New York State Conservation Council Inc.
8 East Main Street, Ilion, New York 13357-1899

MEMORANDUM IN SUPPORT

Bill # **A 6860** Gunther Same as **S 2900** Young

Title: Amends the agriculture and markets law to clarify that dogs engaged in hunting or training are not running at large.

The objective of this bill is to ensure that dogs, that while engaged in legal hunting or field training, become separated from their owner or trainer are not deemed to be "running at large" in violation of any local law or ordinance.

Justification:

Section 122 of the Agriculture and Markets law gives local governments the authority to license and regulate dogs. There is no clear protection in this section that prevents a dog engaged in hunting or field training that has become temporarily separated from its owner or trainer from being deemed running at large, thus violating a local law or ordinance.

This bill would provide that distinction and requires the enforcement authority to make a reasonable effort to reach a fair and just determination. If it is established that the dog was engaged in hunting or training, the owner or trainer could not be charged with any violation related to dogs running at large.

Ensuring that an reasonable effort is made to make this determination will avoid the dog being confined in a shelter, thus stressing the dog and incurring unnecessary costs and fines for the owner who was engaged in a lawful activity.

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01/03/18