

S. 6667

A. 8857

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

February 25, 2014

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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:

1     Section 1. Notwithstanding any provisions of law, rule, or regulation  
2     to the contrary, a moratorium is imposed on:  
3     a. any plan or proposed plan of the department of environmental  
4     conservation to designate the mute swan as a prohibited invasive  
5     species; and  
6     b. the implementation of any management plan for mute swans in New  
7     York state, including, but not limited to, any such management plan that  
8     provides for the elimination of mute swans from New York state.  
9     S 2. a. There is hereby established a committee to study the mute  
10    swan. Such study shall undertake, as its primary focus, to determine  
11    whether or not the mute swan shall be designated as a prohibited invasive  
12    species and, if so designated, whether or not the population of  
13    mute swans in New York state should be eliminated. The committee shall  
14    consider modalities other than the elimination of the species and make  
15    specific findings as to the efficacy of those alternatives. Such  
16    committee shall report the findings of its study to the governor and the  
17    legislature no later than one year after the effective date of this act.  
18    b. Such committee shall consist of seven members as follows: three  
19    members who shall be appointed by the governor; two members who shall be  
20    appointed by the temporary president of the senate; and two members who  
21    shall be appointed by the speaker of the assembly. There shall be no  
22    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.

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

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

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

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

16 S 4. This act shall take effect immediately.