

4561

2015-2016 Regular Sessions

I N A S S E M B L Y

February 3, 2015

Introduced by M. of A. CLARK, BRENNAN, SCARBOROUGH, TITUS -- Multi-Sponsored by -- M. of A. COOK, GOTTFRIED, HIKIND, LENTOL, MARKEY, PERRY, ROBINSON, TITONE -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to establishing a task force on public health and safety concerns associated with establishments that slaughter and process fowls; 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 article 5-E to read as follows:

3 ARTICLE 5-E

4 TASK FORCE ON PUBLIC HEALTH AND SAFETY CONCERNS ASSOCIATED WITH
5 ESTABLISHMENTS THAT SLAUGHTER AND PROCESS FOWLS

6 SECTION 97. TASK FORCE ON PUBLIC HEALTH AND SAFETY CONCERNS ASSOCIATED
7 WITH ESTABLISHMENTS THAT SLAUGHTER AND PROCESS FOWLS.

8 98. POWERS AND DUTIES.

9 S 97. TASK FORCE ON PUBLIC HEALTH AND SAFETY CONCERNS ASSOCIATED WITH
10 ESTABLISHMENTS THAT SLAUGHTER AND PROCESS FOWLS. 1. THE TASK FORCE ON
11 PUBLIC HEALTH AND SAFETY CONCERNS ASSOCIATED WITH ESTABLISHMENTS THAT
12 SLAUGHTER AND PROCESS FOWLS IS HEREBY CREATED TO EXAMINE, EVALUATE, AND
13 DETERMINE THE EFFECT ON PUBLIC HEALTH AND SAFETY CONCERNS ASSOCIATED
14 WITH ESTABLISHMENTS THAT SLAUGHTER AND PROCESS FOWLS ON-SITE IN THE CITY
15 OF NEW YORK. IN ADDITION, TO DETERMINE AND EVALUATE WHETHER AREAS HEAVI-
16 LY POPULATED WITH RESIDENCES ARE SUITABLE LOCATIONS FOR SITING SUCH
17 BUSINESS.

18 2. SUCH TASK FORCE SHALL CONSIST OF THIRTEEN MEMBERS, EACH TO SERVE
19 UNTIL MAY FIRST, TWO THOUSAND SEVENTEEN. SUCH MEMBERS SHALL BE
20 APPOINTED AS FOLLOWS: THREE SHALL BE APPOINTED BY THE GOVERNOR; THREE

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

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1 SHALL BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE; THREE SHALL
2 BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY; AND TWO SHALL BE APPOINTED
3 BY THE MAYOR OF THE CITY OF NEW YORK. ADDITIONAL MEMBERS SHALL BE THE
4 COMMISSIONER AND THE COMMISSIONER OF HEALTH OR HIS OR HER DESIGNEE.
5 APPOINTMENTS SHALL BE MADE WITHIN SIXTY DAYS OF THE EFFECTIVE DATE OF
6 THIS ARTICLE. VACANCIES IN THE TASK FORCE SHALL BE FILLED IN THE MANNER
7 PROVIDED FOR ORIGINAL APPOINTMENTS.

8 3. ALL APPOINTEES SHALL HAVE EXPERTISE IN FIELDS OR DISCIPLINES
9 RELATED TO SLAUGHTERHOUSES, SLAUGHTERING OF FOWLS AND SITING OF SLAUGHT-
10 ERHOUSES. FURTHERMORE, THE APPOINTMENTS MADE BY THE TEMPORARY PRESIDENT
11 OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY SHALL BE COORDINATED TO
12 ENSURE GEOGRAPHIC REPRESENTATION FROM THE GREATER METROPOLITAN NEW YORK
13 CITY REGION AND IMMEDIATELY SURROUNDING COMMUNITIES.

14 4. THE TASK FORCE SHALL BE CHAIRED BY THE COMMISSIONER OR HIS OR HER
15 DESIGNEE. THE TASK FORCE SHALL ELECT A VICE-CHAIR AND OTHER NECESSARY
16 OFFICERS FROM AMONG ALL APPOINTED MEMBERS.

17 5. A MAJORITY OF THE MEMBERS OF THE TASK FORCE THEN IN OFFICE SHALL
18 CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS OR THE EXERCISE OF
19 ANY POWER OR FUNCTION OF THE TASK FORCE. AN ACT, DETERMINATION OR DECISION
20 OF THE MAJORITY OF THE MEMBERS PRESENT DURING THE PRESENCE OF A
21 QUORUM SHALL BE HELD TO BE THE ACT, DETERMINATION, OR DECISION OF THE
22 TASK FORCE.

23 6. THE TASK FORCE SHALL MEET AT LEAST QUARTERLY AT THE CALL OF THE
24 CHAIR. MEETINGS MAY BE HELD VIA TELECONFERENCE. SPECIAL MEETINGS MAY BE
25 CALLED BY THE CHAIR AT THE REQUEST OF A MAJORITY OF THE MEMBERS OF THE
26 TASK FORCE.

