

LAWS=NEW JERSEY
1963

ACTS
OF THE
One Hundred and Eighty-seventh Legislature
OF THE
STATE OF NEW JERSEY
AND
Sixteenth Under the New Constitution



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1963

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The following laws, passed by the One Hundred and Eighty-seventh Legislature and an index of the laws, are published in accordance with Title 1, chapter three, section one et seq. of the Revised Statutes.

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Secretary of State.

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One Hundred and Eighty-seventh Legislature

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LAWS

ACTS

PASSED BY THE

One Hundred and Eighty-seventh Legislature

CHAPTER 1

AN ACT concerning the budget message to be transmitted by the Governor to the Legislature for the fiscal year July 1, 1963, to June 30, 1964.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Notwithstanding the provisions of any other law, the Governor shall transmit his budget message for the fiscal year July 1, 1963, to June 30, 1964 to the Legislature on or before February 11, 1963.

Transmittal
of budget
message.

2. This act shall take effect immediately.

Approved January 22, 1963.

RICHARD J. HUGHES,
Governor.

CHAPTER 2

AN ACT to validate certain proceedings at meetings or elections of school districts and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. All proceedings heretofore had or taken by any school district or at any school district meeting

Validates
proceedings,
election and
bonds.

or election held not less than 30 days and not more than 1 year prior to the effective date of this act for the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that notices relating to such meeting or election were not published prior thereto as required by the provisions of the Absentee Voting Law (1953) (P. L. 1953, c. 211), provided, however, that any applications received by the secretary of the board of education of the school district for military service ballots or civilian absentee ballots for such meeting or election were forwarded to the clerk of the county in which such school district is located; and provided further that no action, suit or proceeding to contest the validity of such meeting or election has heretofore been instituted within the time fixed by law or rule of court, or, where such time has not heretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved February 4, 1963.

CHAPTER 3

AN ACT concerning the disposition of certain surplus capital funds by county bridge commissions and authorizing the use thereof by counties, and supplementing article 2 of chapter 19 of Title 27 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 27:19-37.1.
Capital funds
as surplus;
payment to
treasurer.

1. Whenever any county bridge commission, created pursuant to article 2 of chapter 19 of Title 27 of the Revised Statutes or any supplement

thereto has or shall have paid the principal and interest on all its outstanding indebtedness and has or shall have on hand capital funds, derived from sources other than toll revenues in excess of the amount determined by such commission to be required for maintenance, repair, operation, reconstruction, replacement and modernization and improvement of the bridge or bridges under its control, and the approaches thereto, together with all other necessary expenditures of said commission, the commission may, by resolution, determine that such capital funds are surplus and provide for the payment of all or any part thereof to the county treasurer of the county for the use of the county.

2. Said surplus funds may be used by the county only for capital purposes in the acquisition, construction, improvement or enlargement of county facilities, buildings and roads, or any one or more of them, pursuant to resolution adopted by the board of chosen freeholders of the county.

C. 27:19-37.2.
Use of funds.

3. This act shall take effect immediately.

Approved March 13, 1963.

CHAPTER 4

AN ACT making appropriation to the Department of Conservation and Economic Development of funds to be used in connection with the holding of the Republican National Convention and the Democratic National Convention or either or both if they or either of them shall be held in New Jersey in 1964.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. There is hereby appropriated from the General Funds of the State Treasury the following sums for the following purposes to the Department of Conservation and Economic Development:

Appropriation.

Item 1. For defraying any expenses of the State of any character which may be incurred in connection with, and for, the holding of the Republican National Convention in Atlantic City in the year 1964, if the same shall be held there \$200,000 00

Item 2. For defraying any expenses of the State of any character which may be incurred in connection with, and for, the holding of the Democratic National Convention in Atlantic City in the year 1964, if the same shall be held there \$200,000 00

2. The appropriations hereby made or any unexpended balance thereof shall not lapse into the State Treasury at the end of the present or any future fiscal year because the same is not used in said year, until the expiration of the fiscal year 1964-1965, notwithstanding the provisions of any other law to the contrary unless such law specifically provides for the lapse of all or any part of the funds hereby appropriated.

3. This act shall take effect immediately.

Approved March 21, 1963.

CHAPTER 5

AN ACT to amend "An act to supplement an act entitled 'An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1963, and regulating the disbursement thereof,' approved June 12, 1962 (P. L. 1962, c. 79)," approved December 10, 1962 (P. L. 1962, c. 194).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

1. The following sums are hereby appropriated out of the General Treasury, or such other sources of funds specifically indicated, for the purposes hereinafter specified:

GENERAL STATE OPERATIONS

003-100. LAW REVISION AND LEGISLATIVE SERVICES

COMMISSION

Law
Revision and
Legislative
Services.

Extraordinary:

For additional expenses of the
commission and for reimburse-
ment of advances made to the
Welfare Investigating Com-
mission

\$15,000 00

DEPARTMENT OF LABOR AND INDUSTRY

Disability
Insurance
Service.

391-400. DISABILITY INSURANCE SERVICE

(Payable Out of Temporary Disability Benefits
Administration Fund)

In addition to the funds heretofore appropriated in P. L. 1961, c. 38 to the Disability Insurance Service, there are hereby appropriated out of the State Disability Benefits Fund Administration Account such additional sums not to exceed \$130,000.00 as may be required to administer the Disability Insurance Program, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

Tercentenary
Commission.

813-100. NEW JERSEY TRICENTENARY COMMISSION

There are hereby appropriated receipts derived from the sale of articles and literature in connection with the New Jersey Tercentenary commemoration as a revolving fund to be used, firstly, for the purpose of purchasing or printing said articles and literature for sale and, secondly, for operating purposes.

In addition hereto, all other receipts are hereby appropriated.

STATE AID

Resource
Development.

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

DIVISION OF RESOURCE DEVELOPMENT

420-401. INLAND WATERWAYS AND SHORE PROTECTION—STATE AID

Shore Protection:

For shore protection outlined in R. S. 12:6A-1 and 6A-4	\$1,000,000 00
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For State aid for shore protection to municipalities and counties participating in the Federal program under The Public Works Acceleration Act (Public Law 87-658) not to exceed 25% of the total cost of shore protection projects in which the Federal Government will participate under said act, said total cost to include direct construction, legal advertising and project inspec-

tors but not including municipal and county legal and engineering fees and costs. The shore protection work to be executed under contract by the municipality or county shall be subject to supervision and inspection by the department including approval of plans, specifications, bidding and contract award and the making of surveys as necessary to coordinate with existing State comprehensive planning. An allowance of 2.5% of the total cost of shore protection projects approved for construction shall be available to the department to defray the costs of such State supervision and inspection. In conjunction with approval of contract award by the department, a sum representing 90% of State aid approved shall be paid over to the municipality or county subject to final approval of the completed work and audit and accounting of the project funds. Final payment to the municipality or the county shall be made upon determination of the final amount subject to State aid and completion of the final audit.

CAPITAL CONSTRUCTION

DEPARTMENT OF LAW AND PUBLIC SAFETY

140-100. DIVISION OF MOTOR VEHICLES

Motor
Vehicles.

Supplemental requirement for the establishment of a new inspection station in northern Hudson

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county consisting of a 3-lane inspection station, reinspection lane, station office, lunch-room, locker-room, rest room and storage area \$262,554 00

Treasury.

DEPARTMENT OF THE TREASURY

210-100. ADMINISTRATIVE DIVISION

For purchase of real estate on the north side of West State street, Trenton, New Jersey, known as 134 West State street and 138-140 West State street, in the sums of \$60,000.00 and \$124,000.00 respectively, together with cost of acquisition, subject to approval by the State House Commission \$184,000 00

Civil Defense.

DEPARTMENT OF DEFENSE

346-100. DIVISION OF CIVIL DEFENSE

To provide 50% of part of the cost of architectural and engineering services required to construct an emergency operating control center as an alternate seat of government and to carry out State-wide civil defense emergency operations, the total cost of which is estimated to be \$2,500,000.00 toward which the Federal Government will contribute 50% ... \$12,000 00

Grand Total, Supplemental
Appropriations \$1,473,554 00

2. This act shall take effect immediately.
Approved March 21, 1963.

CHAPTER 6

AN ACT to amend and supplement "An act authorizing the State Highway Commissioner to sell and convey to municipalities estates in real estate, owned and occupied for public highway purposes in areas above the surface of the ground and authorizing such municipalities to lease the same for other than municipal purposes," approved December 19, 1960 (P. L. 1960, c. 148).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

1. The State Highway Commissioner may sell at private sale and convey to any municipality an estate in any real estate, which is owned and occupied by the State for public highway purposes, in an area above the surface of the ground, at such height or level as is not required for the use of the State, upon such terms and conditions as shall not be inconsistent with the use of such real estate at any lower level by the State and any municipality which has heretofore acquired or shall hereafter acquire an estate in such real estate, notwithstanding other provisions of any law applicable to the disposition of any interests or estates in real estate by a municipality, is authorized to lease the same by private negotiation for a term or period of time not exceeding 99 years upon such terms and conditions as it shall determine upon, for other than municipal use which terms and conditions may include a payment or payments to the municipality in lieu of real estate taxes.

C. 27:12-7.
Sale of
estates in
realty owned
by State of
area above
surface of
ground.

2. Whenever any municipality shall intend to enter into a lease by private negotiation, pursuant to section 1 of this act, it shall make such intention

C. 27:12-7.1.
Notice of
intention
published;
contents.

public by publishing a notice thereof in at least 1 newspaper of general circulation in the municipality. The notice shall be published at least once not less than 10 days before such lease shall be executed, including the day of publication but excluding the day of execution of the lease. The notice shall clearly call attention to the fact that it is a notice of information with respect to a proposed lease of such property which shall be generally described, and the notice shall also contain the following:

(a) The name of the lessee with whom the municipality proposes to enter into the lease;

(b) A recital that:

(i) The municipality has a proposal from the lessee named in the lease to enter into the lease for the development of such property;

(ii) The governing body proposes to authorize the execution of the proposed lease and to execute it on or after the date specified in the notice, which date shall not be earlier than the tenth day after publication, excluding the date of publication; and

(iii) A copy of the proposed lease is available for public examination at the office of the clerk of the municipality during regular office hours.

3. This act shall take effect immediately.

Approved March 21, 1963.

CHAPTER 7

A SUPPLEMENT to an act entitled “An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1963, and regulating the disbursement thereof,” approved June 12, 1962 (P. L. 1962, c. 79).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The following sums are hereby appropriated out of the General Treasury, or such other sources of funds specifically indicated, for the purposes hereinafter specified:

GENERAL STATE OPERATIONS

EXECUTIVE

Department of Law and Public Safety

140-100-120. Division of Motor Vehicles

Appropriation.

Supplemental requirement for fiscal year 1962-63 \$200,542 00

2. This act shall take effect immediately.

Approved March 21, 1963.

CHAPTER 8

AN ACT to validate certain proceedings at meetings or elections of school districts and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Validates
proceeding,
elections
and bonds.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election held prior to December 31, 1962 and not more than one year prior to said date for or with respect to the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that notices relating to such meeting or election were not published prior thereto within the time and as required by the provisions of the Absentee Voting Law (1953) (P. L. 1953, c. 211), or that a notice of such school district meeting or election was not published as required by section 18:7-15 of the Revised Statutes, provided, however, that notices relating to such school district meeting or election and substantially in the form required by said Absentee Voting Law (1953) were published prior to the thirty-ninth day immediately preceding said meeting or election in a newspaper published in the school district and that notices in form as aforesaid were published prior to the fortieth day immediately preceding such meeting or election in a newspaper circulating in the school district and published in the county in which such school district is located, and that any applications received by the secretary of the board of education of the school district for military service ballots or civilian ab-

sentee ballots for such meeting or election were forwarded to the clerk of the county in which such school district is located; provided further, that notices specifying the day, time and place of such school district meeting or election were posted within the time and in the manner required by said section 18:7-15, and that no bonds of the school district have heretofore been issued pursuant to any such proposal adopted at such meeting or election, and that the supplemental debt statements have been heretofore made, sworn to and filed in the places required by section 18:5-87 of the Revised Statutes; and provided further, that no action, suit or proceeding to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court, or, where such time has not heretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved April 1, 1963.

CHAPTER 9

AN ACT to amend and supplement "An act concerning taxation, supplementing chapter 4 of Title 54, revising parts of the statutory law, and repealing sections 54:1-31, 54:1-32 and 54:4-3.16 of the Revised Statutes," approved June 15, 1960 (P. L. 1960, c. 51), and making an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section
amended.

C. 54:4-2.34.
Applicability
of act.

1. Section 38 of the act of which this act is amendatory is amended to read as follows:

38. Section 13 of this act shall apply to taxes on tangible household personal property and personal effects due and payable in the year 1962 and thereafter, and the remainder of this act shall apply to real and personal property taxes due and payable in the year 1965 and thereafter, and shall not affect the obligation, lien, or duty to pay any taxes, interest or penalties which have accrued or may accrue by virtue of any assessment made or which may be made with respect to taxes levied for any year prior to the year 1965, nor shall this act affect the legal authority to assess and collect taxes which may be or have been due and payable prior to January 1, 1965, together with such interest and penalties as would have accrued thereon under any provision of law amended or repealed hereby; nor shall this act invalidate any assessments or affect any proceeding for the enforcement thereof pending upon the effective date of this act or upon January 1, 1965, or during the period between said dates.

C. 54:4-2.38.
Time of
performance.

2. Whenever, under the act to which this act is amendatory and supplementary, an act is required to be performed upon a date in 1961, such act shall be performed on the corresponding date in 1964.

C. 54:4-2.39.
Returns of
tangible
personal
property used
in business to
be filed in
1963; forms
and
instructions;
simplified
return;
contents.

3. On or before August 1, 1963, each person owning tangible personal property used in business within the taxing district during any part of the 12-month period ending December 31, 1962 shall prepare and file with the Director of the Division of Taxation an appropriate return of such personal property in such form and containing such information relating thereto as the director prescribed for the year 1963 pursuant to the provisions of the act hereby supplemented, in Returns of Tangible Personal Property used in Business, forms PT-1, PT-1A and PT-1F and implementing instructions and regulations. Said forms, instructions and regulations shall be revised as necessary to carry out the purposes of this act. The returns shall list such

property, valued in accordance with the provisions of the act hereby supplemented, as of the last accounting year for Federal income tax purposes completed prior to April 2, 1963, and a separate return shall be filed for personal property situated in each taxing district. All such returns shall set forth the penalties provided in section 4 of this act and shall be signed by the owner or his authorized agent.

Taxpayers whose personal property at net book value, aggregates not over \$25,000.00 shall be permitted to file a simplified return requiring only the following information, in the following form:

- (1) The name, business address and type of business of the taxpayer;
- (2) The net book value of business machinery and equipment not including supplies and small tools;
- (3) The net book value of inventory, not including raw materials;
- (4) The net book value of all other tangible personal property, if any, used in business, not including those items exempted in (2) and (3) hereof; and
- (5) The total net book value of all such personal property.

Net book value shall be that value computed by the taxpayer for Federal income tax purposes.

4. Any property owner required to file a return under this act, who fails or neglects to file a return within the time prescribed herein or who shall file a willfully false or fraudulent return, shall be assessed a penalty of \$25.00 per day for each day of delinquency provided that the total penalty for such property owner shall not exceed \$500.00 and, provided, further, that in the case of a taxpayer whose business personal property, at cost, does not exceed \$25,000.00, there shall be imposed in lieu of such a penalty the appropriate penalty listed below:

\$5.00 where the delinquency does not exceed 30 days;

C. 54:4-2.40.
Penalties upon
failure to file
return.

\$10.00 where the delinquency does not exceed 60 days;

\$20.00 where the delinquency does not exceed 90 days;

\$25.00 for each additional 30 days in excess of 90 days, provided that in no event shall the total penalty for such property owner exceed \$100.00.

All penalties shall be enforceable and collectible by the Director, Division of Taxation pursuant to the penalty enforcement law (chapter 58 of Title 2A of the New Jersey Statutes) in a summary manner. The director, if satisfied that the failure to file on time was excusable, may abate or remit the whole or part of any penalty.

C. 54:4-2.41.
Use of
returns;
destruction.

5. The returns required to be filed under this act shall not be used as a basis for determination of any assessment or any imposition of a tax but shall be used by the director only for the purpose of compiling and tabulating statistical information which he shall use for the purpose of analyzing the statutory law relating to the taxation of personal property used in business and making recommendations required under section 38 of the act hereby supplemented. All returns filed pursuant to this act shall be destroyed within 1 year from the date filed with the director.

C. 54:4-2.42.
Returns filed to
be confidential
and privileged;
construing.

6. (a) All returns filed pursuant to this act shall be considered confidential and privileged and neither the director nor any employee in the Division of Taxation or any employee charged with the custody of such returns or any other person shall divulge or disclose or use in any manner any information obtained from said returns nor shall any such information be referred to in any action or proceeding by way of direct examination, cross-examination, or otherwise. Neither the director nor any employee engaged in such administration or charged with the custody of any such returns shall be required or permitted to produce any of them

for inspection of any person or for use in any action or proceeding.

(b) Nothing herein contained shall be construed to prevent the publication of statistics and information provided such materials have been so classified as to prevent the identification of a particular return and the items thereof and the director, in carrying out the purposes of this act, shall not disclose the names or addresses of any person required to file under this act nor any information as to whether such person has or has not complied with the provisions of this act, except for the purpose of enforcement of this act or the act hereby supplemented.

7. The assessors and public officials of the municipalities of the State concerned with the application of the provisions of chapters 4 and 4a of Title 54 of the Revised Statutes shall co-operate with the Division of Taxation to the extent required by the director thereof and shall assist the director in distributing the forms provided for in section 3 of this act. On or before June 1, 1963, such assessors and public officials shall furnish to the director a list of the names and addresses of the taxpayers within their jurisdiction to whom they have mailed or distributed such forms. The director, within the limitation of available appropriations shall reimburse such municipalities for any costs incurred by them for printing and envelopes and for the cost incurred for postage used in mailing.

C. 54:4-2.43.
Co-operation of
assessors and
public officials;
list of
taxpayers
furnished;
reimbursement
for expenses.

8. There is hereby appropriated to the Division of Taxation in the Department of the Treasury the sum of \$100,000.00 or so much thereof as shall be required to carry out the provisions of this act.

Appropriation.

9. This act shall take effect immediately.

Approved April 1, 1963.

CHAPTER 10

AN ACT to validate certain proceedings at meetings or elections of school districts, and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Validates
proceedings
and bonds.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that the adoption of such proposal authorized the board of education to issue bonds the principal amount of which, added to the amount of all the bonds and notes of the school district then issued and outstanding or authorized but unissued less the amount of any sinking funds held for payment of the same, exceeded any limitation or other restriction prescribed by section 18:5-84 of the Revised Statutes and that such proposal did not disclose or correctly disclose the effect thereof on the borrowing margin of any municipality comprised within the school district in compliance with the provisions of section 18:5-86 of the Revised Statutes, provided, however, that the consents of the State Commissioner of Education and of the Local Government Board provided for in said section 18:5-86 shall have been endorsed upon a copy of such proposal prior to the date of such school district meeting or election; and provided further, that no action, suit or other proceedings of any nature to contest the validity of such meeting or election has heretofore been instituted

prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court, or, when such time has not theretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved April 2, 1963.

CHAPTER 11

AN ACT concerning education and amending sections 18:9-1 and 18:9-5 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 18:9-1 of the Revised Statutes is amended to read as follows: Section amended.

18:9-1. There is hereby established a body corporate and politic, with corporate succession, to be known as the "State federation of district boards of education." All boards of education of the various school districts in this State shall be members of the State federation. Establishes body corporate; members.

2. Section 18:9-5 of the Revised Statutes is amended to read as follows: Section amended.

18:9-5. The State federation shall be a body corporate and politic and shall have perpetual succession and shall have the following powers: Powers.

a. To make, amend and repeal rules, regulations, and by-laws for its own government and guidance not inconsistent with this Title;

b. To adopt an official seal and alter the same at pleasure.

c. To maintain an office at such place or places within the State as it may designate;

d. To sue and be sued in its own name;

e. To borrow money, to issue bonds or notes therefor, and to secure the same by pledge or mortgage of its real and personal property;

f. To acquire, hold and dispose of real and personal property in the exercise of its powers and the performance of its duties under this act. All such property shall be exempt from taxation under chapter 4 of Title 54 of the Revised Statutes.

3. This act shall take effect immediately.

Approved April 2, 1963.

CHAPTER 12

AN ACT authorizing the city of Asbury Park to lease certain lands acquired by said city, pursuant to the provisions of 'An act to authorize cities bordering on the Atlantic ocean to purchase the lands in any such city bordering on the ocean and adjacent lands thereto in such city, for public purposes and to improve the same, and to issue bonds for such purposes,' approved March 23, 1900, and any amendment thereof, which are no longer needed for public use, for the construction and operation of motels, hotels, apartment houses or apartment hotels thereon.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Authorized
to lease
certain lands;
description.

1. The mayor and council of the city of Asbury Park may lease the lands located therein bordering upon the ocean and acquired by it, pursuant to the provisions of 'An act to authorize cities bordering on the Atlantic ocean to purchase the lands in any such city bordering on the ocean, and adjacent lands thereto in such city, for public purposes, and to improve the same, and to issue bonds for such pur-

poses,' approved March 23, 1900, and any amendment thereof, and more particularly described as follows:

All that certain lot, tract or parcel of land and premises, situate, lying and being in the City of Asbury Park, County of Monmouth, State of New Jersey and shown on a Map entitled: "Survey of Property Made for City of Asbury Park between Ocean Avenue and beach, adjacent to Ocean Township-Asbury Park boundary line, Asbury Park, N. J." made by Birtwell & Avakian, Inc., Consulting Engineers, and dated December 17, 1962, and being more particularly described as follows:

Beginning at a point in the easterly line of Ocean Avenue, which point is distant Two Hundred five and fourteen one-hundredths feet (205.14') on a course North Thirty six degrees, thirty six minutes, thirty seconds East ($N36^{\circ}36'30''E$) from the point of intersection of the southerly line of Deal Lake Drive with the westerly line of Ocean Avenue, running thence (1) North Ten degrees, twenty-five minutes West ($N10^{\circ}25'W$) along the easterly line of Ocean Avenue Seventy Six and twelve one-hundredths feet (76.12') to a point; thence (2) continuing along the easterly line of Ocean Avenue along the curve of an arc bearing to the right whose radius is Two Hundred eighty eight and thirty one-hundredths feet (288.30') a distance of One Hundred forty one and sixty four one-hundredths feet (141.64') to a point; thence (3) continuing along the easterly line of Ocean Avenue North Seventeen degrees, forty four minutes East ($N17^{\circ}44'E$) One Hundred twenty and twenty nine one-hundredths feet (120.29') to a point; thence (4) continuing along the easterly line of Ocean Avenue along the curve of an arc bearing to the left whose radius is Two Hundred Twenty three and sixty four one-hundredths feet (223.64'), Seventy eight and five one-hundredths feet (78.05') to the northwesterly corner of the entire tract; thence (5) South Seventy one degrees, forty six minutes, forty five seconds East ($S71^{\circ}46'45''E$) Two Hundred one and forty

four one-hundredths feet (201.44') to the northeasterly corner of the entire tract; thence (6) South Twenty one degrees, thirty eight minutes, forty five seconds West ($S21^{\circ}38'45''W$) Five Hundred ninety and thirty two one-hundredths feet (590.32') to the southeasterly corner of the entire tract; thence (7) North Sixty Eight degrees, twenty one minutes, fifteen seconds West ($N68^{\circ}21'15''W$) Fifty seven feet (57.00') to the easterly line of Ocean Avenue and the southwesterly corner of the entire tract; thence (8) North Twenty one degrees, thirty eight minutes, forty five seconds East ($N21^{\circ}38'45''E$) along the easterly line of Ocean Avenue Sixty eight and forty eight one hundredths feet (68.48') to a point; thence (9) continuing along the easterly line of Ocean Avenue along the curve of an arc bearing to the left whose radius is Two Hundred Nineteen and fifty one-hundredths feet (219.50'), One Hundred twenty two and eighty three one-hundredths feet (122.83') to the point and place of beginning.

The above description is in accordance with a survey made by Birtwell & Avakian, Inc., Consulting Engineers, dated December 17, 1962.

Together with the uses usually appurtenant to a motel, hotel, apartment house or apartment hotel building, for a period not exceeding 99 years, upon condition that all improvements made thereon during the term of such lease shall, at the termination thereof, become the property of said City, and upon such other terms and conditions as said Mayor and Council may determine upon compliance with the provisions of this act.

Resolution
declaring land
not needed for
public use;
advertising
for bids.

2. Before leasing said lands or any part thereof, said mayor and council shall by resolution duly adopted declare said lands to be no longer needed for public use and shall advertise for proposals and bids for the leasing of said lands, in which advertisement there shall be generally described said lands and the improvements and type of construction to be made thereon and the time within which such proposals and bids shall be furnished, which advertisement shall be published once a week for

4 weeks in a newspaper of general circulation published in said city, and also in a newspaper of general circulation published without said city, and circulating in said city.

3. Every bidder shall be required to file his bid and proposals within the time so fixed, describing the terms and conditions upon which the same are made, and said mayor and council may by resolution accept the proposal and bid of the bidder deemed best qualified and submitting a proposal yielding the highest return to the city from tax ratables and rent, in compliance with the provisions of this act, and may by ordinance authorize the leasing of said lands on the terms set forth in such proposal and bid.

Bids and
proposals;
filing
acceptance.

4. This act is a special law enacted upon the petition of the Mayor and Council of the city of Asbury Park in the county of Monmouth and State of New Jersey under the authority conferred by paragraph 10 of Section VII in Article IV of the Constitution.

Special law.

5. This act shall take effect immediately but shall be inoperative until it shall be adopted by ordinance of the Mayor and Council of the city of Asbury Park in the county of Monmouth and State of New Jersey.

Act effective.

Approved April 2, 1963.

CHAPTER 13

AN ACT relating to the appointment of the clerk, collector of taxes and assessors in certain towns, and supplementing chapter 132 of Title 40 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 40:132-3.3.
Appointment
of certain town
officials.

1. In any town in which the town clerk, collector of taxes and assessors have been appointed by the mayor and council according to law, such officers shall continue to be so appointed notwithstanding the taking effect of the 1960 census.

2. This act shall take effect immediately.

Approved April 2, 1963.

CHAPTER 14

AN ACT to amend "An act providing for a system for the granting of paroles in certain cases, establishing a State Parole Board and defining its composition, powers and duties, and repealing sections 30:4-106.1, 30:4-106.2 and 30:4-142 of the Revised Statutes," approved May 28, 1948 (P. L. 1948, c. 84).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 35 of the act of which this act is amendatory is amended to read as follows:

C. 30:4-123.35.
Certain
prisoners may
apply for
parole; county
probation
officers'
powers and
duties.

35. Notwithstanding any of the provisions of this act, any prisoner in a county penitentiary serving a term having a maximum greater than a year and who has served at least 1 year of such term shall be permitted to make application to the board for parole. The application shall be on forms to be prescribed and furnished by the board through the warden or chief executive officer of such county penitentiary upon certification that the prisoner desiring to make application is eligible therefor. The board upon receipt of such application may, if the circumstances of the case warrant, grant a parole to any such prisoner in the manner provided for herein, subject to such terms, conditions and limitations as the board may prescribe, and such

prisoner while on parole shall be under the supervision of the chief probation officer of the county from which committed until the maximum term of his sentence has expired. The chief probation officer of the county, and all other county probation officers within the county properly designated and authorized so to act by the chief county probation officer, while supervising a parolee released from a county penitentiary as provided for herein, are hereby granted all rights, privileges and duties which have been granted to parole officers of the Department of Institutions and Agencies as otherwise provided for in this act.

2. This act shall take effect immediately.

Approved April 2, 1963.

CHAPTER 15

AN ACT concerning replevin and amending sections 2A:59-5 and 2A:59-8 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 2A:59-5 of the New Jersey Statutes is amended to read as follows:

Section
amended.

2A:59-5. Every sheriff or other officer, before he makes delivery of any goods or chattels by virtue of the writ, shall take in his own name a bond with sufficient surety in double the value of the goods and chattels mentioned in the writ or, where the taking was a distress for rent, in double the amount of the rent claimed, and conditioned for prosecuting the action with effect and without delay, and for duly returning such goods and chattels to the defendant, or his legal representatives, in as good condition as they were when replevied, if a return

Replevin bond;
amount.

shall be awarded. The value of the goods and chattels shall be ascertained by oath of one or more disinterested witnesses, which oath may be made before any officer authorized by law to administer oaths.

