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I N   S E N A T E

February 1, 2016

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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17    deemed repealed two years after such effective date.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.

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