STATE OF NEW YORK

9265

IN SENATE

February 19, 2026

Introduced by Sen. FAHY -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to repeal certain provisions of the general business law, the labor law, the civil service law, the domestic relations law, the education law, the executive law, the railroad law, the social services law, the workers' compensation law, the arts and cultural affairs law, the county law, the public service law, the rapid transit law, the retirement and social security law, the town law, the transportation law, the transportation corporations law, the employers' liability law, the judiciary law, the estates, powers and trusts law, the agriculture and markets law, the public authorities law, the debtor and creditor law and the Indian law, in relation to removing outdated provisions of law; and to amend the domestic relations law, the education law, the railroad law, the town law, the village law, the judiciary law, the arts and cultural affairs law, the economic development law, the general business law, the public lands law, the public officers law, the public service law, the real property law, the real property actions and proceedings law, the retirement and social security law, the second class cities law, the state law, the general municipal law, the personal property law, the transportation corporations law, the transportation law, the vehicle and traffic law, the workers' compensation law, the employers' liability law, the public authorities law and the correction law, in relation to removing outdated terminology and provisions of law and making technical corrections thereto

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 163 of the general business law is REPEALED.

§ 2. Sections 203-a and 203-b of the labor law are REPEALED.

§ 3. The closing paragraph of subdivision 1 of section 105 of the civil service law is REPEALED.

§ 4. Section 13-aa of the domestic relations law is REPEALED.

§ 5. Section 123 of the domestic relations law is REPEALED.

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

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§ 6. Section 221 of the domestic relations law, as amended by chapter 161 of the laws of 1971, is amended to read as follows:

§ 221. Procedure. The petition shall allege that the [~~husband or wife~~] spouse of such party has absented [~~himself or herself~~] themself for five successive years then last past without being known to such party to be living during that time; that such party believes such [~~husband or wife~~] spouse to be dead; and that a diligent search has been made to discover evidence showing that such [~~husband or wife~~] spouse is living, and no such evidence has been found. The court shall thereupon by order require notice of the presentation and object of such petition to be published in a newspaper in the English language designated in the order as most likely to give notice to such absent [~~husband or wife~~] spouse once each week for three successive weeks; such notice shall be directed to the [~~husband or wife~~] spouse who has so absented [~~himself or herself~~] themselves and shall state the time and place of the hearing upon such petition, which time shall be not less than forty days after the completion of the publication of such notice; said notice must be subscribed with the name of the petitioner and with the name of the petitioner's attorney and with [~~his~~] the attorney's office address, specifying a place within the state where there is a post-office. If in a city, said notice must also set forth the street and street number, if any, of such attorney's office address or other suitable designation of the particular locality in which said office address is located. In addition to the foregoing requirements said notice must be in substantially the following form, the blanks being properly filled: "Supreme court, ...county. In the matter of the application of.....for dissolution of [~~his or her~~] their marriage with..... To.....: Take notice that a petition has been presented to this court by..... , your [~~husband or wife~~] spouse, for the dissolution of your marriage on the ground that you have absented yourself for five successive years last past without being known to [~~him or her~~] your spouse to be living and that [~~he or she~~] your spouse believes you to be dead, and that pursuant to an order of said court, entered the .....day of ..... , [~~19~~] 20..., a hearing will be had upon said petition at the said supreme court, ...term part....., in the .....county court house, in the..... state of New York, on the..... day of ..... , [~~19~~] 20..., at ..... o'clock in the ..... noon. Dated.....; " and if the court, after the filing of proof of the proper publication of said notice and after a hearing and proof taken, is satisfied of the truth of all the allegations contained in the petition, it may make a final order dissolving such marriage.

§ 7. Section 3022 of the education law is REPEALED.

§ 8. Subdivision 1 of section 306 of the education law, as amended by chapter 298 of the laws of 1957, is amended to read as follows:

1. Whenever it shall be proved to [~~his~~] their satisfaction that any trustee, member of a board of education, clerk, collector, treasurer, district superintendent, superintendent of schools or other school officer [~~is a member of an organization listed as subversive by the board of regents pursuant to the provisions of section three thousand twenty-two of this chapter, or~~] has been guilty of any wilful violation or neglect of duty under this chapter, or any other act pertaining to common schools or other educational institution participating in state funds, or wilfully disobeying any decision, order, rule or regulation of the regents or of the commissioner of education, said commissioner, after a hearing at which the school officer shall have the right of represen-

tation by counsel, may, by an order under [~~his~~] **their** hand and seal, which order shall be recorded in [~~his~~] **their** office, remove such school officer from [~~his~~] **their** office.

§ 9. Section 704 of the education law is REPEALED.

§ 10. Section 4109 of the education law is REPEALED.

§ 11. Section 4111 of the education law is REPEALED.

§ 12. Section 8 of the executive law is REPEALED.

§ 13. Section 206 of the railroad law is REPEALED.

§ 14. Section 207 of the railroad law is amended to read as follows:

§ 207. Railroads in parks in New York city, by whom constructed. Whenever any railroads shall be constructed in the city of New York, under the provisions of the preceding [~~six~~] **five** sections, such railroads shall be constructed by the department of public parks of said city with the concurrence of the sinking fund commissioners of said city.

§ 15. Section 149 of the social services law is REPEALED.

§ 16. Subdivisions 12 and 13 of section 64 of the town law, subdivision 12 as amended by chapter 658 of the laws of 2004, and subdivision 13 as amended by chapter 328 of the laws of 2005, are amended to read as follows:

12. Appropriations for Independence day, Memorial day, Columbus day and Veterans day. Any town may appropriate annually such sums as it may deem appropriate for the purpose of defraying the expenses of the proper observance of Independence day, Memorial or Decoration day, Columbus day and Veterans day in such proportion as it may determine. Any town of the first class, or, any town having a population of five thousand inhabitants or more, excepting any such town having a population of two hundred twenty-five thousand inhabitants or more, according to the latest federal census, in which one or more posts, camps or chapters of the [~~Grand Army of the Republic, the United Spanish War Veterans, the~~] Veterans of Foreign Wars, the Jewish War Veterans of the United States, Inc., the Catholic War Veterans, Inc., the Italian American War Veterans of the United States, Incorporated, the Polish Legion of American Veterans, Inc., the Marine Corps League, the Military Order of the Purple Heart, Inc., the American Legion, the Disabled American Veterans, AMVETS, American Veterans of World War II, Masonic War Veterans of the State of New York, Inc., Veterans of World War I of the United States of America Department of New York, Inc., China-Burma-India Veterans Association, Inc., Polish-American Veterans of World War II, Amsterdam, N. Y., Inc., Polish-American Veterans of World War II, Schenectady, N. Y., Inc., the Sons of Union Veterans, Vietnam Veterans of America, World War Veterans Club of Lindenhurst, Inc. or the Eastern Paralyzed Veterans Association exists, may appropriate annually an amount not to exceed five thousand dollars for such purpose, and any town having a population of two hundred twenty-five thousand inhabitants or more, according to the latest federal census, in which one or more such posts, camps or chapters exists may annually appropriate an amount not to exceed five thousand dollars for such purpose, and any town which has a population of five hundred thousand inhabitants or more, according to the latest federal census, in which one or more such posts, camps or chapters exists may annually appropriate an amount not to exceed ten thousand dollars for such purpose. Any moneys appropriated pursuant to the provisions of this subdivision shall be a general town charge, except that in any town having a population of two hundred twenty-five thousand inhabitants or more there shall be a charge on that portion of the town outside of any village therein and shall be assessed, levied and

collected from real property outside of any such village. Such sum when collected shall be paid to the supervisor of such town and be disbursed by [~~him~~] **such supervisor** in such manner as the town board of such town may direct upon vouchers properly receipted and audited by the town board of such town; except that in any town in which there may be a post, camp or chapter of the [~~Grand Army of the Republic, the United Spanish War Veterans, the~~] Veterans of Foreign Wars, the Jewish War Veterans of the United States, Inc., the Catholic War Veterans, Inc., the Italian American War Veterans of the United States, Incorporated, the Polish Legion of American Veterans, Inc., the Marine Corps League, the Military Order of the Purple Heart, Inc., the American Legion, the Disabled American Veterans, AMVETS, American Veterans of World War II, Masonic War Veterans of the State of New York, Inc., Veterans of World War I of the United States of America Department of New York, Inc., China-Burma-India Veterans Association, Inc., Polish-American Veterans of World War II, Amsterdam, N. Y., Inc., Polish-American Veterans of World War II, Schenectady, N. Y., Inc., the Sons of Union Veterans, Vietnam Veterans of America, World War Veterans Club of Lindenhurst, Inc. or the Eastern Paralyzed Veterans Association, in any such town, the commanders and quartermasters of such posts, camp or chapter may direct the manner and extent of such observance and the supervisor shall pay the expenses thereof upon the order or orders of the commander or quartermaster of such post, camp or chapter, which orders shall be [~~his~~] **their** vouchers for such payment, and in case there may be two or more posts, camps or chapters of the [~~Grand Army of the Republic, the United Spanish War Veterans, the~~] Veterans of Foreign Wars, the Jewish War Veterans of the United States, Inc., the Catholic War Veterans, Inc., the Italian American War Veterans of the United States, Incorporated, the Polish Legion of American Veterans, Inc., the Marine Corps League, the Military Order of the Purple Heart, Inc., the American Legion, the Disabled American Veterans, AMVETS, American Veterans of World War II, Masonic War Veterans of the State of New York, Inc., Veterans of World War I of the United States of America Department of New York, Inc., China-Burma-India Veterans Association, Inc., Polish-American Veterans of World War II, Amsterdam, N. Y., Inc., Polish-American Veterans of World War II, Schenectady, N. Y., Inc., the Sons of Union Veterans, Vietnam Veterans of America, World War Veterans Club of Lindenhurst, Inc. or the Eastern Paralyzed Veterans Association, in any such town, the commanders and quartermasters of such posts, camps or chapters by concurrent action, shall direct the supervisor of such town what proportion of such moneys so raised shall be expended by each of such posts, camps or chapters which proportion shall be paid by such supervisor upon the order or orders of the commander and quartermaster of each of such posts. In case there is a post, camp or chapter in a town adjoining a town in which no post, camp or chapter is located, whose membership includes at least three residents of such town having no post, camp or chapter, the post, camp or chapter shall appoint a committee of not less than three of its members who are residents of the said adjoining town in which the post, camp or chapter is not located, and the supervisor of said town shall pay the expenses of observance of Independence day, Memorial or Decoration day and Veterans day upon the order or orders of said committee or a majority thereof, which orders shall be [~~his~~] **their** vouchers for such payment.