Section
amended.

2. Section 2A :59-8 of the New Jersey Statutes is amended to read as follows :

Cash deposit
in lieu of
bond.

2A :59-8. In lieu of the bond mentioned in sections 2A :59-5, 2A :59-6 of this Title, the sheriff may accept a deposit in cash, amounting to double the appraised value of the goods and chattels or, where the taking was a distress for rent, amounting to double the amount of the rent claimed. Said cash shall forthwith be paid by said sheriff to the clerk of the court out of which the writ shall issue, to remain there until an order of the court disposes of same.

3. This act shall take effect immediately.

Approved April 2, 1963.

CHAPTER 16

AN ACT concerning the enlistment terms of enlisted members of the National Guard and amending section 38:3-31 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 38:3-31 of the Revised Statutes is amended to read as follows :

Enlistments,
re-enlistments
and extension
of terms.

38:3-31. Enlistments, re-enlistments and extension of enlistments of National Guard enlisted members shall be for such periods as are prescribed by the Chief of Staff by regulations except as otherwise provided by applicable Federal laws or regulations for enlisted members required to have a Federal reserve status.

2. This act shall take effect immediately.

Approved April 2, 1963.

CHAPTER 17

AN ACT concerning the reproduction by microfilm of certain pleadings, judgments and other papers filed in County Courts, surrogate's courts and the district courts and the destruction of the originals thereof and amending sections 2A:11-48, 2A:11-50, 2A:11-51 and 2A:11-53, and repealing section 2A:11-54 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 2A:11-48 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:11-48. When in any cause in the Superior Court or the Supreme Court, any County Court, surrogate's court or district court, final judgment has been entered, and the time for appeal or review has expired and no appeal or proceedings to review the same has been taken, or if taken, the appeals and proceedings to review the same have been finally determined, or when in any cause in such courts, although final judgment has not been entered, no papers have been filed for at least 7 years, or when in any cause in the former court of chancery, the former prerogative court, the former Supreme Court, or the former court of errors and appeals any final judgment, order or decree has been entered, or any interlocutory judgment, order or decree has been entered and no papers have been filed for at least 7 years, the Clerk of the Supreme Court, and the Clerk of the Superior Court, respectively, or the surrogate or clerk of the court in which said judgment was entered may, subject to the direction of the administrative director with the approval of the Chief Justice, or the assignment judge of the county in the case of the records of county, surrogate's or district courts, record in duplicate the pleadings, judgment, decree and other Recording pleadings, judgments, decrees and other papers.

papers, including original wills and inventories, filed with the court by the use of any photostatic, photographic or micrographic process whatever, including any photographic process which will produce compact records on films in reduced size (commonly known as microfilm), which in the judgment of the Chief Justice or said assignment judge, as the case may be, will insure an efficient recording system and provide, under proper supervision, for ready access to the record of the same, in any cause so recorded. Any party to any action may, at his own expense, require the recording, in the same manner, of any other documents in any cause, otherwise not required to be recorded. Provision shall be made for storing the duplicates in separate places.

Section
amended.

2. Section 2A:11-50 of the New Jersey Statutes is amended to read as follows:

Recording
by employees
or by contract.

2A:11-50. The work of recording the papers as provided in this article may be done by employees in the office of the clerk or may be contracted for, in accordance with all provisions of law relating to contracts entered into by State officers or agencies if the work is to be paid for by the State, and in accordance with all provisions of law relating to contracts on behalf of the county, if the work is to be paid for by the county, provided, however, that the decision as to whether the work shall be done by employees in the office of the clerk or by contract shall rest with the Chief Justice and the clerk or the assignment judge of the county and the county clerk in the case of county and district court records or the assignment judge of the county and the surrogate in the case of records of the surrogate, who shall together consider whether the office of the clerk or surrogate is or can be equipped therefor, the cost of such work by such employees or by contract, and the efficiency with which the work can be done either way.

Section
amended.

3. Section 2A:11-51 of the New Jersey Statutes is amended to read as follows:

Cost of
work.

2A:11-51. The cost or costs of such work, in so duplicating papers filed in, and records of, the

Superior Court or the Supreme Court or the former court of chancery, the former prerogative court, the former Supreme Court or the former court of errors and appeals however the same is to be done, including the cost of devices, machines, cameras, supplies, or other equipment to be purchased, if any, shall be approved by the Director of Budget and Accounting of the Department of the Treasury and, if approved, shall be paid out of funds heretofore or hereafter appropriated for that purpose, or out of funds heretofore or hereafter appropriated for other purposes to the court or to the clerk thereof, or both, in such amount or amounts as the Chief Justice, the clerk and the director shall agree is, are or will be available for such cost or costs.

The cost or costs of such work, if the same is to be done in duplicating papers filed in, and records of, the County Clerk, surrogate and district courts shall be paid out of funds provided for that purpose by the board of chosen freeholders of the county in which such court is constituted.

4. Section 2A:11-53 of the New Jersey Statutes is amended to read as follows:

Section
amended.

2A:11-53. Seven years after final judgment has been entered in causes in the Superior Court or the Supreme Court or any such County Court or district court and the time for appeal or review has expired when no appeal or proceedings to review the same has been taken, or if an appeal or proceedings to review the same has been taken 7 years after such appeals and proceedings to review the same have been finally determined or when no final judgment or decree has been entered, but no papers have been filed for at least 7 years in causes in the Superior Court or the Supreme Court, or any such county, surrogate's or district court or when in causes in the former court of chancery, the former prerogative court, the former Supreme Court, or the former court of errors and appeals any interlocutory or final judgment, order or decree has been entered and no papers have been filed for at least 7 years, the Chief Justice, or said assignment judge

Destruction
of papers.

in the case of county, surrogate's and district court records, may cause to be given 10 days' written notice to the Division of the State Library, Archives and History, in the State Department of Education, of his intention to destroy or otherwise dispose of the papers in the causes from which the photographs or microphotographs have been taken as provided in section 2A:11-48 of the New Jersey Statutes. So many of such papers in a cause as are not in writing requested by the Division of the State Library, Archives and History, may be destroyed or otherwise disposed of in such manner, as the Chief Justice or said assignment judge, shall deem proper.

Section
repealed.

5. Section 2A:11-54 of the New Jersey Statutes is repealed.

6. This act shall take effect immediately.

Approved April 2, 1963.

CHAPTER 18

AN ACT concerning education and amending section 18:7-34 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 18:7-34 of the Revised Statutes is amended to read as follows:

Time of
opening and
closing polls.

18:7-34. The polls for election shall be and remain open between the hours of 5 and 9 P. M. and during any additional time which the board may designate between the hours of 7 A. M. and 9 P. M., and shall remain open as much longer as may be necessary to permit those present at the designated time to cast their ballots.

2. This act shall take effect immediately.

Approved April 2, 1963.

CHAPTER 19

AN ACT to amend and supplement the “Public Employees’ Retirement-Social Security Integration Act” approved June 28, 1954 (P. L. 1954, c. 84).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 73 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

73. a. The board of trustees of the Public Employees’ Retirement System is hereby authorized and directed to enroll in the Public Employees’ Retirement System employees of the New Jersey Turnpike Authority, the New Jersey Highway Authority, Palisades Interstate Park Commission, Interstate Sanitation Commission, the Delaware River Basin Commission and the Delaware River Joint Toll Bridge Commission who consent and file application for membership in said retirement system; those employees of such agencies or instrumentalities who are members of the Public Employees’ Retirement System by virtue of section 7 of this act are not required to file application for membership in said retirement system.

C. 43:15A-73.
Authorized
to enroll
certain other
employees;
limitation.

In the case of the Delaware River Joint Toll Bridge Commission, the employees shall be only those who are employed on the free bridges across the Delaware river, under the control of said commission.

Upon such enrollment, the said employees shall be subject to the same contribution and benefit provisions of the retirement system as State employees.

b. The State University of New Jersey, as an instrumentality of the State, shall, for all purposes of this act, be deemed an employer and its employees, both veterans and nonveterans, shall be subject to the same membership, contribution and

benefit provisions of the retirement system and to the provisions of chapter 3 of Title 43 of the Revised Statutes as are applicable to State employees and for all purposes of this act employment by the State University of New Jersey after April 16, 1945, and for the purposes of chapter 3 of Title 43 of the Revised Statutes any new employment after the effective date of this amendatory act, shall be deemed to be and shall be construed as service to and employment by the State of New Jersey.

C. 43:15A-73.1.
Credit for
employment
in other
States;
limitation;
payments;
pro rata
credit upon
retirement.

2. Each member may file a detailed statement of public employment in other States, rendered by him prior to becoming a member, for which he desires credit and on account of which he desires to contribute. He may be permitted to purchase credit for the service evidenced therein up to the nearest number of years and months, but not exceeding 10 years. No application shall be accepted for the purchase of credit for such service, however, if, at the time of application, the member has a vested right to retirement benefits in another retirement system based in whole or in part upon that service.

The member may obtain credit for such service by making payments on the basis of tables furnished by the actuary either in a lump sum or in installments in accordance with the rules of the board of trustees governing such purchases.

Any member electing to contribute toward such service, who retires prior to completing payments as agreed with the retirement system for the purchase of such service will receive pro rata credit for service purchased prior to the date of retirement, subject to the provisions of section 59 of this act, but if he so elects at the time of retirement, he may make such additional lump sum payment at that time as will be necessary to provide full credit.

3. This act shall take effect immediately.

Approved April 3, 1963.

CHAPTER 20

AN ACT to change the name of the State Board of Registration and Examination in Dentistry and amending section 45:6-1 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 45:6-1 of the Revised Statutes is amended to read as follows:

45:6-1. The State Board of Registration and Examination in Dentistry in the Division of Professional Boards of the Department of Law and Public Safety, hereinafter in this chapter designated as the "board," created and established by an act entitled "An act to regulate the practice of dentistry in the State of New Jersey, and to repeal certain acts now relating to the same," approved March 31, 1915 (L. 1915, c. 146, p. 261), as amended and supplemented, is continued, and shall hereafter be known and designated as the New Jersey State Board of Dentistry. Wherever in any law, rule, regulation, judicial or administrative proceeding or otherwise, reference is made to the State Board of Registration and Examination in Dentistry, the same shall mean and refer to the New Jersey State Board of Dentistry.

The board shall consist of 8 members, each of whom shall have resided and practiced dentistry in this State for at least 10 years immediately preceding his appointment. Upon the expiration of the term of office of any member, his successor shall be appointed by the Governor, subject to the provisions of section 45:1-2 of this Title, for a term of 4 years, except that the successors of the members whose terms will expire on June 4, 1949, shall be appointed each for a term expiring on August 31, 1952; the successors of the members whose terms will expire on November 9, 1949, and January 7,

Section
amended.

New Jersey
State Board
of Dentistry;
members;
terms;
vacancies.

1950, respectively, shall be appointed each for a term expiring on August 31, 1953; the successors of the members whose terms will expire on July 31, 1950, and October 8, 1950, respectively, shall be appointed each for a term expiring on August 31, 1954; and the successors of the members whose terms will expire on July 30, 1951, and November 4, 1951, respectively, shall be appointed each for a term expiring on August 31, 1955. Each member shall hold his office until his successor is appointed and qualifies. Any vacancy in the membership of the board, occurring from any cause, shall be filled by the Governor for the unexpired term only. Upon cause being shown before him, the Governor may remove a member from office upon proven charges of inefficiency, incompetency, immorality or professional misconduct.

2. This act shall take effect immediately.

Approved April 3, 1963.

CHAPTER 21

AN ACT to amend “An act relating to the establishment of sewerage districts in first- and second-class counties, the creation of Sanitary Sewer District Authorities by the establishing of such districts, prescribing the powers and duties of any such authority and of other public bodies in connection with the construction of sewers and sewage disposal facilities in any such district, and providing the ways and means for paying the costs of construction and operation thereof,” approved April 23, 1946 (P. L. 1946, c. 123).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 54 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

54. An authority shall have power and is hereby authorized, from time to time, to issue its negotiable bonds and, in anticipation thereof, its notes, (a) for the purpose of providing for the cost of the construction of its district sewer system as defined (but not as limited) by subdivision (e) of section 30 and (b) for the purpose of refunding any bonds or notes of the authority including the payment of any redemption premium and any interest accrued or to accrue to the date of redemption of the bonds or notes to be refunded and any interest to accrue on any bonds or notes (including the said bonds or notes issued for such purpose) prior to the end of the fiscal year beginning next after the issuance of the said bonds or notes issued for such purpose and (c) for the purposes hereinafter in this section provided, or for any one or more of the aforesaid purposes. Such bonds or notes shall be authorized by resolution of such authority adopted only after public hearing thereon by such authority held not less than 10 days after notice of such hearing advertised in a newspaper published at the county seat of the county. Any such bonds or notes may be sold by such authority in the manner or mode of procedure prescribed for the sale of bonds or notes, respectively, of a county by 'The Local Bond Law,' chapter 2 of Title 40A, Municipalities and Counties, of the New Jersey Statutes, but if any such bonds are not so sold, they shall be sold only at public sale upon sealed proposals after at least 7 days' notice published at least once in a publication carrying municipal bond notices and devoted primarily to financial news or the subject of State and municipal bonds published in New York City, to the bidder on whose bid the total loan may be made at the lowest net cost, such net cost to be computed, as to each bid, by adding to the total principal amount of the bonds which the bidder offers to accept, the total interest which will be paid under the terms of the bid, and deducting therefrom the amount bid for

C. 40:36A-54.
Empowered
to issue
bonds and
notes.

the bonds which shall not exceed by more than \$1,000.00 the par value of the bonds offered for sale. Such bonds may be issued in one or more series, and shall bear such date or dates, mature at such time or times, in accordance with this section not exceeding 40 years from their date, be in such denominations and in such form either coupon or registered, carry such registration privileges, and be executed in such manner as may be determined in said resolution of such authority, and shall bear interest at such rate or rates not exceeding 6% per annum payable at such time or times, be payable at such place or places and be subject to such terms of redemption with or without premium as may be determined in said resolution of such authority or by subsequent resolution or resolutions which may be adopted by such authority prior to the issuance of such bonds and without advertisement or public hearing. The maturities of the bonds of any such series shall either be so arranged that the total amount payable in any year on account of principal and interest thereof shall not exceed by more than $\frac{1}{2}$ the total amount payable on account of such principal and interest in any prior year other than the first 4 years next ensuing after their issuance, or be so arranged that the total amount payable in any year on account of principal and interest on all bonds of the authority then outstanding, including the bonds of such series, shall not exceed by more than $\frac{1}{2}$ the total amount payable on account of such principal and interest in any prior year other than years preceding the fifth year next ensuing after the issuance of the bonds of such series. Notes issued hereunder may be renewed, but all such notes, including renewals thereof, shall mature and be paid not more than 5 years from the date of the original notes. Any bond issue authorized and issued by an authority may provide for raising all sums deemed by the authority to be necessary to pay the total cost of its district sewer system to be constructed as defined (but not as limited) by subdivision (e) of section 30, and to meet any revised estimate thereof

made subsequent to preparation of the project report, including any deficits, salaries, working capital, contingency or other reserves, repayment of moneys advanced for administrative expenses, and temporary borrowing, up to the beginning of the fiscal year beginning next after the issuance of such bond issue, and, in addition, to provide and establish all such reserves for any of the foregoing purposes or for payment or security of principal or interest on such bonds or for administrative, operating, maintenance or other expenses or working capital as the authority may deem desirable for or with respect to periods before or after the beginning of such fiscal year. Should an authority authorize or issue any bonds for the purposes herein provided and after using the proceeds of said bonds for the purposes provided in the resolution authorizing said bond issue, there remain an unexpended balance of the proceeds of said bond issue, then such unexpended balance may be applied by the authority to any other purposes for which it is by law authorized to issue bonds or may be used to retire any bonds theretofore issued by the authority. The validity and regularity of the proceedings taken by an authority pursuant to this section for the issuance of such bonds or notes and the obligation of the authority to pay such bonds or notes and interest thereon, and to perform the covenants contained in such bonds or notes or such proceedings, shall not be dependent on or affected by the validity or regularity of any other proceedings taken, contracts entered into, acts performed, or things done by such authority, or by any municipality, private sewer company or industry. No resolution authorizing the issuance of any bonds pursuant to this section shall be finally passed if it appears that the aggregate of all bonds of such authority then outstanding, including those authorized by such resolution, exceeds (a) 15% of the assessed valuation of real property (including improvements) for the preceding year in the municipalities which have signed contracts with such authority pursuant to

section 50 hereof as shown on the annual debt statements last filed in or by such municipalities pursuant to sections 40A:2-40 et seq. of the New Jersey Statutes, plus (b) the amount of the proceeds of the bonds authorized by such resolution and of any other moneys of the authority which, under the terms of such resolution or of any other resolution of the authority previously adopted, are required to be applied to the purchase, or to the refunding or payment of the principal, of bonds of the authority outstanding at the time of passage of such resolution authorizing the issuance of bonds.

2. This act shall take effect immediately.

Approved April 8, 1963.

CHAPTER 22

AN ACT to amend the "Absentee Voting Law," approved July 1, 1953 (P. L. 1953, c. 211).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 2 of the act of which this act is amendatory is amended to read as follows:

C. 19:57-2.
Terms
defined.

2. Whenever used in this act, the following terms shall, unless the context indicates otherwise, be construed to have the following meaning:

"Absentee ballot" means any military service ballot or civilian absentee ballot as herein defined.

"Absentee voter" means any person qualified to vote a military service ballot or a civilian absentee ballot under the provisions of this act.

"Civilian absentee ballot" means a ballot for use by a civilian absentee voter as prescribed by this act.

“Civilian absentee voter” means any qualified and registered voter of the State who expects to be absent from the State on the day of any election and any qualified and registered voter who will be within the State on the day of any election but because of illness or physical disability, including blindness or pregnancy, or because of the observance of a religious holiday pursuant to the tenets of his religion, or because of resident attendance at a school, college or university, will be unable to cast his ballot at the polling place in his election district on the day of the election.

“Election,” “general election,” “primary election for the general election,” “municipal election,” and “special election” shall mean, respectively, such elections as defined in the Title to which this act is a supplement (R. S. 19:1-1 et seq.).

“Military service” means active service by any person, as a member of any branch or department of the United States Army, Navy, Air Force, Coast Guard or Marine Corps, or as a reservist absent from his place of residence and undergoing training under Army, Navy, Air Force, Coast Guard or Marine Corps direction, at a place other than that of such person’s residence.

“Military service voter” means any person in the military service, or any patient in any veterans’ hospital, located in any place other than the place of his residence who has been in the military service in any war in which the United States has been engaged and having been discharged or released from the military service and who prior to entering the military service or prior to being admitted as a patient in such hospital, was a resident of this State and who, at the time of the holding of any election in this State, while this act is in effect, is a resident of the United States, is of the age of 21 years or more, is not disqualified by reason of conviction of crime from voting in this State.

“Military service ballot” means a ballot for use by a military service voter as prescribed by this act.

Section
amended.

C. 19:57-18.
Certificate of
physician or
Christian
Science
practitioner
in case of
disabled voter.

2. Section 18 of the act of which this act is amendatory is amended to read as follows:

18. In the case of any civilian absentee voter who claims the right to vote by absentee ballot by reason of disability, the voter shall include within the outer envelope a certificate of a duly licensed physician or a duly accredited Christian Science practitioner certifying that the voter is confined by reason of sickness or physical disability and will be unable to cast his ballot at the polling place in the absentee voter's election district on the date of the election. In the event that a civilian absentee voter is blind or permanently and totally disabled and the certificate of the physician or Christian Science practitioner accompanying the absentee ballot states that the voter will be unable to cast his ballot in person at his polling place in any future election because of blindness or other permanent and total disability, the commissioner of registration shall mark the permanent registration form of the voter "Blind" or "Permanently and Totally Disabled" and shall retain the physician's or practitioner's certificate on file. On subsequent transmittal of an absentee ballot, if the applicant states in the certificate prescribed in section 17 of the act of which this act is amendatory that he is unable to leave his place of confinement because of "blindness previously certified" or "permanent and total disability previously certified," no physician's or Christian Science practitioner's certificate need be included. Appropriate instructions in this regard shall be included in the printed directions for the preparation and transmitting of absentee ballots.

Section
amended.

C. 19:57-23.
Marking
and handling
of absentee
ballot by
voter.

3. Section 23 of the act of which this act is amendatory is amended to read as follows:

23. Any absentee voter shall be entitled to mark any absentee ballot, so forwarded to him, for voting at any election by indicating his choice of candidates for the offices named, and as to public questions, if any, stated, thereon in accordance with election laws of this State, except that in such ballots to be voted in any primary election for the general elec-

tion his choice shall be limited to the candidates of his political party or to any person or persons whose names are written thereon by him. When so marked, such ballot shall be placed in said inner envelope, which shall then be sealed, and the voter shall then fill in the form of certificate attached to said inner envelope, at the end of which he shall sign and print his name in his own handwriting, and the certificate shall be sworn to in the case of a military service voter before a commissioned officer, noncommissioned officer, or petty officer in the Armed Forces of the United States or the superintendent of the veterans' hospital in which the military service voter is a patient or some person authorized to take an oath; and in the case of a civilian absentee voter before an official authorized by law to administer oaths in the place where the oath is administered. The inner envelope with the certificate shall then be placed in said outer envelope, which shall then be sealed.

A blind absentee voter shall be entitled to assistance in the marking of his ballot and in completing and signing of the certificate. In such case the person providing such assistance shall add on the face of the certificate "Voter Assisted by _____" signing his name thereto.

Said sealed outer envelope with the inner envelope and the ballot enclosed therein shall then be mailed with sufficient postage to the county board of elections to which it is addressed.

4. This act shall take effect immediately.

Approved April 8, 1963.

CHAPTER 23

AN ACT to amend "An act concerning taxation, supplementing chapter 4 of Title 54, revising parts of the statutory law, and repealing sections 54:1-31, 54:1-32 and 54:4-3.16, of the Revised Statutes," approved June 15, 1960 (P. L. 1960, c. 51).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

C. 54:4-2.29.
Fair value
presumed to
be net book
value; rules and
regulations.

1. Section 5 of the act of which this act is amendatory is amended to read as follows:

5. The fair value of tangible personal property used in business shall be presumed to be the net book value thereof as shown by the books and records of the person assessed as of the listing date; provided that the Director of the Division of Taxation may promulgate uniform rules and regulations for the determination and reporting of costs, depreciation, and net book value of such property as he may find necessary to provide for fair and equal assessments, and such rules and regulations may include provisions for averaging in a group or composite accounts in the case of a taxpayer holding items of like property in more than one taxing district, where it is determined by the director that it is impracticable to report with respect to each item separately.

2. This act shall take effect immediately.

Approved April 30, 1963.

CHAPTER 24

AN ACT concerning motor vehicles and traffic regulations and amending section 39:4-71 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 39:4-71 of the Revised Statutes is amended to read as follows: Section amended.

39:4-71. No person shall drive or back a horse or vehicle across, or allow the same to stand on a sidewalk unless it be in crossing the sidewalk to go into a yard or lot, and then not without the consent of the owner of the premises. This section shall not prohibit the passing of a horse or vehicle over a sidewalk in front of an alley or passageway with the owner's consent, or any municipality from driving or operating or causing to be driven or operated along or over the sidewalks within the municipality any vehicle for the purpose of maintaining or cleaning said sidewalks. Driving on sidewalk.

2. This act shall take effect immediately.

Approved May 8, 1963.

CHAPTER 25

A SUPPLEMENT to the "Railroad Tax Law of 1948" approved July 22, 1941 (P. L. 1941, c. 291) as said title was amended by chapter 40 of the laws of 1948.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The State Comptroller upon written application made to him and upon the payment of a fee of \$5.00, may release any property from the lien of C. 54:29A-77.
Release of
lien; fee;
form of
application.

any tax, interest or penalty imposed by this act or of any certificate, judgment or levy procured by him; provided, payment be made to the State Comptroller of such sum as he shall deem adequate consideration for such release or deposit be made of such security or such bond be filed as the State Comptroller shall deem proper to secure payment of any debt evidenced by any such tax, interest, penalty, certificate, judgment or levy, the lien of which is sought to be released, or provided the State Comptroller is satisfied that payment of the tax is otherwise provided for. The application for such release shall be in such form as shall be prescribed by the State Comptroller and shall contain an accurate description of the property to be released together with such other information as the State Comptroller may require. Such release shall be given under the seal of the State Comptroller, and may be recorded in any office in which conveyances of real estate may be recorded.

2. This act shall take effect immediately.

Approved May 8, 1963.

CHAPTER 26

AN ACT to amend “An act concerning life insurance, establishing certain minimum nonforfeiture benefits to be granted holders of life insurance policies on default in payment of premiums, establishing minimum standards of reserves to be maintained by life insurance companies on life insurance policies, pure endowment and annuity contracts, amending sections 17:34-15, 17:34-17, 17:34-19, 17:34-22, 17:34-23, 17:34-24, 17:34-25, 17:34-25.1, 17:34-32 and 17:33-2 of the Revised Statutes, and supplementing chapter 34 of Title 17 of the Revised Statutes,” approved April 8, 1943 (P. L. 1943, c. 148).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

1. This section shall be known as the standard nonforfeiture law (1943) and shall apply to policies of life insurance issued by any company after the operative date for such company of this section as specified in subsection g of this section.

a. No such policy of life insurance, except as stated in subsection f, shall be issued or delivered in this State unless it shall contain in substance the following provisions, or corresponding provisions which in the opinion of the commissioner are at least as favorable to the defaulting or surrendering policyholder:

(1) That, in the event of default in any premium payment, the company will grant, upon proper request not later than 60 days after the due date of the premium in default, a paid-up nonforfeiture benefit on a plan stipulated in the policy, effective as of such due date of such value as may be hereinafter specified.

Section
amended.

C. 17:34-21.1.
Standard
nonforfeiture
law (1943);
notice of
compliance
by insurer.

(2) That, upon surrender of the policy within 60 days after the due date of any premium payment in default after premiums have been paid for at least 3 full years in the case of ordinary insurance or 5 full years in the case of industrial insurance, the company will pay, in lieu of any paid-up nonforfeiture benefit, a cash surrender value of such amount as may be hereinafter specified.

(3) That, a specified paid-up nonforfeiture benefit shall become effective as specified in the policy unless the person entitled to make such election elects another available option not later than 60 days after the due date of the premium in default.

(4) That, if the policy shall have become paid up by completion of all premium payments or if it is continued under any paid-up nonforfeiture benefit which became effective on or after the third policy anniversary in the case of ordinary insurance or the fifth policy anniversary in the case of industrial insurance, the company will pay, upon surrender of the policy within 30 days after any policy anniversary, a cash surrender value of such amount as may be hereinafter specified.

(5) A statement of the mortality table and interest rate used in calculating the cash surrender values and the paid-up nonforfeiture benefits available under the policy, together with a table showing the cash surrender value, if any, and paid-up nonforfeiture benefit, if any, available under the policy on each policy anniversary either during the first 20 policy years or during the term of the policy, whichever is shorter, such values and benefits to be calculated upon the assumption that there are no dividends or paid-up additions credited to the policy and that there is no indebtedness to the company on the policy.

(6) A statement that the cash surrender values and the paid-up nonforfeiture benefits available under the policy are not less than the minimum values and benefits required by or pursuant to the insurance law of the State in which the policy is delivered; an explanation of the matter in which

the cash surrender values and the paid-up nonforfeiture benefits are altered by the existence of any paid-up additions credited to the policy or any indebtedness to the company on the policy; if a detailed statement of the method of computation of the values and benefits shown in the policy is not stated therein, a statement that such method of computation has been filed with the insurance supervisory official of the State in which the policy is delivered; and a statement of the method to be used in calculating the cash surrender value and paid-up nonforfeiture benefit available under the policy on any policy anniversary beyond the last anniversary for which such values and benefits are consecutively shown in the policy.

Any of the foregoing provisions or portions thereof not applicable by reason of the plan of insurance may, to the extent inapplicable, be omitted from the policy.

