

S1555 AVELLA Same as [A 3675](#) Cymbrowitz (MS)

ON FILE: 01/15/15 Environmental Conservation

TITLE....Relates to any department of environmental conservation management plan regarding mute swans

01/13/15 REFERRED TO ENVIRONMENTAL CONSERVATION

03/24/15 1ST REPORT CAL.283

03/25/15 2ND REPORT CAL.

03/26/15 ADVANCED TO THIRD READING

04/22/15 PASSED SENATE

04/22/15 DELIVERED TO ASSEMBLY

04/22/15 referred to environmental conservation

06/09/15 substituted for a3675

06/09/15 ordered to third reading rules cal.90

06/09/15 passed assembly

06/09/15 returned to senate

11/10/15 DELIVERED TO GOVERNOR

11/20/15 VETOED MEMO.249

VETO MESSAGE - No. 249

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 1555, entitled:

"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"

NOT APPROVED

This bill would require that, before adopting any mute swan management plan, the Department of Environmental Conservation (DEC) hold at least two public hearings in areas with mute swan populations, and include a public comment period of at least 45 days following the last public hearing. The bill would also require that any management plan, at a minimum, give priority for non-lethal management techniques.

I vetoed similar legislation last year because it was duplicative of efforts that DEC has already undertaken regarding its mute swan management plan. The circumstances that necessitated my disapproval have not changed. DEC has already announced that it would revise its proposed plan to acknowledge regional differences, potential impacts, and desired population goals for each region of New York, as well as to emphasize the use of non-lethal methods to reduce the population. DEC also met with dozens of stakeholder groups to discuss revisions to the plan. In March 2015, DEC published a revised draft plan for a 45-day public comment period, which addressed the concerns raised by the public. DEC has received over 8,000 public comments on the plan and is currently undertaking a rigorous review of those comments. For these reasons, additional public hearings and another comment period are unnecessary and I am therefore vetoing this bill.

The bill is disapproved.

(signed) ANDREW M. CUOMO