13. Appropriations for rooms for patriotic organizations. In any town in which there may, now or hereafter, be one or more posts of the [~~Grand Army of the Republic, the United Spanish War Veterans, the~~] Veterans of

Foreign Wars, the Jewish War Veterans of the United States, Inc., Disabled American Veterans, the Catholic War Veterans, Inc., the Italian American War Veterans of the United States, Incorporated, the Polish Legion of American Veterans, Inc., the Marine Corps League, the Military Order of the Purple Heart, Inc., AMVETS, American Veterans of World War II, Masonic War Veterans of the State of New York, Inc., Veterans of World War I of the United States of America Department of New York, Inc., China-Burma-India Veterans Association, Inc., Polish-American Veterans of World War II, Amsterdam, N.Y., Inc., Polish-American Veterans of World War II, Schenectady, N.Y., Inc., World War Veterans Club of Lindenhurst, Inc., the American Legion, the Eastern Paralyzed Veterans Association, the Vietnam Veterans of America, the Army and Navy Union of the United States, the American Gold Star Mothers, Inc., Regular Veterans Association, Inc., the 369th Veterans Association, Inc., the Tri-County Council of Vietnam Veterans, the National Congress of Puerto Rican Veterans, the Fleet Reserve Association, the Navy Seabee Veterans of America, the Korean War Veterans Association, the Women's Army Corps Veterans Association, the 82nd Airborne Division Association, the Empire State Chapter No. 120 of the Retired Enlisted Association, the National Amputation Foundation, or the Navy Club of the U.S.A., the town board may appropriate a sum not exceeding five hundred dollars for each post in any year for the purpose of assisting in defraying the rental or maintenance of rooms for holding meetings of such post or posts, or both. If there be a post in a town adjoining a town in which no post is located, whose membership includes at least five residents of such town having no post, the town board of such town having no post may vote any sum of money, not exceeding one hundred twenty-five dollars in any year, for the purpose of assisting in defraying the rental or maintenance of rooms in such adjoining town as meeting places of each of the posts hereinbefore enumerated. Claims for such rental or rentals shall be made by the organizations interested, and shall be submitted to the town board for audit in the same manner and at the same time as other claims against the town.

§ 17. Subdivision 2 of section 4-412 of the village law, as amended by chapter 843 of the laws of 1980, is amended to read as follows:

2. Procedure for meetings. The mayor of the village shall preside at the meetings of the board of trustees as provided in section 4-400 of this article. A majority of the board shall constitute a quorum for the transaction of business, but a less number may adjourn and compel the attendance of absent members. Whenever required by a member of the board, the vote upon any question shall be taken by ayes and noes, and the names of the members present and their votes shall be entered in the minutes. The board may determine the rules of its procedure[~~, and may compel the attendance of absent members by the entry of a resolution in the minutes, directing any peace officer, acting pursuant to his special duties, or police officer residing within the village to arrest such absent member and take him before the board of trustees to answer for his neglect. A copy of the resolution, certified by the clerk of the village, shall be sufficient authority to such officer residing in the village to arrest such absent member and bring him before the board~~].

§ 18. Paragraphs (g), (h), (i), and (j) of subdivision 6 of section 15 of the workers' compensation law are REPEALED.

§ 19. Subdivisions 4, 5, 6, 7, 8, 9, and 10 of section 273 of the judiciary law, subdivisions 4, 5, and 6 as amended by chapter 649 of the laws of 1945, subdivision 7 as amended by chapter 416 of the laws of 1951, subdivision 8 as amended by chapter 422 of the laws of 1954,

subdivision 9 as added by chapter 622 of the laws of 1950, and subdivision 10 as added by chapter 758 of the laws of 1954, are amended to read as follows:

4. Each of the confidential clerks to the justices of the supreme court in the fifth judicial district appointed pursuant to subdivision four of **former** section one hundred fifty-seven of this chapter, shall receive an annual salary [~~of three thousand dollars~~] **to be fixed by the justice appointing such clerk**; provided, however, that in case of the appointment by such a justice of both a confidential clerk and confidential deputy clerk, such confidential clerk and such deputy clerk shall each receive an annual salary to be fixed by the justice appointing [~~him, or them, not to exceed in the aggregate for both such confidential clerk and deputy clerk the sum of three thousand dollars~~] **such clerk**. Each of such salaries shall be audited by the state comptroller and paid by the state department of taxation and finance, in equal monthly payments when certified to such comptroller by the justice who made the appointment or, in case of [~~his~~] death or disability **of such justice**, by any other justice of the fifth judicial district. An appropriation in any year for salary of such a confidential clerk, to any such justice, shall be available for payment of the salaries of both the confidential clerk and confidential deputy clerk to the same justice, if such be appointed. The total amount of such salaries shall be apportioned by such department among the counties comprising the fifth judicial district. Such counties shall reimburse the state therefor. The time and method of such apportionment and the time and method of such reimbursement shall be as specified in **former** section seventy-four of this chapter.

5. Each of the clerks to the justices of the supreme court in the sixth judicial district shall receive an annual salary to be fixed by the justice appointing [~~him, of not to exceed three thousand dollars~~] **such clerk**. Each of such salaries shall be audited by the state comptroller and paid by the state department of taxation and finance in equal quarterly payments when certified to such comptroller by the justice who made the appointment or, in case of [~~his~~] death or disability **of such justice**, by any other justice of the sixth judicial district. The total amount of such salaries shall be apportioned by such department among the counties comprising the sixth judicial district. Such counties shall reimburse the state therefor. The time and method of such apportionment and the time and method of such reimbursement shall be as specified in **former** section seventy-four of this chapter.

6. Each of the clerks to the justices of the supreme court in the seventh judicial district shall receive an annual salary, to be fixed by the justice appointing [~~him, of not to exceed twenty-five hundred dollars~~] **such clerk**, provided, however, that in case of the appointment by such justice of both a confidential clerk and one or two confidential deputy clerk or clerks, such confidential clerk and such confidential deputy clerk or clerks shall each receive an annual salary to be fixed by the justice making the appointment[~~, not to exceed in the aggregate for both such confidential clerk and confidential deputy clerk or clerks the sum of twenty-five hundred dollars~~]. Each of such salaries shall be audited by the state comptroller and paid by the state department of taxation and finance in equal monthly payments when certified to such comptroller by the justice who made the appointment or, in case of [~~his~~] death or disability **of such justice**, by any other justice of the seventh judicial district. The total amount of such salaries shall be apportioned by such department among the counties comprising the seventh

judicial district. Such counties shall reimburse the state therefor. The time and method of such apportionment and the time and method of such reimbursement shall be as specified in former section seventy-four of this chapter.

7. Each of the clerks to the justices of the supreme court in the eighth judicial district, shall receive an annual salary, to be fixed by the justice appointing [~~him, of not to exceed six thousand dollars~~] such clerk. Each of such salaries shall be audited by the state comptroller and paid by the state department of taxation and finance in equal monthly payments when certified to such comptroller by the justice who made the appointment or, in case of [~~his~~] death or disability of such justice, by any other justice of the eighth judicial district. The total amount of such salaries shall be apportioned by such department among the counties comprising the eighth judicial district. Such counties shall reimburse the state therefor. The time and method of such apportionment and the time and method of such reimbursement shall be as specified in former section seventy-four of this chapter.

8. Each confidential clerk employed by a justice of the supreme court in and for the ninth judicial district, pursuant to the provisions of subdivision eight of former section one hundred fifty-seven of this chapter, shall receive an annual salary [~~not to exceed the sum of eight thousand five hundred ninety dollars~~] to be fixed by the justice appointing such clerk, together with the actual and necessary expenses incurred by [~~him~~] such clerk in the performance of [~~his~~] their official duties, to be paid upon proper proof thereof, and upon the approval of the justice of the supreme court in whose behalf the official duties are rendered. The state comptroller shall audit the salary and expenses of each confidential clerk and the state department of taxation and finance shall pay to each confidential clerk [~~his~~] their salary, in equal monthly payments, and also [~~his~~] their expenses when certified to the state comptroller by the justice who made the appointment, or if [~~he~~] such justice has died or is disabled, by any other justice of the ninth judicial district. The total amount of all salaries and expenses of all confidential clerks of the ninth judicial district shall be apportioned by the department of taxation and finance among the counties of Westchester, Rockland, Orange, Dutchess and Putnam which shall reimburse the state therefor, and the time and method of apportionment and reimbursement shall be those specified in former section seventy-four of this chapter.

9. Each of the confidential law clerks to the justices of the supreme court in the third judicial district shall receive an annual salary to be fixed by the justice appointing [~~him, of not to exceed five thousand dollars~~] such clerk. Each of such salaries shall be audited by the state comptroller and paid by the state department of taxation and finance in equal monthly payments when certified to such comptroller by the justice who made the appointment or, in case of [~~his~~] death or disability of such justice, by any other justice of the third judicial district. The total amount of such salaries shall be apportioned by such department among the counties comprising the third judicial district. Such counties shall reimburse the state therefor. The time and method of such apportionment and the time and method of such reimbursement shall be as specified in former section seventy-four of this chapter.

10. Each of the confidential law clerks to the justices of the supreme court in the fourth judicial district shall receive an annual salary to be fixed by the justice appointing [~~him, of not to exceed five thousand dollars~~] such clerk. Each of such salaries shall be audited by the

state comptroller and paid by the state department of taxation and finance in equal monthly payments when certified to such comptroller by the justice who made the appointment or, in case of [~~his~~] death or disability **of such justice**, by any other justice of the fourth judicial district. The total amount of such salaries shall be apportioned by such department among the counties comprising the fourth judicial district. Such counties shall reimburse the state therefor. The time and method of such apportionment and the time and method of such reimbursement shall be as specified in **former** section seventy-four of this chapter.

§ 20. Section 19.03 of the arts and cultural affairs law is REPEALED.

§ 21. Section 19.01 of the arts and cultural affairs law is amended to read as follows:

§ 19.01. Fireproof booth for cinematograph or any other apparatus for projecting moving pictures. No cinematograph or any other apparatus for projecting moving pictures, save as excepted in sections 19.05 and 19.09 of this article, which apparatus uses combustible films of more than ten inches in length, shall be set up for use or used in any building, place of public assemblage or entertainment, unless such apparatus for the projecting of moving pictures shall be inclosed therein in a booth or inclosure constructed of concrete, brick, hollow tile or other approved fireproof material or any approved fireproof framework covered or lined with asbestos board, or with some other approved fire resisting material, and unless [~~such booth shall have been constructed as provided in section 19.03 of this article and~~] the certificate provided in section 19.07 of this article shall have been issued to the owner or lessee of the premises wherein such booth is situated.

§ 22. Section 19.05 of the arts and cultural affairs law is amended to read as follows:

§ 19.05. This article not retroactive under certain conditions. [~~Sections~~] **Section** 19.01 [~~and 19.03~~] of this article shall not be retroactive for any booth approved by the appropriate public authority or official prior to March third, nineteen hundred forty-one, provided such booth [~~have or be so reconstructed of the same material as to have dimensions as specified in section 19.03 of this article; provided such booth conform to the specification of section 19.03 of this article as regards vent flue, box for storage of films, specifications for rewinding and repairing films and specifications for windows and doors, and provided such booth~~] be of rigid fireproof material, and be insulated so as not to conduct electricity to any other part of the building and be so separated from any adjacent combustible material as not to communicate fire through intense heat in case of combustion within the booth.