The company shall reserve the right to defer the payment of any cash surrender value for a period of 6 months after demand therefor with surrender of the policy.

b. Any cash surrender value available under the policy in the event of default in a premium payment due on any policy anniversary, whether or not required by subsection a, shall be an amount not less than the excess, if any, of the present value, on such anniversary, of the future guaranteed benefits which would have been provided for by the policy, including any existing paid-up additions, if there had been no default, over the sum of (i) the then present value of the adjusted premiums as defined in subsection d, corresponding to premiums which would have fallen due on and after such anniversary, and (ii) the amount of any indebtedness to the company on the policy. Any cash surrender value available within 30 days after any policy anniversary under any policy paid up by completion of all premium payments or any policy continued under any paid-up nonforfeiture benefit, whether or not required by subsection a, shall be an amount

not less than the present value, on such anniversary, of the future guaranteed benefits provided for by the policy, including any existing paid-up additions, decreased by any indebtedness to the company on the policy.

c. Any paid-up nonforfeiture benefit available under the policy in the event of default in a premium payment due on any policy anniversary shall be such that its present value as of such anniversary shall be at least equal to the cash surrender value then provided for by the policy or, if none is provided for, that cash surrender value which would have been required by this section in the absence of the condition that premiums shall have been paid for at least a specified period.

d. Except as provided in the third paragraph of this subsection, the adjusted premiums for any policy shall be calculated on an annual basis and shall be such uniform percentage of the respective premiums specified in the policy for each year, excluding any extra premiums charged because of impairments or special hazards, that the present value, at the date of issue of the policy, of all such adjusted premiums shall be equal to the sum of (i) the then present value of the future guaranteed benefits provided for by the policy; (ii) 2% of the amount of insurance, if the insurance be uniform in amount, or of the equivalent uniform amount, as hereinafter defined, if the amount of insurance varies with duration of the policy; (iii) 40% of the adjusted premium for the first policy year; (iv) 25% of either the adjusted premium for the first policy year or the adjusted premium for a whole life policy of the same uniform or equivalent uniform amount with uniform premiums for the whole of life issued at the same age for the same amount of insurance, whichever is less; provided, however, that in applying the percentages specified in (iii) and (iv) above, no adjusted premium shall be deemed to exceed 4% of the amount of insurance or uniform amount equivalent thereto. The date of issue of a policy for the purpose of this subsec-

tion shall be the date as of which the rated age of the insured is determined.

In the case of a policy providing an amount of insurance varying with duration of the policy, the equivalent uniform amount thereof for the purpose of this subsection shall be deemed to be the uniform amount of insurance provided by an otherwise similar policy, containing the same endowment benefit or benefits, if any, issued at the same age and for the same term, the amount of which does not vary with duration and the benefits under which have the same present value at the date of issue as the benefits under the policy, provided, however, that in the case of a policy providing a varying amount of insurance issued on the life of a child under age 10, the equivalent uniform amount may be computed as though the amount of insurance provided by the policy prior to the attainment of age 10 were the amount provided by such policy at age 10.

The adjusted premiums for any policy providing term insurance benefits by rider or supplemental policy provision shall be equal to (a) the adjusted premiums for an otherwise similar policy issued at the same age without such term insurance benefits, increased, during the period for which premiums for such term insurance benefits are payable, by (b) the adjusted premiums for such term insurance the foregoing items (a) and (b) being calculated separately and as specified in the first 2 paragraphs of this subsection except that, for the purposes of (ii), (iii) and (iv) of the first such paragraph, the amount of insurance or equivalent uniform amount of insurance used in the calculation of the adjusted premiums referred to in (b) shall be equal to the excess of the corresponding amount determined for the entire policy over the amount used in the calculation of the adjusted premiums in (a).

All adjusted premiums and present values referred to in this section shall for all policies of ordinary insurance be calculated on the basis of the Commissioners 1941 Standard Ordinary Mortality Table; provided, however, that any company may

file with the commissioner a written notice of its election, as to any category of ordinary insurance, that such adjusted premiums and present values shall be calculated on the basis of the Commissioners 1958 Standard Ordinary Mortality Table, after a specified date before January 1, 1966, and, whether or not any election has been made, such Commissioners 1958 Standard Ordinary Mortality Table shall be the basis for such calculations as to all policies of ordinary insurance issued on or after January 1, 1966. Notwithstanding the above provisions of this paragraph, for any category of ordinary insurance such calculations for policies issued on or after July 1, 1957 may be made, at the option of the company, on the basis of the Approved Standard Ordinary Mortality Table; provided, further, that for any category of ordinary insurance issued on female risks on or after July 1, 1957, adjusted premiums and present values may be calculated, at the option of the company with approval of the commissioner, according to an age not more than 3 years younger than the actual age of the insured. Such calculations for all policies of industrial insurance shall be made on the basis of the 1941 Standard Industrial Mortality Table; provided, however, that any company may file with the commissioner a written notice of its election that such adjusted premiums and present values shall be calculated on the basis of the Commissioners 1961 Standard Industrial Mortality Table after a specified date before January 1, 1968, and, whether or not any election has been made, such Commissioners 1961 Standard Industrial Mortality Table shall be the basis for such calculations as to all policies of industrial insurance issued on or after January 1, 1968. All calculations shall be made on the basis of the rate of interest, not exceeding $3\frac{1}{2}\%$ per annum, specified in the policy for calculating cash surrender values and paid-up nonforfeiture benefits. Provided, however, that in calculating the present value of any paid-up term insurance with accompanying pure endowment, if any, offered as

a nonforfeiture benefit, the rates of mortality assumed may be not more than 130% of the rates of mortality according to such applicable table, except that when the Commissioners 1958 Standard Ordinary Mortality Table becomes applicable, as hereinbefore provided, such rates of mortality assumed may be not more than those shown in the Commissioners 1958 Extended Term Insurance Table, and except that when the Commissioners 1961 Standard Industrial Mortality Table becomes applicable, as hereinbefore provided, such rates of mortality assumed may be not more than those shown in the Commissioners 1961 Industrial Extended Term Insurance Table. Provided, further, that for insurance issued on a substandard basis, the calculation of any such adjusted premiums and present values may be based on such other table of mortality as may be specified by the company and approved by the commissioner.

e. Any cash surrender value and any paid-up nonforfeiture benefit, available under the policy in the event of default in a premium payment due at any time other than on the policy anniversary, shall be calculated with allowance for the lapse of time and the payment of fractional premiums beyond the last preceding policy anniversary. All values referred to in subsections b, c and d may be calculated upon the assumption that any death benefit is payable at the end of the policy year of death. The net value of any paid-up additions, other than paid-up term additions, shall be not less than the dividends used to provide such additions. Notwithstanding the provisions of subsection b, additional benefits payable (1) in the event of death or dismemberment by accident or accidental means, (2) in the event of total and permanent disability, (3) as reversionary annuity or deferred reversionary annuity benefits, (4) as decreasing term insurance benefits provided by a rider or supplemental policy provision to which, if issued as a separate policy, this section would not apply, (5) as term insurance on the life of a child or on the lives of children pro-

vided in a policy on the life of a parent of the child, if such term insurance expires before the child's age is 26, is uniform in amount after the child's age is one, and has not become paid-up by reason of the death of a parent of the child, and (6) as other policy benefits additional to life insurance and endowment benefits, and premiums for all such additional benefits, shall be disregarded in ascertaining cash surrender values and nonforfeiture benefits required by this section, and no such additional benefits shall be required to be included in any paid-up nonforfeiture benefits. Notwithstanding the provisions of subsection b, additional benefits providing the privilege to purchase additional insurance at some future time without furnishing evidence of insurability, and premiums therefor, may, with the consent of the commissioner, be disregarded in ascertaining cash surrender values and nonforfeiture benefits required by this section, and no such additional benefits shall be required to be included in any paid-up nonforfeiture benefits.

f. This section shall not apply to any reinsurance, group insurance, pure endowment, annuity or reversionary annuity contract, nor to any term policy of uniform amount, or renewal thereof, of 15 years or less expiring before age 66, for which uniform premiums are payable during the entire term of the policy, nor to any term policy of decreasing amount on which each adjusted premium, calculated as specified in subsection d, is less than the adjusted premium so calculated, on such 15-year term policy issued at the same age and for the same initial amount of insurance, nor to any policy which shall be delivered outside this State through an agent or other representative of the company issuing the policy.

g. After the effective date of this act, any company may file with the commissioner a written notice of its election to comply with the provisions of this section after a specified date before January 1, 1948. After the filing of such notice, then upon such specified date (which shall be the operative

date for such company), this section shall become operative with respect to the policies thereafter issued by such company. If a company makes no such election, the operative date of this section for such company shall be January 1, 1948.

2. Section 2 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

2. This section shall be known as the standard valuation law (1943) and shall apply to all the life insurance policies, pure endowment and annuity contracts issued by every life insurance company on or after the operative date for such company of the standard nonforfeiture law (1943) specified in subsection g of section 1 of this act.

C. 17:34-25.2.
Standard
valuation
law (1943);
reserves.

a. The minimum standard for the valuation of the reserve liabilities for all such policies and contracts shall be the commissioners reserve valuation method defined in subsection b of this section, $3\frac{1}{2}\%$ interest, and the following tables:

(i) For all ordinary policies of life insurance issued on the standard basis, excluding any disability and accidental death benefits in such policies, the Commissioners 1941 Standard Ordinary Mortality Table; provided, however, that the Commissioners 1958 Standard Ordinary Mortality Table shall be the table for the minimum standard when said table becomes applicable in accordance with subsection d of section 1 of this act. Notwithstanding the above provisions of this paragraph, for any category of ordinary insurance, reserves for such policies issued on or after July 1, 1957 may be calculated, at the option of the company, according to the Approved Standard Ordinary Mortality Table; provided, further, that for any category of such policies issued on female risks on or after July 1, 1957 modified net premiums and present values, referred to in subsection b of this section, may be calculated, at the option of the company with approval of the commissioner, according to an age not more than 3 years younger than the actual age of the insured.

(ii) For all industrial life insurance policies issued on the standard basis, excluding any disability and accidental death benefits in such policies, the 1941 Standard Industrial Mortality Table; provided, however, that the Commissioners 1961 Standard Industrial Mortality Table shall be the table for the minimum standard when said table becomes applicable in accordance with subsection d of section 1 of this act.

(iii) For individual annuity and pure endowment contracts, excluding any disability and accidental death benefits in such policies, the 1937 Standard Annuity Mortality Table or, at the option of the company, the Annuity Mortality Table for 1949, Ultimate, or any modification of either of these tables approved by the commissioner.

(iv) For group annuity and pure endowment contracts, excluding any disability and accidental death benefits in such policies, the Group Annuity Mortality Table for 1951, any modification of such table approved by the commissioner, or, at the option of the company, any of the tables or modifications of tables specified for individual annuity and pure endowment contracts.

(v) For total and permanent disability benefits in or supplementary to ordinary policies or contracts, for policies or contracts issued on or after January 1, 1966, the tables of Period 2 disablement rates and the 1930 to 1950 termination rates of the 1952 Disability Study of the Society of Actuaries, with due regard to the type of benefit; for policies or contracts issued on or after January 1, 1961 and prior to January 1, 1966, either such tables or, at the option of the company, the Class (3) Disability Table (1926); and for policies issued prior to January 1, 1961, the Class (3) Disability Table (1926). Any such table shall, for active lives be combined with a mortality table permitted for calculating the reserves for life insurance policies.

(vi) For accidental death benefits in or supplementary to policies, for policies issued on or after January 1, 1966, the 1959 Accidental Death Benefits

Table; for policies issued on or after January 1, 1961 and prior to January 1, 1966, either such table or, at the option of the company, the intercompany double indemnity mortality table; and for policies issued prior to January 1, 1961, the intercompany double indemnity mortality table. Either table shall be combined with a mortality table permitted for calculating the reserves for life insurance policies.

(vii) For group life insurance, life insurance issued on the substandard basis and other special benefits, such tables as may be approved by the commissioner.

(viii) For ordinary and industrial paid-up term insurance, and accompanying pure endowment, the table of mortality based on the rates of mortality assumed in calculating the paid-up nonforfeiture benefit.

b. Reserves according to the commissioners reserve valuation method, for the life insurance and endowment benefits of policies providing for a uniform amount of insurance and requiring the payment of uniform premiums shall be the excess, if any, of the present value, at the date of valuation, of such future guaranteed benefits provided for by such policies, over the then present value of any future modified net premiums therefor. The modified net premiums for any such policy shall be such uniform percentage of the respective contract premiums for such benefits that the present value, at the date of issue of the policy, of all such modified net premiums shall be equal to the sum of the then present value of such benefits provided for by the policy and the excess of (A) over (B), as follows:

(A) A net level annual premium equal to the present value, at the date of issue, of such benefits provided for after the first policy year, divided by the present value, at the date of issue, of an annuity of one per annum payable on the first and each subsequent anniversary of such policy on which a premium falls due; provided, however, that such net level annual premium shall not exceed the net level annual premium on the 19-year premium whole life

plan for insurance of the same amount at an age 1 year higher than the age at issue of such policy.

(B) A net 1-year term premium for such benefits provided for in the first policy year.

Reserves according to the commissioners reserve valuation method for (1) life insurance policies providing for varying amounts of insurance or requiring the payment of varying premiums, (2) annuity and pure endowment contracts, (3) disability and accidental death benefits in all policies and contracts, and (4) all other benefits, except life insurance and endowment benefits in life insurance policies, shall be calculated by a method consistent with the principles of this subsection b, except that any extra premiums charged because of impairments or special hazards shall be disregarded in the determination of modified net premiums.

c. In no event shall a company's aggregate reserves for all life insurance policies, excluding disability and accidental death benefits, be less than the aggregate reserves calculated in accordance with the method set forth in subsection b and the mortality table or tables and rate or rates of interest used in calculating nonforfeiture benefits for such policies. Reserves for any category of policies, contracts or benefits as established by the commissioner shall not be calculated according to any standards which produce smaller aggregate reserves for such category than the corresponding aggregate values of nonforfeiture benefits available as of the valuation date.

d. Reserves for any category of policies, contracts or benefits as established by the commissioner may be calculated, at the option of the company, according to any standards which produce greater aggregate reserves for such category than those calculated according to the minimum standard herein provided, but the rate or rates of interest used shall not be higher than the corresponding rate or rates of interest used in calculating any nonforfeiture benefits provided for therein; provided, however, that reserves for participating life insur-

ance policies may, with the consent of the commissioner, be calculated according to a rate of interest lower than the rate of interest used in calculating the nonforfeiture benefits in such policies, with the further proviso that if such lower rate differs from the rate used in the calculation of the nonforfeiture benefits by more than $\frac{1}{2}\%$ the company issuing such policies shall file with the commissioner a plan providing for such equitable increases, if any, in the cash surrender values and nonforfeiture benefits in such policies as the commissioner shall approve.

e. If the gross premium charged by any life insurance company on any policy or contract is less than the net premium for the policy or contract according to the mortality table, rate of interest and method used in calculating the reserve thereon, there shall be maintained on such policy or contract a deficiency reserve in addition to all other reserves required by law. For each such policy or contract the deficiency reserve shall be the present value, according to such standard, of an annuity of the difference between such net premium and the premium charged for such policy or contract, running for the remainder of the premium-paying period.

3. Section 17:34-22 of the Revised Statutes, as amended by section 6 of the act of which this act is amendatory, is amended to read as follows:

Section
amended.

17:34-22. The commissioner shall annually value, or cause to be valued, the reserve liabilities (hereinafter called reserves) for all outstanding life insurance policies and annuity and pure endowment contracts of every life insurance company doing business in this State, except that in the case of an alien company, such valuation shall be limited to its United States business, and may certify the amount of any such reserves, specifying the mortality table or tables, rate or rates of interest and methods (net level premium method or other) used in the calculation of such reserves. All valuations made by him or by his authority shall be upon the net premium basis or such modifications thereof as

Annual
valuation of
reserves.

are provided by law. In calculating such reserves, he may use group methods and approximate averages for fractions of a year or otherwise. In lieu of the valuation of the reserves herein required of any foreign or alien company, he may accept any valuation made, or caused to be made, by the insurance supervisory official of any State or other jurisdiction when such valuation complies with the minimum standards provided by law and if the official of such State or jurisdiction accepts as sufficient and valid for all legal purposes the certificate of valuation of the commissioner when such certificate states the valuation to have been made in a specified manner according to which the aggregate reserves would be at least as large as if they had been computed in the manner prescribed by the law of that State or jurisdiction.

Any such company which at any time shall have adopted any standard of valuation producing greater aggregate reserves than those calculated according to the minimum standards provided by law may, with the approval of the commissioner, adopt any lower standard of valuation, but not lower than the minimum standards so provided; provided, however, that if the reserves of any company are changed to a lower reserve standard, no benefit from such change shall accrue to stockholders until such reserves shall have been restored to the standard from which reduced.

Except in the case of policies for which the reserve liabilities are valued on the basis of the provisions of the standard valuation law (1943) contained in section 2 of this act, all valuations made by the commissioner or by his authority shall be upon the net premium basis, or such modification thereof as hereinafter expressly provided, and all policies issued prior to January 1, 1901, shall be valued according to the actuaries' table of mortality, with compound interest at the rate of 4% per annum, except in cases where a life insurance company elects or has elected to have the policies or any class thereof valued according to the American ex-

perience table of mortality, or according to the American men ultimate table of mortality, with compound interest at the rate of either 3% or 3½% per annum or with the approval of the commissioner at a rate of less than 3% per annum; and all policies issued on or after January 1, 1901, shall be valued according to the American experience table of mortality, with compound interest at the rate of 3½% per annum, except in cases where a life insurance company elects or has elected to have such policies or any class thereof valued according to the American experience table of mortality with compound interest at a rate of less than 3½% per annum but not less than 3% per annum or with the approval of the commissioner at a rate of less than 3% per annum; and except in cases where any life insurance company with the approval of the commissioner may elect or shall have elected to have its ordinary policies or any class thereof valued according to the American men ultimate table of mortality, with compound interest at a rate which is not more than 3½% per annum. The legal minimum standard for the valuation of group term insurance policies under which premium rates are not guaranteed for a period in excess of 5 years shall be the American men ultimate table of mortality with interest at 3½% per annum. The commissioner may vary the standards of interest and mortality in the case of annuities and industrial policies and of invalid lives and other extra hazards. When the actual premium charged for an insurance policy is less than the net premium for the insurance, computed according to the table of mortality, and the rate of interest prescribed herein, the value of the policy shall be increased by the value of the annuity, the amount of which shall equal the difference between the premiums and the term of which in years shall equal the number of future annual payments receivable on the insurance after the date of valuation.

Reserves for all policies and contracts to which the foregoing standards apply may be calculated,

at the option of the company, according to any standards which produce greater aggregate reserves for all such policies and contracts than the minimum reserves required by this section.

4. This act shall take effect immediately.

Approved May 8, 1963.

CHAPTER 27

AN ACT concerning regional school districts and further amending chapter 113 of the laws of 1939.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

C. 18:8-22.
Proposals to
acquire land
for school
purposes;
bonds; board
authorized to
acquire land;
limitation.

1. Section 1 of chapter 113 of the laws of 1939 is further amended to read as follows:

1. Every proposition, question or proposal heretofore or hereafter adopted by the legal voters of any regional school district authorizing the issuance of bonds for the purchasing or taking or condemning of land for school purposes shall, unless otherwise expressly provided therein, be deemed to include and authorize the purchase of any schoolhouse or schoolhouses or other buildings situate thereon and the furniture and other necessary equipment therefor and the materials and supplies therefor, and the issuance of said bonds for said purpose in the amount or amounts set forth in such proposition, question or proposal. The bonds so issued shall be dated and sold in all respects in accordance with the provisions of chapters 7 and 8 of Title 18 of the Revised Statutes, and shall mature within the period or respective periods of time prescribed by such provisions, in each case computed from the date of such bonds.

Notwithstanding the provisions of section 18:8-1 of said Revised Statutes, or of any other law, the board of education of any regional school district may from time to time acquire for school purposes, by purchase, condemnation or otherwise, lands or premises not exceeding 45 acres in extent and situated in whole or in part in any one or more municipalities adjoining the regional school district, and all of the proceedings to acquire such lands or premises shall be in accordance with the provisions of said Title.

2. This act shall take effect immediately.

Approved May 8, 1963.

CHAPTER 28

AN ACT concerning the compensation to be paid to constables while attending the Superior and County Courts, in certain counties, and amending section 2A:11-47 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 2A:11-47 of the New Jersey Statutes is amended to read as follows:

Section
amended.

2A:11-47. Except as otherwise provided by law, the constables of the several counties shall receive for each day and every day they are engaged in attendance upon the Law Division of the Superior Court and the County Court in their respective counties, the sum of \$5.00 or such greater sum not exceeding the sum of \$12.00, as the boards of chosen freeholders of such respective counties may, by resolution, determine; which shall be in full and in lieu of all mileage or other allowances authorized prior to March 23, 1926.

Per diem
allowance of
constables
attending
certain courts.

2. This act shall take effect immediately.

Approved May 8, 1963.

CHAPTER 29

AN ACT to regulate the labeling, sale, offering, exposing or transporting for sale of agricultural, vegetable, and flower seeds and seed mixtures in the State of New Jersey; to impose penalties for violations, and repealing the "New Jersey State Seed Law," approved June 30, 1948 (P. L. 1948, c. 189).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 4:8-17.13.
Terms defined.

1. As used in this act:

(a) "Dean" means the Dean of the College of Agriculture of Rutgers, the State University of New Jersey.

(b) The term "State Seed Analyst" means the seed analyst of the New Jersey Agricultural Experiment Station in the College of Agriculture.

(c) The term "certifying agency" means an agency authorized under the laws of a State, territory or possession to officially certify seed, or an agency of a foreign country determined by the United States Secretary of Agriculture to adhere to procedure and standards for seed certification comparable to those adhered to generally by seed certifying agencies under the laws of States of the United States.

(d) The term "agricultural seeds" means and includes the seeds of grass, forage, cereal and fiber crops and any other kinds of seeds, commonly recognized within this State as agricultural seeds, lawn seeds and mixtures of such seeds, and may include noxious weed seeds when the State Seed Analyst determines that such seed is being used as agricultural seed.

(e) The term "vegetable seed" means and includes the seeds of those crops which are grown in

gardens and on truck farms and are generally known and sold under the name of vegetables or herbs in this State.

(f) The term "flower seeds" means and includes the seeds of herbaceous plants grown for their blooms, ornamental foliage, or other ornamental parts and commonly known and sold under the name of flower seeds in this State.

(g) The term "kind" means one or more related species or subspecies which singly or collectively are known by one common name; for example, corn, oats, red clover and cabbage.

(h) The term "variety" means a subdivision of a kind, characterized by growth, yield, plant, fruit, seed, or other characteristics by which it can be differentiated from other plants of the same kind.

(i) The term "mixture" means seeds consisting of more than one kind or variety present to the extent of 5% or more of the total weight of the mixture.

(j) The term "weed seeds" includes the seeds or bulblets of all plants generally recognized as weeds within this State and shall include noxious weed seeds.

(k) 1. "Prohibited noxious weed seeds" are the seeds of perennial weeds such as not only reproduce by seed but also spread by underground roots, stems and other reproductive parts, and which when well established, are highly destructive and difficult to control in this State by ordinary good cultural practices.

2. "Restricted noxious weed seeds" are the seeds of such weeds as are very objectionable in fields, lawns and gardens of this State, but can be controlled by good cultural practices.

(l) The term "pure seed" means agricultural, vegetable or flower seeds exclusive of inert matter, weed seeds, and all other seeds distinguishable from the kind or kinds and varieties being considered.

(m) The term "percentage of germination" means the percentage of seeds other than hard seeds capable of producing normal seedlings under

favorable conditions (not including seeds which produce weak, malformed or abnormal seedlings).

(n) The term "percentage of hard seeds" means the percentage of seeds which are incapable of sprouting during the prescribed test period because their outer structures are impermeable to water.

(o) The term "labeling" includes all labels, and other written, printed or graphic representations, in any form whatsoever, accompanying or pertaining to any seed whether in bulk or in containers and includes representations on invoices.

(p) The term "advertisement" means all representations, other than those on the label, disseminated in any manner or by any means relating to seed within the scope of this act.

(q) The term "hybrid" means the first generation of a cross produced under controlled pollination. The parents must be sufficiently uniform to permit repeated production of the hybrid without change in performance. Hybrid designations shall be treated as variety names.

(r) The term "origin" means the foreign country; State of the United States, possession of the United States, or designated portion thereof, where the seed is grown.

(s) The term "lot" means a definite quantity of seed which is identified by a lot number or other mark, and which has been so handled that each portion or container is representative of the whole quantity.

(t) The term "record" includes all information relating to the shipment or shipments involved and includes a file sample of each lot of seed.

(u) The term "treated" means that the seed has received an application of a substance or process designed to control, or repel certain insects or disease organisms or other pests attacking such seed or seedlings grown therefrom, or has received some other treatment to improve its planting value.

C. 4:8-17.14.
Statement on
containers or
shipment of
treated seed.

2. Each container of seed treated with a substance harmful to man or other animals shall bear thereon in a conspicuous place, a plainly written

or printed label or tag in the English language, giving the information prescribed in (a), (b) and (c) of this section, which statement shall not be modified or denied in the labeling or on another label attached to the container (for which a separate label may be used). For bulk shipments such information shall be set forth in a conspicuous place on the bill of lading and invoice:

(a) A word or statement indicating that the seed has been treated;

(b) The commonly accepted, coined, chemical, or abbreviated chemical (generic) name of the applied substance; and

(c) If the substance in the amount present with the seed is harmful to man or other animals, a caution statement such as "Do not use for food or feed or oil purposes." The caution for mercurials and similarly toxic substances shall be a poison statement and symbol classification of substances shall conform as nearly as practical to the rules and regulations of the Federal Seed Act.

3. Each container of agricultural, vegetable and flower seeds which is sold, offered for sale, or exposed for sale, or transported within this State for sowing purposes shall bear thereon or have attached thereto or in a conspicuous place on the exterior of the container a plainly written or printed label or tag in the English language, in legible type or in script specifying:

C. 4:8-17.15.
Each seed container to bear label or tag; contents and specifications.

(a) For all seeds:

(1) The name and address of the person who labeled said seed, or who sells, offers for sale, exposes for sale within this State.

(b) For agricultural seeds (except for grass seed mixtures as provided in (c)):

(1) Commonly accepted name, in the order of its predominance, of the kind or kind and variety, of each agricultural seed component in excess of 5% of the whole, and the percentage by weight of each. Where more than one component is required to be named, the word "mixture" or the word "mixed" shall be shown conspicuously on the label.

- (2) Lot number or other lot identification.
- (3) Origin (State or foreign country), if known, of alfalfa, red clover and field corn (except hybrid corn). If the origin is unknown, the fact shall be stated.
- (4) Percentage by weight of all weed seeds.
- (5) The name and rate of occurrence per pound of each kind of restricted noxious weed seed present.
- (6) Percentage by weight of agricultural seeds (which may be designated as "crop seeds") other than those required to be named on the label.
- (7) Percentage by weight of inert matter.
- (8) For each named agricultural seed:
 - (A) Percentage of germination, exclusive of hard seed.
 - (B) Percentage of hard seeds, if present.
 - (C) The calendar month and year the test was completed to determine such percentage. Following (A) and (B) the "total germination and hard seed" may be stated as such, if desired.
- (9) For seeds placed in a germination medium, mat, tape or other device in such a way as to make it difficult to determine the quantity of seed without removing it from the medium, mat, tape or device, the minimum number of seeds per square foot shall be indicated.
- (c) For seed mixtures for lawn and turf purposes in containers of 50 pounds or less:
 - (1) the word "mixed" or "mixture."
 - (2) the headings "fine-textured grasses" or "coarse kinds," or both if present, and thereunder in tabular form in type no larger than the heading:
 - (A) Commonly accepted name, in order of its predominance, of the kind or kind and variety (if known) of each agricultural seed present in excess of 5% of the whole and determined to be a "fine-textured grass" or a "coarse kind" in accordance with the rules and regulations under this act;

- (B) Percentage by weight of pure seed of each agricultural seed named;
- (C) For each agricultural seed named under (A) above:
 - 1. Percentage of germination, exclusive of hard seed.
 - 2. Percentage of hard seed, if present.
 - 3. Calendar month and year the test was completed to determine such percentage.
- (3) The heading "other ingredients" and thereunder in type no larger than the heading:
 - (A) Percentage by weight of all weed seeds;
 - (B) Percentage by weight of all agricultural seeds other than those stated under paragraph (2) (A) of this section;
 - (C) Percentage by weight of inert matter.
- (4) Lot number or other lot identification.
- (5) Name and rate of occurrence per pound of each kind of restricted noxious weed seed present.
- (6) Name and address of the person who labeled said seed, or who sells, offers or exposes said seed for sale within this State.
- (7) Net weight.
- (d) For vegetable seeds in containers of one pound or less:
 - (1) Name of kind and variety of seed.
 - (2) For seeds which germinate less than the standard last established by the rules and regulations under this act:
 - (A) Percentage of germination, exclusive of hard seed;
 - (B) Percentage of hard seed if present;
 - (C) The calendar month and year the test was completed to determine such percentages;
 - (D) The words "below standard" in not less than 8-point type.
 - (3) For seeds placed in a germination medium, mat, tape or other device in such a way as to make it difficult to determine the quantity of seed without removing it the label must bear a statement to indicate the minimum number of seeds in the container.

