

STATE OF NEW YORK

277

2019-2020 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 9, 2019

Introduced by M. of A. L. ROSENTHAL -- Multi-Sponsored by -- M. of A. PERRY -- 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 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
16 or his or her designee; the commissioner of the division of criminal
17 justice services or his or her designee; and the remaining members shall
18 be appointed by the governor. Appointments shall be made within sixty
19 days of the effective date of this section. Vacancies in the task force
20 shall be filled 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 including, but
23 not limited to, the following areas: animal agriculture; companion

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

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1 animals, wildlife and wild animal protection including sheltering,
2 rescue and adoption of companion animals; animal law enforcement and
3 criminal defense; and animal health and veterinary medical care. All
4 appointments shall be coordinated to ensure geographic representation
5 from the entire state.

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

10 (d) A majority of the members of the task force then in office shall
11 constitute a quorum for the transaction of business or the exercise of
12 any power or function of the task force. An act, determination or deci-
13 sion of the majority of the members present during the presence of a
14 quorum shall be held to be the act, determination, or decision of the
15 task force.

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

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

23 3. The task force established shall:

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

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

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

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

47 5. The task force may, as it deems appropriate, request that studies,
48 surveys, or analyses relating to the task force's powers and duties be
49 performed by any state department, commission, agency or public authori-
50 ty. All state departments, commissions, agencies or public authorities
51 shall provide information and advice in a timely manner and otherwise
52 assist the task force with its work.

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

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

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

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