§ 23. Section 19.07 of the arts and cultural affairs law is amended to read as follows:

§ 19.07. Inspection; certificate for permanent booths. After the construction of such booth shall have been completed, the public officer charged herein with the duty of passing upon the plans and specifications therefor shall within three days after receipt of notice in writing that such booth has been completed cause such booth to be inspected. If the provisions of [~~sections~~] **section** 19.01 [~~and 19.03~~] of this article have been complied with, such public officer shall issue to the owner or lessee of the premises wherein such booth is situated a certificate stating that the provisions of [~~sections~~] **section** 19.01 [~~and 19.03~~] of this article have been complied with.

§ 24. Section 19.09 of the arts and cultural affairs law is amended to read as follows:

§ 19.09. Portable booth for temporary exhibitions. Where motion pictures are exhibited daily for not more than one month, or not more often than three times a week, in educational or religious institutions or bona fide social, scientific, political or athletic clubs, a portable booth may be substituted for the booth required in [~~sections~~] section 19.01 [~~and 19.03~~] of this article. Such booth shall have a height of not less than six feet and an area of not less than twenty square feet and shall be constructed of asbestos board, sheet steel of no less gauge than twenty-four; or some other approved fireproof material. [~~Such portable booth shall conform to the specifications of section 19.03 of this article with reference to windows and door, but not with reference to vent flues.~~] The floor of such booth shall be elevated above the permanent support on which it is placed by a space of at least one-half inch, sufficient to allow the passage of air between the floor of the booth and the platform on which the booth rests, and the booth shall be insulated so that it will not conduct electricity to any other portion of the building.

§ 25. The opening paragraph of section 19.11 of the arts and cultural affairs law is amended to read as follows:

The above sections, 19.01, [~~19.03,~~] 19.05, 19.07 and 19.09, referring to permanent and portable booths, shall not apply to:

§ 26. Section 19.13 of the arts and cultural affairs law is amended to read as follows:

§ 19.13. Inspection; certificate for portable booths and miniature cinematograph machines. Before moving pictures shall be exhibited with a portable booth, under section 19.09 of this article, and before a miniature machine without a booth shall be used as prescribed in section 19.11 of this article, there shall be obtained from the appropriate authority[~~, as defined in section 19.03 of this article,~~] a certificate of approval.

§ 27. Article 7-A of the county law is REPEALED.

§ 28. Article 24 of the county law is REPEALED.

§ 29. Subdivision 6 of section 103 of the economic development law, as added by chapter 947 of the laws of 1968 and as renumbered by chapter 614 of the laws of 1982, is amended to read as follows:

6. To carry out the obligations of the state to the New York state [~~atomic and space~~] energy research and development authority under any contract providing for the assumption of jurisdiction in the event of conditions specified in any such contract over land and facilities held or developed by such authority for the concentration and storage of radioactive byproducts; to enter into amendments to any such contract subject to the approval of the director of the budget; and, after any such assumption of jurisdiction by the council, pursuant to any such contract or amendments, to operate, develop and manage in the name of the state such land and facilities, and to care for, manage, use and dispose of any radioactive byproducts concentrated or stored at such land and facilities.

§ 30. Subdivisions 1 and 2 of section 213 of the education law, as amended by chapter 724 of the laws of 1961, are amended to read as follows:

1. The regents may extend to the people at large increased educational opportunities and facilities, stimulate interest therein, recommend methods, designate suitable teachers and lecturers, conduct examinations and grant credentials, and otherwise organize, aid and conduct such work. And the regents, and with their approval the commissioner of education, may buy, sell, exchange and receive by will, or other gift,

or on deposit, books, pictures, statuary or other sculptured work, [~~lantern slides,~~] apparatus, maps, globes, films, sound films, [~~kinescopes,~~] photographic recordings and any article or collections pertaining to or useful in and to any of the departments, divisions, schools, institutions, associations or other agencies, or work, under their supervision, or control, or encouragement, and may lend or deposit any such articles in their custody or control, when or where in their judgement compensating educational usefulness will result therefrom; and may also, from time to time, enter into contracts desirable for carrying into effect the foregoing provisions.

2. In carrying out the provisions of subdivision one of this section, the regents may: a. Contract with institutions in the university, school districts, boards of cooperative educational services or other non-profit educational agencies for the acquisition from such institutions, school districts, boards or agencies of sound films, [~~kinescopes,~~] audio recordings and video recordings, scripts, research reports or related educational television materials, for the use of the department, or for the production of educational television programs[~~:~~]**;**

b. Lease, to school districts, boards of cooperative educational services or television corporations created pursuant to section two hundred thirty-six of this chapter, educational television facilities, including transmitters, micro-wave relay facilities, production centers, closed-circuit systems and any equipment necessary therefor, constructed or acquired, and owned by the state, leased by the state, or contract with such districts, boards of cooperative educational services or corporations for the operation of such facilities[~~:~~]**; and**

c. Lease and operate a television station in the city of New York.

§ 31. Section 346-a of the education law is REPEALED.

§ 32. The opening paragraph of subdivision 1 and paragraph a of subdivision 4 of section 341-a of the education law, as added by chapter 171 of the laws of 1987, are amended to read as follows:

As used in this section [~~and section three hundred forty-six-a of this article~~], the following words and terms shall have the following meanings:

a. Not later than September first, nineteen hundred eighty-nine, the test agency shall prepare and file [~~or cause to be filed with the committee described in section three hundred forty-six-a of this article~~] a report relating to each test administered and disclosed pursuant to section three hundred forty-two of this article by the test agency in New York between July first, nineteen hundred eighty-eight and July first, nineteen hundred eighty-nine. Such report shall be subject to the provisions of subdivisions two and three of section three hundred forty-one of this article.

§ 33. Subdivision 5 of section 501 of the education law is REPEALED.

§ 34. Subdivision 6 of section 501 of the education law is amended to read as follows:

6. "New entrant" shall mean any teacher who is a member of the retirement system [~~except a present teacher~~].

§ 35. Subdivision 1 of section 509 of the education law is REPEALED.

§ 36. Paragraph b of subdivision 8 of section 509 of the education law is REPEALED.

§ 37. Paragraph d of subdivision 2 of section 510 of the education law is REPEALED.

§ 38. Subdivision 1 of section 511 of the education law, as amended by chapter 427 of the laws of 1972, is amended to read as follows:

1. Retirement on account of disability shall be made under the following conditions: A member who has completed at least fifteen years of total state service [~~or a member who is a present teacher and who has completed twenty years of service, the last ten of which were state service,~~] may be retired on account of disability either upon the application of [~~his~~] **such member's** employer or upon [~~his~~] **such member's** own application or that of a person acting in [~~his~~] **such member's** behalf, if the retirement board, after a medical examination of said member by a physician or physicians designated by said board shall determine upon the basis of a report submitted by said physician or physicians that the said member is physically or mentally incapacitated for the performance of duty, that [~~he~~] **such member** was incapacitated at the time [~~he~~] **such member** ceased teaching and that said member ought to be retired.

§ 39. Paragraph c of subdivision 2 of section 511 of the education law is REPEALED.

§ 40. Paragraph c of subdivision 4 of section 511-a of the education law is REPEALED.

§ 41. Subdivision 2 of section 522 of the education law, as amended by chapter 292 of the laws of 2017, is amended to read as follows:

2. Any contributor entering the retirement system after having withdrawn from another retirement system and having given notice at the time of withdrawal to the retirement board of such system of [~~his or her~~] **their** intention of becoming a member of the retirement system, may deposit in the annuity savings fund the amount of [~~his or her~~] **their** accumulated contributions withdrawn from such other retirement system or if the member had no accumulated contributions credited to [~~his or her~~] **their** individual account in such other retirement system, such member shall in lieu of depositing moneys in the annuity savings fund, file a notice of intent to transfer pursuant to rules and regulations adopted by the retirement board. Upon the filing of a notice of intent to transfer as provided by this subdivision, the pension reserve to [~~his or her~~] **their** credit in such other retirement system, if such other retirement system is operated upon an actuarial basis under the laws of this state, shall be transferred, and if such other system is operated upon an actuarial basis under the laws of another state, may be transferred to the pension accumulation fund. [~~Notwithstanding anything to the contrary in this article, such contributor shall be classified in this retirement system as a present teacher or as a new entrant accordingly as he or she would have been classified had the service rendered in the other retirement system been rendered while a member of this retirement system.~~] A person so transferred to this retirement system or who has heretofore transferred to this retirement system shall be deemed to have been a member of this retirement system during the entire period of membership service credited to [~~him or her~~] **such person** in the system from which [~~he or she~~] **such person** has transferred. Such transferee, however, shall not receive more than three per cent interest on [~~his or her~~] **their** contributions and accumulated contributions unless [~~he or she~~] **such transferee** has continuously been a member in either the system from which [~~he or she~~] **such person** has transferred or in this retirement system since a date prior to the first day of July, nineteen hundred forty-eight. This shall not be construed to prevent a change in the interest rate to such member if the interest rate payable to other members of this retirement system is changed. In case [~~he or she~~] **such member** comes from a retirement system not under the laws of this state, [~~he or she~~] **such member** shall be given a prior service certificate showing a period of service such that the liability incurred by the retire-

ment system on [~~his or her~~] **such member's** account by reason of prior service shall be equal in amount to the amount of the reserve so transferred, provided that in no case shall such a contributor who is classified as a new entrant be given less credit in [~~his or her~~] **such member's** prior service certificate than [~~he or she~~] **such member** would have received had no reserve been transferred on [~~his or her~~] **such member's** account. In case a contributor transfers between retirement systems under the laws of this state, [~~he or she~~] **such member** shall be credited in the system to which [~~he or she~~] **such member** is transferring with all service allowed to [~~him or her~~] **such member** in the first system. Such contributor, notwithstanding any other provision of law, shall on retirement be entitled to a pension based on salary earned during member service in both retirement systems together, pursuant to the statutory requirements of the second retirement system.

§ 42. Section 514 of the education law is REPEALED.

§ 43. Paragraph g of subdivision 2 of section 517 of the education law, as amended by chapter 641 of the laws of 1954 and as relettered by chapter 141 of the laws of 1970, is amended to read as follows:

g. All pensions with the exception of those payable to new entrants shall be paid from the pension accumulation fund and benefits provided under **paragraph two of subdivision b of** section five hundred twelve[~~, subdivision b, paragraph two and section five hundred fourteen~~] **of this article** shall be paid from the pension accumulation fund.

§ 44. Section 1952 of the education law is REPEALED.

