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Bill Section Number	Law Added	Petrel Law Section (OLD)	
92	General Business Law (continued)		
		400	344
		401	345
		402	345 a
		403	346
		404	347
		405	348
		406	348
		407	348
		408	350
		409	351
		470	352
		471	353
		472	354
		552	355
	93		1520
94		1521	
95	554	1522	
96	General City Law		
	3-c	1879	
97	General Municipal Law		
	71-a	1848	
98	103-e	581-a	
99	General Obligations Law		
		5-401	991
		5-411	992
		5-413	993
		5-415	1385
		5-417	1386
		5-419	994
		5-421	995
		5-423	1383
		5-524	2400
	100	7-103 (amended)	...
101		1302-a	
102			
103	Insurance Law		
		7-a	442-a
		8	442-b
		9	442-c
		40-a	1200
		40-b	1203
		40-c	1204
		59-b	1199
		68	1197-a
		77-a	1190
		78-a	1190-a
		149-a	1190
	114	Judiciary Law	
		478	270
		479	270-a
		480	270-b
		481	270-c
		482	270-d
		483	270-e
		484	271
		485	272
		486	272-a
		487	273
		488	274
		489	275
		490	275-a
		491	276
		492	277
		493	278
		494	279
131		495	280



## DERIVATION TABLE

The left column of this table lists each "bill section" in the body of the bill. The center column shows the statute added or amended. The right column shows the corresponding section of the old Penal Law from which such statute is derived, in whole or in part.

Bill Section Number	Law Added	Penal Law Section (OLD)
	<b>Agriculture and Markets Law</b>	
1	45-b	932-a
2	45-c	968
3	64-a	438
4	73-a	1794
5	90-i	188
6	90-j	189(2)
7	95-a	436-c
8	95-b	933
9	105-b <sup>h</sup>	195-a
10	109-b	194-a
11	109-a	1757
12	175-s	185-a
13	194-e	431
14	199-c	1750
15	204-d	1749
	<b>Alcoholic Beverage Control Law</b>	
16	65-a	484-d
17	65-b	496
	<b>Banking Law</b>	
18	660	290
	661	293
	662	294
	663	295
	664	296
	665	297
	666	298
	667	299
	668	301-a
	669	302
	670	302-a
	671	303
	672	304
	673	305
	674	306
	<b>Civil Rights Law</b>	
19	40-c	700
20	40-d	701
21	40-e	513
22	40-f	515
23	40-g	517
24	40-h	518
25	44-a	514
26	79	510
27	79-a	511
28	79-b	512
29	79-c	512-a
30	79-d	512-b
31	79-e	516
	<b>Civil Service Law</b>	
32	155	2241
	<b>Correction Law</b>	
33	22	1528
34	601-b	1690-a





NATHAN R. SOBEL  
JUSTICE

SUPREME COURT OF THE STATE OF NEW YORK  
JUSTICES' CHAMBERS  
BROOKLYN 1, N.Y.

13065

June 16, 1965

Re: S. Int. 3065 Pt 3251  
Ass. Int. 4979 Pt 5156

TO: COUNSEL TO THE GOVERNOR  
FROM: COUNTY JUDGES ASSOCIATION

This is the companion bill to the "big" bill adopting a new Penal Law for the State effective September 1967.

Technically it is a perfect job for which the Bartlett Commission cannot be given too much credit.

It is interesting to observe that the supplemental bill is fatter than the new Penal Law. This proves that much legislation which was either totally unnecessary or which did not belong in the Penal Law in the first instance was permitted to be included in such law over the past half a century.

I should hope that in the future the Governor would veto similar efforts solely on the ground that the proposals do not belong in the Penal Law.

Making the effective date of the Penal Law and the Supplemental Law September 1, 1967 creates administrative problems with respect to current and future legislation. All bills amending these Penal provisions should amend both the old law and the new law (the latter effective September 1, 1967). At least that is the way we handled these problems in the past.

Approval is recommended.

J. S. C.

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THE JUDICIAL CONFERENCE  
OF THE  
STATE OF NEW YORK  
270 BROADWAY  
NEW YORK, N. Y. 10007  
BARCLAY 7-1616

83065

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THOMAS F. MCCOY  
STATE ADMINISTRATOR

June 14, 1965

Hon. Sol Neil Corbin  
Executive Chamber  
State Capitol  
Albany 1, New York

Re: ✓ Sen. Int. 3064, Pr. 3250 (Assem. Int. 4924, Pr. 5085)  
✓ Sen. Int. 3065, Pr. 3251 (Assem. Int. 4979, Pr. 5156)  
Assem. Int. 4972, Pr. 5147  
Assem. Int. 4973, Pr. 5148

Dear Sol:

This will acknowledge your request for comment on the above-listed legislation.

These four bills constitute a package proposal for the complete revision of the Penal Law of the State of New York - the first such revision in approximately 80 years.