(e) For vegetable seeds in containers of more than one pound:

(1) The name of each kind and variety present in excess of 5% and the percentage by weight of each.

(2) Lot number or other lot identification.

(3) For each named vegetable seed:

(A) The percentage of germination, exclusive of hard seed;

(B) The percentage of hard seed if present;

(C) The calendar month and year the test was completed to determine such percentages.

Following (A) and (B) the "total germination and hard seed" may be stated as such if desired.

(4) The labeling requirements for vegetable seeds in containers of more than one pound shall be deemed to have been met if the seed is weighed from a properly labeled container in the presence of the purchaser.

(f) For flower seeds in containers intended for use in home gardens or household plantings or in preplanted containers, mats, tapes, or other planting devices:

(1) For all kinds of flower seeds:

(A) The name of the kind and variety or a statement of type and performance characteristics as prescribed in the rules and regulations promulgated under the provisions of this act;

(B) The calendar month and year seed was tested or the year for which the seed was packaged; and

(C) The name and address of the person who labeled said seed, or who sells, offers, or exposes said seed for sale within this State.

(2) For seeds of those kinds for which standard testing procedures are prescribed and which germinate less than the germination standard last established under the rules and regulations of this act:

(A) The percentage of germination exclusive of hard seed; and

(B) The words "below standard" in not less than 8-point type.

(3) For seeds placed in a germination medium, mat, tape, or other device in such a way as to make it difficult to determine the quantity of seed without removing the seeds from the medium, mat, tape, or device, a statement to indicate the minimum number of seeds in the container.

(g) For flower seeds in containers other than those intended for use in home gardens or household plantings, preplanted containers, mats, tapes, or other planting devices as described in the rules and regulations:

(1) The name of the kind and variety or a statement of type and performance characteristics as prescribed in rules and regulations promulgated under the provisions of this act;

(2) The lot number or other lot identification;

(3) The calendar month and year that the seed was tested;

(4) The name and address of the person who labeled said seed or who sells, offers, or exposes said seed for sale within this State; and,

(5) For those kinds of seeds for which standard testing procedures are prescribed by the rules and regulations:

(A) The percentage of germination exclusive of hard seed; and

(B) The percentage of hard seed, if present.

4. No person shall sell, offer for sale, or transport for sale any agricultural, vegetable or flower seed within this State—

(a) Unless the test to determine the percentage of germination required by section 3 shall have been completed within a 9-month period, exclusive of the calendar month in which the test was completed, immediately prior to sale, exposure for sale, or offering for sale or transportation.

(b) Not labeled in accordance with the provisions of this act.

(c) Pertaining to which there has been false or misleading advertisement.

C. 4:8-17.16.
Bars sale of
seed unless
specifications
are met.

(d) Consisting of or containing prohibited noxious weed seeds, subject to the tolerances established in the rules and regulations promulgated under this act.

(e) Consisting of or containing restricted noxious weed seeds in excess of the number prescribed by rules and regulations promulgated under this act, or in excess of the number declared on the label attached to the container of the seed or associated with the seed.

(f) Containing more than 2½% by weight of all weed seeds.

(g) If any labeling, advertising, or other representations subject to this act represents the seed to be certified or registered seed unless it has been determined by a seed certifying agency that such seed was produced, processed and packaged, and conforms to standards of purity as to kind or variety, in compliance with rules and regulations of such agency pertaining to such seed, and the seed bears an official label issued for such seed by a seed certifying agency stating that the seed is certified or registered.

(h) Represented to be hybrid unless such seed conforms to the definition of hybrid in section 1 (q) of this act; provided that this prohibition shall not apply to variety names in common trade usage at the time this act becomes effective.

C. 4:8-17.17.
Wrongful acts.

5. No person within this State shall—

(a) Detach, alter, deface, or destroy any label provided for in this act or the rules and regulations made and promulgated thereunder, or alter or substitute seed in a manner that may defeat the purpose of this act.

(b) Disseminate any false or misleading advertisements concerning seed in any manner or by any means.

(c) Hinder or obstruct in any way, any authorized person in the performance of his duties under this act.

(d) Fail to comply with a “stop sale” order or to move or otherwise handle or dispose of any lot

of seed held under a "stop sale" order or tags attached thereto except with express permission of the State Seed Analyst, and for the purpose specified thereby.

(e) Use the word "type" in any labeling in connection with the name of any agricultural seed variety.

6. Each person whose name appears on the label as handling agricultural, vegetable, or flower seeds subject to this act shall keep for a period of 2 years complete records of each lot of seed handled and keep for 1 year a file sample of each lot of seed after final disposition of said lot. All such records and samples pertaining to the shipment or shipments involved shall be accessible for inspection by the State Seed Analyst or his agent during customary business hours.

C. 4:8-17.18.
Records kept
for 2 years.

7. The provisions of sections 3, 4 and 5 of this act shall not apply to:

C. 4:8-17.19.
Provisions not
applicable.

(a) Seed or grain not intended for sowing purposes;

(b) Seed in storage in, or being transported or consigned to, a cleaning or processing establishment for cleaning or processing; provided, that the invoice or labeling accompanying any shipment of said seed bears the statement "seed for processing"; and provided that any labeling or other representation which may be made with respect to the uncleaned or unprocessed seed shall be subject to this act; or

(c) Any carrier in respect to any seed transported or delivered for transportation in the ordinary course of its business as a carrier; provided, that such carrier is not engaged in producing, processing, or marketing agricultural, vegetable, or flower seeds subject to provisions of this act.

8. It shall not constitute a violation of this act for any person to have sold or offered or exposed for sale agricultural, vegetable, or flower seed, which was incorrectly labeled or represented as to kind, variety, type or origin (if required) which seeds cannot be identified by examination thereof,

C. 4:8-17.20.
Sales not in
violation of act.

unless he has failed to obtain an invoice, genuine grower's declaration or other labeling information and to take such other precautions as may be reasonable to insure the identity to be that stated.

C. 4:8-17.21.
State seed
analyst and
other agents.

9. The Dean of the College of Agriculture shall appoint a State Seed Analyst and such other agents as may be deemed necessary to carry out the provisions of this act. The said State Seed Analyst shall adopt an official seal and any court before which any suit or action may be pending shall take judicial notice of such seal, and further, in trial of any suit wherein is called in question the quality of any lot of seeds, where the defendant does not appear or fails to contest the claim of the State, a certificate signed by the State Seed Analyst and attested with his seal shall be prima facie proof that the seed was of the quality shown by his analysis.

C. 4:8-17.22.
Enforcement.

10. The duty of enforcing this act and carrying out its provisions and requirements is vested in the State Seed Analyst, who, together with his authorized agent shall sample, inspect, make analysis of, and test seeds transported, sold, or offered or exposed for sale within the State for sowing purposes, at such time and place and to such extent as he may deem necessary to determine whether said seeds are in compliance with provisions of this act, and to notify promptly the person who transported, sold, offered or exposed the seed for sale of any violation.

C. 4:8-17.23.
Rules and
regulations.

11. The State Seed Analyst is authorized and directed to formulate and prescribe rules and regulations necessary and appropriate for the administration of this act. Notice of the time and place of a public hearing upon any proposed rule or regulation shall be published not less than 10 days prior to the date of the hearing in at least 2 daily newspapers published in this State. Such notice shall include a brief description of the subject matter of the proposed rule or regulation and of the address to which requests for copies thereof may be addressed.

12. The State Seed Analyst may by rule or regulation prescribe and establish:

C. 4:8-17.24.
Scope of
rules and
regulations.

(a) The method or methods of sampling, inspecting, analyzing, testing, and examining seed, and the tolerances to be followed in the administration of this act, which shall be in general accord with officially prescribed practice in interstate commerce, and such other rules and regulations as may be necessary to secure the enforcement of this act;

(b) Lists of prohibited and restricted noxious weeds, and changes in such lists;

(c) Reasonable standards of germination for vegetable seeds;

(d) Reasonable germination standards for flower seeds; and

(e) Schedule of fees for analysis of samples submitted.

13. Any citizen of the State of New Jersey may in accordance with procedures prescribed by the State Seed Analyst, and by prepaying transportation charges and payment of the prescribed fee, send a sample or samples of seeds for examination and analysis.

C. 4:8-17.25.
Examination
and analysis
of seed.

14. The State Seed Analyst individually or through his authorized agents, is authorized to:

C. 4:8-17.26.
Powers and
duties of State
seed analyst.

(a) Enter upon any public or private premises during regular business hours in order to have access to seeds and the records connected therewith subject to this act and the rules and regulations adopted thereunder, and any truck or other conveyer by land, water, or air at any time when the conveyer is accessible, for the same purpose.

(b) Issue and enforce a written or printed "stop sale" order to the owner or custodian of any lot of seed which the State Seed Analyst finds is in violation of any of the provisions of this act or rules and regulations promulgated thereunder, which order shall prohibit further sales, processing and movement of such seed, except on approval of the State Seed Analyst, until the law has been complied with and he has issued a written release from the "stop sale" order of such seed, provided that in

respect to seed which has been denied sale, processing and movement as provided in this paragraph, the owner or custodian of such seed shall have the right to appeal from said order to a court of competent jurisdiction, praying for a judgment as to the justification of such order and for the discharge of such seed from the order prohibiting the sale, processing and movement in accordance with the findings of the court; and provided further that the provisions of this paragraph shall not be construed as limiting the right of the enforcement officer to proceed as authorized by other sections of this act.

(c) Establish and maintain or make provisions for seed testing facilities, to employ qualified persons, and to incur such expenses as may be necessary to comply with these provisions.

(d) Make or provide for making purity and germination tests of seed for farmers and dealers on request; and to prescribe rules and regulations governing such testing.

C. 4:8-17.27.
Seizure of
seed not in
compliance
with act.

15. Any lot of seed not in compliance with the provisions of this act shall be subject to seizure by the State on complaint of the State Seed Analyst to a court of competent jurisdiction. In the event the court finds the seed to be in violation of the provisions of this act and orders the condemnation thereof, said seed shall be denatured, processed, destroyed, relabeled, or otherwise disposed of in compliance with the laws of this State; provided, that in no instance shall the court order such disposition of said seed without first having given the claimant an opportunity to apply to the court for the release of said seed or permission to process or relabel it to bring it into compliance with this act.

C. 4:8-17.28.
Injunctive
relief with-
out bond.

16. When in the performance of his duties the State Seed Analyst in the name of the State applies to any court for temporary or injunctive relief restraining any person from violating or continuing to violate any of the provisions of this act or any rules and regulations under this act, said relief may be issued without bond.

17. Any person who violates any provisions of this act is a disorderly person and upon conviction as such shall be fined not more than \$1,000.00, or be imprisoned for not more than 1 year, or both. No prosecution under this act shall be instituted without the defendant first having been given an opportunity to appear before the State Seed Analyst or his duly authorized agent, to introduce evidence, in person or by agent or attorney at a private hearing. If, after such a hearing, or without such a hearing, in case the defendant or his agent or attorney fails or refuses to appear, the State Seed Analyst is of the opinion that the evidence warrants prosecution, he shall proceed as herein provided.

C. 4:8-17.29.
Penalty for
violation.

After judgment by the court in any case arising under this act, the State Seed Analyst shall publish any information pertinent to the issuance of the judgment by the court in such media as he may designate from time to time.

The State Seed Analyst shall be entitled to the assistance of the Attorney General in the enforcement of this act.

18. Funds for the maintenance of a seed testing laboratory, staff and the administration of this act shall be included in annual appropriations to the New Jersey Agricultural Experiment Station.

C. 4:8-17.30.
Provision for
operating
funds.

19. The "New Jersey State Seed Law," being chapter 189 of the laws of 1948 is repealed.

C. 4:8-17.31.
Repealer.

20. This act shall be known and may be cited as the New Jersey State Seed Law (Revision of 1963).

C. 4:8-17.32.
Short title.

21. This act shall take effect 9 months after enactment.

Note:
Act effective.

Approved May 8, 1963.

New Jersey State Library

CHAPTER 30

AN ACT concerning physicians and amending section 45:9-21 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 45:9-21 of the Revised Statutes is amended to read as follows:

Prohibitory
provisions
not to apply.

45:9-21. The prohibitory provisions of this chapter shall not apply to the following:

a. A commissioned surgeon or physician of the regular United States Army, Navy or Marine hospital service while so commissioned and actively engaged in the performance of his official duties. This exemption shall not apply to reserve officers of the United States Army, Navy or Marine Corps, or to any officer of the National Guard of any State or of the United States;

b. A lawfully qualified physician or surgeon of another State taking charge temporarily, on written permission of the board, of the practice of a lawfully qualified physician or surgeon of this State during his absence from the State, upon written request to the board for permission so to do. Before such permission is granted by the board and before any person may enter upon such practice he must submit proof that he can fulfill the requirements demanded in the other sections of this article relating to applicants for admission by examination or indorsement from another State. Such permission may be granted for a period of not less than 2 weeks nor more than 4 months upon payment of a fee of \$25.00. The board in its discretion may extend such permission for further periods of 2 weeks to 4 months but not to exceed in the aggregate 1 year;

c. A physician or surgeon of another State of the United States and duly authorized under the laws

thereof to practice medicine or surgery therein, if such practitioner does not open an office or place for the practice of his profession in this State;

d. A person while actually serving as a member of the resident medical staff of any legally incorporated charitable or municipal hospital or asylum approved by the board. Hereafter such exemption of any such resident physician shall not apply with respect to any individual after he shall have served as a resident physician for a total period of 5 years, and such exemption of resident physicians, except with respect to persons who shall have commenced service as resident physicians prior to July 1, 1939, shall apply only to persons who have been issued certificates under provisions contained in section 45:9-8 of this Title;

e. The practice of dentistry by any legally qualified and registered dentist;

f. The ministration to, or treatment of, the sick or suffering by prayer or spiritual means, whether gratuitously or for compensation, and without the use of any drug or material remedy;

g. The practice of optometry by any legally qualified and registered optometrist;

h. The practice of chiropody by any legally licensed chiropodist;

i. The practice of pharmacy by a legally licensed and registered pharmacist of this State, but this exception shall not be extended to give to said licensed pharmacist the right and authority to carry on the business of a dispensary, unless the dispensary shall be in charge of a legally licensed and registered physician and surgeon of this State;

j. A person claiming the right to practice medicine and surgery in this State who has been practicing since before July 4, 1890, if said right or title was obtained upon a duly registered diploma, of which the holder and applicant was the lawful possessor, issued by a legally chartered medical institution which, in the opinion of the board, was in good standing at the time the diploma was issued;

k. A chiropodist, professional nurse, or a graduate physio-therapist, masseur, electro-therapist, or

hydro-therapist, while operating in each particular case under the specific direction of a regularly licensed physician or surgeon. This exemption shall not apply to such assistants of persons who are licensed osteopaths, chiropractors, optometrists or other practitioners holding limited licenses;

l. A person while giving aid, assistance or relief in emergency or accident cases pending the arrival of a regularly licensed physician or surgeon or under the direction thereof;

m. The operation of a bio-analytical laboratory by a licensed bio-analytical laboratory director, or any person working under the direct and constant supervision of a licensed bio-analytical laboratory director; or

n. Any employee of a State or county institution holding the degree of M.D. or D.O., regularly employed on a salary basis on its medical staff or as a member of the teaching or scientific staff of a State agency, may apply to the State Board of Medical Examiners of New Jersey and may, in the discretion of said board, be granted exemption from the provisions of this chapter; provided said employee continues as a member of the medical staff of a State agency or county institution or of the teaching or scientific staff of a State agency and does not conduct any type of private medical practice.

The provisions of this subsection (n) shall terminate on December 31, 1969.

2. This act shall take effect immediately.

Approved May 8, 1963.

CHAPTER 31

AN ACT to amend "An act providing for a system for the granting of paroles in certain cases, establishing a State Parole Board and defining its composition, powers and duties, and repealing sections 30:4-106.1, 30:4-106.2 and 30:4-142 of the Revised Statutes," approved May 28, 1948 (P. L. 1948, c. 84).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 19 of the act of which this act is amendatory is hereby amended to read as follows:

19. Before reaching a final decision to release any prisoner on parole, the board shall cause the prisoner to appear before it and shall personally interview him to consider his ultimate fitness for parole, and verify as far as possible, the information furnished it from other sources, provided however that if the prisoner is physically unable to appear for a personal interview, then the board may proceed to consider his case in his absence. The board shall reach its own conclusions as to the desirability of releasing the prisoner on parole and no release on parole shall be effected except by unanimous vote of the entire board, nor unless the board is reasonably satisfied that the prisoner has a suitable community parole plan with visible means of support or is likely to be suitably employed in self-sustaining employment on his release. The prisoner, after any appearance before the board, shall be promptly notified by the board of its decision in his case. If the board, in its judgment, determines to release such prisoner, it shall promptly give public notice of the name of such prisoner and the county from which and crime for which, he was committed. If the board, in its judgment, determines that the prisoner is not to be released on parole when his case

Section
amended.

C. 30:4-123.19.
Prisoner to
appear personally; waiver
of appearance;
unanimous vote
required;
notice of
decision.

is considered, then it shall notify him of such decision and the date when his case will again be considered.

2. This act shall take effect immediately.

Approved May 8, 1963.

CHAPTER 32

AN ACT to amend the "Cigarette Tax Act," approved April 29, 1948 (P. L. 1948, c. 65).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 205 of the act of which this act is amendatory is amended to read as follows:

C. 54:40A-7.
Reports
required;
penalty.

205. Reports required; penalty required for not filing reports.

Every licensed distributor shall file with the director on or before the twentieth day of each month, a report in such form as the director shall prescribe, which report shall disclose the number of cigarettes on hand on the first and last days of the calendar month immediately preceding the month in which such report is required; together with such information concerning the amount of stamps purchased, used, and on hand during the report period; together with any other information for the report period that the director shall prescribe.

Every licensed wholesale and retail dealer, upon notice from the director, shall file with the director a report in such form, and on such dates, as the director shall prescribe.

Every licensed consumer who has acquired cigarettes for use, storage or consumption subject to the tax shall, on or before the twentieth day of the month following receipt of such cigarettes, complete and file with the director, in such form as the director shall prescribe, a report showing the amount

of cigarettes so received. Said report shall be accompanied by a remittance for the full amount of the tax due.

Any person, other than a licensed distributor, who transports unstamped cigarettes upon the public highways, roads or streets of this State, or who stores unstamped cigarettes in this State, upon notice from the director, shall file with the director a report in such form, and on such dates, as the director shall prescribe.

Any person who shall fail to file any report on the day when it shall be due, shall forfeit as a penalty, for each day thereafter until the report is filed, the sum of \$1.00 to be collected in the manner provided in this act for the collection of penalties. The director, if satisfied that the failure to comply with any provision of this section was excusable, may remit the whole or any part of said penalty.

2. This act shall take effect immediately.

Approved May 8, 1963.

CHAPTER 33

AN ACT concerning licensing of blood banks and supplementing "An act in relation to a program for the collection, storage and distribution of human blood," approved May 3, 1945 (P. L. 1945, c. 301).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The public policy of this State is to safeguard the health and well-being of the citizens of this State with reference to the use of blood in the treatment of many human diseases, as well as its use in treatment of injuries as a result of casualties or disasters. Use of blood in this manner has increased to

C. 26:2A-2.
Public policy.

such proportions that, in the public interest there is need for establishing minimum standards for the control and licensing of the activities of "blood banks."

C. 26:2A-3.
Terms defined.

2. For the purposes of this act, unless otherwise required by the context:

(a) "Act" means this act and any rule or regulation adopted hereunder;

(b) "Person" means a natural person, partnership, association, corporation, institution, agency, or other similar type entity;

(c) "Blood" means human blood or human plasma;

(d) "Blood bank" means any commercial or non-commercial activity involving the handling of blood or plasma, intended to be used for therapeutic or prophylactic purposes, which participates in any of the following operations: collection, processing, storage or distribution of blood;

(e) "Collection" means the obtaining of blood by the bleeding of donors;

(f) "Processing" means the technical stages required to prepare and identify the blood as to its suitability;

(g) "Storage" means the holding of blood in connection with collection or processing prior to distribution or transfusion;

(h) "Distribution" means the removal of blood from a blood bank to any other location for processing or storage or for the purpose of providing the blood for therapeutic or prophylactic purposes;

(i) "Licensee" means a person holding a license under the provisions of this act;

(j) "Commissioner" means the Commissioner of the State Department of Health or his duly authorized agent;

(k) "Department" means the State Department of Health.

C. 26:2A-4.
License
required;
expiration;
fee; display
of license.

3. No person shall hereafter operate or conduct a blood bank in this State unless duly licensed by the commissioner under the provisions of this act. The licenses required by this act shall be in addition

to any other license or permit required by any local board of health or other body exercising the powers of such a board in any municipality in this State.

All such licenses shall expire on December 31 in each calendar year and application for renewal therefor shall be made on or before November 10 on forms provided by the department. A fee of \$25.00 shall accompany the original application for a license and \$10.00 for each renewal thereof. The original or a certified copy of the license shall be conspicuously displayed by the licensee at the premises occupied as a blood bank.

4. A license shall be issued to any person who has been conducting a blood bank prior to the effective date of this act upon submission of a properly completed application form and payment of an application fee of \$25.00. Said license shall be renewable as provided in this act and shall be subject to all the provisions of this act.

C. 26:2A-5.
Issuance
of license.

5. No licensee shall collect blood hereafter unless he has first obtained from the prospective donor a completed registration statement which shall set forth the name and address of the donor and shall contain such other information as the rules and regulations adopted hereunder shall require.

6. (a) The standards of operation for blood banks, including standards for the collection, processing, storage, and distribution of blood for therapeutic or prophylactic purposes shall be established by rules and regulations adopted and promulgated by the Public Health Council of the department. Such rules and regulations shall be incorporated in and made a part of the State Sanitary Code.

C. 26:2A-7.
Standards
established
by rules and
regulations.

(b) The rules and regulations so promulgated shall include but not be limited to provision for:

(1) Qualifications for personnel employed in a blood bank.

(2) Restrictions upon the use of blood donors.

(3) Standards for collection, processing, storage, and distribution of blood.

(4) Evaluation of performance of blood banks.

C. 26:2A-8.
Suspension or
revocation of
license.

7. Any license issued in accordance with the provisions of this act may be suspended or revoked by the commissioner for a violation of any of the provisions of this act.

C. 26:2A-9.
Notice and
hearing before
refusing or
revoking
license.

8. The commissioner, before refusing to grant a license, or before suspending or revoking a license previously granted, except as hereinafter provided in section 10 of this act, shall give notice to the applicant or licensee personally, or by mail addressed to him at his last known address, and afford him an opportunity to be heard with respect thereto at a time and place specified in such notice. Such applicant or licensee shall have the right to be heard in person or by attorney, and to offer evidence pertinent to the subject of the hearing. A duly certified copy of the order of the commissioner issued as a result of such hearing shall be served on the applicant or the licensee by mail personally addressed to him at his last known address, except if such applicant or licensee be a corporation then the order shall be served in the same manner upon any officer or registered agent of the corporation.

C. 26:2A-10.
Enforcement.

9. The commissioner shall enforce the provisions of this act and may make complaints against persons violating its provisions or the rules or regulations issued thereunder and prosecute violations of same.

The commissioner shall have the power and authority to enter and inspect any blood bank and to make such investigation of the premises and the books and records as is reasonably necessary to carry out the provisions of this act.

It shall be a violation of this act for any person to obstruct, hinder, delay or interfere, by force or otherwise, with the performance by the commissioner of any duty under the provisions of this act.

C. 26:2A-11.
Order to
correct
violation;
injunctive
relief.

10. If the commissioner shall have reason to believe that a condition exists or has occurred at a blood bank, in violation of the provisions of this act, which is dangerous to the public health, he may

order such blood bank to correct such violation and may suspend the license of the blood bank until such correction is completed. If a licensee shall deny that a violation exists or has occurred, he shall have the right to apply to the commissioner for a hearing. Such hearing shall be held and a decision rendered within 48 hours of the receipt of said request. If the commissioner shall rule against the licensee, the licensee shall have the right to apply for injunctive relief against the commissioner's order. Jurisdiction for such injunctive relief shall be in the Superior Court of New Jersey.

11. Any person who violates the provisions of this act or an order of the commissioner shall be liable for the first offense to a penalty, to be established by the commissioner, of not less than \$100.00 nor more than \$1,000.00 and for the second and each succeeding offense for a penalty of not less than \$500.00 nor more than \$5,000.00. The penalties herein provided shall be enforced by the department as plaintiff in a summary proceeding in accordance with the penalty enforcement law (N. J. S. 2A:58-1, et seq.).

C. 26:2A-12.
Penalty for
violation.

12. This act shall take effect 90 days after its enactment.

Note:
Act effective.

Approved May 10, 1963.

CHAPTER 34

AN ACT to increase certain fees to be paid to the Division of Motor Vehicles and amending sections 39:3-18, 39:3-30, 39:10-11, 39:10-12 and 39:10-19 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 39:3-18 of the Revised Statutes is amended to read as follows:

General
registration for
manufacturers,
dealers,
insurers, etc.;
fee; viola-
tions; fines.

39:3-18. A manufacturer of motor vehicles, motor-drawn vehicles, motor vehicle bodies or motor cycles doing business in this State may, with regard to motor or motor-drawn vehicles or cycles owned or controlled by him, obtain general registration and registration plates therefor of the style and kind provided for in this subtitle, with the letter "D" stated thereon. Such plates can be placed on any vehicle or cycle owned or controlled by such manufacturer, but only if it is operated only for shop, demonstration or delivery purposes.

A bona fide converter of commercial motor vehicles, motor-drawn vehicles or motor vehicle chassis doing business in this State may, with regard to motor or motor-drawn vehicles owned or controlled by him, obtain general registration and registration plates therefor of the style and kind provided for in this subtitle, with the letter "D" stated thereon. Such plates can be placed on any vehicles owned or controlled by such converter, but only if such vehicles are operated for shop, demonstration or delivery purposes.

A bona fide dealer in motor vehicles, motor-drawn vehicles or motor cycles doing business in this State and having a license to do business as such issued by the director may, with regard to motor or motor-drawn vehicles or cycles owned by him, obtain general registration and registration plates therefor of the style and kind provided for in this subtitle, with the letter "D" stated thereon. Such plates shall only be placed on any vehicle or cycle owned by such dealer; and provided, such vehicle is not used for hire. Any person who shall be convicted of a violation of this paragraph shall be subject to a fine not exceeding \$100.00.

Any person engaged in the business of financing the purchase of motor or motor-drawn vehicles or lending money thereon may, with regard to motor or motor-drawn vehicles owned or controlled by him obtain general registration and registration plates

therefor of the style and kind provided for in this subtitle, with the word "temporary" stated thereon. Such plates can be placed on any such vehicle only when it is being transported from the place where it has been kept by the purchaser or borrower to the place where it is to be kept by the reposessor, or when the reposessor desires to operate it for the purpose of demonstration for sale.

Any corporation engaged in the business of insuring motor vehicles or motor-drawn vehicles against theft may, with regard to vehicles owned or controlled by it, obtain general registration and registration plates therefor of the style and kind provided for in this subtitle, with the word "temporary" stated thereon. Such plates can be placed on any such vehicle, if ownership or control thereof has been obtained by virtue of the terms of an insurance against theft contract made by such corporation, and only when the vehicle is to be transported for delivery to the owner thereof from the place where it has been abandoned by or seized from a thief.

Any person, partnership or corporation engaged in the business of transporting motor or motor-drawn vehicles from the place of manufacture for delivery to dealers may, with regard to such vehicles, obtain general registration and registration plates therefor of the kind and style provided for in this subtitle, with the word "temporary" stated thereon, but only if the director is satisfied as to the financial responsibility of such person, partnership or corporation to meet any claim for damages arising out of any automobile accident and satisfactory evidence of such responsibility has been filed with him.

The annual fee for the issuance of a certificate of registration, 4 duplicates thereof and 5 sets of "D" or "temporary" plates bearing a number corresponding to the number on the certificate of registration shall be \$75.00; but the annual fee for the issuance of a certificate of registration for motor cycles, 2 duplicates thereof and 3 sets of "D" plates

bearing a number on the certificate of registration shall be \$15.00.

