S T A T E O F N E W Y O R K

1555

2015-2016 Regular Sessions

I N S E N A T E

January 13, 2015

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT establishing a moratorium on the department of environmental conservation's plan to declare mute swans a "prohibited invasive species"; 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. Prior to the adoption of any management plan for mute swans (cygnus olor), a bird species for which the Atlantic flyway council has issued a draft management plan, the department of environmental conservation shall, after the effective date of this act, at a minimum, hold not less than two public hearings in areas with mute swan populations, following adequate public notice, and, after the last of such public hearings, include a public comment period of not less than forty-five days. Any such management plan shall at a minimum:

(a) give priority to non-lethal management techniques;

(b) fully document the scientific basis for future population projections;

(c) fully document the scientific basis for current and projected environmental damage;

(d) include a public education component; and

(e) include responses to all substantive public comments.

S 2. This act shall take effect immediately and shall expire and be deemed repealed two years after such effective date.

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

LBD06860-01-5