Senate Int. 3064 (Assem. Int. 4924) contains the basic proposal of the Temporary Commission on the Revision of the Penal Law. In my opinion, this represents a noteworthy advance in the law of this state. It modernizes and clarifies an area of the law of vital public importance. While some controversial changes are made, the overall change is excellent. The Commission has performed a public service of high merit.

Senate Int. 3065 (Assem. Int. 4979) is an ancillary bill which would conform other statutes to the changes made by the primary bill and to place therein provisions repealed in the Penal Law.

Assembly Int. 4972 and Assembly Int. 4973 are amendments made by the Legislature not proposed by the Commission. They would retain adultery and sodomy as crimes. The omission of these crimes in the Penal Code as proposed by the Commission was based upon the concept that the private acts of consenting persons, however immoral,

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Hon. Neil Corbin


June 14, 1965

- 2 -

should not be held to constitute crimes because the purpose of the Penal Law should be to prohibit acts of public immorality, not private immorality. As a general principle of law, this is undoubtedly correct. However, the Legislature evidently felt, and I think properly so, that the acts in question are injurious to the public welfare at least indirectly, and that their prohibition may have a valid educational effect - which is one of the recognized purposes of law.

These bills have not been considered by the Judicial Conference. Personally, I would recommend the approval of all four bills.

Sincerely,

  
State Administrator

TFM:bb



STATE DEPARTMENT OF CIVIL SERVICE

June 15, 1965.

ASSEMBLY  
Int. 4979  
Pr. 5156

Introduced by Mr. Bartlett

RECOMMENDATION: See last paragraph

STATUTES INVOLVED: Agriculture and Markets Law § 45-b(new) etc., and various other laws, including Civil Service Law § 155(new) as found in § 32 of page 29 of the bill

EFFECTIVE DATE: September 1, 1967

DISCUSSION:

This bill affects the interests of this Department only to the extent that it adds a new Section 155 to the Civil Service Law to define as a misdemeanor certain unauthorized soliciting in behalf of civil service employees. (page 29) The provisions added now appear in Section 2241 of the Penal Law. According to the note on page 270 of this bill, these provisions and the other provisions of this bill are being shifted to appropriate chapters of the consolidated and unconsolidated laws in connection with the revision of the Penal Law.

The provisions added to the Civil Service Law by this bill deal with a criminal law-enforcement matter. Such provisions have nothing to do with public personnel administration or the implementation of the merit system; they are not provisions which would be administered by the State and local civil service commissions. Moreover, we are confident that the Legislature did not have in mind provisions of this kind when it conferred upon the State and local civil service commissions the authority and responsibility to conduct investigations concerning all matters touching upon the enforcement and effect of the Civil Service Law, and Rules and Regulations thereunder (Civil Service Law Sec. 6, subd. 3, and Sec. 21).

Accordingly, we are not pleased by the amendment to the Civil Service Law proposed in this bill. However, having in mind the importance of this legislation, our objection is not sufficiently serious to warrant recommendation for its veto.

MARY GOODE KRONE, PRESIDENT

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By:

*John J. Mooney*  
John J. Mooney, Counsel

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 82 FRONT STREET, CANAJOHARIE 17

TREASURER  
 EDITH F. REILLY  
 823 MORRIS STREET, ALBANY 8



NEW YORK STATE  
 ASSOCIATION OF MAGISTRATES

June 17th, 1965

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Hon. Sen Neil Corbin  
 Executive Chamber  
 State Capitol  
 Albany 1, New York

Senate- Intro. 3065-Print 3251  
 Assembly-Intro. 4979-Print 5156

Re: Amendments of various laws in  
 connection with the proposed new  
 Penal Law

Dear Mr. Corbin:-

Approval of this Bill is recommended  
 as complimenting the proposed Act revising the Penal  
 Law. Likewise, ample opportunity, should the Governor  
 sign the Bill, will be provided to the Bench and Bar  
 to suggest to the next Session of the Legislature such  
 changes as might be necessary after extensive study.

Very truly yours,  
  
 THEODORE E. SMITH, JR.  
 Chairman-Legislative Committee

TES:L

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APPROVED 1064

CHAPTER 1031

Intra. S. 3055  
Print. S. 3251

SENATE — ASSEMBLY

March 16, 1965

IN SENATE—Introduced by Mr. HUGHES—read twice and ordered printed, and when printed to be committed to the Committee on Codes  
Y—Introduced by Mr. BARTLETT—read once and referred to the Committee on Codes

AN ACT

law, general law, general city law, general municipal law, obligations law, insurance law, judiciary law, labor law, lien law, mental hygiene law, military law, navigation law, public health law, public offices law, railroad law, real property law, tax law, transportation corporations law, vehicle and traffic law, and chapter four hundred forty of the laws of nineteen hundred twenty-six, entitled "An act in relation to the formation of corporations for racing and breeding and improving the breed of horses, and continuing the state racing commission," in relation to adding thereto certain provisions substantially similar to certain provisions repealed by the revised penal law, and harmonizing certain provisions of the revised penal law

Compared by *[Handwritten Signature]*

APPROVED

JUL 20 1965

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