Section
amended.

2. Section 39:3-30 of the Revised Statutes is amended to read as follows:

Transfer or
destruction
to void
registration;
exceptions;
reregistration;
fee.

39:3-30. Upon the transfer of ownership or the destruction of any motor vehicle its registration shall become void. If the motor vehicle is sold the original owner shall remove the license plates therefrom, and, within 48 hours, notify the director of the name and address of the purchaser.

The original owner may, by proper sworn application on a form to be furnished by the division, register another motor vehicle for the unexpired portion of the registration period of the original vehicle, upon payment of a fee of \$3.00 if the vehicle is of a weight or other classification equal with or less than the one originally registered, and upon the payment of a fee of \$3.00 and the difference between the fee originally paid and that due if the new motor vehicle is properly registerable in a higher class. Unless the original license plates have been destroyed, the owner shall be assigned the license number previously issued to him and shall receive a new registration certificate. If the original license plates have been destroyed, replacement of the plates will be made under the provisions of section 39:3-32 of this Title.

The surviving husband, wife, child or children of a deceased registered owner of any motor vehicle in whom title thereto shall vest by virtue of the terms of the will of such deceased owner, or otherwise, shall, upon application to the director, and upon the payment of a fee of \$3.00, be entitled to have the registration of such vehicle transferred to his or her name.

Section
amended.

3. Section 39:10-11 of the Revised Statutes is amended to read as follows:

To submit
evidence of
purchase;
recording;
certificate of
ownership;
fee; creation
of security
interest.

39:10-11. A. The purchaser of a motor vehicle in this State shall, within 10 days after its purchase, submit to the director evidence of the purchase. Upon presentation to the director of the certificate of origin, or certificate of ownership, or bill of sale

issued prior to October 1, 1946, with proper assignment and certification of the seller, a record of the transaction shall be made and filed. A certificate of ownership shall be issued by the director and delivered to the buyer, in case of a sale not subject to a security interest, and the director shall collect a fee of \$2.00 for the issuance and filing thereof.

B. In the case of a sale subject to a security interest, a certificate of ownership, with the name and address of the holder of the encumbrance or secured party or his assignee recorded thereon, shall be delivered to the holder of the encumbrance or secured party or his assignee, and a copy thereof shall be delivered to the buyer. The director shall collect a fee of \$2.00 for his services in issuing a certificate and copy thereof, and for making a record of and filing the record of the transaction pursuant to this subsection.

C. Except as hereinafter in this section otherwise expressly provided, whenever a security interest is created in a motor vehicle, other than a security interest which is required to be noted on the certificate of origin or the certificate of ownership as provided in sections 39:10-8 and 39:10-9 of this Title, there shall be filed with the director, the certificate of ownership of the motor vehicle, together with a financing statement on a form prescribed by the director. The director shall make and file a record of the transaction and shall issue a certificate of ownership recording the name and address of the secured party or his assignee thereon, and shall deliver it to the secured party or his assignee. A copy of the certificate of ownership so issued shall be delivered to the buyer. The director shall collect a fee of \$2.00 for his services in issuing a certificate and copy thereof and for making a record of and filing the record of the transaction pursuant to this subsection.

D. The financing statement required to be filed pursuant to subsection C hereof shall be signed only by the buyer, shall not be required to be acknowledged or proved, and shall show, in addition

to such matters as the director may require for the proper identification of the motor vehicle affected, the date of the security agreement, and the names and addresses of the parties thereto. Nothing in this section 39:10-11 contained shall be construed as requiring that the security agreement or a copy thereof, or any proof of execution thereof other than that contained in the financing statement, shall be presented to the director. When the buyer is a corporation, it shall be sufficient if the financing statement is signed by any officer thereof, or by any agent designated by the corporation for that purpose, and it shall not be necessary that the financing statement recite the authorization of the agent. When there is more than one buyer, it shall be sufficient if the financing statement is signed by any one of them.

E. Nothing in subsections C and D of this section shall apply to security interests in motor vehicles which constitute inventory held for sale, but such interests shall be subject to chapter 9 of Title 12A of the New Jersey Statutes, nor shall anything in the said subsections apply to interests in personal property subject to chapter 28 of the Title, Property (46:28-4 et seq.).

F. In addition to the fees elsewhere in this section provided for, there shall be paid to the director a fee of \$0.50 for notice of satisfaction of the lien or encumbrance of the record or abstract, or of the termination of the security interest where the motor vehicle is subject to a lien or encumbrance or a security interest as provided in section 39:10-14 of this Title.

G. Notwithstanding any other provision in this section contained, when any dealer licensed under the provisions of section 39:10-19 of this Title is the purchaser of a motor vehicle in this State, he shall, within 10 days after its purchase, submit to the director the evidence of purchase. Upon presentation of the certificate of ownership with proper assignment and certification of the seller to the director, a record of the transaction shall be made

and filed. A certificate of ownership shall be issued by the director and delivered to such purchaser and the director shall collect a fee of \$1.00 for the issuing and filing thereof.

H. Any purchaser of a motor vehicle who fails to comply with the provisions of this section shall pay to the director a penalty of \$5.00 plus the issuing and filing fee.

I. The failure of any person to comply with the requirements of this section shall not constitute a misdemeanor within the provisions of section 39:10-24 of this Title, nor shall such failure affect the validity of any instrument creating or reserving a security interest in a motor vehicle, as between the parties to such instrument.

J. The notation of the name and business or residence address of a secured party or his assignee, on the certificate of origin or on the certificate of ownership, as provided in sections 39:10-8 and 39:10-9 of this Title, and the presentation to the director in accordance with section 39:10-11 of this Title, of the certificate of origin or certificate of ownership so noted, and the compliance with the requirements of subsections C and D of section 39:10-11 of this Title, shall be in lieu of all filing requirements imposed by chapter 9 of Title 12A of the New Jersey Statutes and shall constitute the perfection of a security interest in the motor vehicle, and the rights and remedies of the debtors and the secured parties in respect to such security interest shall, except as otherwise expressly provided in this chapter, be subject to and governed by chapter 9 of Title 12A of the New Jersey Statutes.

4. Section 39:10-12 of the Revised Statutes is amended to read as follows:

39:10-12. If certificate of ownership, or title papers, are lost, the director may, upon proof by certification or otherwise in the manner required by him and if satisfied of the bona fides of the application, prepare a certificate of ownership, certify it and authorize its use in place of the original, with

Section
amended.

Lost papers;
duplicate
certificate;
fee; false
statements;
penalty.

the same effect as the original. The director shall collect a fee of \$2.00 for this duplicate certificate.

A person who falsely states, in any application to the director for a duplicate certificate of ownership, that a certificate of ownership, or title papers, are lost, shall be subject to a fine of not less than \$25.00 nor more than \$100.00 or imprisonment for a term not exceeding 30 days or both.

Section
amended.

5. Section 39:10-19 of the Revised Statutes is amended to read as follows:

Dealer's
license;
eligibility;
term; fec.

39:10-19. No person shall engage in the business of buying, selling or dealing in motor vehicles in this State, unless he is authorized to do so under the provisions of this chapter. The director may, upon application in such form as he prescribes, license any proper person as such dealer. No person who has been convicted of a crime, arising out of fraud or misrepresentation in the sale or financing of a motor vehicle, shall be eligible to receive a license and each applicant for a license shall at the time such license is issued have established and maintained, or by said application shall agree to establish and maintain, within 90 days after the issuance thereof, a place of business consisting of a permanent building not less than 1,000 square feet in floor space located in the State of New Jersey to be used principally for the servicing and display of motor vehicles with such equipment installed therein as shall be requisite for the servicing of motor vehicles in such manner as to make them comply with the laws of this State and with any rules and regulations made by the director of motor vehicles governing the equipment, use and operation of motor vehicles within the State. A license fee of \$100.00 shall be paid by an applicant upon his initial application for a license. The director may renew an applicant's license from year to year, upon application for renewal on a form prescribed by the director and accompanied each year by a renewal fee of \$100.00. Every license shall expire on March 31 of each year terminating the period for which it is issued. On and after February 1 of

each year the director shall issue licenses for the following yearly period to expire on March 31 of the following year.

6. This act shall take effect on July 1, 1963 and the increases in fees provided for in this act shall be applied to all transactions taking place on or after that date. Act effective.

Approved May 13, 1963.

CHAPTER 35

AN ACT to amend and supplement "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running, steeplechase racing or harness racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act," approved March 18, 1940 (P. L. 1940, c. 17), as said title was amended by chapter 137 of the laws of 1941, making an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 24 of the act of which this act is amendatory is amended to read as follows: Section amended.

24. In the event any person, partnership, association or corporation is granted a permit under this act to conduct a race meeting pursuant to provisions thereof, such permit shall be renewed upon C. 5:5-44. Renewal of permit for horse race meeting.

application of the permit holder yearly for the next succeeding 10 years, for the same dates allotted to such permit holder during the preceding year or for such other dates (not exceeding 56 racing days in the aggregate for running racing and not exceeding 60 days in the aggregate for harness racing) as such permit holder shall request; provided, however, that commencing with the year 1963 the commission may also allot among the existing permit holders the additional racing days for running racing herein authorized, such allotment to be on a basis which in the discretion of the commission appears most appropriate for the purpose of providing continuity of racing in the State but which does not result in allotting more than 10 such additional days to any one permit holder; and provided, further, that such permit holder has not violated any of the provisions of this act.

Section
amended.

C. 5:5-47.
Issuance of
permit;
restrictions.

2. Section 27 of the act of which this act is amendatory is amended to read as follows:

27. Upon compliance with the foregoing conditions, the commission shall issue a permit to such applicant to hold or conduct such horse race meeting as authorized by this act. Such permit shall specify the person, partnership, association or corporation to whom the same is issued; the dates upon which such horse race meeting is to be held or conducted; the hours of such days between which such horse racing will be permitted, which shall be between the hours of 12:00 o'clock noon and 6:00 o'clock post meridian Eastern Standard Time (excluding Sundays), the location of the place, track or enclosure at, on or within which said horse race meeting is to be held or conducted; and shall acknowledge receipt of the payment of the deposit and the filing of the bond provided for in this act. No permit shall be issued to permit running racing on any track that is less than one mile in circumference nor harness racing on any track that is less than $\frac{1}{2}$ mile in circumference. No such permit shall be transferable nor shall it apply to any place, track or enclosure other than the one specified therein.

No such permit shall be issued so as to permit horse racing at any place, track or enclosure except on week days between the hours of 12:00 o'clock noon and 6:00 o'clock post meridian Eastern Standard Time. No permit shall be granted under this act to any person, partnership, association or corporation so as to permit upon any race track, place or enclosure more than 56 horse racing days in the aggregate in any one calendar year for running races nor more than 60 racing days in the aggregate in any one calendar year for harness races; nor shall any permit be granted to the same person, partnership, association or corporation for the holding or conducting of a horse race meeting except at one track, place or enclosure in this State, nor shall any permit be granted for the holding or conducting of a horse race meeting at any place in this State prior to April 1 in any calendar year or after the last day of November in any calendar year. No such permit shall be issued to any person, partnership, association or corporation that is in any way in default in the payment of any obligation or debt due to the State of New Jersey under the provisions of this act, nor shall any permit be issued to any corporation under the provisions of this act unless said corporation be organized under and by virtue of the laws of the State of New Jersey, nor shall any permit be issued to any applicant who shall be deemed by said commission not to be of sufficient financial integrity and moral responsibility to hold a horse race meeting conducive to the best interests of legitimate racing.

3. Section 44 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

44. Each holder of a permit shall distribute all sums deposited in any pool to the winners thereof, less an amount which in harness races shall not exceed 16% of the total deposits plus the breaks and which in other races shall not exceed 14% of the total deposits plus the breaks. Every permit holder shall distribute to the persons holding winning tickets, as a minimum, a sum not exceeding

C. 5:5-64.
Distribution of
pari-mutuel
pool; breaks.

\$0.10, calculated on the basis of each dollar deposited in any pool after the deduction of the said 16% or 14%, as the case may be. Should the amount remaining in the pool be insufficient to pay the winners the minimum, the breakage accruing in that race, or any necessary portion thereof, shall be applied toward making up any such deficiency. The breaks are hereby defined as the odd cents over any multiple of \$0.10, calculated on the basis of \$1.00 otherwise payable to a patron. Every permit holder engaged in the business of conducting running or harness race meetings under this act shall pay to the commission for the use of the State the breaks as herein defined, except as the same shall have been applied toward making up a deficiency in a pool as herein provided. Payment of such breaks shall be made every seventh day of any and every race meeting and shall be accompanied by a report under oath showing the daily and total amount of such breaks together with such other information as the commission may require. All sums held by any permit holder for payment of outstanding pari-mutuel tickets not claimed by the person or persons entitled thereto within 60 days from the time such tickets are issued shall be paid to the commission upon the expiration of such 60-day holding period.

Section
amended.

4. Section 46 of the act of which this act is amendatory is amended to read as follows:

C. 5:5-66.
Percentage
payable to
commission;
report of
contributions;
no other fees
or taxes to
be assessed.

46. Every permit holder engaged in the business of conducting horse race meetings under this act shall pay to the commission in each calendar year a sum equal to 6% in the case of harness races, and 7½% in the case of other races, of so much of the total contributions to all pari-mutuel pools conducted or made during such calendar year on any and every horse race track granted a permit under this act as does not exceed \$40,000,000.00; and 7% in the case of harness races, and 8½% in the case of other races, of so much of such total contributions as exceeds \$40,000,000.00. Payment on account of such sum shall be made every seventh day of any and every race meeting in the amount then

due as determined in the manner provided above, and shall be accompanied by a report under oath showing the total of all such contributions, together with such other information as the commission may require. Except as otherwise provided by law, no admission or amusement tax, excise tax, license or horse racing fee of any kind shall be assessed or collected from any permit holder by the State of New Jersey, or by any county or municipality, or by any other body having power to assess or collect license fees or taxes.

5. There is hereby appropriated to the Division of Racing of the Department of the Treasury the sum of \$25,000.00, or so much thereof as may be required, to defray the expenses incurred as a result of the additional days of racing authorized by this act.

Appropriation.

6. The provisions of this amendatory and supplemental act shall be applicable to race meetings held in 1963. In order to effectuate the intent of this legislation that the commission should be authorized to allot the additional racing days for running racing herein authorized among the existing permit holders during the year 1963 and thereafter, the provisions of the act to which this act is a supplement relative to the time for filing applications for horse race meetings, and for commission action with respect to such applications, and such other provisions shall be inconsistent with the intent and purpose of this act shall be inoperative as to the allotment of such additional days during 1963.

C. 5:5-44.1.
Application;
effectuation
of intent.

7. This act shall take effect immediately.

Approved May 13, 1963.

CHAPTER 36

AN ACT concerning the judges of the County Courts in relation to their tenure, retirements and pensions, including pensions for their widows, in certain cases.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 2A:3-21.1.
Tenure county
judges.

1. Any judge of the County Court who shall have served for 10 years successively as a judge of a County Court and shall be in his third term, shall have tenure in office during good behavior and shall be retired upon attaining the age of 70 years; provided, however, that no such judge of the County Court shall have tenure in office under the provisions of this act until he shall have been appointed to such office and his appointment thereto confirmed at least once following the effective date of this act.

C. 2A:3-21.2.
Pension at
age 70 of
 $\frac{1}{2}$ salary.

2. Subject to the provisions of section 8 of this act, any judge of a County Court who shall have served at least 10 years successively as such judge and who has attained the age of 70 years while serving in such office and thereupon shall have been retired as provided in this act, shall be paid thereafter an annual pension during the remainder of his natural life in an amount equal to $\frac{1}{2}$ of the annual salary received by him at the time of his retirement.

C. 2A:3-21.3.
Disability
retirement;
amount of
pension.

3. If any judge of a County Court who shall have served as such for 10 years successively and while in office shall become physically or otherwise incapacitated for full and efficient service in his judicial capacity, he may give notice thereof and of his desire to retire to the Governor. The Governor shall thereupon appoint 3 physicians of skill and repute in their profession and residents of this State, who shall examine the applicant for retirement and report to the Governor as to his physical

or other disability and whether in all reasonable probability, if they find the disability existent, it will continue permanently and does and will continue to prevent the applicant from giving full and efficient service in the performance of his judicial duties. If it is made to appear by such report that the disability exists and that it will in all reasonable probability continue permanently, and if the Governor approves the report the Governor shall file it with his approval endorsed thereon in the office of the Secretary of State. Upon such filing of the report, the applicant shall be retired and he shall thereafter be paid an annual pension during the remainder of his natural life in an amount equal to $\frac{1}{2}$ of the annual salary received by him at the time of his retirement.

4. Subject to the provisions of section 8 of this act, whenever any judge of a County Court shall die while in office or shall die after retirement on a pension payable under the provisions of this act and, in either case, shall leave a widow surviving him whom he married before he had attained the age of 50 years, an annual pension shall be paid thereafter to such surviving widow, so long as she lives and remains unmarried, in an amount equal to $\frac{1}{4}$ of the annual salary received by her deceased husband at the time of his death or retirement, as the case may be.

C. 2A:3-21.4.
Widows'
pension.

5. The payments provided for in this act shall be made semimonthly by the State Treasurer out of State funds.

C. 2A:3-21.5.
Paid semi-
monthly.

6. Any judge of a County Court who shall have served at least 5 years successively as such judge and who has attained the age of 70 years or more while serving in such office and who served as a member of the Legislature in either or both Houses of the Legislature for 10 years or more in the aggregate and his widow, if any, shall be eligible for the pension benefits provided for in this act.

C. 2A:3-21.6.
Provision for
judges who
have served in
the Legislature.

7. Any judge of a County Court who shall have served at least 5 years as such judge and at least 10 years successively in the aggregate in one or more of the judicial offices of judge of a County

C. 2A:3-21.7.
Provision for
judges who
have served in
other judicial
capacity.

Court or judge of a county district court and who has attained the age of 70 years or more while serving as a judge of the County Court and his widow, if any, shall be eligible for the pension benefits provided for in this act.

C. 2A:3-21.9.
Election to take
benefits under
this act; time;
filing of notice;
absence of
election deemed
waiver.

8. Any judge of a County Court and any widow of such a judge who shall be eligible for pension benefits under this act and who is also eligible for retirement, death or pension benefits under any other act or by reason of membership in any pension system, may elect to take the pension benefits under this act but such judge shall in no case be entitled to pension benefits under both this act and under any other act or by reason of any such membership. Such election must be made within 90 days of the effective date of this act or within 30 days of the date that such judge becomes eligible for membership in a pension system. Such election shall be evidenced by the filing of a notice of election in the office of the Secretary of State. The absence of such timely election notice shall be presumed to be a waiver of the retirement or pension benefits provided by this act. The election to receive benefits under the provisions of this act by a judge shall terminate all other rights to retirement, pension or death benefits such judge or his widow may otherwise have had or been entitled to under any other act or by reason of membership in any pension system and any contribution that may have been made by such judge under such act or in such system shall be returned without interest to the judge or to the widow of the judge.

9. This act shall take effect immediately.

Approved May 13, 1963.

CHAPTER 37

AN ACT concerning the salaries of certain County Court judges and amending “An act concerning judges and supplementing subtitle 1 of Title 2A of the New Jersey Statutes,” approved May 29, 1959 (P. L. 1959, c. 48) and section 2A:3-17 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 1 of P. L. 1959, c. 48 is amended to read as follows: Section amended.

1. Each Justice of the Supreme Court, including the Chief Justice, each judge of the Superior Court, and each judge of a county district court or juvenile and domestic relations court who is required by law to devote his full time to his judicial duties shall receive an annual salary in an amount \$2,000.00 greater than is now provided by law. C. 2A:1-1.1. Judges salaries.

2. Section 2A:3-17 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:3-17. The annual salary of each judge of a County Court of any county in which the Governor may appoint more than one judge of the County Court shall be \$22,000.00. Salaries county court judges.

3. This act shall take effect July 1, 1963.

Approved May 13, 1963.

Note:
Act effective.

CHAPTER 38

AN ACT concerning group life insurance, and amending section 17:34-31 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 17:34-31 of the Revised Statutes is amended to read as follows:

Group
insurance;
provisions
in policies;
persons
eligible;
limitation
on amount.

17:34-31. (A) No policy of group life insurance shall be delivered in this State unless it conforms to one of the following descriptions:

(1) A policy issued to an employer, or to the trustees of a fund established by an employer, which employer or trustees shall be deemed the policyholder, to insure employees of the employer for the benefit of persons other than the employer, subject to the following requirements:

(a) The employees eligible for insurance under the policy shall be all of the employees of the employer, or all of any class or classes thereof determined by conditions pertaining to their employment. The policy may provide that the term "employees" shall include the employees of one or more subsidiary corporations and the employees, individual proprietors and partners of one or more affiliated corporations, proprietors or partnerships if the business of the employer and such affiliated corporations, proprietors or partnerships is under common control through stock ownership, contract or otherwise. The policy may provide that the term "employees" shall include the individual proprietor or partners if the employer is an individual proprietor or a partnership. The policy may provide that the term "employees" shall include retired employees. No director of a corporate employer shall be eligible for

insurance under the policy unless such person is otherwise eligible as a bona fide employee of the corporation by performing services other than the usual duties of a director. No individual proprietor or partner shall be eligible for insurance under the policy unless he is actively engaged in and devotes a substantial part of his time to the conduct of the business of the proprietor or partnership. The policy may provide that the term "employees" shall include the trustees or their employees, or both, if their duties are principally connected with such trusteeship.

(b) The premium for the policy shall be paid by the policyholder, either wholly from the employer's funds or funds contributed by him, or partly from such funds and partly from funds contributed by the insured employees. No policy may be issued on which the entire premium is to be derived from funds contributed by the insured employees. A policy on which part of the premium is to be derived from funds contributed by the insured employees may be placed in force only if at least 75% of the then eligible employees, excluding any as to whom evidence of individual insurability is not satisfactory to the insurer, elect to make the required contributions. A policy on which no part of the premium is to be derived from funds contributed by the insured employees must insure all eligible employees.

(c) The policy must cover at least 10 employees at date of issue.

(d) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the employees or by the employer or trustees.

(2) A policy issued to a creditor, who shall be deemed the policyholder, to insure debtors of the creditor, subject to the following requirements:

(a) The debtors eligible for insurance under the policy shall be all of the debtors of the

creditor whose indebtedness is repayable in installments, or all of any class or classes thereof determined by conditions pertaining to the indebtedness or to the purchase giving rise to the indebtedness. The policy may provide that the term "debtors" shall include the debtors of one or more subsidiary corporations, and the debtors of one or more affiliated corporations, proprietors or partnerships if the business of the policyholder and of such affiliated corporations, proprietors or partnerships is under common control through stock ownership, contract, or otherwise.

(b) The premium for the policy shall be paid by the policyholder, either from the creditor's funds, or from charges collected from the insured debtors, or from both. A policy on which part or all of the premium is to be derived from the collection from the insured debtors of identifiable charges not required of uninsured debtors shall not include, in the class or classes of debtors eligible for insurance, debtors under obligations outstanding at its date of issue without evidence of individual insurability unless at least 75% of the then eligible debtors elect to pay the required charges. A policy on which no part of the premium is to be derived from the collection of such identifiable charges must insure all eligible debtors, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(c) The policy may be issued only if the group of eligible debtors is then receiving new entrants at the rate of at least 100 persons yearly, or may reasonably be expected to receive at least 100 new entrants during the first policy year, and only if the policy reserves to the insurer the right to require evidence of individual insurability if less than 75% of the new entrants become insured.

(d) The amount of insurance on the life of any debtor shall at no time exceed the amount

owed by him which is repayable in installments to the creditor, or \$10,000.00, whichever is less.

(e) The insurance shall be payable to the policyholder. Such payment shall reduce or extinguish the unpaid indebtedness of the debtor to the extent of such payment.

(3) A policy issued to a labor union, which shall be deemed the policyholder, to insure members of such union for the benefit of persons other than the union or any of its officials, representatives or agents, subject to the following requirements:

(a) The members eligible for insurance under the policy shall be all of the members of the union, or all of any class or classes thereof determined by conditions pertaining to their employment, or to membership in the union, or both.

(b) The premium for the policy shall be paid by the policyholder, either wholly from the union's funds or partly from such funds and partly from funds contributed by the insured members specifically for their insurance. No policy may be issued on which the entire premium is to be derived from funds contributed by the insured members specifically for their insurance. A policy on which part of the premium is to be derived from funds contributed by the insured members specifically for their insurance may be placed in force only if at least 75% of the then eligible members, excluding any as to whom evidence of individual insurability is not satisfactory to the insurer, elect to make the required contributions. A policy on which no part of the premium is to be derived from funds contributed by the insured members specifically for their insurance must insure all eligible members.

(c) The policy must cover at least 10 members at date of issue.

(d) The amounts of insurance under the policy must be based upon some plan preclud-

ing individual selection either by the members or by the union.

(4) A policy issued to the trustees of a fund established by 2 or more employers in the same industry or by one or more labor unions, or by one or more employers and one or more labor unions, which trustees shall be deemed the policyholder, to insure employees of the employers or members of the unions for the benefit of persons other than the employers or the unions, subject to the following requirements:

(a) The persons eligible for insurance shall be all of the employees of the employers or all of the members of the unions, or all of any class or classes thereof determined by conditions pertaining to their employment, or to membership in the unions, or to both. The policy may provide that the term "employees" shall include the individual proprietor or partners if an employer is an individual proprietor or a partnership. The policy may provide that the term "employees" shall include retired employees. No director of a corporate employer shall be eligible for insurance under the policy unless such person is otherwise eligible as a bona fide employee of the corporation by performing services other than the usual duties of a director. No individual proprietor or partner shall be eligible for insurance under the policy unless he is actively engaged in and devotes a substantial part of his time to the conduct of the business of the proprietor or partnership. The policy may provide that the term "employees" shall include the trustees or their employees, or both, if their duties are principally connected with such trusteeship. If the fund is established by the members of an association of employers, the policy may provide that the term "employees" shall include the employees of the association.

(b) The premium for the policy shall be paid by the trustees wholly from funds contributed

by the employer or employers of the insured persons, or by the union or unions, or by both. No policy may be issued on which any part of the premium is to be derived from funds contributed by the insured persons specifically for their insurance. The policy must insure all eligible persons, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(c) The policy must cover at date of issue at least 100 persons and not less than an average of 5 persons per employer unit; and if the fund is established by the members of an association of employers the policy may be issued only if (i) either (a) the participating employers constitute at date of issue at least 60% of those employer-members whose employees are not already covered for group life insurance or (b) the total number of persons covered at date of issue exceeds 600; and (ii) the policy shall not require that, if a participating employer discontinues membership in the association, the insurance of his employees shall cease solely by reason of such discontinuance.

(d) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the insured persons or by the policyholder, employers, or unions.

(5) A policy issued to a duly incorporated State Policemen's Benevolent Association or Fraternal Order of Police, which association or order shall be deemed the policyholder, to insure members of such association or order for the benefit of persons other than the association, order or any of its officials, subject to the following requirements:

(a) The persons eligible for insurance under the policy shall be all of the members of the association, order or all of any class or classes thereof determined by conditions pertaining to their employment, or to membership in the association, order, or both.

(b) The premium for the policy shall be paid by the policyholder wholly from the association's or order's funds. No policy may be issued on which any part of the premium is to be derived from funds contributed by the insured members specifically for their insurance. The policy must insure all eligible members, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

(c) The policy must cover at least 10 members at date of issue.

(d) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the members or the association or order. In no event may the amount of insurance under the policy on a member exceed \$5,000.00.

(B) No policy of group life insurance may be issued to an employer, or to a labor union, or to the trustees of a fund established in whole or in part by an employer or a labor union, which provides term insurance on any person which together with any other term insurance under any group life insurance policy or policies issued to the employer or employers of such person or to a labor union or labor unions of which such person is a member or to the trustees of a fund or funds established in whole or in part by such employer or employers or such labor union or labor unions, exceeds \$20,000.00, unless 150% of the annual compensation of such person from his employer or employers exceeds \$20,000.00, in which event all such term insurance shall not exceed \$40,000.00 or 150% of such annual compensation, whichever is the lesser.

2. This act shall take effect immediately.

Approved May 13, 1963.

