STATE OF NEW YORK

2557--D

2017-2018 Regular Sessions

IN SENATE

January 13, 2017

Introduced by Sens. GOLDEN, MURPHY, O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Agriculture in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, 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:

Section 1. The agriculture and markets law is amended by adding a new section 381 to read as follows:

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

2.(a) Such task force shall consist of fifteen members, each to serve for a term of one calendar year. Such members shall be appointed as follows: two members shall be appointed by the temporary president of the senate; one member shall be appointed by the minority leader of the senate; two members shall be appointed by the speaker of the assembly; one member shall be appointed by the minority leader of the assembly; one member shall be appointed by the attorney general; the commissioner or his or her designee; the commissioner of the department of environmental 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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or his or her designee; the commissioner of the division of criminal justice services or his or her designee; and the remaining members shall be appointed by the governor. Appointments shall be made within sixty days of the effective date of this section. Vacancies in the task force shall be filled in the manner provided for original appointments.

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

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

(d) A majority of the members of the task force then in office shall constitute a quorum for the transaction of business or the exercise of 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 quorum shall be held to be the act, determination, or decision of the task force.

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

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

3. The task force established shall:

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

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

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

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

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

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

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

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

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

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