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

S. 6667 A. 8857

S E N A T E - A S S E M B L Y

February 25, 2014

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

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Environmental Conservation

AN ACT in relation to imposing a moratorium on any plan or proposed plan of the department of environmental conservation to designate the mute swan as a prohibited invasive species or eliminate the mute swan from New York state

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Notwithstanding any provisions of law, rule, or regulation to the contrary, a moratorium is imposed on:

a. any plan or proposed plan of the department of environmental conservation to designate the mute swan as a prohibited invasive species; and

b. the implementation of any management plan for mute swans in New York state, including, but not limited to, any such management plan that provides for the elimination of mute swans from New York state.

S 2. a. There is hereby established a committee to study the mute swan. Such study shall undertake, as its primary focus, to determine whether or not the mute swan shall be designated as a prohibited invasive species and, if so designated, whether or not the population of mute swans in New York state should be eliminated. The committee shall consider modalities other than the elimination of the species and make specific findings as to the efficacy of those alternatives. Such committee shall report the findings of its study to the governor and the legislature no later than one year after the effective date of this act.

b. Such committee shall consist of seven members as follows: three members who shall be appointed by the governor; two members who shall be appointed by the temporary president of the senate; and two members who shall be appointed by the speaker of the assembly. There shall be no more than one member who is an employee of the department of environ-

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

LBD14133-03-4

mental conservation. The committee shall select a chairperson from the members appointed by the governor.

c. The appointed members of the committee shall each have knowledge and expertise in wildlife management, including, but not limited to the control of prohibited invasive species.

d. Appointed members of the committee shall serve at the pleasure of their appointing authority. A vacancy in membership by an appointed member shall be filled in the same manner as the original appointment. Members of the committee shall receive no compensation for their services but shall be reimbursed for all expenses actually and necessarily incurred by them in the performance of their duties.

S 3. The moratorium set forth in section one of this act shall remain in full force and effect until 120 days after the committee to study the mute swan reports its findings to the governor and the legislature as set forth in section two of this act.

S 4. This act shall take effect immediately.