CHAPTER 39

AN ACT concerning sewerage and drainage improvements by municipalities, amending section 40:63-1 of the Revised Statutes, and empowering municipalities to secure possession of real property necessary for such improvements in condemnation proceedings upon the payment of estimated compensation as herein provided.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 40:63-1 of the Revised Statutes is amended to read as follows:

40:63-1. The governing body of every municipality may, by ordinance, provide for and cause to be constructed within or without the municipality, any main sewer or sewers, lateral sewer or sewers, intercepting sewer or sewers, storm sewer or sewers, underground drain or drains, system of sewers, system of drains, system of sewers and drains, sewer outlets, drain outlets, filtration beds, sewage treatment or disposal plants or works, sewage receptacles, pumping stations, or any or all such improvements, and such other erections, works, establishments and fixtures as may be required to provide proper sewerage and drainage for the municipality; and may use and occupy any streets, highways, alleys and other public lands or places, within or without the municipality, for such purpose or purposes, or any tidewater creek, or watercourse or portion thereof, and may acquire by purchase, gift, grant or devise, and take and appropriate in the name of and for the municipality, any real property or interest therein, that may be needed therefor, within or without the municipality, including any public property or public interest therein, by condemnation in the manner provided

Section amended.

Construction of sewers, drains, etc.; use of streets; acquisition of land; condemnation; procedure.

by chapter 1 of Title 20, Eminent Domain, of the Revised Statutes (R. S. 20:1-1 et seq.).

Upon the filing of a complaint in any action to fix the compensation to be paid for any such property, or at any time thereafter, the governing body of the municipality may file or cause to be filed with the clerk of the county in which such property is located and also with the Clerk of the Superior Court a signed declaration of taking declaring that possession of one or more of the tracts or parcels of land or property described in the complaint is thereby being taken by and for the use of the municipality. The said declaration of taking shall be sufficient if it sets forth (1) a description of each tract or parcel of land or property to be so taken sufficient for the identification thereof and with respect to which there may or may not be attached a plan or map thereof; (2) a statement of the estate or interest in the said land or property being taken; and (3) a statement of the sum of money estimated by resolution of such governing body to be just compensation for the taking of the estate or interest in each tract or parcel of land or property described in said declaration.

Upon the filing of the said declaration as aforesaid and the depositing with the Clerk of the Superior Court of the amount of the estimated compensation stated in said declaration, the municipality, without other process or proceedings, shall be entitled to the exclusive possession and use of each tract of land or property described in said declaration and may forthwith enter into and take possession of said land or property, it being the intent of this provision that the action to fix compensation to be paid or any other proceedings relating to the taking of said land or interest therein or other property shall not delay the taking of possession thereof and the use thereof by the municipality for the purpose or purposes for which it is authorized by law or herein to acquire or condemn such land or other property or interest therein.

Notice of the filing of said declaration and the making of said deposit shall be served upon each party to the action to fix the compensation to be paid, who resides in this State, either personally or by leaving a copy thereof at his residence, if known, and upon each such party who resides out of this State, by mailing a copy thereof to him at his residence, if known. In the event that the residence of any such party or the name of such party is unknown, such notice shall be published at least once in a newspaper published or circulating in the county or counties in which the land is located. Such service, mailing or publication shall be made within 10 days after filing such declaration. Upon the application of any party in interest and after notice to other parties in interest, including the municipality, the Superior Court may direct that the money deposited with the Clerk of the Superior Court or any part thereof be paid forthwith to the person or persons entitled thereto for or on account of the just compensation to be awarded in said action; provided, that each such party other than the municipality shall have filed with the Clerk of the Superior Court a consent in writing that, in the event the award in the said action shall be less than the amount deposited, the court, after such notice as the court prescribes and hearing, may determine his liability, if any, for the return of such difference or any part thereof and enter judgment therefor. If the amount of the award as finally determined shall exceed the amount so deposited, the party or parties to whom the award is payable shall be entitled to recover from the municipality the difference between the amount of the deposit and the amount of the award, with interest at the rate of 6% per annum thereon from the date of making the deposit. If the amount of the award shall be less than the amount so deposited, the Clerk of the Superior Court shall return the difference between the amount of the award and the deposit to the municipality unless the amount of the deposit or any part thereof shall have theretofore been dis-

tributed, in which event the court, on application of the municipality and notice to all parties interested in the award and affording such parties an opportunity to be heard, shall enter judgment in favor of the municipality for such difference against the party or parties liable for the return thereof.

The municipality shall not abandon any condemnation proceeding subsequent to the date upon which it has taken possession of the land or property as herein provided except with the consent of each other party to the action to fix compensation to be paid for such land or property.

2. This act shall take effect immediately.

Approved May 20, 1963.

CHAPTER 40

AN ACT to amend the "Law Against Discrimination," approved April 16, 1945 (P. L. 1945, c. 169) and "A supplement to the 'Law Against Discrimination,' approved April 16, 1945 (P. L. 1945, c. 169)," approved July 28, 1954 (P. L. 1954, c. 198) and repealing section 22 of the "Law Against Discrimination" approved April 16, 1945 (P. L. 1945, c. 169).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 5 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-5.
Terms
defined.

5. As used in this act, unless a different meaning clearly appears from the context:

a. "Person" includes one or more individuals, partnerships, associations, labor organizations, cor-

porations, legal representatives, trustees, trustees in bankruptcy, receivers, and fiduciaries.

b. "Employment agency" includes any persons undertaking to procure employees or opportunities for others to work.

c. "Labor organization" includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.

d. "Unlawful employment practice" and "unlawful discrimination" includes only those unlawful practices and acts specified in section 11 of this act.

e. "Employer" does not include a club exclusively social or a fraternal, charitable, educational or religious association or corporation, if such club, association or corporation is not organized and operated for private profit, nor does it include any employer with fewer than 6 persons in his employ.

f. "Employee" does not include any individual employed by his parents, spouse or child, or in the domestic service of any person.

g. "Liability for service in the Armed Forces of the United States" means subject to being ordered as an individual or member of an organized unit, into active service in the Armed Forces of the United States by reason of membership in the National Guard, naval militia or a reserve component of the Armed Forces of the United States or subject to being inducted into such armed forces through a system of national selective service.

h. "Division" means the "Division on Civil Rights" created by this act.

i. "Attorney General" means the Attorney General of the State of New Jersey or his representative or designee.

j. "Commission" means the Commission on Civil Rights created by this act.

k. "Director" means the Director of the Division on Civil Rights.

1. "A place of public accommodation" shall include any tavern, roadhouse, or hotel, whether for entertainment of transient guests or accommodation of those seeking health, recreation or rest; any retail shop or store; any restaurant, eating house, or place where food is sold for consumption on the premises; any place maintained for the sale of ice cream, ice and fruit preparations or their derivatives, soda water or confections, or where any beverages of any kind are retailed for consumption on the premises; any garage, any public conveyance operated on land or water, or in the air, and stations and terminals thereof; any public bathhouse, public boardwalk, public seashore accommodation; any auditorium, meeting place, or public hall; any theatre, or other place of public amusement, motion-picture house, music hall, roof garden, skating rink, swimming pool, amusement and recreation park, fair, bowling alley, gymnasium, shooting gallery, billiard and pool parlor; any comfort station; any dispensary, clinic or hospital; and any public library, any kindergarten, primary and secondary school, trade or business school, high school, academy, college and university, or any educational institution under the supervision of the State Board of Education, or the Commissioner of Education of the State of New Jersey. Nothing herein contained shall be construed to include or to apply to, any institution, bona fide club, or place of accommodation, which is in its nature distinctly private; nor shall anything herein contained apply to any educational facility operated or maintained by a bona fide religious or sectarian institution, and the right of a natural parent or one in loco parentis to direct the education and upbringing of a child under his control is hereby affirmed; nor shall anything herein contained be construed to bar any private secondary or post-secondary school from using in good faith criteria other than race, creed, color, national origin or ancestry, in the admission of students.

m. "A publicly assisted housing accommodation" shall include all housing built with public funds or public assistance pursuant to chapter 300 of the laws of 1949, chapter 213 of the laws of 1941, chapter 169 of the laws of 1944, chapter 303 of the laws of 1949, chapter 19 of the laws of 1938, chapter 20 of the laws of 1938, chapter 52 of the laws of 1946, and chapter 184 of the laws of 1949, and all housing financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the Federal Government or any agency thereof.

n. The term "real property" includes real estate, lands, tenements and hereditaments, corporeal and incorporeal, provided however that, except as to publicly assisted housing accommodations, the provisions of this act shall not apply (1) to the sale or rental of a dwelling, or of a portion thereof, containing accommodations for not more than 3 families, one of which is maintained by the owner at the time of sale or rental as the household of his family, or; (2) to the sale or rental of a dwelling, or a portion thereof, containing accommodations for not more than 2 families, except, however, such dwellings shall be included within the term "real property" when they are part of a group of 10 or more dwelling houses constructed or to be constructed on land that is contiguous (exclusive of public streets) and are offered for sale or rental by a person who owns or has owned or otherwise controls or has controlled the sale or rental of such group of dwelling houses, or; (3) to the rental, by the owner or occupant of a one-family accommodation in which he or members of his family reside, of a room or rooms in such accommodation to another person or persons. Nothing herein contained shall be construed to bar any religious or denominational institution or organization, or any organization operated for charitable or educational purposes, which is operated, supervised or controlled by or in connection with a religious organization, in the sale, lease or rental of real property,

from limiting admission to or giving preference to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained.

o. "Real estate broker" includes a person, firm or corporation who, for a fee, commission or other valuable consideration, or by reason of promise or reasonable expectation thereof, lists for sale, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale, exchange, purchase or rental or real estate or an interest therein, or collects or offers or attempts to collect rent for the use of real estate or solicits for prospective purchasers or assists or directs in the procuring of prospects or the negotiation or closing of any transaction which does or is contemplated to result in the sale, exchange, leasing, renting or auctioning of any real estate or negotiates, or offers or attempts or agrees to negotiate a loan secured or to be secured by mortgage or other encumbrance upon or transfer of any real estate for others, or any person who, for pecuniary gain or expectation of pecuniary gain conducts a public or private competitive sale of lands or any interest in lands. In the sale of lots, the term "real estate broker" shall also include any person, partnership, association or corporation employed by or on behalf of the owner or owners of lots or other parcels of real estate, at a stated salary, or upon a commission, or upon a salary and commission, or otherwise, to sell such real estate, or any parts thereof, in lots or other parcels, and who shall sell or exchange, or offer or attempt or agree to negotiate the sale or exchange, of any such lot or parcel of real estate.

p. "Real estate salesman" includes any person who, for compensation, valuable consideration or commission, or other thing of value, or by reason of a promise or reasonable expectation thereof, is employed by and operates under the supervision of a licensed real estate broker to sell or offer to sell, buy or offer to buy or negotiate the purchase, sale

or exchange of real estate, or offers or attempts to negotiate a loan secured or to be secured by a mortgage or other encumbrance upon or transfer of real estate, or to lease or rent, or offer to lease or rent any real estate for others, or to collect rents for the use of real estate, or to solicit for prospective purchasers or lessees of real estate, or who is employed by a licensed real estate broker to sell or offer to sell lots or other parcels of real estate, at a stated salary, or upon a commission, or upon a salary and commission, or otherwise to sell real estate, or any parts thereof, in lots or other parcels.

2. Section 6 of chapter 169, laws of 1945 is amended to read as follows:

Section
amended.

6. There is created in the Department of Law and Public Safety a division known as "The Division on Civil Rights" with power to prevent and eliminate discrimination in the manner prohibited by this act against persons because of race, creed, color, national origin, ancestry or age or because of their liability for service in the Armed Forces of the United States, by employers, labor organizations, employment agencies or other persons and to take other actions against discrimination because of race, creed, color, national origin, ancestry or age or because of their liability for service in the Armed Forces of the United States, as herein provided; and the division created hereunder is given general jurisdiction and authority for such purposes.

C. 18:25-6.
Division on
Civil Rights
created.

3. Section 7 of chapter 169 of the laws of 1945 is amended to read as follows:

Section
amended.

7. The said division shall consist of the Attorney General and the commission. The commission shall consist of 7 members; each member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of 5 years and until his successor is appointed and qualified, except that of those first appointed, one shall be appointed for a term of 1 year, one for a term of 2 years, one for a term of 3 years and 2 for a term of 4 years. Vacancies caused other than by expira-

C. 18:-25-7.
Commission
on Civil
Rights;
members;
terms;
vacancies.

tion of term shall be filled in the same manner but for the unexpired term only. Members of the commission shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties. The first chairman of the commission shall be designated by the Governor and thereafter, the chairman shall be elected by the members, annually.

Section
amended.

4. Section 8 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-8.
Powers and
duties of
Attorney
General.

8. The Attorney General shall:

a. Exercise all powers of the division not vested in the commission.

b. Administer the work of the division.

c. Organize the division into sections, which shall include but not be limited to a section which shall receive, investigate, and act upon complaints alleging discrimination against persons because of race, creed, color, national origin, ancestry or age or because of their liability for service in the Armed Forces of the United States; and another which shall, in order to eliminate prejudice and to further good will among the various racial and religious and nationality groups in this State, study, recommend, prepare and implement, in co-operation with such other departments of State Government or any other agencies, groups or entity both public and private, such educational and human relations programs as are consonant with the objectives of this act; and prescribe the organization of said sections and the duties of his subordinates and assistants.

d. Appoint a Director of the Division on Civil Rights, who shall act for the Attorney General, in his place and with his powers, which appointment shall be subject to the approval of the commission and the Governor, a deputy director and such assistant directors, field representatives and assistants as may be necessary for the proper administration of the division and fix their compensation within the limits of available appropriations. The director, deputy director, assistant

directors, field representatives and assistants shall not be subject to the Civil Service Act and shall be removable by the Attorney General at will.

e. Appoint such clerical force and employees as he may deem necessary and fix their duties, all of whom shall be subject to the Civil Service Act.

f. Maintain liaison with local and State officials and agencies concerned with matters related to the work of the division.

g. Adopt, promulgate, amend, and rescind suitable rules and regulations to carry out the provisions of this act.

h. Conduct investigations, receive complaints and conduct hearings thereon other than those complaints received and hearings held pursuant to the provisions of sections 12 to 16 inclusive of this act.

i. In connection with any hearing held pursuant to the provisions of this act, subpoena witnesses, compel their attendance, administer oaths, take the testimony of any person, under oath, and, in connection therewith, require the production for examination of any books or papers relating to any subject matter under investigation or in question before the Attorney General. The Attorney General may make rules as to the issuance of subpoenas by the director.

j. Issue such publications and such results of investigations and research tending to promote good will and to minimize or eliminate discrimination because of race, creed, color, national origin, ancestry or age, as the commission shall direct, subject to available appropriations.

k. Render each year to the Governor and Legislature a full written report of all the activities of the division.

l. Appoint, subject to the approval of the commission, a panel of not more than 5 hearing examiners, each of whom shall be duly licensed to practice law in this State for a period of at least 5 years, and each to serve for a term of one year and until his successor is appointed, any one of

whom the director may designate in his place to conduct any hearing and recommend findings of fact and conclusions of law. The hearing examiners shall receive such compensation as may be determined by the Attorney General, subject to available appropriations.

Section
amended.

5. Section 9 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-10.
Duties of
commission.

9. The commission shall:

a. Consult with and advise the Attorney General with respect to the work of the division.

b. Survey and study the operations of the division.

c. Report to the Governor and the Legislature with respect to such matters relating to the work of the division and at such times as it may deem in the public interest.

The mayors or chief executive officers of the municipalities in the State may appoint local commissions on civil rights to aid in effectuating the purposes of this act. Such local commissions shall be composed of representative citizens serving without compensation. Such commissions shall attempt to foster through community effort or otherwise, good will, co-operation and conciliation among the groups and elements of the inhabitants of the community, and they may be empowered by the local governing bodies to make recommendations to them for the development of policies and procedures in general and for programs of formal and informal education that will aid in eliminating all types of discrimination based on race, creed, color, national origin, ancestry or age.

Section
amended.

6. Section 10 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-11.
Evidence in
obedience to
summons;
immunity of
witness.

10. No person shall be excused from attending and testifying or from producing records, correspondence, documents or other evidence in obedience to the subpoena of the Attorney General, director, or hearing examiner on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or

forfeiture, but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. The immunity herein provided shall extend only to natural persons so compelled to testify.

7. Section 12 of chapter 169 of the laws of 1945 is amended to read as follows:

Section
amended.

12. Any person claiming to be aggrieved by an unlawful employment practice or an unlawful discrimination may, by himself, or his attorney-at-law, make, sign and file with the Attorney General a verified complaint in writing which shall state the name and address of the person, employer, labor organization, employment agency, owner, lessee, proprietor, manager, superintendent, or agent alleged to have committed the unlawful employment practice or unlawful discrimination complained of and which shall set forth the particulars thereof and shall contain such other information as may be required by the Attorney General. The Commissioner of Labor and Industry, the Attorney General, or the Commissioner of Education may, in like manner, make, sign and file such complaint. Any employer whose employees, or some of them, refuse or threaten to refuse to co-operate with the provisions of this act, may file with the Attorney General a verified complaint asking for assistance by conciliation or other remedial action.

C. 18:25-13.
Remedies;
persons
entitled to
file complaint.

8. Section 13 of chapter 169 of the laws of 1945 is amended to read as follows:

Section
amended.

13. After the filing of any complaint, the Attorney General shall cause prompt investigation to be made in connection therewith; and if the Attorney General shall determine after such investigation that probable cause exists for crediting the allegations of the complaint, he shall immediately endeavor to eliminate the unlawful employment

C. 18:25-14.
Investigation
of complaint;
Attorney
General's
duties.

practice or the unlawful discrimination complained of by a conciliation conference. Neither the Attorney General nor any officer or employee of the division shall disclose any conversation between the Attorney General or his representative and the respondent or his representative at such conference.

Section
amended.

9. Section 14 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-15.
Notice
requiring
respondent
to answer
charges;
place of
hearing.

14. In case of failure so to eliminate such practice or discrimination, or in advance thereof if in his judgment circumstances so warrant, the Attorney General shall cause to be issued and served in the name of the division, a written notice, together with a copy of such complaint, as the same may have been amended, requiring the person, employer, labor organization, employment agency, owner, lessee, proprietor, manager, superintendent, or agent named in such complaint, hereinafter referred to as respondent, to answer the charges of such complaint at a hearing before the director at a time and place to be specified in such notice. The place of any such hearing shall be the office of the Attorney General or such other place as may be designated by him.

Section
amended.

10. Section 15 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 25:18-16.
Practice and
procedure.

15. The case in support of the complaint shall be presented before the director by the attorney for the division and evidence concerning attempted conciliation shall not be received. The respondent may file a written verified answer to the complaint and appear at such hearing in person or by representative, with or without counsel, and submit testimony. In the discretion of the director, the complainant may be allowed to intervene and present testimony in person and may be represented by counsel. The director or the complainant shall have the power reasonably and fairly to amend any complaint, and the respondent shall have like power to amend his answer. The director shall not be bound by the strict rules of evidence prevailing in civil actions in courts of competent jurisdiction of

this State. The testimony taken at the hearing shall be under oath and be transcribed.

11. Section 16 of chapter 169 of the laws of 1945 is amended to read as follows: Section amended.

16. If, upon all evidence at the hearing the director shall find that the respondent has engaged in any unlawful employment practice or unlawful discrimination as defined in this act, the director shall state his findings of fact and conclusions of law and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful employment practice or unlawful discrimination and to take such affirmative action, including, but not limited to, hiring, reinstatement or upgrading of employees, with or without back pay, or restoration to membership, in any respondent labor organization, or extending full and equal accommodations, advantages, facilities, and privileges to all persons, as, in the judgment of the director, will effectuate the purpose of this act, and including a requirement for report of the manner of compliance. If, upon all the evidence, the director shall find that the respondent has not engaged in any such unlawful employment practice or unlawful discrimination, the director shall state his findings of fact and conclusions of law and shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent. C. 18:25-17. Findings and orders of director.

12. Section 17 of chapter 169 of the laws of 1945 is amended to read as follows: Section amended.

17. The Attorney General shall establish rules of practice to govern, expedite and effectuate the foregoing procedure and his own actions thereunder. Any complaint filed pursuant to this section must be so filed within 180 days after the alleged act of discrimination. C. 18:25-18. Rules of practice; limitation.

13. Section 18 of chapter 169 of the laws of 1945 is amended to read as follows: Section amended.

18. Observance of an order of the director issued pursuant to the provisions of this act may be enforced by a civil action brought by the director C. 18:25-19. Enforcement.

in the Superior Court to obtain such relief as may be necessary to effectuate the terms of said order.

Section
amended.

14. Section 20 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-21.
Appeal to
Superior
Court.

20. Any person aggrieved by a final order of the director may take an appeal therefrom to the Superior Court, Appellate Division as an appeal from a State administrative agency.

Section
amended.

15. Section 23 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-24.
Transcript of
hearing to be
available.

23. A copy of the transcript of the hearing shall be available at all reasonable times to all parties for examination without cost.

Section
amended.

16. Section 24 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-25.
Attorney
General to
appoint
attorney for
division.

24. The Attorney General shall appoint or assign the attorney for the division who may be a deputy attorney general. If said attorney is not a deputy attorney general he shall receive such compensation as may be determined by the Attorney General subject to available appropriations.

Section
amended.

17. Section 25 of chapter 169 of the laws of 1945 is amended to read as follows:

C. 18:25-26.
Resisting or
preventing
performance
of duties a
misdemeanor;
penalty.

25. Any person who shall willfully resist, prevent, impede or interfere with the Attorney General or any representative of the division in the performance of duty under this act, or shall willfully violate an order of the Attorney General, or the director, shall be guilty of a misdemeanor and shall be punishable by imprisonment for not more than one year, or by a fine of not more than \$500.00, or by both; but procedure for the review of the order shall not be deemed to be such willful conduct.

Section
amended.

18. Section 1 of chapter 198 of the laws of 1954 is amended to read as follows:

C. 18:25-9.1.
Enforcement
of law in
public housing
and real
estate.

1. The Division on Civil Rights in the Department of Law and Public Safety shall enforce the laws of this State against discrimination in housing built with public funds or public assistance, pursuant to any law, and in real property, as defined in the law hereby supplemented, because of race, religious principles, color, national origin or an-

cestry. The said laws shall be so enforced in the manner prescribed in the act to which this act is a supplement.

19. Section 22 of the "Law Against Discrimination" approved April 16, 1945 is repealed.

Section
C. 18:25-23
repealed.

20. This act shall take effect immediately.
Approved May 21, 1963.

CHAPTER 41

AN ACT concerning the taxation of certain public utilities and amending and supplementing "An act imposing an excise tax upon persons, copartnerships, associations or corporations, other than street railway, traction, sewerage, water, gas and electric light, heat and power corporations, municipal corporations and corporations taxable under chapter 291 of the laws of 1941, using or occupying public streets, highways, roads or other public places by virtue of a franchise or authority or permission from the State or any municipality thereof, except for the operation of autobuses or autocabs commonly called taxicabs," passed January 23, 1940 (Chapter 4, P. L. 1940), as said title was amended by chapter 92, P. L. 1961.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

1. Purpose. The purpose of this act is to provide for the taxation of certain franchises held by certain persons, copartnerships, associations and corporations; the reimbursement to the State of cer-

C. 54:30A-16.
Purpose;
certain laws
superseded.

tain costs and expenses incurred in the imposition and apportionment of such taxes; and apportionment of certain of such taxes among the municipalities in which such franchises are exercised upon the fixed standard hereinafter set forth; and to supersede sections 54:31-1 to 54:31-28 of the Revised Statutes, inclusive and chapter 7, pamphlet laws of 1938, for the year 1940 and thereafter.

Section
amended.

2. Section 2 of the act of which this act is amendatory is amended to read as follows:

C. 54:30A-17.
Terms
defined.

2. Definitions: As used in this act, unless the context otherwise requires,

(a) "Taxpayer" means any person, copartnership, association or corporation subject to taxation under the provisions of this act.

(b) "Gross receipts" means all receipts from the taxpayer's business over, on, in, through or from the whole of its lines or mains, excluding therefrom, however, any sum or sums of money received by any taxpayer in payment for such portion of its products as may have been sold and furnished to another public utility which is also subject to the payment of a tax based upon gross receipts, and excluding also receipts from the operation of autobuses.

(c) "Scheduled property" means only those classes or types of property of a taxpayer set forth in section 7 of this act, and which are to be used in computing the apportionment valuation herein defined.

(d) "Unit value" means the value set forth in section 7 of this act, to be uniformly applied to each of the several classes or types of scheduled property in computing the apportionment value.

(e) "Apportionment value" or "apportionment valuation" means the result obtained by multiplying the quantities of each class or type of scheduled property of a taxpayer by the applicable unit value, and the addition of such results.

(f) "Public street, highway, road or other public place" includes any street, highway, road or other public place which is open and used by the public,

even though the same has not been formally accepted as a public street, highway, road, or other public place.

(g) "Service connections"—

(1) in the case of telephone, telegraph or other wire communication facilities, means the wires connecting the instrument or instruments in the building or at the place where the service supplied by the taxpayer is used or delivered or is made available for use or delivery with a pole line, conduit line or cable line in the street, highway, road or other public place, or with such a pole line, conduit line or cable line on private property;

(2) in the case of facilities of taxpayers subject to this act, other than service connections as defined in (1) of this subsection, means the wires or pipes connecting the building or place where the service or commodity supplied by the taxpayer is used or delivered, or is made available for use or delivery, with a supply line or supply main.

(h) "State Tax Commissioner" or "director" means the Director of the Division of Taxation in the Department of the Treasury.

3. Section 3 of the act of which this act is amendatory is amended to read as follows:

3. (a) Every person, copartnership, association or corporation, other than street railway, traction, sewerage, water, gas and electric light, heat and power corporations, municipal corporations and corporations which are taxable under chapter 291 of the laws of 1941, using or occupying public streets, highways, roads or other public places by virtue of a franchise or authority or permission from the State or any municipality thereof, except consent, authority or permission for the operation of autobuses or autocabs commonly called taxicabs, shall, in the year 1941 and annually thereafter, pay for the franchise to use such public streets, highways, roads or other public places in this State an excise tax which shall, except as in this act may be

Section
amended.

C. 54:30A-18.
Excise tax
on franchise
to use public
streets, etc.;
exceptions;
rate of tax;
deduction of
proportion of
tax paid by
subsidiary;
additional
excise taxes.

otherwise provided, be in lieu of any and all other tax or taxes upon the franchise or franchises of such taxpayer. The annual excise tax imposed on each taxpayer shall be a sum equal to 5% of such portion of the taxpayer's gross receipts as the length of the lines or mains of such taxpayer in this State along, in or over any public street, highway, road or other public place, exclusive of service connections, bears to the whole length of its lines or mains, exclusive of service connections. In case the gross receipts of any such taxpayer for any calendar year shall not exceed the sum of \$50,000.00 the tax on such taxpayer for such calendar year shall be computed at the rate of 2% instead of at the rate of 5%. Where any taxpayer hereunder owns all of the capital stock of a subsidiary corporation taxable under the Corporation Business Tax Act (1945), the taxpayer may deduct from the tax otherwise payable under this subsection (a) such proportion, not exceeding 50%, of the franchise tax payable by the subsidiary for the same year as the subsidiary's taxable net worth is to its entire net worth under said act.

(b) In addition to the excise tax imposed in subsection (a) hereof, every taxpayer hereunder shall also pay annually to the State for the franchise to operate and conduct business within the State and to use the public streets, highways, roads or other public places in this State, excise taxes as follows:

(1) A tax computed at the rate of 0.625% of such proportion of the gross receipts of such taxpayer for the preceding calendar year as the length of the lines or mains in this State, located along, in or over any public street, highway, road or other public place, exclusive of service connections, bears to the whole length of its lines or mains, exclusive of service connections. In case the gross receipts of any such taxpayer for any calendar year shall not exceed \$50,000.00 the tax on such taxpayer for such calendar year shall be computed at the rate of 0.25% instead of at the rate of 0.625%.

(2) A tax at the rate of 0.5% upon the gross receipts of such taxpayer for the preceding calendar year from its business over, on, in, through or from its lines or mains in the State of New Jersey.

4. Section 8 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

8. Before making the apportionment of the excise taxes imposed by this act to the several municipalities entitled thereto, the State Tax Commissioner shall deduct from the gross amount of such taxes the expenses of auditing and verifying the statements of each taxpayer and making the respective apportionments of the taxes and a share of any general expenses which cannot be allocated to any one taxpayer in proportion to the amounts of the taxes payable by the respective taxpayers under section 3 (a) of this act. The State Tax Commissioner shall certify such expenses to the respective taxpayers who shall make payment thereof to the State Tax Commissioner within 30 days after such certification.