§ 45. Subdivision 1 of section 184 of the general business law, as amended by chapter 834 of the laws of 1965, is amended to read as follows:

1. No employment agency, directly or indirectly, shall accept applications from persons who reside in a state outside New York, procure or offer to procure employment of persons as domestic or household employees who are residing in states outside of this state previous to their application for employment, except as provided in this section and in the applicable provisions of other sections of this article. [~~As used in this section, the term "state" applies to the forty-eight states on this continent, and the District of Columbia, but does not include the state of Alaska.~~]

§ 46. The opening paragraph of paragraph (a) of subdivision 7 of section 75 of the public lands law, as amended by chapter 703 of the laws of 1994, is amended to read as follows:

The commissioner of general services may grant in perpetuity or otherwise, to the owners of the land adjacent to the land underwater specified in this section, to promote the commerce of this state or for the purpose of beneficial enjoyment thereof by such owners, or for agricultural purposes, or for public park, beach, street, highway, parkway, playground, recreation or conservation purposes, so much of said land underwater as the commissioner deems necessary for that purpose. No such grant shall be made to any person other than the proprietor of the adjacent land. Any such grant made to any other person shall be void, except that, subject to the other provisions of this section, the commissioner of general services may transfer jurisdiction over state-owned lands underwater to a state agency for the purpose of protecting environmentally sensitive lands underwater even if the state agency is not the proprietor of the adjacent upland. The commissioner may also lease such land underwater to such owner of the adjacent upland or, with the consent of such owner of the adjacent upland, to others, for terms up to forty years. No such grant or lease shall be made of any lands belonging

to the city of New York[~~, or so as to interfere with the rights of that city or of the Hudson River Railroad Company, or of its successor the New York Central and Hudson River Railroad Company~~]. In making any grant, lease, permit or other conveyance, the commissioner of general services shall, upon administrative findings, and to the extent practicable, reserve such interests or attach such conditions to preserve the public interest in use of state-owned lands underwater and waterways for navigation, commerce, fishing, bathing, recreation, environmental protection and access to the navigable waters of the state, with due regard for the need of affected owners of private property to safeguard their property. The commissioner shall by official rules establish criteria and guidelines for determinations with respect to the leasing or selling of such lands underwater.

§ 47. Subdivision 1 of section 11 of the public officers law, as amended by chapter 624 of the laws of 2004, is amended to read as follows:

1. Every official undertaking, when required by or in pursuance of law to be hereafter executed or filed by any officer, shall be to the effect that [~~he~~] **such officer** will faithfully discharge the duties of [~~his~~] **their** office and promptly account for and pay over all moneys or property received by [~~him as~~] such officer **in their official capacity**, in accordance with law, or in default thereof, that the parties executing such undertaking will pay all damages, costs and expenses resulting from such default, not exceeding a sum, if any, specified in such undertaking. The undertaking of a state officer or clerk or employee shall be approved by the attorney-general as to its form and manner of execution and by the comptroller as to the sufficiency of the sureties and be filed in the comptroller's office. The undertaking of a municipal officer shall, if not otherwise provided by law, be approved as to its form and the sufficiency of the sureties by the chief executive officer or by the governing body of the municipality and be filed with the clerk thereof. The approval by such governing body may be a resolution, a certified copy of which shall be attached to the undertaking. The undertaking of such county officer shall, if not otherwise provided by law, be approved as to its form and the sufficiency of the sureties by the clerk of the county, and filed in [~~his~~] **their** office. The undertaking of a town officer shall, if not otherwise provided by law, be approved as to its form and the sufficiency of the sureties by the clerk of the county and filed in [~~his~~] **their** office. The sum specified in an official undertaking shall be the sum for which such undertaking shall be required by or in pursuance of law is given. If no sum, or a different sum from that required by or in pursuance of law, be specified in the undertaking, it shall be deemed to be an undertaking for the amount so required. If no sum be required by or in pursuance of law to be so specified, the officer or board authorized to approve the undertaking shall fix the sum to be specified therein. Every official undertaking shall be executed and duly acknowledged by at least two sureties, each of whom shall add thereto [~~his~~] **their** affidavit that [~~he is a freeholder or householder~~] **they are a resident** within the state, stating [~~his~~] **their** occupation and residence and the street number of [~~his~~] **their** residence and place of business if in a city, and a sum which [~~he~~] **such surety** is worth over and above [~~his~~] **their** just debts and liabilities and property exempt from execution. The aggregate of the sums so stated in such affidavits must be at least double the amount specified in the undertaking. If the surety on an official undertaking of a state or local officer, clerk or employee of the state or political subdivision thereof or of a municipal

corporation be a fidelity or surety corporation, the reasonable expense of procuring such surety, not exceeding one percentum per annum upon the sum for which such undertaking shall be required by or in pursuance of law to be given, shall be a charge against the state or political subdivision or municipal corporation respectively in and for which [~~he~~] **such official** is elected or appointed, except that the expense of procuring such surety as aforesaid, on an official undertaking of any officer, clerk or employee in any city department of the city of New York, or of any office, board or body of said city, or of a borough or county within said city, including officers, clerks and employees of every court within said city, shall not be a charge upon said city or upon any of the counties contained within said city, unless the comptroller of the said city, shall first have approved the necessity of requiring such official undertaking to be given, and shall have approved of or fixed the amount of any such official undertaking; but this exception shall not apply to an official undertaking specifically required by statute to be given, and the amount of which is specifically fixed by statute. The failure to execute an official undertaking in the form or by the number of sureties required by or in pursuance of law, or of a surety thereto to make an affidavit required by or in pursuance of law, or in the form so required, or the omission from such an undertaking of the approval required by or in pursuance of law, shall not affect the liability of the sureties therein.

§ 48. The opening paragraph of section 70-a of the public officers law, as amended by chapter 450 of the laws of 2009, is amended to read as follows:

The charge for the publication of concurrent resolutions, proposed constitutional amendments, propositions or questions to be submitted to the voters of the state, tax sales and official notices required to be published by state boards, commissions or officers in newspapers of the state, shall be paid from the treasury on the audit and warrant of the comptroller, after certification by the proper officer that such a publication has been regularly made as prescribed by law. The charge for the publication, if authorized by law, of digests of laws of a local nature in the newspaper designated to publish such digests shall be paid by the several counties of the state in which such laws may be published, upon like certification. [~~The charge for the publication of concurrent resolutions, proposed constitutional amendments, propositions or questions to be submitted to the voters of the state or of any political subdivision thereof or therein, tax sales by the state or any county or municipality therein, and of all official notices and advertisements authorized or required by law to be published at the expense of the state or of a county, city, town, village, public authority, public benefit corporation or other political or civil subdivision of the state, shall be at the rate of twenty-nine cents per line of a column width not less than ten pica ems, provided that in computing such charge per line the line shall average at least five words for each insertion in newspapers having less than two thousand five hundred circulation; twenty-nine and one-half cents per line for newspapers having two thousand five hundred or more circulation and less than five thousand; thirty and one-half cents per line for newspapers having five thousand or more circulation and less than seven thousand and five hundred; thirty-one and one-half cents per line for newspapers having seven thousand five hundred or more circulation and less than ten thousand; thirty-two and one-half cents per line for newspapers having ten thousand or more circulation and less than fifteen thousand; and three~~

~~and one-half cents per line in addition to the thirty-two and one-half cents for the initial fifteen thousand circulation, for each additional five thousand circulation up to thirty-five thousand circulation and one and one-half cents per line for each additional five thousand possessed by such newspapers. To all of the above rates nine cents per line shall be added to the initial insertion charge of each separate advertisement. To all of the above rates for the initial insertion eight cents per line shall also be added for tabular matter or intricate composition. Display advertising shall be charged agate measurement, fourteen lines to each inch, ten to thirteen pica ems wide, depending on the makeup of the newspaper publishing such copy. Every newspaper printed, published or having its principal office outside of a city having a population of over three hundred fifty thousand inhabitants, as a condition precedent to designation as the official newspaper of any county, city, town, village or other political or civil subdivision of the state or for the making of claim for compensation under the foregoing provisions of this section, must be established at least one year and entered in the post office as second class matter.~~]

§ 49. Subdivisions 19 and 20 of section 2 of the public service law are REPEALED.

§ 50. Paragraph e of subdivision 1 of section 5 of the public service law is REPEALED.

§ 51. Subdivision 15 of section 66 of the public service law is REPEALED.

§ 52. Subdivisions 1, 2, 3, 4, and 5 of section 91 of the public service law, subdivisions 1, 3, and 4 as added by chapter 673 of the laws of 1910, subdivision 2 as amended by chapter 136 of the laws of 1984 and subdivision 5 as added by chapter 114 of the laws of 1978, are amended to read as follows:

1. Every [~~telegraph corporation and every~~] telephone corporation shall furnish and provide with respect to its business such instrumentalities and facilities as shall be adequate and in all respects just and reasonable. All charges made or demanded by any [~~telegraph corporation or~~] telephone corporation for any service rendered or to be rendered in connection therewith shall be just and reasonable and not more than allowed by law or by order of the commission. Every unjust or unreasonable charge made or demanded for any such service or in connection therewith or in excess of that allowed by law or by order of the commission is prohibited and declared to be unlawful.

2. (a) No [~~telegraph corporation or~~] telephone corporation shall directly or indirectly or by any special rate, rebate, drawback or other device or method charge, demand, collect or receive from any person or corporation a greater or less compensation for any service rendered or to be rendered with respect to communication by [~~telegraph or~~] telephone or in connection therewith, except as authorized in this chapter, than it charges, demands, collects or receives from any other person or corporation for doing a like and contemporaneous service with respect to communication by [~~telegraph or~~] telephone under the same or substantially the same circumstances and conditions.

(b) The local service area within which calls are made on a local rather than toll basis in a city with a population of one million or more shall not be changed as a result of the establishment of an additional area code.

3. No [~~telegraph corporation or~~] telephone corporation shall make or give any undue or unreasonable preference or advantage to any person, corporation or locality, or subject any particular person, corporation

or locality to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

4. Nothing in this chapter shall be construed to prevent any [~~telegraph corporation or~~] telephone corporation from continuing to furnish the use of its lines, equipment or service under any contract or contracts in force at the date this article takes effect or upon the taking effect of any schedule or schedules of rates subsequently filed with the commission, as hereinafter provided, at the rate or rates fixed in such contract or contracts; provided, however, that when any such contract or contracts are or become terminable by notice, the commission shall have power, in its discretion, to direct by order that such contract or contracts shall be terminated by the [~~telegraph corporation or~~] telephone corporation party thereto, and thereupon such contract or contracts shall be terminated by such [~~telegraph corporation or~~] telephone corporation as and when directed by such order.

5. No [~~telegraph corporation or~~] telephone corporation shall sell or offer for sale any names and/or addresses of any of its customers whose listings have been omitted from the telephone company's published directory at the request of the customer.

