

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:

1 Section 1. Prior to the adoption of any management plan for mute swans
2 (cygnus olor), a bird species for which the Atlantic flyway council has
3 issued a draft management plan, the department of environmental conser-
4 vation shall, after the effective date of this act, at a minimum, hold
5 not less than two public hearings in areas with mute swan populations,
6 following adequate public notice, and, after the last of such public
7 hearings, include a public comment period of not less than forty-five
8 days. Any such management plan shall at a minimum:
9 (a) give priority to non-lethal management techniques;
10 (b) fully document the scientific basis for future population projec-
11 tions;
12 (c) fully document the scientific basis for current and projected
13 environmental damage;
14 (d) include a public education component; and
15 (e) include responses to all substantive public comments.
16 S 2. This act shall take effect immediately and shall expire and be
17 deemed repealed two years after such effective date.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