C. 54:30A-23.
Expenses deducted before apportionment of taxes; certification and payment.

5. Section 9 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

9. The balance of the excise tax imposed under subsection (a) of section 3 of this act upon each taxpayer in the year 1940 and each year thereafter is hereby apportioned to the various municipalities of this State in the proportion that the apportionment value of the scheduled property of such taxpayer located in, on or over any public street, highway, road or other public place in each municipality as of the preceding July 1 bears to the total apportionment value of such scheduled property of such taxpayer in this State as of that date. The State Tax Commissioner shall annually, on or before May 1, 1941 and May 1 in each year thereafter, compute and apportion the balance of such excise taxes in the manner herein set forth. Within 5 days after making such computation and apportionment the State Tax Commissioner shall certify to the respective collectors of taxes or officers having like powers and duties to perform in each municipality

C. 54:30A-24.
Apportionment of taxes; certification to tax collectors; statement and payment of taxes; effect of appeal; lien; discounts, interest and penalties.

the amount of such taxes apportioned to such municipality, and the collectors of taxes or such other officers shall, within 5 days after receipt of such certification, deliver or cause to be delivered to each taxpayer named in such certificate a statement in writing showing the amount of such taxes payable to such municipality; and the amount so apportioned to each municipality shall become payable at the place where other taxes are payable in such municipality in the following manner, to wit: $\frac{1}{3}$ thereof within 30 days after the date of the certification of the apportionment by the State Tax Commissioner, $\frac{1}{3}$ thereof on September 1, and $\frac{1}{3}$ thereof on December 1 next thereafter; provided, that if, for any reason, the making and delivery of such certificate of apportionment shall be delayed until after December 1 in any year, then and in that case, all of such taxes for such year affected by such certificate of apportionment shall become due and payable 30 days after the date of such certification of apportionment; and provided further, that in case of an appeal from any apportionment valuation or apportionment or any review thereof in any court, the portion of any such tax not paid prior to the commencement of such appeal or proceedings for review shall not become payable until 30 days after final determination of such appeal or review and certification or recertification, if required. The taxes payable by each taxpayer shall be and remain a first lien on the property and assets of such taxpayer on and after the date the same become payable as herein provided until paid with interest thereon, and the same shall be collected in the same manner and subject to the same discounts, interests and penalties as other taxes, and the same proceedings now available for the collection of personal taxes against other corporations or individuals shall be applicable to the collection of the excise taxes hereby imposed and payable to any municipality.

C. 54:30A-18.1.
Annual
determination
of tax; certi-
fication to
taxpayers;
payment.

6. The director shall annually, on or before April 1, 1964, and April 1 in each year thereafter, compute the excise taxes payable to the State

as provided in section 3(b) hereof. Within 5 days after making such computation, the director shall certify such taxes to the respective taxpayers who shall make payment thereof to the director on or before May 1 next succeeding.

7. Section 10 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

10. When any taxpayer shall acquire the rights, property and franchises of using and occupying public streets, highways, roads or other public places in this State, other than the right and franchise to operate autobuses, of other taxpayers then taxable under this act, and shall retain such rights, property and franchises at the end of the calendar year in which such acquisition occurs, then and in such case on or before February 1 of the succeeding year, such acquiring taxpayer shall return to the State Tax Commission in the manner and form required by this act and in addition to the statements of gross receipts, scheduled property and length of lines to be filed under this act, a statement showing the gross receipts from the business over, on, in, through or from the lines and mains of the taxpayers whose rights, property and franchises were so acquired as aforesaid, from January 1 of the year in which such property was acquired to the date of such acquisition, together with a statement showing the scheduled property and length of lines or mains as of July 1 of the year in which such acquisition took place, as hereinbefore required, unless such information has previously been supplied and filed with the State Tax Commission. The total of the gross receipts as shown in both of said statements to the State Tax Commissioner, or as otherwise ascertained by him, shall be used in ascertaining, fixing and apportioning the excise taxes imposed by this act upon such acquiring taxpayer.

C. 54:30A-25.
Acquisition by
taxpayer of
rights, fran-
chises, etc. of
other tax-
payers taxable
under act;
additional
statement;
basis for ascer-
taining and
apportioning
tax.

8. The director in making the computation of excise taxes due the State under section 3(b) of this act from any taxpayer for any year shall deduct from or add to the amounts so determined for such year the amount of any deduction or addition to the

C. 54:30A-18.1.
Computation
of taxes to
agree with
judgment.

extent and in the manner which may heretofore have been or may hereafter be ordered or decreed by any judgment of the State Division of Tax Appeals or any court by reason of any error or omission in connection with the imposition of excise taxes under section 3(b) of this act upon such taxpayer in any prior year.

C. 54:30-18.3.
Adminis-
tration,
collection and
enforcement.

9. The administration, collection and enforcement of the tax imposed by subsection (b) of section 3 of this act shall be subject to the provisions of the State tax uniform procedure law as therein provided (chapters 48 through 52 of Title 54 of the Revised Statutes) to the extent that the provisions of such law are not inconsistent with any provision of this act.

Note:
Act
operative.

10. This act shall take effect July 1, 1963, but the provisions of this amendatory and supplementary act shall cease to be effective July 1, 1966.

Approved May 22, 1963.

CHAPTER 42

AN ACT concerning the taxation of certain public utilities and amending and supplementing chapter 5, P. L. 1940, passed January 23, 1940, and chapter 91, P. L. 1961, approved July 18, 1961.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 1 of chapter 5, P. L. 1940, is amended to read as follows:

C. 54:30A-49.
Purpose;
certain laws
suspended.

1. The purpose of this act is to provide a complete scheme and method for the taxation of street railway, traction, sewerage, water, gas and electric

light, heat and power corporations using or occupying the public streets, highways, roads or other public places, to exempt from taxation other than imposed by this act the franchises, stock, and certain property of such corporations and for the taxation of the property of such corporations not so exempted from taxation; the reimbursement to the State of certain costs and expenses incurred in the imposition and apportionment of such taxes; the apportionment of certain of such taxes among municipalities upon the fixed standards hereinafter set forth; and to supersede sections 54:31-1 to 54:32-7 of the Revised Statutes, inclusive, and chapter 8 of the laws of 1938 for the year 1940 and thereafter.

2. Section 2 of chapter 5, P. L. 1940, is amended Section amended. to read as follows:

2. Definitions: As used in this act—unless the C. 54:30A-50. Terms defined. context otherwise requires:

(a) "Taxpayer" means any corporation subject to taxation under the provisions of this act.

(b) "Real estate" means lands and buildings, but it does not include railways, tracks, ties, lines, wires, cables, poles, pipes, conduits, bridges, viaducts, dams and reservoirs (except that the lands upon which dams and reservoirs are situated are real estate), machinery, apparatus and equipment, notwithstanding any attachment thereof to lands or buildings.

(c) "Gross receipts" means all receipts from the taxpayer's business over, in, through or from the whole of its lines or mains but does not include any sum or sums of money received by the taxpayer in payment for gas or electrical energy or water sold and furnished to another public utility which is also subject to the payment of a tax based upon its gross receipts, nor in the case of a street railway or traction corporation the receipts from the operation of autobuses or vehicles of the character described in Title 48, chapter 15, section 41 to the end of the chapter, of the Revised Statutes (Revised Statutes, section 48:15-41, et seq.).

(d) "Scheduled property" means only those classes or types of property of a taxpayer set forth in section 10 of this act and which are to be used in computing the apportionment value as herein defined.

(e) "Unit value" means the value set forth in section 10 of this act to be uniformly applied to each of the several classes or types of scheduled property in computing the apportionment value.

(f) "Apportionment value" or "apportionment valuation" means the result obtained by multiplying the quantities of each class or type of scheduled property of a taxpayer by the applicable unit value, and the addition of such results.

(g) "Public street, highway, road or other public place," includes any street, highway, road or other public place which is open and used by the public, even though the same has not been formally accepted as a public street, highway, road, or other public place.

(h) "Service connections" means the wires or pipes connecting the building or place where the service or commodity supplied by the taxpayer is used or delivered, or is made available for use or delivery, with a supply line or supply main in the street, highway, road, or other public place, or with such supply line or supply main on private property.

(i) "State Tax Commissioner" or "director" means the Director of the Division of Taxation in the Department of the Treasury.

Section
amended.

C. 54:30A-51.3.
Time of
assessment;
liability for
tax.

3. Section 3 of chapter 91, P. L. 1961, is amended to read as follows:

3. The amount of said difference and the amount of the gross receipts taxes required to be paid by such water corporation to each municipality under the provisions of chapter 5, laws of 1940, as amended and supplemented, shall be deemed to be assessed to such water corporation by such municipality as of October 1 of the year preceding the year in which such taxes and tax differential are payable, and the water corporation so deemed to be assessed

shall be personally liable for said difference and for said gross receipts taxes in the same manner as the owners of personal property assessed in accordance with the provisions of R. S. 54:4-1, et seq., as amended (N. J. S. A. 54:4-1, et seq.).

4. Section 6 of chapter 5, P. L. 1940, is amended to read as follows:

Section
amended.

6. Every street railway, traction, sewerage, water, gas and electric light, heat and power corporation using or occupying the public streets, highways, roads, or other public places in this State shall, annually, pay excise taxes for the privilege of exercising its franchises and using the public streets, highways, roads or other public places in this State, as follows:

C. 54:30A-54.
Imposition
and rate of
tax; additional
excise tax
imposed.

(a) A tax computed at the rate of 5% of such proportion of the gross receipts of such taxpayer for the preceding calendar year as the length of the lines or mains in this State, located along, in or over any public street, highway, road or other public place, exclusive of service connections, bears to the whole length of its lines or mains, exclusive of service connections. In case the gross receipts of any such taxpayer for any calendar year shall not exceed \$50,000.00 the tax on such taxpayer for such calendar year shall be computed at the rate of 2% instead of at the rate of 5%.

(b) A tax at the rate of 7½% upon the gross receipts of such taxpayer for the preceding calendar year from its business over, on, in, through or from its lines or mains in the State of New Jersey.

(c) In addition to the excise taxes imposed in subsections (a) and (b) hereof, every taxpayer which is subject to the taxes imposed thereunder shall also pay to the State excise taxes for the franchise to operate and conduct business within the State and to use the public streets, highways, roads or other public places in the State as follows:

(1) A tax computed at the rate of 0.625% of such proportion of the gross receipts of such taxpayer for the preceding calendar year as the length of the lines or mains in this State, lo-

cated along, in or over any public street, highway, road or other public place, exclusive of service connections, bears to the whole length of its lines or mains, exclusive of service connections. In case the gross receipts of any such taxpayer for any calendar year shall not exceed \$50,000.00 the tax on such taxpayer for such calendar year shall be computed at the rate of 0.25% instead of at the rate of 0.625%.

(2) A tax at the rate of 0.9375% upon the gross receipts of such taxpayer for the preceding calendar year from its business over, on, in, through or from its lines or mains in the State of New Jersey.

Section
amended.

5. Section 11 of chapter 5, P. L. 1940, is amended to read as follows:

C. 54:30A-59.
Deduction
of expenses
before ap-
portionment
of taxes;
certification
and payment.

11. Before making the apportionment of the excise taxes imposed by this act to the several municipalities entitled thereto, the State Tax Commissioner shall deduct from the gross amount of such taxes the expenses of auditing and verifying the statements of each taxpayer and making the respective apportionments of the taxes and a share of any general expenses which cannot be allocated to any one taxpayer in proportion to the amounts of the taxes payable by the respective taxpayers under sections 6(a) and (b) of this act. The State Tax Commissioner shall certify such expenses to the respective taxpayers who shall make payment thereof to the State Tax Commissioner within 30 days after such certification.

Section
amended.

6. Section 13 of chapter 5, P. L. 1940, is amended to read as follows:

C. 54:30A-61.
Apportionment
of balance of
tax imposed
by section
6(b).

13. The balance of the excise taxes imposed by section 6(b) of this act upon each taxpayer in the year 1940 and each year thereafter is hereby apportioned to the various municipalities in the proportion that the apportionment value of the scheduled property of such taxpayer located in each municipality as of the preceding July 1 bears to the total apportionment value of the scheduled property

of such taxpayer in this State as of that date. The State Tax Commissioner shall on or before June 1, 1941, and annually before June 1 in each year thereafter, compute the balance of such taxes and the apportionment thereof in the manner herein provided.

7. Section 14 of chapter 5, P. L. 1940, is amended to read as follows:

14. Within 5 days after making the computation and apportionment of the excise taxes under subsections (a) and (b) of section 6 of this act, the State Tax Commissioner shall certify to the respective collectors of taxes or officers having like powers and duties to perform in each municipality the amount of such taxes apportioned to such municipality and the collectors of taxes or such other officers shall within 5 days after receipt of such certification deliver or cause to be delivered to each taxpayer named in such certificate a statement in writing showing the amount of such taxes payable to such municipality; and the amount so apportioned to each municipality shall become payable at the place where other taxes are payable in such municipality in the following manner, to wit: $\frac{1}{3}$ thereof 30 days after the date of the certification of the apportionment by the State Tax Commissioner, $\frac{1}{3}$ thereof on September 1, and $\frac{1}{3}$ thereof on December 1 next thereafter; provided, that if for any reason the making and delivering of a certificate of apportionment shall be delayed until after December 1 in any year then in that case all of the taxes for such year affected by such certificate of apportionment shall become due and payable 30 days after the date of such certification of apportionment; and, further provided, that in case of an appeal from any apportionment valuation or apportionment or any review thereof in any court, the portion of any such tax not paid prior to the commencement of any such appeal or proceedings for review, shall not become payable until 30 days after final determination of such appeal or review and the certification or recertification of the appor-

Section
amended.

C. 54:30A-62.
Certification
to collectors;
statement and
payment;
effect of ap-
peal or review
on payment;
lien; discounts,
interest and
penalties.

tionment, if required. The taxes payable by each taxpayer under subsections (a) and (b) of section 6 of this act shall be and remain a first lien on the property and assets of such taxpayer on and after the date the same become payable, as herein provided, until paid with interest thereon, and the same shall be collected in the same manner and subject to the same discounts, interest and penalties as personal taxes against other corporations or individuals and the same proceedings now available for the collection of personal taxes against other corporations or individuals shall be applicable to the collection of the excise taxes hereby imposed and payable to any municipality.

C. 54:30A-54.1.
Director to compute the excise taxes payable to the State; credit for payment of previous taxes; certification of amount payable.

8. The director shall annually, on or before April 1, 1964, and April 1 in each year thereafter, compute the excise taxes payable to the State as provided in subsection (c) of section 6 hereof. In making such computation the director shall allow as a credit against the excise taxes payable to the State as provided in subsection (c)(2) of section 6 hereof, the amount of taxes paid in the previous calendar year by any such taxpayers pursuant to L. 1961, c. 91, as amended and supplemented. Within 5 days after making such computation, the director shall certify such taxes to the respective taxpayers who shall make payment thereof to the director on or before May 1 next succeeding.

9. Section 15 of chapter 5, P. L. 1940, is amended to read as follows:

C. 54:30A-63.
Acquisition by taxpayer of property of other taxpayer; additional statement; basis of ascertaining and apportioning tax.

15. When any corporation subject to taxation under this act shall acquire the rights, property and franchises of using and occupying public streets, highways, roads or other public places in this State, other than the right and franchise to operate autobuses or vehicles of the character described in Title 48, chapter 15, section 41 to the end of the chapter, of the Revised Statutes (Revised Statutes, section 48:15-41 et seq.), of persons, co-partnerships, associations or corporations then subject to an excise tax based upon its gross receipts, and shall retain such rights, property and fran-

chises at the end of the calendar year in which such acquisition occurs, then and in such case on or before February 1 of the succeeding year, such acquiring corporation shall return to the State Tax Commissioner in the manner and form required by this act and in addition to the statements of gross receipts, scheduled property and length of lines to be filed under this act, a statement showing the gross receipts from the business over, on, in, through or from the lines or mains of the persons, copartnerships, associations or corporations whose rights, property and franchises were acquired as aforesaid, from January 1 of the year in which such property was acquired to the date of such acquisition, together with a statement showing the scheduled property and length of lines or mains as of July 1 of the year in which such acquisition took place, as hereinbefore required, unless such information has previously been supplied and filed with the State Tax Commissioner. The total of the gross receipts as shown in both of said statements to the State Tax Commissioner, or as otherwise ascertained by him, shall be used in ascertaining, fixing and apportioning the excise tax imposed by section 6(a) of this act upon such acquiring corporation, and if said rights, property and franchises were acquired from a corporation subject to taxation under this act, then the total of the gross receipts as shown in both of said statements to the State Tax Commissioner, or as otherwise ascertained by him, shall be used in ascertaining, fixing and apportioning the excise tax imposed by section 6(b) of this act upon such acquiring corporation.

The total of the gross receipts as shown in both of said statements to the State Tax Commissioner, or as otherwise ascertained by him, shall be used in ascertaining and fixing the excise tax imposed by section 6(c) of this act upon such acquiring corporation.

10. The director in making the computation of excise taxes due the State under section 6(c) of this act from any taxpayer for any year shall deduct

C. 54:30A-54.2-
Computing
excise taxes
due under
section 6(c).

from or add to the amounts so determined for such year the amount of any deduction or addition to the extent and in the manner which may heretofore have been or may hereafter be ordered or decreed by any judgment of the State Division of Tax Appeals or any court by reason of any error or omission in connection with the imposition of excise taxes under section 6(c) of this act upon such taxpayer in any prior year.

C. 54:30A-54.3.

Applicable law for administration, collection and enforcement of tax imposed.

11. The administration, collection and enforcement of the tax imposed by subsection (c) of section 6 of this act shall be subject to the provisions of the State tax uniform procedure law as therein provided (chapters 48 through 52 of Title 54 of the Revised Statutes) to the extent that the provisions of such law are not inconsistent with any provision of this act.

Note:
Act
operative.

12. This act shall take effect July 1, 1963, but the provisions of this amendatory and supplementary act shall cease to be effective July 1, 1966.

Approved May 22, 1963.

CHAPTER 43

AN ACT relating to the taxation of alcoholic beverages, and amending section 54:43-1 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 54:43-1 of the Revised Statutes is amended to read as follows:

Tax imposed;
rate.

54:43-1. There are hereby levied and imposed upon any sale of alcoholic beverages made within this State or upon any delivery of alcoholic bev-

erages made within or into this State the following excise taxes:

- a. Beer—\$0.03 $\frac{1}{3}$ a gallon or fraction thereof.
- b. Liquors—at the rate of \$1.80 a gallon.
- c. Wines—at the rate of \$0.10 a gallon.
- d. Vermouth—at the rate of \$0.15 a gallon.
- e. Sparkling wines—at the rate of \$0.40 a gallon.

2. This act shall take effect June 1, 1963.

Act effective.

Approved May 22, 1963.

CHAPTER 44

AN ACT imposing a road tax upon certain motor carriers, providing for the administration thereof and making an appropriation therefor.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. This act shall be known and may be cited as the “Motor Carriers Road Tax Act of 1963.”

C. 54:39A-1.
Short title.

2. For the purpose of this act, unless inconsistent with the context:

C. 54:39A-2.
Terms defined.

(a) “Motor carrier” means every person, firm or corporation who or which operates or causes to be operated any motor vehicle on any highway in this State but shall not include any person, firm or corporation who or which is a public utility as defined in section 48:2-13 of the Revised Statutes and who or which operates or causes to be operated autobuses for the transportation of passengers for hire in the State of New Jersey.

(b) “Motor vehicle” means any passenger vehicle that has seats for more than 9 passengers in addition to the driver, or any road tractor, or any tractor truck, or any truck having more than 2 axles.

(c) "Exempt resident motor carrier" means any resident person, firm or corporation owning or operating not more than one motor vehicle for his own use and not for hire.

(d) "Operations" means operations of all motor vehicles, whether loaded or empty, whether for compensation or not for compensation, and whether owned by or leased to the motor carrier who operates them or causes them to be operated.

(e) The term "motor fuels" means (1) any liquid or gaseous substance commonly or commercially known or sold as gasoline regardless of its classification or use; and (2) any liquid or gaseous substance used, offered for sale or sold for use, either alone or when mixed, blended, or compounded, for the purpose of generating power for the propulsion of motor vehicles upon the public highways; and shall include:

(i) all grades of motor gasoline, natural gasoline, marine gasoline, aviation gasoline, motor fuel blending naphthas, motor grade benzol and motor grade toluol; and

(ii) any liquid prepared, advertised, offered for sale or sold for use as or commonly and commercially used as a fuel in internal combustion engines, which when subjected to distillation in accordance with the latest revised standard method of test for distillation of gasoline, naphtha, kerosene, and similar petroleum products (American Society for testing materials Method D-86) shows not less than 10 per centum distilled (recovered) below 347 degrees Fahrenheit and not less than 95 per centum distilled (recovered) below 464 degrees Fahrenheit; and

(iii) all combustible gases which exist in a gaseous state at 60 degrees Fahrenheit and at 14.7 pounds per square inch absolute pressure, industrial naphthas and solvents, aromatic distillates, diesel fuel, additives, and all other products not included within the foregoing provisions of this subsection.

(f) "Motor vehicle fuel tax" means the tax imposed under sections 54:39-1 et seq. of the Revised Statutes.

(g) "Director" shall mean the Director of the Division of Motor Vehicles in the Department of Law and Public Safety.

3. Every motor carrier, except exempt resident motor carriers and such other motor carriers as are expressly exempted by section 25 of this act, shall pay a road tax equivalent to the rate per gallon of the motor vehicle fuel tax which is currently in effect, calculated on the amount of motor fuels used in its operations within this State.

C. 54:39A-3.
Road tax;
rate; basis.

4. Every motor carrier including exempt resident motor carriers but excepting motor carriers exempted under section 25 of this act, shall, on or before October 30, 1963, and on or before January 30, April 30, July 30 and October 30 of each year thereafter, make to the director such aggregate reports of its entire operations during the quarter ending on the last day of the preceding month as the director may require. As used in this act the "quarter" ending September 30, 1963, shall include the entire period from the effective date of this act through September 30, 1963.

C. 54:39A-4.
Motor
carrier to
make quarterly
aggregate
reports.

5. The tax hereby imposed shall be paid by each motor carrier quarterly to the director beginning on or before October 30, 1963 and on or before January 30, April 30, July 30 and October 30 of each year thereafter and shall be calculated upon the amount of motor fuels used in its operations within this State by each such carrier during the quarter ending on the last day of the preceding month.

C. 54:39A-5.
Tax paid
quarterly;
annual report-
ing and
remitting.

If the director shall find that the administration and purpose of this act would not be adversely affected thereby, he may in his discretion exempt any classes or categories of motor carriers from the quarterly reporting requirements of section 4 of this act and from the quarterly remitting requirements of this section and in lieu thereof establish annual reporting and remitting requirements for motor carriers in such classes or categories.

C. 54:39A-6.
Computing
amount of
motor fuel
used in State.

6. The amount of motor fuels used in the operations of any motor carrier within this State shall be computed to be such proportion of the total amount of such motor fuels used in its entire operations within and without this State as the total number of miles traveled within this State bears to the total number of miles traveled within and without this State.

C. 54:39A-7.
Joint reports;
liability;
contents;
average fuel
consumption.

7. (a) Two or more motor carriers regularly engaged in the transportation of passengers on through buses on through tickets in pool service may, at their option, make joint reports of their entire operations in this State. The taxes imposed by section 3 shall be calculated on the basis of such joint reports as though such carriers were a single carrier; and the carriers making such reports shall be jointly and severally liable for the taxes.

(b) Such joint reports shall show the total number of over-the-road miles traveled in this State and the total number of gallons of motor fuel purchased in this State by the reporting carriers. Credits to which the carriers making a joint return are entitled shall not be allowed as credits to any other carrier; but carriers filing joint reports shall permit all carriers engaged in this State in pool operations with them to join in filing joint reports.

(c) The vehicles of carriers filing joint reports shall be deemed to have consumed on the average one gallon of motor fuel for each 5 miles traveled unless persuasive evidence, either by the carriers or by the director, discloses that a different amount was consumed.

C. 54:39A-8.
Credit
against tax;
evidence of
payment;
excess credit.

8. Every motor carrier subject to the tax hereby imposed shall be entitled to a credit against such tax equivalent to the rate per gallon of the motor vehicle fuel tax which is currently in effect, for all motor fuels purchased by such carrier within this State for use in its operation either within or without this State and upon which the motor vehicle fuel tax imposed by the laws of this State has been paid by such carrier. Evidence of the payment of such tax in such form as may be required by, or is

satisfactory to, the director shall be furnished by each such carrier claiming the credit herein allowed, but no carrier shall be required to furnish evidence or maintain records identifying the particular motor vehicle to which any purchase of motor fuel or payment of tax is applicable. When the amount of the credit herein provided to which any motor carrier is entitled for any quarter exceeds the amount of the tax for which such carrier is liable for the same quarter, such excess may, under regulations of the director, be allowed as a credit on the tax for which such carrier would be otherwise liable in any of the succeeding 3 quarters. No motor carrier shall be entitled to credit or refund for any motor vehicle fuel tax otherwise lawfully paid except as herein provided.

9. Every motor carrier shall keep such records, in such form as the director reasonably may prescribe, as will enable the carrier to report and enable the director to determine the total number of over-the-road miles traveled by its entire fleet of motor vehicles, the total number of over-the-road miles traveled in New Jersey by said entire fleet, the total number of gallons of motor fuel used by said entire fleet and the total number of gallons of motor fuel purchased in New Jersey for said entire fleet. All such records shall be safely preserved for a period of 3 years in such manner as to insure their security and availability for inspection by the director or any authorized assistant engaged in the administration of this act. Upon application in writing, stating the reasons therefor, the director may, in his discretion, consent to the destruction of any such records at any time within said period. Every motor carrier shall, upon reasonable notice from the director, be required to produce his books and records at such place in this State as the director may designate. The director shall provide by regulation for any such examination of books and records, upon request, to be conducted at the office or offices of the motor carrier where such books and records are maintained. The regulation

C. 54:39A-9.
Records
required;
preserved
for 3 years;
destruction
upon
application;
examination
of records.

may require the motor carrier, as a condition thereof, to reimburse the Division of Motor Vehicles, in such reasonable amount as the director by regulation shall have fixed, for the actual extra expense thereby incurred by the division.

C. 54:39A-10.
Identification
markers and
registration
cards re-
quired; regis-
tration fee;
illegal oper-
ation; director
may authorize
operation
under certain
conditions;
may postpone
operation
of act.

10. The director shall provide an identification marker and registration card for every motor vehicle operated by the motor carrier, except that no identification marker shall be required for motor vehicles which bear valid New Jersey registration plates. The requirement for identification marker and registration card shall apply, as well, to exempt resident motor carriers. The identification marker shall be affixed to the vehicle in such manner as shall be prescribed by the director and the registration card shall be carried in the cab of the vehicle. The identification marker and registration card shall remain the property of this State and may be recalled for any violation of the provisions of this act or of the regulations promulgated hereunder. The director shall also provide, by regulation, for the registration of every such vehicle. Registration cards and identification markers shall be issued on an annual basis as of January 1 of each year and shall be valid through the next succeeding December 31. For the year 1963, registration cards and identification markers shall be valid from the effective date of this act through December 31, 1963. The fee for a registration card shall be \$3.00 for such portion of 1963. Said fee shall be \$5.00 for the year 1964, and \$2.00 for the year 1965 and for each succeeding year. There shall be no fee for identification markers. It shall be illegal to operate or to cause to be operated in this State any motor vehicle unless the vehicle bears the identification marker, if required, and carries the registration card required by this section; provided, however, that, for a period not exceeding 25 days as to any one motor carrier, the director, upon request made by the motor carrier, may by letter or telegram authorize the operation of a vehicle or vehicles without the identification marker or the registration card re-

quired when the enforcement of this requirement for that period would cause undue delay and hardship in the operation of the said vehicle or vehicles.

If the director shall find that the period of time available between the enactment and the effective date of this act is too short for necessary preparation and compliance with the provisions of this section by the division or by a substantial number of motor carriers, he in his discretion may, by regulation, postpone the deadline for compliance to a date not later than June 30, 1963.

11. After a report is filed under the provisions of this act, the director shall cause the same to be examined and may make such further audit or investigation as he may deem necessary, and if therefrom he shall determine that there is a deficiency with respect to the payment of any tax due under this act, he shall assess the additional taxes, penalties and interest due the State from such carrier, give notice of such assessment to the carrier and make demand upon him for payment.