§ 53. Subdivisions 1, 2, and 3 of section 92 of the public service law, subdivision 1 as added by chapter 673 of the laws of 1910, subdivision 2 as amended by chapter 154 of the laws of 1989, paragraphs (a) and (b) of subdivision 2 as amended by chapter 517 of the laws of 1996, paragraph (c) of subdivision 2 as amended by chapter 517 of the laws of 2014, and subdivision 3 as amended by chapter 124 of the laws of 1911, are amended to read as follows:

1. Every [~~telegraph corporation and every~~] telephone corporation shall print and file with the commission schedules showing all rates, rentals and charges for service of each and every kind by or over its line between points in this state and between each point upon its line and all points upon every line leased or operated by it and between each point upon its line or upon any line leased or operated by it and all points upon the line of any other [~~telegraph or~~] telephone corporation whenever a through service or joint rate shall have been established between any two points. If no joint rate over a through line has been established the several corporations in such through line shall file with the commission the separately established rates and charges applicable where through service is afforded. Such schedule shall plainly state the places between which telephone [~~or telegraph~~] service[~~, or both,~~] will be rendered and shall also state separately all charges and all privileges or facilities granted or allowed and any rules or regulations or forms of contract which may in any wise change, affect or determine any or the aggregate of the rates, rentals or charges for the service rendered. Such schedule shall be plainly printed and kept open to public inspection. The commission shall have the power to prescribe the form of every such schedule and may from time to time prescribe, by order, changes in the form thereof. The commission shall also have power to establish rules and regulations for keeping such schedules open to public inspection and may from time to time modify the same. Every [~~telegraph corporation and~~] telephone corporation shall file with the commission as and when required by it a copy of any contract, agreement or arrangement in writing with any other [~~telegraph corporation or~~] telephone corporation or with any other corporation, association or person relating in any way to the construction, maintenance or use of a [~~telegraph line or~~] telephone line or service by or rates and charges over or upon any such [~~telegraph line or~~] telephone line.

2. (a) No change shall be made in any rate, charge or rental, or joint rate, charge or rental applicable to regulated basic services, switched carrier access services, charges for interconnection between local exchange carriers, and toll services within a local access and transport area which shall have been filed by a [~~telegraph corporation or~~] telephone corporation hereinafter in this subdivision called a utility in compliance with this chapter, except after thirty days' notice to the commission and to each county, city, town and village served by such utility which had filed with such utility within the prior twelve months a request for such notice and shall be affected by such change and publication of a notice to the public of such proposed change once in each week for four successive weeks in a newspaper having general circulation in each county containing territory affected by the proposed change. No other change shall be made in any rate, charge or rental, or joint rate, charge or rental filed by a utility, except after ten business days' notice to the commission and publication of one notice at least ten business days prior to the effective date of the change in a newspaper of general circulation in each county affected by the proposed change. Such notices shall plainly state the changes proposed and the time when they go into effect. For the purpose of this paragraph, "regulated basic services" are defined as: residential, individual business, and public access line network access, connection charges for such network access, local usage, local coin usage rates, tone dialing, access to emergency services, statewide relay services, operator assistance services, director listings, and provisions that affect privacy protections.

(b) All proposed changes shall be shown by filing new schedules or shall be plainly indicated upon the schedules filed and in force at the time and kept open to public inspection. The commission, for good cause shown, may, except in the case of major changes, allow changes in rates, charges or rentals to take effect prior to the end of such thirty-day period or such ten-day period and without publication of notice to the public under such conditions as it may prescribe. All such changes shall be immediately indicated upon its schedules by such utility. The commission may delegate to the secretary of the commission its authority to approve a change to a schedule postponing the effective date of such schedule previously filed with the commission and for good cause shown to allow the postponement to take effect prior to the end of such thirty-day period or ten-day period and without publication of notice to the public.

(c) For the purpose of this subdivision, "major changes" shall mean an increase in rates, charges and rentals which would increase the aggregate revenues of the applicant more than the greater of five hundred thousand dollars or two and one-half percent, but shall not include changes in rates, charges or rentals allowed to go into effect by the commission or made by the utility pursuant to an order of the commission after hearings held upon notice to the public. If an increase in rates, charges and rentals would increase the aggregate revenues of the applicant by less than five hundred thousand dollars, the commission may hold a hearing pursuant to paragraph (e) of this subdivision and/or provide a statement pursuant to subdivision four of this section.

(d) No utility shall charge, demand, collect or receive a different compensation for any service rendered or to be rendered than the charge applicable as specified in its schedule on file and in effect. Nor shall any utility refund or remit directly or indirectly any portion of the rate or charge so specified, nor extend to any person any form of

contract or agreement, or any rule or regulation, or any privilege or facility, except such as are specified in its schedule filed and in effect and regularly and uniformly extended to all persons under like circumstances for the like or substantially similar service.

(e) Whenever there shall be filed with the commission by any utility, any schedule stating a new rate or charge, or any change in any form of contract or agreement or any rule or regulation relating to any rate, charge or service, or in any general privilege or facility, the commission may at any time within sixty days from the date when such schedule would or has become effective, either upon complaint or upon its own initiative, and, if it so orders, without answer or other formal pleading by the utility, but upon reasonable notice, hold a hearing concerning the propriety of a change proposed by the filing. If such change is a major change the commission shall hold such a hearing. Pending such hearing and decision thereon, the commission, upon filing with such schedule and delivering to the utility, a statement in writing of its reasons therefor, may suspend the operation of such schedule, but not for a longer period than one hundred and twenty days beyond the time when it would otherwise go into effect. After full hearing, whether completed before or after it goes into effect, the commission may make such order in reference thereto as would be proper in a proceeding begun after the rate, charge, form of contract or agreement, rule, regulation, service, general privilege or facility has become effective.. If such hearing cannot be concluded within the period of suspension as above stated, the commission may extend the suspension for a further period, not exceeding six months. The commission may, as authorized by section ninety-seven of this article, establish temporary rates, charges or rentals, for any period of suspension under this section.

(f) At any hearing involving a change or a proposed change of rates, the burden of proof to show that the change or proposed change if proposed by the utility, or that the existing rate, if it is proposed to reduce the rate, is just and reasonable shall be upon the utility; and the commission may give to the hearing and decision of such questions preference over all other questions pending before it.

(g) During the suspension by the commission as above provided, the schedule, rates, charges, form of contract or agreement, rule, regulation, service, general privilege or facility in force when the suspended schedule, rate, charge, form of contract, rule, regulation, service, general privilege or facility was filed shall continue in force unless the commission shall establish a temporary rate.

3. No [~~telegraph corporation or~~] telephone corporation subject to the provisions of this chapter shall, directly or indirectly, give any free or reduced service, or any free pass or frank for the transmission of messages by [~~either~~] telephone [~~or telegraph~~] between points within this state, except to its officers, employees, agents, pensioners, surgeons, physicians, attorneys-at-law and their families; to persons or corporations exclusively engaged in charitable and eleemosynary work and ministers of religions; to officers and employees of other [~~telegraph corporations and~~] telephone corporations, railroad corporations and street railroad corporations. But this subdivision shall not apply to state, municipal or federal contracts.

§ 54. Section 95 of the public service law, as added by chapter 673 of the laws of 1910, subdivision 1 as amended by chapter 784 of the laws of 1923, subdivision 2 as amended by chapter 302 of the laws of 1937, and subdivision 3 as added by chapter 829 of the laws of 1930, is amended to read as follows:

§ 95. Reports of [~~telegraph corporations and~~] telephone corporations. 1. Every [~~telegraph corporation and every~~] telephone corporation shall file with the commission an annual report at a time and covering the yearly period fixed by the commission. Such annual reports shall be verified by the oath of the president, vice-president, treasurer, secretary, general manager or receiver if any of such [~~corporations~~] **corporation**, or by the person required to file the same. Verification shall be made by the official holding office at the time of the filing of said report, and if not made upon the knowledge of the person verifying the same shall set forth in general terms the sources of [~~his~~] **their** information and the grounds for [~~his~~] **their** belief as to any matters not stated to be verified on [~~his~~] **their** knowledge. The commission shall prescribe the form of such reports and the character of the information to be contained therein and may, from time to time make such changes and additions in regard to form and contents thereof as it may deem proper and shall furnish a blank form for such annual reports to every [~~telegraph corporation and every~~] telephone corporation required to make the same. When the report of any [~~telegraph corporation or~~] telephone corporation is defective or erroneous the commission shall notify the corporation to amend the same within a time prescribed by the commission. The said reports shall be preserved in the office of the commission. The commission may require of any [~~telegraph corporation or~~] telephone corporation specific answers to questions upon which the commission may desire information. If any [~~telegraph corporation or~~] telephone corporation shall fail to make and file its annual report as and when required or within such extended time as the commission may allow or shall fail to make specific answers to any question within the period specified by the commission for the making and filing of such answers, such corporation shall forfeit to the state the sum of one hundred dollars for each and every day it shall continue to be in default with respect to such report or answer. Such forfeiture shall be recovered in an action brought by the commission in the name of the people of the state of New York. The amount recovered in any such action shall be paid into the state treasury and shall be credited to the general fund. The commission may, when it deems it advisable, exempt any [~~telegraph corporation or~~] telephone corporation from the necessity of filing annual reports until the further order of the commission.

2. The commission may establish a system of accounts to be used by [~~telegraph corporations and~~] telephone corporations, which are subject to its jurisdiction, and are required to make annual reports to it or classify the said corporations, and prescribe a system of accounts for each class and may prescribe the manner in which such accounts shall be kept. It may also, in its discretion prescribe the form of records to be kept by such corporation. Notice of alterations by the commission in the required method or form of keeping accounts shall be given to such corporations by the commission at least six months before the same are to take effect. The commission shall at all times have access to all accounts, records and memoranda kept by [~~telegraph corporations and~~] telephone corporations, and may designate any of its officers or employees who shall thereupon be authorized under the order of the commission to inspect and examine any and all accounts, records and memoranda kept by any such corporation; and the commission may, after a hearing, prescribe by order, the accounts in which particular outlays and receipts shall be entered, charged or credited. At any such hearing the burden of proof shall be on the corporation to establish the correctness of the accounts in which such outlays and receipts have been entered and

the commission may suspend a charge or credit pending submission of proof by such corporation. Any provision of law prohibiting the disclosure of the contents [~~of telegraph messages or the contents~~] or substance of telephone communications shall not be deemed to prohibit the disclosure of any matter in accordance with the provisions of this chapter.

3. In the case of a telephone corporation having property actually used in the public service within the state of a value of less than ten thousand dollars and operated for profit, the commission may and wherever it deems it practicable shall prescribe a simplified system of accounts and reports suitable to the character and activities of the telephone corporation regulated.

§ 55. Section 108 of the rapid transit law is REPEALED.

