

RETRIEVE BILL

VETO MESSAGE:

VETO MESSAGE - No. 6782

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bill:

Assembly Bill Number 10715-A, entitled:

"AN ACT to amend the agriculture and markets law, in relation to requiring certain animal shelters to prepare annual reports on the number of animal intakes and dispositions"

NOT APPROVED

Agriculture and Markets Law (AML) Article 26 contains numerous provisions regulating the treatment of animals, including animal cruelty and the disposition of animals lost, gone astray, homeless, abandoned or improperly confined or kept. AML Section 374 specifically governs the forfeiture, adoption and humane destruction of certain animals by a duly incorporated society for the prevention of cruelty to animals, such as the American Society for the Prevention of Cruelty to Animals (ASPCA).

This bill would add a new AML Section 374-a to require animal shelters, such as those run by societies for the prevention of cruelty to animals, to prepare an annual report on animal intakes and dispositions if the shelter receives State funding. Animal intake reporting would include animals surrendered by owners or brought in by animal control officials, and strays brought in by someone other than the owner. Animal disposition reports would include animals that were adopted, released to owners, and transferred to other facilities, and animals that had died. The bill would also require animal deaths to be explained. If the shelter has a website, the bill would require the shelter to post the report on the website and to keep a printed copy at the shelter.

While I support the laudable intent of this bill to provide greater reporting of animal shelter statistics, the bill has a number of significant flaws that warrant a veto. The Department of Agriculture and Markets (DAM), which objects to the bill, believes that it would impose excessive costs and administrative burdens on the animal shelters, and suggests that the resources spent on compliance would be better spent on animal care. In addition, according to the New York Animal Protection Federation (NYAPF), whose members consist of shelters, the animal sheltering community already has a widely accepted industry reporting standard known as the "The Asilomar Accords" for reporting statistics. No evidence has been presented that such format is insufficient, and many shelters are reporting and publicizing statistics in that format. The reporting requirements in the bill fail to conform to industry standards. Also, a deadline of January 1 for an annual report makes little sense, as the report would be due immediately upon the conclusion of the covered period. A full year report should be due in February or March to give the shelters adequate time to prepare it accurately in regard to the prior calendar year.

Moreover, the ASPCA, while not recommending veto, raises a serious concern over the requirement that a shelter explain in the report cases of euthanasia. The ASPCA believes that requiring such reporting will

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result in an inaccurate picture because shelters will be forced to report that the animal was not adoptable. This level of information has the potential to reduce community sympathy, resulting in fewer adoptions and greater euthanasia. The ASPCA points out the success of the reporting system used in the City of New York, which required only a statistical accounting, and credits that system for a reduction in euthanasia cases.

While I know the sponsors had the worthy goal of improving the lot of animals in shelters, I do not believe that, as drafted, this bill would advance that interest. Therefore, I am compelled to veto this bill.

The bill is disapproved.

(signed) DAVID A. PATERSON
