS
49 IT DEEMS NECESSARY TO IMPLEMENT ITS RECOMMENDATIONS.

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