§ 56. Subdivision 9 of section 316-a of the real property law, as amended by chapter 1065 of the laws of 1971, is amended to read as follows:

9. No entry in any book or index in said clerk's office shall be erased so as to be illegible, but in case of any correction, the same shall be made without destroying the original by drawing a line through such original entry, and in such cases the date of such correction, attested by the signature of the clerk or [~~his~~] **the clerk's** deputy, shall be entered upon the same page on which such correction is made, on the margin opposite such correction. [~~In the event the indexes are in a microfilm the correction shall be made by a hole being punched in the margin adjacent to the corrected entry. No initials being required in this event.~~]

§ 57. Section 201 of the real property actions and proceedings law, as amended by chapter 418 of the laws of 1980, is amended to read as follows:

§ 201. State tax commission, state or industrial commissioner as defendant in certain real property actions. In any action affecting real property upon which the [~~state tax commission~~] **department of taxation and finance** has a lien under the tax law or under a law enacted pursuant to the authority of the tax law or article two-E of the general city law, whether or not such lien exists by reason of the filing or docketing of a warrant under such laws, the [~~state tax commission~~] **department of taxation and finance** may be made a party defendant in the same manner as a private person. In any action affecting real property upon which the state has a lien under sections two hundred forty-six-a and two hundred forty-six-b of the lien law, the state may be made a party defendant in the same manner as a private person. In any action affecting real property upon which a lien exists by reason of the docketing of a warrant pursuant to the unemployment insurance law, the [~~industrial~~] commissioner **of labor** may be made a party defendant in the same manner as a private person.

§ 58. Subdivision b of section 13 of the retirement and social security law, as amended by chapter 369 of the laws of 1964, is amended to read as follows:

b. The comptroller shall be trustee of the several funds of the retirement system. Such funds shall be invested by the comptroller in securities in which [~~he~~] **the comptroller** is authorized by law to invest the funds of the state, except that [~~he~~] **the comptroller** may invest in obligations consisting of notes, bonds, debentures, or equipment trust certificates issued under an indenture, which are the direct obligations of, or in the case of equipment trust certificates are secured by direct obligations of, a railroad or industrial corporation, or a corporation

engaged directly and primarily in the production, transportation, distribution, or sale of electricity or gas, or the operation of telephone [~~or telegraph~~] systems or waterworks, or in some combination of them; provided the obligor corporation is one which is incorporated under the laws of the United States, or any state thereof, or of the District of Columbia, and said obligations shall be rated at the time of purchase within the three highest classifications established by at least two standard rating services. The maximum amount that the comptroller may invest in such obligations shall not exceed thirty per centum of the assets of the New York state employees' retirement system's funds; and provided further that not more than two and [~~one half~~] **one-half** per centum of the assets of the New York state employees' retirement system's funds shall be invested in the obligations of any one corporation of the highest classification and subsidiary or subsidiaries thereof, that not more than two per centum of the assets of the New York state employees' retirement system's funds shall be invested in the obligations of any one corporation of the second highest classification and subsidiary or subsidiaries thereof, that not more than one and [~~one half~~] **one-half** per centum of the assets of the New York state employees' retirement system's funds shall be invested in the obligations of any one corporation of the third highest classification and subsidiary or subsidiaries thereof. [~~He~~] **The comptroller** shall, however, be subject to all terms, conditions, limitations and restrictions imposed by this article and by law upon the making of such investments. The comptroller shall have full power:

1. To hold, purchase, sell, assign, transfer or dispose of any of the securities or investments, in which any of the funds of the retirement system shall be invested, including the proceeds of such investments and any monies belonging to such funds, and

2. In [~~his~~] **the** name **of the comptroller** as trustee, to foreclose mortgages upon default or to take title to real property in such proceedings in lieu thereof and to lease and sell real property so acquired.

§ 59. Section 115 of the retirement and social security law is REPEALED.

§ 60. Subparagraph (c) of paragraph 1 of subdivision i of section 341 of the retirement and social security law is REPEALED.

§ 61. Subdivision f of section 381-a of the retirement and social security law is REPEALED.

§ 62. Section 79 of the second class cities law, as amended by chapter 710 of the laws of 1943, is amended to read as follows:

§ 79. Contracts and expenditures prohibited. No officer, board, or department shall, during any fiscal year, expend or contract to be expended any money or incur any liability, or enter into any contract which, by its terms, involves the expenditure of money for any of the purposes for which provision is made in the annual estimate in excess of the amounts appropriated in said estimate, as adopted by the common council, for such officer, board, department or purpose, for such fiscal year. Any contract, verbal or written, made in violation of this section shall be null and void as to the city, and no moneys belonging to the city shall be paid thereon, provided, however, that nothing herein contained shall prevent the making of contracts for light or water, the collection and disposal or the disposal of garbage, the collection and removal of rubbish and ashes, **or** the cleaning of streets[~~, or the sprinkling of streets or public places by railway cars,~~] for periods exceeding one year.

Nothing herein contained, however, shall be held to prohibit the expenditure of such sums as may be made available, pursuant to section seventy-six of this chapter or section 29.00 of the local finance law.

§ 63. Section 201 of the second class cities law, as amended by chapter 363 of the laws of 1921, is amended to read as follows:

§ 201. Duties of the corporation counsel. The corporation counsel shall be and act as the legal adviser of the common council and of the several officers, boards and departments of the city. [~~He~~] **The corporation counsel** shall appear for and protect the rights and interests of the city in all actions, suits and proceedings brought by or against it or any city officer, board or department[~~, including the commissioner of charities in bastardy proceedings~~]; and such officer, board or department shall not employ other counsel. The corporation counsel may, however, with the written consent of the mayor, employ counsel, at such compensation as may be approved by the board of estimate and apportionment, to assist [~~him~~] **the corporation counsel** in the argument and conduct of important cases or proceedings in which the city or any officer, board or department thereof is interested or a party.

§ 64. Section 358-c of the social services law is REPEALED.

§ 65. Section 52 of the state law, as amended by chapter 593 of the laws of 1981, is amended to read as follows:

§ 52. Governor may execute deed or release. Whenever the United States, by any agent authorized under the hand and seal of any head of an executive department of the government of the United States, or the administrator of veterans' affairs of the government of the United States, shall cause to be filed in the office of the secretary of state of the state of New York, maps or plats and descriptions by metes and bounds of any tracts or parcels of land within this state, except within the Adirondack park as defined by section 9-0101 of the environmental conservation law, where a special act of the legislature shall be required, which have been acquired by the United States for any of the purposes aforesaid, and a certificate of the attorney-general of the United States that the United States is in possession of said lands and premises for either of the works or purposes aforesaid, under a clear and complete title, the governor of this state is authorized, if [~~he~~] **the governor** deems it proper, to execute in duplicate, in the name of the state and under its great seal, a deed or release of the state ceding to the United States the jurisdiction of said tracts or parcels of land as hereinafter provided. Such maps shall be drawn [~~with pen and India ink upon tracing cloth and shall be otherwise~~] in form and manner suitable to the files, records and purposes of the office of the secretary of state, and show such data thereon, or in relation thereto, as may be required by the secretary of state.

§ 66. Section 211 of the general municipal law, as amended by chapter 684 of the laws of 1944, is amended to read as follows:

§ 211. Certified copy of transfer to be filed. Whenever the United States, by any agent authorized under the hand and seal of any head of an executive department of the government of the United States, shall cause to be filed in the office of the secretary of state of this state, maps and descriptions by metes and bounds of any such pieces of land which had been acquired by the United States for the purposes specified in section two hundred [~~and~~] ten of this article, exclusive jurisdiction, except as provided in section two hundred [~~and~~] twelve, is thereupon ceded to the United States over the lands so described, during the time that the United States shall be or remain the owner thereof. Such maps shall be drawn [~~with pen and India ink upon tracing cloth and shall~~

~~be otherwise~~] in form and manner suitable to the files, records and purposes of the office of the secretary of state, and show such data thereon, or in relation thereto, as may be required by the secretary of state.

§ 67. Sections 303, 304, 313, 314, 315, 317, 319, 320, 323, 326, and 327 of the town law are REPEALED.

§ 68. Subdivision 1 of section 251 of the personal property law, as amended by chapter 106 of the laws of 1975, is amended to read as follows:

1. The term "property" as used in this article means money, instruments payable, drawn or issued to bearer or to cash, goods, chattels and tangible personal property other than (a) "instruments" as defined in subdivision two of this section, (b) animals, (c) wrecks governed by the provisions of the navigation law[~~,~~] **and** (d) [~~logs and other property governed by section three hundred twenty-three of the town law and (e)~~] vehicles governed by the vehicle and traffic law.

§ 69. Article 2-D of the transportation law is REPEALED.

§ 70. Article 21 of the transportation law is REPEALED.

§ 71. Subdivision 2 of section 2 of the transportation corporations law is amended to read as follows:

2. A [~~telegraph corporation, a~~] telephone corporation [~~or a telegraph and telephone corporation~~].

§ 72. Paragraph 2 of subdivision (b) of section 3 of the transportation corporations law, as amended by chapter 734 of the laws of 1964, is amended to read as follows:

2. If a [~~telegraph corporation, a~~] telephone corporation, [~~or a telegraph and telephone corporation,~~] the territory in which its operations are to be carried on;

§ 73. The article heading of article 3 of the transportation corporations law is amended to read as follows:

[~~TELEGRAPH AND~~] TELEPHONE CORPORATIONS

§ 74. Section 25 of the transportation corporations law is amended to read as follows:

§ 25. [~~Definitions. A telegraph corporation is a corporation organized to construct, own, use and maintain a line or lines of electric telegraph wholly within or partly without this state, or to acquire and own any interest in any such line or lines, or any grants therefor or for any or all of such purposes.~~] **Definition.** A telephone corporation is a corporation organized to construct, own, use and maintain a line or lines of electric telephone wholly within or partly without the state, or to acquire and own any interest in any such line or lines, or any grants therefor or for any or all of such purposes. [~~A telegraph and telephone corporation is a corporation organized for both such telegraph and telephone purposes.~~]

§ 75. Section 26 of the transportation corporations law, as amended by chapter 734 of the laws of 1964, is amended to read as follows:

§ 26. Extension of lines. A [~~telegraph corporation, a~~] telephone corporation [~~or a telegraph and telephone corporation~~] heretofore or hereafter incorporated under or by any general or special law may construct, own, use and maintain any line of [~~electric telegraph or~~] telephone, whether or not the line and the territory in which it be located was described in its original certificate of incorporation, and whether wholly within or wholly or partly without the state, and may join with any other corporation in constructing, leasing, owning, using and maintaining such line, or hold or own any interest therein, or become lessees thereof, upon delivering to the department of state for

filing a certificate of amendment. If the lines or territory are to be extended the certificate shall describe the territory in which the operations of the corporation are to be carried on.

