

STATE OF NEW YORK

1279--D

2017-2018 Regular Sessions

IN ASSEMBLY

January 11, 2017

Introduced by M. of A. L. ROSENTHAL -- Multi-Sponsored by -- M. of A. PERRY -- read once and referred to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to establishing a task force on animal 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 381 to read as follows:

3 § 381. Task force on animal laws. 1. The task force on the state of
4 animal laws is hereby created within the department to examine, evaluate
5 and determine how to improve the relationship between animals and humans
6 and the animal protection laws.

7 2.(a) Such task force shall consist of fifteen members, each to serve
8 for a term of one calendar year. Such members shall be appointed as
9 follows: two members shall be appointed by the temporary president of
10 the senate; one member shall be appointed by the minority leader of the
11 senate; two members shall be appointed by the speaker of the assembly;
12 one member shall be appointed by the minority leader of the assembly;
13 one member shall be appointed by the attorney general; the commissioner
14 or his or her designee; the commissioner of the department of environ-
15 mental conservation or his or her designee; the commissioner of health

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

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1 or his or her designee; the commissioner of the division of criminal
2 justice services or his or her designee; and the remaining members shall
3 be appointed by the governor. Appointments shall be made within sixty
4 days of the effective date of this section. Vacancies in the task force
5 shall be filled in the manner provided for original appointments.

6 (b) All appointees shall have expertise in fields or disciplines
7 related to animals, animal abuse and/or investigations including, but
8 not limited to, the following areas: animal agriculture; companion
9 animals, wildlife and wild animal protection including sheltering,
10 rescue and adoption of companion animals; animal law enforcement and
11 criminal defense; and animal health and veterinary medical care. All
12 appointments shall be coordinated to ensure geographic representation
13 from the entire state.

14 (c) The task force shall be chaired by the commissioner or selected by
15 the commissioner from the appointed members. The task force shall elect
16 a vice-chair and other necessary officers from among all appointed
17 members.

18 (d) A majority of the members of the task force then in office shall
19 constitute a quorum for the transaction of business or the exercise of
20 any power or function of the task force. An act, determination or deci-
21 sion of the majority of the members present during the presence of a
22 quorum shall be held to be the act, determination, or decision of the
23 task force.

24 (e) The task force shall meet at least quarterly at the call of the
25 chair. Meetings may be held via teleconference. Special meetings may be
26 called by the chair at the request of a majority of the members of the
27 task force.

28 (f) Members of the task force shall receive no compensation for their
29 services but shall be reimbursed for their actual expenses incurred in
30 the performance of their duties in the work of the task force.

31 3. The task force established shall:

32 (a) Study laws, rules, and regulations governing animals, including
33 but not limited to companion animals, farm animals or animals raised for
34 food producing purposes, wildlife and animals used in entertainment,
35 research or experimentation or any other field that governs the use or
36 treatment of animals;

37 (b) Study laws, rules, and regulations governing the operations of
38 duly incorporated societies for the prevention of cruelty, duly incorpo-
39 rated humane societies, pounds, shelters, municipal or otherwise, and
40 pet dealers; and

41 (c) Recommend ways by which to modernize the laws governing animals
42 provided, however, that the task force shall not have authority to make
43 recommendations concerning the following: statewide standards for
44 service, therapy, guide, hearing or assistance animals, laws that would
45 limit the rights of persons with disabilities with respect to service,
46 therapy, guide, hearing or assistance animals, and laws that would limit
47 the rights of trainers of service, therapy, guide, hearing or assistance
48 animals.

49 4. The task force may establish such advisory committees as it deems
50 appropriate on matters relating to the task force's functions, powers
51 and duties. Such committees shall be chaired by a task force member, but
52 may be composed of task force members as well as other individuals
53 selected by the task force to provide expertise of interest specific to
54 the charge of such committee.

55 5. The task force may, as it deems appropriate, request that studies,
56 surveys, or analyses relating to the task force's powers and duties be

1 performed by any state department, commission, agency or public authori-
2 ty. All state departments, commissions, agencies or public authorities
3 shall provide information and advice in a timely manner and otherwise
4 assist the task force with its work.

5 6. The department shall provide staff services to the task force and
6 such other administrative assistance as may be necessary for the task
7 force to carry out its duties, functions and powers.

8 7. The task force shall hold a minimum of three public hearings: one
9 in New York city; one in western New York; and one in upstate eastern
10 New York. The task force may hold additional public hearings in other
11 locations as it deems appropriate.

12 8. The task force shall make a preliminary report to the governor and
13 the legislature of its findings, conclusions, recommendations and activ-
14 ities already undertaken by the task force, not later than one year
15 after the effective date of this section, and a final report of its
16 findings, conclusions, recommendations and activities already undertaken
17 by the task force, not later than two years after the effective date of
18 this section and shall submit with its reports legislative proposals as
19 it deems necessary to implement its recommendations.

20 § 2. This act shall take effect on the sixtieth day after it shall
21 have become a law and shall expire twenty-four months after it shall
22 have become a law when upon such date the provisions of this act shall
23 be deemed repealed.