27 7. MEMBERS OF THE TASK FORCE SHALL RECEIVE NO COMPENSATION FOR THEIR
28 SERVICES BUT SHALL BE REIMBURSED FOR THEIR ACTUAL EXPENSES INCURRED IN
29 THE PERFORMANCE OF THEIR DUTIES IN THE WORK OF THE TASK FORCE.

30 S 98. POWERS AND DUTIES. 1. THE TASK FORCE ESTABLISHED SHALL:

31 (A) IDENTIFY, STUDY AND DETERMINE THE PUBLIC HEALTH AND SAFETY
32 CONCERNS ASSOCIATED WITH ESTABLISHMENTS THAT SLAUGHTER AND PROCESS FOWLS
33 AND THE SUITABILITY OF LOCATIONS FOR SITING OF SAID BUSINESS.

34 (B) EVALUATE WHETHER STATE LAW SUFFICIENTLY RESOLVES ISSUES RELATED TO
35 PUBLIC HEALTH, SAFETY AND SITING OF SAID BUSINESS.

36 (C) PREPARE A REPORT IDENTIFYING POLICY OPTIONS AND RECOMMENDATIONS
37 REGARDING LEGISLATION REQUIRED TO RESOLVE PUBLIC HEALTH AND SAFETY
38 CONCERNS ASSOCIATED WITH ESTABLISHMENTS THAT SLAUGHTER AND PROCESS FOWL
39 AND THE PROPER LOCATION OF SAME.

40 2. THE TASK FORCE MAY ESTABLISH SUCH ADVISORY COMMITTEES AS IT DEEMS
41 APPROPRIATE ON MATTERS RELATING TO THE TASK FORCE'S FUNCTIONS, POWERS
42 AND DUTIES. SUCH COMMITTEES SHALL BE CHAIRED BY A TASK FORCE MEMBER, BUT
43 MAY BE COMPOSED OF TASK FORCE MEMBERS AS WELL AS OTHER INDIVIDUALS
44 SELECTED BY THE TASK FORCE TO PROVIDE EXPERTISE OF INTEREST SPECIFIC TO
45 THE CHARGE OF SUCH COMMITTEE.

46 3. THE TASK FORCE MAY, AS IT DEEMS APPROPRIATE, REQUEST THAT STUDIES,
47 SURVEYS, OR ANALYSES RELATING TO THE TASK FORCE'S POWERS AND DUTIES BE
48 PERFORMED BY ANY STATE DEPARTMENT, COMMISSION, AGENCY OR PUBLIC AUTHORITY.
49 ALL STATE DEPARTMENTS, COMMISSIONS, AGENCIES OR PUBLIC AUTHORITIES
50 SHALL PROVIDE INFORMATION AND ADVICE IN A TIMELY MANNER AND OTHERWISE
51 ASSIST THE TASK FORCE WITH ITS WORK.

52 4. THE TASK FORCE SHALL SUBMIT A REQUEST FOR ANY APPROPRIATION AS
53 SHALL BE NECESSARY TO ENABLE THE TASK FORCE TO PERFORM ITS FUNCTIONS AND
54 DUTIES TO THE GOVERNOR, DIRECTOR OF THE DIVISION OF THE BUDGET, AND
55 CHAIRPERSONS OF THE SENATE FINANCE COMMITTEE AND THE ASSEMBLY WAYS AND
56 MEANS COMMITTEE. THE DEPARTMENT SHALL PROVIDE STAFF SERVICES TO THE TASK

1 FORCE AND SUCH OTHER ADMINISTRATIVE ASSISTANCE AS MAY BE NECESSARY FOR
2 THE TASK FORCE TO CARRY OUT ITS DUTIES, FUNCTIONS AND POWERS.

3 5. THE TASK FORCE MAY HOLD PUBLIC HEARINGS, TAKE TESTIMONY AND MAKE
4 INVESTIGATIONS AT SUCH PLACES AS IT DEEMS NECESSARY.

5 6. THE TASK FORCE SHALL MAKE A PRELIMINARY REPORT TO THE GOVERNOR AND
6 THE LEGISLATURE OF ITS FINDINGS, CONCLUSIONS, RECOMMENDATIONS AND ACTIV-
7 ITIES ALREADY UNDERTAKEN BY THE TASK FORCE, NOT LATER THAN OCTOBER
8 FIRST, TWO THOUSAND FIFTEEN, AND A FINAL REPORT OF ITS FINDINGS, CONCLU-
9 SIONS, RECOMMENDATIONS AND ACTIVITIES ALREADY UNDERTAKEN BY THE TASK
10 FORCE, NOT LATER THAN MAY FIRST, TWO THOUSAND SEVENTEEN AND SHALL SUBMIT
11 WITH ITS REPORTS LEGISLATIVE PROPOSALS AS IT DEEMS NECESSARY TO IMPL-
12 MENT ITS RECOMMENDATIONS.

13 S 2. This act shall take effect immediately and shall expire May 1,
14 2017 when upon such date the provisions of this act shall be deemed
15 repealed.