§ 76. Section 27 of the transportation corporations law, as amended by chapter 840 of the laws of 1977, is amended to read as follows:

§ 27. Construction of lines. Any such corporation may erect, construct and maintain the necessary fixtures for its lines upon, over or under any of the public roads, streets and highways; and through, across or under any of the waters within the limits of this state, and may erect, construct and maintain its necessary stations, plants, equipment or lines upon, through or over any other land, subject to the right of the owners thereof to full compensation for the same. If any such corporation can not agree with such owner or owners upon the compensation to be paid therefor, such compensation shall be ascertained in the manner provided in the eminent domain procedure law. Any such corporation is authorized, from time to time, to construct and lay lines of electrical conductors under ground in any city, village or town within the limits of this state, subject to all the provisions of law in reference to such companies not inconsistent with this section; provided that such corporation shall, before laying any such line in any city, village or town of this state, first obtain from the common council of cities, or other body having like jurisdiction therein, the trustees of villages, or the town superintendents of towns, permission to use the streets within such city, village or town for the purposes herein set forth. [~~Nothing in this section shall limit, alter, or affect the provisions or powers relating or granted to telegraph corporations heretofore created by special act of the legislature of this state, except in so far as to confer on any such corporation the right to lay electrical conductors under ground.~~]

§ 77. Section 28 of the transportation corporations law is amended to read as follows:

§ 28. Transmission of dispatches. Every such corporation shall receive dispatches from and for other [~~telegraph or~~] telephone lines or corporations, and from and for any person, and on payment of the usual charges for transmitting dispatches as established by the rules and regulations of such corporation, transmit the same with impartiality and good faith and in the order in which they are received, and if it neglects or refuses so to do, it shall pay one hundred dollars for every such refusal or neglect to the person sending or desiring to send any such dispatch and entitled to have it so transmitted, but arrangements may be made with the proprietors or publishers or newspapers for the transmission for publication of intelligence of general and public interest out of its regular order.

§ 78. Section 29 of the transportation corporations law, as amended by chapter 734 of the laws of 1964, is amended to read as follows:

§ 29. Transfer of property to other corporations. Any such corporation may lease, sell or convey its property, rights, privileges and franchises, or any interest therein, or any part thereof to any [~~telegraph,~~] telephone [~~or telegraph and telephone~~] corporation organized under or created by the laws of this or any other state, and may acquire by purchase, lease or conveyance the property rights, privileges and franchises, or any interest therein or part thereof of any such corporation, and may make payments therefor in its own stock, money or property, or receive payment therefor in the stock, money or property of the corporation to which the same may be so sold, leased or conveyed.

§ 79. Sections 30 and 30-b of the transportation corporations law are REPEALED.

§ 80. Section 31 of the transportation corporations law is amended to read as follows:

§ 31. Application of article. The provisions of this article shall apply to corporations owning, leasing, maintaining or operating or organized for the purpose of owning, leasing, maintaining or operating, a radio or wireless plant, equipment or system as a part of, or in conjunction with, a station or stations engaged in or designed to engage in public commercial intercourse by wireless [~~telegraphy or~~] telephony, and also corporations for the generation and distribution of music electrically; and such corporations shall possess the powers and be subject to all the duties granted to or imposed upon [~~telegraph or~~] telephone corporations thereby except that such corporations organized solely for the generation and distribution of music electrically shall not have or exercise the right of condemnation.

§ 81. Subdivision 2 of section 103 of the transportation law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

2. No common carrier subject to the provisions of this chapter shall, directly or indirectly, issue or give any free ticket, free pass or free transportation for passengers or property between points within this state, except to its officers, employees, agents, surgeons, physicians, attorneys-at-law, and their families; to ministers of religion, officers and employees of railroad young men's christian associations, incarcerated individuals of hospitals, charitable and eleemosynary institutions and persons exclusively engaged in charitable and eleemosynary work; and to indigent, destitute and homeless persons and to such persons when transported by charitable societies or hospitals, and the necessary agents employed in such transportation; to incarcerated individuals of the national homes or state homes for disabled volunteer soldiers and of soldiers' and sailors' homes, including those about to enter and those returning home after discharge, and boards of managers of such homes; to necessary caretakers of property in transit; to employees of sleeping-car companies, express companies, [~~telegraph and~~] telephone companies doing business along the line of the issuing carrier; to railway mail service employees, post-office inspectors, mail carriers in uniform, customs inspectors and immigration inspectors; to newspaper carriers on trains, baggage agents, witnesses attending any legal investigation or proceeding in which the common carrier is interested, persons injured in accidents or wrecks and physicians and nurses attending such persons; to the carriage free or at reduced rates of persons or property for the United States, state or municipal governments, or of property to or from fairs and expositions for exhibit thereat.

§ 82. Subdivision 2 of section 427 of the vehicle and traffic law is amended to read as follows:

2. The comptroller, after reserving sufficient to provide at all times a fund in [~~his~~] the comptroller's hands [~~of five thousand dollars~~] out of which [~~he~~] the comptroller shall pay any refund under this chapter, approved by [~~him~~] the comptroller and by the commissioner, shall on or before the tenth day of each month pay to the department of taxation and finance the balance to [~~his~~] the comptroller's credit in such bank, banking house or trust company, on account of fees collected under this chapter at the close of business on the last day of the preceding month and such department shall pay such balance into the general fund of the state treasury.

§ 83. Section 86 of the workers' compensation law, as amended by chapter 7 of the laws of 1989 and as further amended by section 104 of part A of chapter 62 of the laws of 2011, is amended to read as follows:

§ 86. Catastrophe surplus and reserves for workers' compensation. Ten per centum of the premiums collected from employers insured in the fund for workers' compensation shall be set aside for the creation of a surplus [~~until such surplus shall amount to the sum of one hundred thousand dollars, and thereafter five per centum of such premiums~~], until such time as in the judgment of the commissioners such surplus shall be sufficiently large to cover the catastrophe hazard. Thereafter the contribution to such surplus may be reduced or discontinued conditional upon constant maintenance of a sufficient surplus to cover the catastrophe hazard. Reserves shall be set up and maintained adequate to meet anticipated losses and carry all claims and policies to maturity, which reserves shall be computed to reflect the present values, at five percent interest per annum, of the determined and estimated unpaid losses, and other requirements computed in accordance with such rules as shall be approved by the superintendent of financial services.

§ 84. Article 17 of the general business law is REPEALED.

§ 85. Section 15 of the employers' liability law is REPEALED.

§ 86. Section 8 of the employers' liability law is amended to read as follows:

§ 8. Consent by employer and employee to compensation plan. When and if any employer in this state and any of [~~his~~] **their** employees shall consent to the compensation plan described in sections nine to [~~fifteen~~] **fourteen**, inclusive, of this article, hereinafter referred to as the plan, and shall signify their consent thereto in writing, signed by each of them or their authorized agents, and acknowledged in the manner prescribed by law for taking the acknowledgment of a conveyance of real property, and such writing is filed with the county clerk of the county in which it is signed by the employee, then so long as such consent has not expired or been canceled as hereinafter provided, such employee, or in case injury to [~~him~~] **such employee** results in death, [~~his~~] **such employee's** executor or administrator, shall have no other right of action against the employer for personal injury or death of any kind, under any statute or at common law, save under the plan so consented to, except where personal injury to the employee is caused in whole or in part by the failure of the employer to obey a valid order made by the industrial commission or other public authority authorized to require the employer to safeguard [~~his~~] **their** employees, or where such injury is caused by the serious or willful misconduct of the employer. In such excepted cases thus described, no right of action which the employee has at common law or by any other statute shall be affected or lost by [~~his~~] **the employee's** consent to the plan, if such employee, or in case of death [~~his~~] **such employee's** executor or administrator, commences such action before accepting any benefit under such plan or giving any notice of injury as provided in section nine hereof. The commencing of any legal action whatsoever at common law or by any statute against the employer on account of such injury, except under the plan, shall bar the employee, and in the event of [~~his~~] **such employee's** death [~~his~~] **such employee's** executors, administrators, dependents and other beneficiaries, from all benefit under the plan. This section and sections nine to [~~fifteen~~] **fourteen**, inclusive, of this article shall not apply to a railroad corporation, foreign or domestic, doing business in this state, or a receiver thereof, or to any person employed by such corporation or receiver.

§ 87. Subdivision 4 of section 115 of the judiciary law is REPEALED.

§ 88. Paragraph (a) of section 5-1.1 of the estates, powers and trusts law is REPEALED.

§ 89. Section 62 of the agriculture and markets law is REPEALED.

§ 90. Title 25 of article 8 of the public authorities law is REPEALED.

§ 91. Subdivision 2 of section 1002 of the public authorities law, as amended by chapter 521 of the laws of 1984, is amended to read as follows:

2. It shall report annually to the governor and the legislature upon its operations and transactions. Such annual report shall incorporate the requirements of section [~~two thousand five~~] twenty-eight hundred of this chapter, shall identify the authority by its statutory name, and include a letter of transmittal in the report to the governor and the legislature. The annual report shall also include, but not be limited to, the following: (a) the amount of power and energy produced by each project facility; (b) the amount of energy transferred between each project facility for use within the authority's system; (c) the amount of energy transferred between each project facility for sale outside the authority's system; (d) the kilowatt-hour sales by project facility and by customer including all intrastate sales to investor-owned electric corporations, municipal electric systems and rural electric cooperatives, and all sales on a temporary (i.e., eighteen months or less) basis; (e) the revenues and costs as allocated by the authority for each project facility; (f) the busbar price or prices for power and energy sold to each customer of the authority; (g) the accumulated provision for depreciation for each project facility; and (h) basic financial and operating information specifically detailed for the reporting year and including but not limited to income and expense statements, balance sheets, and changes in financial position, all in accordance with generally accepted accounting principles, debt structure and a summary of funds on a cash basis. The requirement to provide information pursuant to this subdivision is not intended to affect the authority's responsibilities or obligations under this title or under any rate covenant or any pledge of revenues outstanding as of the effective date of [~~the~~] chapter five hundred twenty-one of the laws of nineteen hundred eighty-four [~~which added this sentence to this subdivision~~].

§ 92. Section 1115-y of the public authorities law, as amended by chapter 403 of the laws of 1987, is amended to read as follows:

§ 1115-y. Audit and annual report. The accounts of the authority and the water board shall be subject to the supervision of the city comptroller. The authority shall annually submit to the governor and comptroller and to the state legislature a detailed report pursuant to the provisions of section [~~two thousand five hundred~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with the mayor. The authority shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two, and two thousand five hundred three~~] twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 93. Section 1120-r of the public authorities law, as added by chapter 724 of the laws of 1990, is amended to read as follows:

§ 1120-r. Audit and annual report. In conformity with the provisions of section five of article ten of the constitution, the accounts of the authority shall be subject to the supervision of the comptroller. The authority shall annually submit to the governor and state comptroller and to the state legislature a detailed report pursuant to the

provisions of section [~~two thousand five~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with the town supervisor. The authority shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two, and two thousand five hundred three~~] twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 94. Section 1139 of the public authorities law, as added by chapter 592 of the laws of 1991, is amended to read as follows:

§ 1139. Audit, annual report and information. In conformity with the provisions of section five of article ten of the constitution, the accounts of the authority shall be subject to the supervision of the comptroller. The authority shall annually submit to the governor and comptroller and to the state legislature a detailed report pursuant to the provisions of section [~~two thousand five~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with both the county executive and with the county legislature. The authority shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two and two thousand five hundred three~~] twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

The county executive and the [~~chairman~~] chairperson of the county legislature may each designate a representative to act as a liaison to the authority. Each such liaison shall have the right to attend all meetings of the authority and request, from time to time, such information as the liaison may deem reasonably necessary for the purpose of informing the county executive and the county legislature, respectively, of the activities of the authority.

§ 95. Section 1199-r of the public authorities law, as added by chapter 723 of the laws of 1986, is amended to read as follows:

§ 1199-r. Audit and annual report. In conformity with the provisions of section five of article ten of the constitution, the accounts of the authority shall be subject to the supervision of the comptroller. The authority shall annually submit to the governor and state comptroller and to the state legislature a detailed report pursuant to the provisions of section [~~two thousand five~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with the county executive. The authority shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two, and two thousand five hundred three~~] twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 96. Section 1199-ss of the public authorities law, as added by chapter 709 of the laws of 1987, is amended to read as follows:

§ 1199-ss. Audit and annual report. In conformity with the provisions of section five of article ten of the constitution, the accounts of the authority shall be subject to the supervision of the comptroller. The authority shall annually submit to the governor and state comptroller and to the state legislature a detailed report pursuant to the provisions of section [~~two thousand five~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with the county executive. The authority shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two, and two thousand five hundred three~~] twenty-eight hundred

one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 97. Section 2045-r of the public authorities law, as added by chapter 932 of the laws of 1981, is amended to read as follows:

§ 2045-r. Audit and annual report. In conformity with the provisions of section five of article ten of the constitution, the accounts of the agency shall be subject to the supervision of the state comptroller. The agency shall annually submit to the governor and state comptroller and to the state legislature a detailed report pursuant to the provisions of section [~~two thousand five~~] twenty-eight hundred of this chapter, and a copy of such report shall be filed with the county executive. The agency shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two, and two thousand five hundred three~~] twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 98. Section 2046-q of the public authorities law, as added by chapter 632 of the laws of 1982, is amended to read as follows:

§ 2046-q. Audit and annual report. In conformity with the provisions of section five of article ten of the constitution, the accounts of the agency shall be subject to the supervision of the state comptroller. The agency shall annually submit to the governor and the state comptroller and to the state legislature a detailed report pursuant to the provisions of sections [~~two thousand five hundred, two thousand five hundred one, two thousand five hundred two and two thousand five hundred three~~] twenty-eight hundred, twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter, and a copy of such report shall be filed with the town clerk.

§ 99. Section 2047-r of the public authorities law, as added by chapter 675 of the laws of 1982 and as renumbered by chapter 502 of the laws of 1983, is amended to read as follows:

§ 2047-r. Audit and annual report. In conformity with the provisions of section five of article ten of the constitution, the accounts of the agency shall be subject to the supervision of the state comptroller. The agency shall annually submit to the governor and state comptroller and to the state legislature a detailed report pursuant to the provisions of section [~~two thousand five~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with the county executive. The agency shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two, and two thousand five hundred three~~] twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 100. Section 2049-s of the public authorities law, as added by chapter 638 of the laws of 1984, is amended to read as follows:

§ 2049-s. Audit and annual report. In conformity with the provisions of section five of article ten of the constitution, the accounts of the authority shall be subject to the supervision of the state comptroller and an annual audit shall be performed by an independent certified accountant. The authority shall annually submit to the governor and state comptroller and to the state legislature a detailed report pursuant to the provisions of section [~~two thousand five~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with the town supervisor. The authority shall comply with the provisions of sections [~~two thousand five hundred one,~~

~~two thousand five hundred two, and two thousand five hundred three~~] twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 101. Section 2050-r of the public authorities law, as added by chapter 936 of the laws of 1986, is amended to read as follows:

§ 2050-r. Audit and annual report. In conformity with the provisions of section five of article ten of the state constitution, the accounts of the agency shall be subject to the supervision of the state comptroller. The agency shall annually submit to the governor and state comptroller and to the state legislature a detailed report pursuant to the provisions of section [~~two thousand five~~] twenty-eight hundred of title one of article nine of this chapter, and a copy of such report shall be filed with the [~~chairman~~] chairperson of the county legislature. The agency shall comply with the provisions of sections [~~two thousand five hundred one, two thousand five hundred two and two thousand five hundred three~~] twenty-eight hundred one, twenty-eight hundred two, and twenty-eight hundred three of title one of article nine of this chapter.

§ 102. Section 61.01 of the arts and cultural affairs law is REPEALED.

§ 103. Articles 3, 4 and 5 of the debtor and creditor law are REPEALED.

§ 104. Section 352 of the correction law is amended to read as follows:

§ 352. Creditor must relinquish security. A creditor of the prisoner, who has a judgment, mortgage, or other security[~~, specified in section fifty-nine of the debtor and creditor law,~~] can not apply for such an appointment, with respect to the debt so secured, unless [~~he~~] such creditor appends to or includes in [~~his~~] their petition, [~~the~~] a declaration[~~, required by that section from a consenting creditor; which declaration has the same effect as the declaration of a consenting creditor, as therein specified~~] to the effect, that the creditor relinquishes the mortgage, judgment, or other security, so far as it affects that property, to the trustee to be appointed pursuant to the petition, for the benefit of all the creditors. Such a declaration operates, to that extent, as an assignment to the trustee, of the mortgage, judgment, or other security; and vests in such trustee accordingly all the right and interest of the consenting creditor therein.

§ 105. Section 353 of the correction law is amended to read as follows:

§ 353. Contents of petition. The petition must be in writing, and verified by the affidavit of the petitioner, to the effect, that the matters of fact therein stated are true, to the best of the petitioner's knowledge and belief. It must set forth the facts, showing that the applicant is entitled to make the application, and that the application is made to the proper court; the name and residence of each person, who is entitled to make such an application, as prescribed in the last section but one, except the fifth subdivision thereof; and a brief description of the property, real and personal, of the prisoner, and the value thereof. If the applicant is a creditor, and not a resident of the state, [~~he~~] such applicant must annex to [~~his~~] the petition, the [~~papers specified in section sixty-two of the debtor and creditor law~~] original accounts, or sworn copies thereof, and the original specialties or other written securities, if any, upon which such applicant's demand arose or depends. If any of the facts, herein required to be set forth can not be ascertained by the petitioner, after the exercise of due diligence, that fact must be stated; and the court may, in its discretion, issue a

subpoena, requiring any person to attend and testify, respecting any matter, which, in its opinion, ought to be more fully and certainly set forth.

§ 106. Section 118 of the judiciary law is REPEALED.

§ 107. Sections 43 and 120 of the Indian law are REPEALED.

§ 108. Section 10 of the employers' liability law, subdivision 2 as amended by chapter 115 of the laws of 1981, is amended to read as follows:

§ 10. Amount of compensation; persons entitled; physical examination. The amount of compensation under the plan shall be: 1. In case death results from injury:

(a) If the employee leaves a [~~widow~~] surviving spouse or next of kin at the time of [~~his~~] the employee's death wholly dependent on [~~his~~] the employee's earnings, a sum equal to twelve hundred times the daily earnings of the employee at the rate at which [~~he~~] such employee was being paid by the employer at the time of the accident[~~, but not more in any event than three thousand dollars~~]. Any weekly payments previously made under the plan shall be deducted in ascertaining such amount payable on death.

(b) If such [~~widow~~] surviving spouse or next of kin or any of them are in part only dependent upon [~~his~~] the employee's earnings, such sum not exceeding that provided in paragraph (a) of this subdivision [~~a~~] as may be determined to be reasonable and proportionate to the injury to such dependents.

(c) If [~~he~~] the employee leaves no [~~widow~~] surviving spouse, or next of kin so dependent in whole or in part, the reasonable expenses of [~~his~~] the employee's medical attendance and burial[~~, not exceeding one hundred dollars~~]. Whatever sum may be determined to be payable under the plan, in case of death of the injured employee, shall be paid to [~~his~~] the employee's legal representative for the benefit of such dependents, or if [~~he~~] the employee leaves no such dependents, for the benefit of the person to whom the expenses of medical attendance and burial are due.

2. Where total or partial incapacity for work at any gainful employment results to the employee from the injury, a weekly payment commencing at the end of the second week after the injury and continuing during incapacity, subject as herein provided, not exceeding fifty per centum of [~~his~~] the employee's average weekly earnings when at work on full time during the preceding year during which [~~he~~] the employee shall have been in the employment of the same employer, or if [~~he~~] the employee shall have been employed less than a year, then a weekly payment of not exceeding three times the average daily earnings on full time for such less period.

In fixing the amount of the weekly payment, regard shall be had to any payment, allowance or benefit which the [~~workman~~] employee may have received from the employer during the period of [~~his~~] the employee's incapacity, and in the case of partial incapacity the weekly payment shall in no case exceed the difference between the amount of the average weekly earnings of the [~~workman~~] employee before the accident and the average amount which [~~he~~] the employee is earning or is able to earn in some suitable employment or business after the accident, but shall amount to one-half of such difference. In no event shall any weekly payment payable under the plan [~~exceed ten dollars per week or~~] extend over more than eight years from the date of the accident. Any person entitled to receive weekly payments under the plan is required, if requested by the employer, to submit [~~himself~~] themself for examination

by a duly qualified medical practitioner or surgeon provided and paid for by the employer, at a time and place reasonably convenient for the employee, within three weeks after the injury, and thereafter at intervals not oftener than once in six weeks. If the [~~workman~~] **employee** refuses so to submit, or obstructs the same, [~~his~~] **the employee's** right to weekly payments shall be suspended until such examination shall have taken place, and no compensation shall be payable under the plan during such period. In case an injured employee shall be mentally incompetent at the time when any right or privilege accrues to [~~him~~] **such employee** under the plan, a committee or guardian of the incompetent **employee**, appointed pursuant to law, may, on behalf of such incompetent **employee**, claim and exercise any such right or privilege with the same force and effect as if the employee [~~himself~~] had been competent and had claimed or exercised any such right or privilege; and no limitation of time herein provided for shall run so long as said incompetent employee has no committee or guardian. In case an injured employee shall be under a substantial impairment within the meaning of the conservatorship provisions of article seventy-seven of the mental hygiene law at the time when any property right accrues to [~~him~~] **such employee** under the plan, a conservator, appointed pursuant to law, may, on behalf of such conservatee, claim and exercise any property right with the same force and effect as if the employee had been capable of managing [~~his~~] **their own** affairs and had claimed such right; and no limitation of time herein provided shall run so long as said employee has no conservator.

§ 109. This act shall take effect immediately.