C. 54:39A-11.
Examination
of report;
additional
tax; notice.

12. If any motor carrier shall fail to make any report as required under this act, the director may make an estimate of the taxable liability of such carrier, from any information he may obtain, and according to such estimate so made by him, assess the taxes, fees, penalties and interest due the State from such carrier, give notice of such assessment to the carrier, and make demand upon him for payment.

C. 54:39A-12.
Failure to
make report;
procedure.

13. If the director finds that a motor carrier designs quickly to depart from this State or to remove therefrom his property, or any property used by him in operations subject to this act, or to discontinue business, or to do any other act tending to prejudice or render wholly or partly ineffectual proceedings to assess or collect such tax, whereby it becomes important that such proceedings be brought without delay, the director may immediately make an arbitrary assessment as hereinbefore provided in section 12 of this act, whether or not any report is then due by law, and may proceed

C. 54:39A-13.
Arbitrary
assessments.

under such arbitrary assessment to collect the tax, or compel security for the same, and thereafter shall cause notice of such finding to be given to such motor carrier, together with a demand for an immediate report and immediate payment of such tax.

C. 54:39A-14.
Penalty for
failure to
file report.

14. When any motor carrier fails to file a report within the time prescribed by this act for the filing thereof he shall pay as a penalty for each day thereafter, Saturdays, Sundays and other legal holidays excluded, until the report is filed, the sum of \$5.00. In addition to the penalty herein imposed any unpaid tax shall bear interest at the rate of 1% per month or fraction thereof until the same is paid. The penalties and interest charges herein imposed shall be paid to the director in addition to the tax due. The director, if satisfied that the failure to file the report or pay the tax was excusable, may remit or waive the payment of the whole or part of any penalty and such portion of the interest charge as is in excess of 6% per annum.

C. 54:39A-15.
Taxes,
penalties and
interest
payable in
15 days;
additional
penalty.

15. All taxes, penalties and interest assessed pursuant to the provisions of this act, unless earlier payment is provided by law, shall be paid within 15 days after notice and demand shall have been mailed to the carrier by the director. If such taxes, penalties and interest so assessed pursuant to sections 11, 12 and 13 shall not be paid within the said 15 days, there shall be added to the amount of assessment, in addition to interest as already provided and any other penalties provided by law, a sum equivalent to 5% of the tax.

C. 54:39A-16.
Recovery of
penalties and
interest.

16. (a) All penalties and interest when imposed under this act shall be payable to and recoverable by the director in the same manner as if they were part of the tax imposed.

(b) The taxes, fees, interest and penalties imposed under this act, from the time the same shall be due, shall be a personal debt of the motor carrier to the State, recoverable in any court of competent jurisdiction in an action in debt in the name of the State. Such debt, whether sued upon or not, shall

be a lien on all the property of the debtor except as against an innocent purchaser for value in the usual course of business and without notice thereof, and shall have preference in any distribution of the assets of the motor carrier, whether in bankruptcy, insolvency or otherwise. The proceeds of any judgment or order obtained hereunder shall be paid to the director.

17. (a) Any aggrieved motor carrier may, within 3 months after any decision, order, finding, assessment or action of the director made pursuant to the provisions of this act, appeal therefrom to the Division of Tax Appeals in the State Department of the Treasury by filing a petition of appeal with said division in the manner and form prescribed by the said division and on giving security, approved by the director, conditioned to pay the tax, penalties and interest heretofore levied if the same remain unpaid, with interest and cost.

C. 54:39A-17.
Appeals;
appeal not to
stay collection.

(b) No such appeal shall stay the collection of any tax, interest or penalties or the enforcement of the same by entry as a judgment, unless by order of the Division of Tax Appeals, and then only after security approved by the director has been furnished to him. The judgment or order of the Division of Tax Appeals respecting any matter arising under the provisions of this act may be reviewed by a proceeding in lieu of prerogative writ in the same manner as other judgments of said division.

18. As an additional remedy, the director may issue a certificate to the Clerk of the Superior Court or to the Clerk of the Law Division of the County Court of any county, that any motor carrier is indebted under this act in such an amount as shall be stated in the certificate. Thereupon the clerk to whom such certificate shall have been issued shall immediately enter upon his record of docketed judgments the name and address of such carrier and the address of the place of business where such tax liability was incurred, if shown in the certificate, the amount of the debt so certified, the short name of the tax and the date of making such entries.

C. 54:39A-18.
Additional
remedy; effect.

The making of the entries shall have the same force and effect as the entry of a docketed judgment in the office of such clerk, and the director shall have all the remedies and may take all of the proceedings for the collection thereof which may be had or taken upon the recovery of a judgment in an action, but without prejudice to the carrier's right of appeal.

C. 54:39A-19.
Filing claim
for refund.

19. Except with respect to payment of special assessment imposed by the director pursuant to sections 11, 12 and 13 of this act, a motor carrier, at any time within 2 years after payment of a tax, may file with the director a claim under oath for refund, in such form as the director may prescribe, stating the grounds therefor, but no claim for refund shall be permitted to be filed after proceedings on appeal have been commenced as provided in section 17 of this act. If, upon examination of such claim for refund, it shall be determined by the director that there has been an overpayment of tax, the amount of such overpayment shall be credited against any liability of the carrier under this act and if there be no such liability, the carrier shall be entitled to a refund of the tax so overpaid. If the director shall reject the claim for refund in whole or in part, he shall make an order accordingly and serve a notice upon the carrier.

C. 54:39A-20.
False state-
ment a mis-
demeanor;
penalty for
violation.

20. (a) Any person who shall willfully and knowingly make a false statement orally, or in writing, or in the form of a receipt for the sale of motor fuel, for the purpose of obtaining or attempting to obtain or to assist any other person, partnership or corporation to obtain or attempt to obtain a credit or reduction of liability for taxes under this act, shall be guilty of a misdemeanor.

(b) Any person who willfully violates any other provision of this act or any provision of the rules and regulations prescribed under this act, except provisions of this act or of such rules and regulations for the violation of which a penalty is otherwise provided in this act, shall be subject to a penalty not in excess of \$500.00 to be fixed and

collected in a summary proceeding pursuant to the Penalty Enforcement Law (N. J. S. 2A:58-1 et seq.). For the purposes of such proceeding, such violation shall be deemed an act committed in part at the office of the director in Trenton.

21. The taxes and fees imposed on motor carriers under this act are in addition to any taxes and fees of whatever character imposed on such carriers by any other provisions of law.

C. 54:39A-21.
Taxes and
fees imposed
deemed
additional.

22. The Division of State Police in the Department of Law and Public Safety and any other State agency are hereby authorized and directed to assist in the enforcement of the provisions of this act.

C. 54:39A-22.
Assistance in
enforcement.

23. The records of any other State agency to the extent that the same may be pertinent to the administration and enforcement of this act and the determination of liability thereunder shall be available to the director.

C. 54:39A-23.
Records
available.

24. The director shall from time to time promulgate such regulations as may be necessary for the effective enforcement of this act.

C. 54:39A-24.
Regulations.

25. Nothing in this act shall apply to any vehicle operated by or on behalf of any department, board, bureau or commission of this State, or any political subdivision thereof, or any quasi-governmental authority of which this State is a participating member, or any agency of the Federal Government or the District of Columbia, or of any State or any political subdivision thereof which grants similar exemption to publicly owned vehicles registered in this State. Nor shall the provisions of this act apply to any school bus operated by, for or on behalf of this State, any political subdivision thereof, or any private or privately operated school or schools.

C. 54:39A-25.
Certain
vehicles
exempted.

26. The Governor or other proper official of this State is authorized to enter into reciprocal agreements with the proper officials of the State of Maryland and of States abutting on this State. Such agreements shall be limited to States having laws similar in effect to this act. However, any agreements with a State abutting on this State and with the State of Maryland that was in full force and

C. 54:39A-26.
Reciprocal
agreements.

effect as of June 1, 1963 shall continue in full force and effect, and nothing in this section shall be construed to in any way alter or terminate any such existing agreement.

Appropriation.

27. There is hereby appropriated out of the general treasury to the Division of Motor Vehicles in the Department of Law and Public Safety the sum of \$350,000.00, or so much thereof as shall be required, to carry out the provisions of this act during the period ending June 30, 1964.

Note:

Act effective.

28. This act shall take effect on June 1, 1963, but the Division of Motor Vehicles may theretofore take such steps under the provisions of this act as may be reasonably necessary to effectuate this act and prepare for its administration.

Approved May 22, 1963.

CHAPTER 45

AN ACT to amend the "Cigarette Tax Act," approved April 29, 1948 (P. L. 1948, c. 65).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 301 of the act of which this act is amendatory is amended to read as follows:

C. 54:40A-8.
Tax imposed;
rate.

301. Tax imposed; rate.

A tax is hereby imposed on the sale, use or possession for sale or use within this State of all cigarettes at the rate of \$0.04 for each 10 cigarettes or fraction thereof.

Section
amended.

2. Section 401 of the act of which this act is amendatory is amended to read as follows:

C. 54:40A-11.
Director to
provide
revenue
stamps.

401. Director to provide revenue stamps.

The taxes imposed and levied by this act shall be paid through the use of stamps, except as provided

in section 205 (Consumers) of this act. The director shall secure stamps of such designs and denominations as he shall prescribe, suitable to be affixed to packages, and provide for the sale thereof to licensed distributors. Only licensed distributors shall affix and cancel stamps. The director shall not authorize any person to sell revenue stamps except his duly constituted agents and assistants. On sales of revenue stamps the director shall allow, as compensation for the services and expenses of the distributor in affixing and handling of such stamps, a discount of 2 8/10% of the face amount of any sale of \$100.00 or more; provided, that the distributor has complied with all of the provisions of this act. No discount shall be allowed on any sale of less than \$100.00 and stamps shall not be sold in blocks of less than 100 stamps.

3. This act shall take effect on May 31, 1963.
Approved May 22, 1963.

Note:
Act effective.

CHAPTER 46

AN ACT concerning the establishment of free county libraries and supplementing chapter 33 of Title 40 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The board of chosen freeholders of any county with a population of less than 150,000 which, on the effective date of this act, has not established a free county library pursuant to the provisions of article 1, chapter 33 of Title 40 of the Revised Statutes, may, by resolution, establish such a library for all the municipalities within the county. All libraries established pursuant to this act shall be governed

C. 40:33-5.1.
May establish
free county
library.

by the provisions of article 1, chapter 33, Title 40 of the Revised Statutes insofar as they are not inconsistent with the provisions of this act.
2. This act shall take effect immediately.
Approved May 25, 1963.

CHAPTER 47

AN ACT to amend “An act authorizing the board of chosen freeholders of any county in which a park commission shall not have been established to acquire land for use as a public golf course and other recreational facilities, and to improve, maintain, and operate the same,” approved June 30, 1958 (P. L. 1958, c. 94).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section amended.	1. Section 1 of the act of which this act is amendatory is amended to read as follows :
C. 40:32-7.6. Acquisition of land for public golf course; bars condemnation of public utility land.	1. The board of chosen freeholders of any county in which a park commission shall not have been established may lease, or may acquire, in fee or less estate, by gift, devise, grant, purchase or condemnation any land or real estate and rights therein, improved or unimproved, within the county for use as a public golf course, and for such other recreational, playground, or public entertainment purposes and activities as it may determine to provide in connection therewith; provided, however, that the power herein conferred upon a board of chosen freeholders to acquire by condemnation any land or real estate or rights therein shall not be exercised to acquire, for any of the purposes of this act,

any land or real estate or rights therein owned, used, or to be used by a public utility, as defined in section 48:2-13 of the Revised Statutes, in furnishing any commodity or service which by law it is authorized to furnish.

2. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 48

AN ACT to amend the title of "An act concerning counties, and authorizing the board of chosen freeholders of any county to acquire by gift, grant, contribution, devise or bequest lands and interests therein within the county, and to hold, develop, control, maintain and regulate the same for public park, public welfare and hospital purposes," approved April 13, 1940 (P. L. 1940, c. 33), so that the same shall read "An act concerning counties, and authorizing the board of chosen freeholders of any county to acquire by gift, grant, contribution, devise, bequest or condemnation, lands and interests therein within the county, and to hold, develop, control, maintain and regulate the same for public park, public recreation, public welfare and hospital purposes," and to amend the body of said act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The title of chapter 33 of the laws of 1940 is amended to read as follows:

Title
amended.

"An act concerning counties, and authorizing the board of chosen freeholders of any county to

New title.

acquire by gift, grant, contribution, devise, bequest or condemnation, lands and interests therein within the county, and to hold, develop, control, maintain and regulate the same for public park, public recreation, public welfare and hospital purposes.”

Section
amended.

C. 40:32-2.1.
County may
accept or
condemn
property for
public use;
exception.

2. Section 1 of the act of which this act is amendatory is amended to read as follows:

1. The board of chosen freeholders of any county is authorized and empowered to acquire by gift, grant, contribution, devise, bequest or condemnation, lands and interests therein, within their respective counties, and to hold, develop, control, maintain and regulate the same for public park, public recreation, public welfare and hospital purposes; provided, however, that the power herein conferred upon a board of chosen freeholders to acquire by condemnation lands and interests therein shall not be exercised to acquire, for any of the purposes of this act, any lands or interests therein owned, used, or to be used by a public utility, as defined in section 48:2-13 of the Revised Statutes, in furnishing any commodity or service which by law it is authorized to furnish.

2. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 49

AN ACT concerning motor vehicles and amending sections 39:3-8 and 39:3-84 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

Fees for
registration of
passenger
automobiles;
license of
semitrailers
and trailers;
special permits
required.

1. Section 39:3-8 of the Revised Statutes is amended to read as follows:

39:3-8. The applicant for registration for passenger automobiles shall pay to the director for each registration a fee of \$10.00 for each such vehicle having a manufacturer's shipping weight of less

than 2,700 pounds, a fee of \$15.00 for each such vehicle having a manufacturer's shipping weight of 2,700 pounds or more, but not greater than 3,800 pounds, and a fee of \$25.00 for each vehicle having a manufacturer's shipping weight in excess of 3,800 pounds. The director shall determine the manufacturer's shipping weight for each passenger automobile on the basis of the information contained in the certificate of origin, the application for registration or for renewal of registration, or the records of the division, or any or all of these; in any case in which the manufacturer's shipping weight of any particular passenger automobile is unavailable, or in doubt or dispute, the director may require that such automobile be weighed on a scale designated by him, and such actual weight shall be considered the manufacturer's shipping weight for the purposes of this section; but in all cases the director's determination of the manufacturer's shipping weight of any such automobile shall be final. One dollar of each fee herein, shall be the inspection fee fixed in section 39:8-2 of this Title, and payment of the fees herein provided shall constitute payment of the said inspection fee.

The director may also license private utility and house type semitrailers and trailers with a gross load not in excess of 2,000 pounds at a fee of \$5.00 per annum and all other such utility and house type semitrailers and trailers at \$10.00 per annum. Application for such registration shall be made on a blank to be furnished by the division and the application shall contain a statement to the effect that the vehicle so registered will not be used for the commercial transportation of goods, wares and merchandise, or for hire.

No private utility or house type semitrailer or trailer with an outside width of more than 96 inches, a maximum height of 13 feet 6 inches, a maximum length for a single vehicle of more than 35 feet, a maximum length for a semitrailer and its towing vehicle of more than 45 feet, and a maximum length for a trailer and its towing vehicle of more than

50 feet, shall be operated on any highway in this State, except that a vehicle exceeding the above limitations may be operated when a special permit so to operate is secured in advance from the director. The application for such permit shall be accompanied by a fee fixed by the director. A special permit issued by the director shall be in the possession of the operator of the vehicle for which such permit was issued. In computing any dimensions of a vehicle, for the purposes of this section, there shall not be included in the dimensional limitations safety equipment such as mirrors or lights, provided such appliances do not exceed the over-all limitations established by the director by rule or regulation.

Section
amended.

2. Section 39:3-84 of the Revised Statutes is amended to read as follows:

Dimensional
restrictions;
special permit
for oversized
vehicle;
weight; red
flag or light.

39:3-84. No commercial motor vehicle, tractor, trailer or semitrailer shall be operated on any highway in this State the outside width of which is more than 96 inches, inclusive of load, or the height of which exceeds 13½ feet, inclusive of load, and no commercial motor vehicle, tractor or trailer shall be operated on any highway in this State the extreme over-all length of which exceeds 35 feet either for a 2-axle 4-wheeled vehicle or 35 feet for a 3-axle 6-wheeled vehicle, except that a vehicle or vehicle inclusive of load exceeding the above limitations may be operated when a special permit so to operate is secured in advance from the director. The application for such permit shall be accompanied by a fee fixed by the director. A special permit issued by the director shall be in the possession of the operator of the vehicle for which such permit was issued. In computing any dimensions of a vehicle, or vehicle and load, for the purposes of this section, there shall not be included in the dimensional limitations safety appliances such as mirrors or lights, or chains or similar fasteners used for the securing of cargo, provided such appliances or fasteners do not exceed the over-all limitations established by the director by rule or regulation.

In the case of an omnibus the maximum width and length dimensions shall be such as the Board of Public Utility Commissioners prescribe, but no outside width in excess of 96 inches shall be prescribed with respect to one or more highways specified or otherwise described except upon certifications, (1) of the Division of Motor Vehicles in the Department of Law and Public Safety that the proposed width is not unsafe for use on the highways in this State and (2) of the State Highway Department that the proposed width, if in excess of 96 inches, is not in conflict with the requirements of any agency of the United States having jurisdiction over the National System of Interstate and Defense Highways authorized by law. No outside width so prescribed shall be valid if the allowance of use of the same would disqualify the State of New Jersey or any department, agency or governmental subdivision thereof for the purpose of receiving Federal highway funds.

In the case of farm tractors and traction equipment and farm machinery and implements, the maximum width and length shall be such as the Director of the Division of Motor Vehicles shall prescribe by uniform rules and regulations but the operation of such vehicles shall be subject to the provisions of section 39:3-24 of this Title and any such vehicle shall not be operated on any highway which is part of the National System of Interstate and Defense Highways or on any highway which has been designated a freeway or parkway as provided by law.

No commercial motor vehicle drawing or having attached thereto any other such vehicle, nor any combination of vehicles, shall be operated on any highway in this State, except a tractor and semi-trailer combination not in excess of a total over-all length, inclusive of load, of 50 feet and a truck and trailer combination not in excess of a total over-all length, inclusive of load, of 50 feet, and also except a vehicle or a combination of vehicles transporting poles, pilings, structural units or other articles

incapable of dismemberment the total over-all length of which, inclusive of load, shall not exceed 70 feet, but the provisions of this paragraph shall not apply to a vehicle nor to any combination of vehicles, operated by a public utility as defined in R. S. 48:2-13 which vehicle or combination of vehicles is used by such public utility in the construction, reconstruction, repair or maintenance of its property or facilities.

Notwithstanding the above limitations, a truck tractor registered under this Title may haul any semitrailer which is not in excess of 40 feet in length, provided the overall length of the tractor and semitrailer combination does not exceed 53 feet.

The gross weight imposed on the highway by the wheels of any one axle of a vehicle shall not exceed 22,400 pounds.

For the purpose of this Title the gross weight imposed on the highway by the wheels of any one axle of a vehicle shall be deemed to mean the total load transmitted to the road by all wheels whose centers are included between 2 parallel transverse vertical planes less than 40 inches apart, extending across the full width of the vehicle.

The combined gross weight imposed on the highway by all wheels of all axles whose centers are on or between 2 parallel transverse vertical planes spaced 40 inches, but less than 96 inches apart, extending across the full width of the vehicle, shall not exceed 32,000 pounds.

Every commercial motor vehicle or motor-drawn vehicle used on the public highways carrying loads extending beyond the outside dimensions of the vehicle shall have displayed at the outside extremity of the load a red flag by day which shall not be less than 18 inches square and a red light by night and they shall be so hung as to present a full view to the drivers of approaching vehicles. This red light shall be in addition to the red light provided for in section 39:3-61 of this Title.

In addition to the other requirements of this section and notwithstanding any other provision of

this Title, no commercial motor vehicle, tractor, trailer or semitrailer shall be operated on any highway in this State with a combined weight of vehicle and load, an axle weight or a vehicle dimension the allowance of which would disqualify the State of New Jersey or any department, agency or governmental subdivision thereof for the purpose of receiving Federal highway funds.

3. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 50

AN ACT to amend "An act for the establishment of the Police and Firemen's Retirement System for the police and firemen of a municipality, county or political subdivision thereof," approved May 23, 1944 (P. L. 1944, c. 255).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 16 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

16. (1) All the assets of the retirement system shall be credited according to the purpose for which they are held to one of 6 funds, namely, the annuity savings fund, the pension accumulation fund, the retirement reserve fund, the members' death benefit fund, the expense fund and the special reserve fund.

C. 43:16A-16.
Funds to be
established.

(2) The annuity savings fund shall be a fund in which shall be accumulated contributions from the compensation of members to provide for their annuities. The aggregate contributions of a member

withdrawn by him or paid to his estate or his designated beneficiary in event of his death as provided in this act shall be paid from the annuity savings fund. Upon the retirement or death of a member where the aggregate contributions of the member are to be provided in the form of an annuity, the aggregate contributions of the member shall be transferred from the annuity savings fund to the retirement reserve fund.

(3) The pension accumulation fund shall be the fund in which shall be credited contributions made by employers. Upon the death of a member either before or after retirement any lump sum benefit payable in addition to the employee's contributions, except any additional death benefit payable under section 5 of chapter 266 of the laws of 1953, shall be charged to the pension accumulation fund. Upon the retirement or death of a member the reserve of any pension payable to or on his account shall be transferred to the retirement reserve fund. All interest shall be credited to the pension accumulation fund and annually the board of trustees shall transfer from the pension accumulation fund to the retirement reserve fund and to the members' death benefit fund regular interest on the mean amount in each fund for the year. The board of trustees shall also transfer annually from the pension accumulation fund to the special reserve fund, subject to the limitations of that special reserve fund, such portion of the interest earnings as shall be determined by the board of trustees. The board of trustees in its discretion, may transfer to and from the pension accumulation fund any surplus or deficit in the retirement reserve fund.

(4) The retirement reserve fund shall be the fund in which shall be held the reserves on all retirement allowances granted to members or their beneficiaries and from which all retirement allowances and benefits in lieu thereof shall be paid. Should a member who retired on account of disability be restored to active service his pension reserve shall be transferred from the retirement reserve fund to the

pension accumulation fund and the excess of his aggregate contributions as they stood at retirement over the amount of annuity payments made shall be transferred to the annuity savings fund. Should the pension of any disabled member be reduced as a result of an increase in his earning capacity the amount of the annual reduction in his pension shall be paid annually into the pension accumulation fund during the period of such reduction.

(5) The members' death benefit fund shall be a fund in which shall be accumulated contributions from the compensation of members to provide for their additional death benefits under the provisions of section 5 of chapter 266 of the laws of 1953. Upon the death of a member electing the additional death benefit, the additional death benefit payable shall be paid from the members' death benefit fund.

(6) The expense fund shall be the fund contributed by the State, and shall be the fund to which shall be credited all money provided by the State to pay the administration expenses of the retirement system, and from which shall be paid all the expenses necessary in connection with the administration and operation of the system.

(7) The special reserve fund shall be the fund to which shall be credited all profits from the sale of securities and to which shall be transferred such portion of the interest earnings as shall be determined annually by the board of trustees. No additional amounts shall be credited to the special reserve fund at any time when the total accumulations in such fund shall equal 1% of the book value of the investments of the retirement system. In this event, any such excess shall be credited to the pension accumulation fund. All losses from the sale of securities shall be charged against the special reserve fund.

2. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 51

AN ACT to amend the "Public Employees' Retirement-Social Security Integration Act," approved June 28, 1954 (P. L. 1954, c. 84).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 22 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-22.
Funds.

22. Under this act there shall be the contingent reserve fund, annuity savings fund, retirement reserve fund, and the special reserve fund.

Section
amended.

2. Section 28 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-28.
Special
reserve fund.

28. The special reserve fund shall be the fund to which all profits on the sale of securities and any earnings in excess of the amounts annually allowed under the provisions of section 33 of this act shall be transferred. No additional amounts shall be credited to the special reserve fund at any time when the total accumulations in such fund shall equal 1% of the book value of the investments of the retirement system. In this event, any such excess shall be credited to the contingent reserve fund. All losses from the sale of securities shall be charged against the special reserve fund.

3. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 52

AN ACT to amend the "Teachers' Pension and Annuity Fund-Social Security Integration Act," approved June 1, 1955 (P. L. 1955, c. 37).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 27 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

27. The special reserve fund shall be the fund to which all profits on the sale of securities and any earnings in excess of the amounts annually allowed under the provisions of section 25 of this act shall be transferred. No additional amounts shall be credited to the special reserve fund at any time when the total accumulations in such fund shall equal 1% of the book value of the investments of the retirement system. In this event, any such excess shall be credited to the contingent reserve fund. All losses from the sale of securities shall be charged against the special reserve fund.

C. 18:13-112.29.
Special
reserve fund.

2. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 53

AN ACT to amend the Public Employees' Retirement-Social Security Integration Act, chapter 84, P. L. 1954, approved June 28, 1954.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 58 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

58. Prior to January 1, 1960, contributions to the Social Security Fund by members of the retire-

C. 43:15A-58.
Social
security con-
tributions.

ment system shall be deducted from the contributions required to be paid to the retirement system by such members as provided in section 25 of this act.

Contributions by members of the retirement system to the Social Security Fund shall be made in the manner prescribed by the State Agency or Social Security. Contributions to the Social Security Fund shall not be subject to any provisions of this act, dealing with the withdrawal of contributions, loans, or the payment of any annuities, pensions, disability or death benefits. Any change in the rate of contribution to the Social Security Fund after December 31, 1959, shall result in a corresponding change in the amount of contributions payable by the members.

In the event a member of the retirement system is also a member of another retirement system, supported in whole or in part by the State or by an interstate instrumentality in which this State participates, which provides for a reduction in the amount of the retirement allowance by the amount of the member's Social Security benefit, the amount of the Social Security contribution to be deducted from the member's contribution to this retirement system shall be computed on the basis of the proportion that the member's compensation subject to this retirement system bears to the member's total compensation subject to such systems.

Section
amended.

2. Section 59 of the act of which this act is amendatory is amended to read as follows:

C. 43:15A-59.
Social security
benefit offset.

59. Upon attainment of age 65 by a retired member or upon retirement of a member after the attainment of age 65, the board of trustees shall reduce such member's retirement allowance by the amount of the old age insurance benefit under Title II of the Social Security Act payable to him. Membership in the retirement system shall presume the member's acceptance of and consent to, such reduction. However, such reduction shall be subject to the following limitations:

a. The amount of the old age insurance benefit shall be computed in the same manner as computed by the Federal Social Security Administration, except that in determining such benefit amount only wages or compensation for services performed in the employ of the State, one or more of its instrumentalities, one or more of its political subdivisions, or one or more instrumentalities of its political subdivisions, shall be included.

b. The retirement allowance shall not be reduced below the amount of the annuity portion of the retirement allowance being paid at the time of his retirement.

c. The reduction shall apply in the following cases only:

- (1) Retirement for age.
- (2) Retirement for disability.
- (3) Retirement for age on a deferred retirement allowance, as provided in section 38 of this act.
- (4) Where an allowance is being paid upon resignation after 25 years of service, as provided in section 41 of this act.

d. Any increase in the amount of the old age insurance benefit under Title II of the Social Security Act to take effect after December 31, 1959, shall be disregarded in determining the amount of reduction from the retirement allowance of a member.

e. Whenever the amount of reduction from the retirement allowance shall have been once determined, it shall remain fixed for the duration of a retirement allowance, except that any decrease in the amount of the old age insurance benefit under Title II of the Social Security Act shall result in a corresponding decrease in the amount of reduction from the retirement allowance, and except that any error may be corrected, as provided in section 54 of this act.

f. Whenever a member of the retirement system is also a member of another retirement system, supported in whole or in part by the State or by

an interstate instrumentality in which this State participates, which provides for a reduction in the member's retirement allowance by the amount of his Social Security benefit, the reduction shall be prorated among the said retirement system on the basis of the proportion that the retirement allowance from each system bears to the total reduction required so that the total amount of the reduction by all such retirement systems shall not exceed the amount of the old age insurance benefit computed in accordance with the provisions of this section.

3. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 54

AN ACT to amend the Teachers' Pension and Annuity Fund-Social Security Integration Act, chapter 37, P. L. 1955, approved June 1, 1955.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

C. 18:13-112.69.
Social security
contributions.

1. Section 67 of the act of which this act is amendatory is amended to read as follows:

67. Prior to January 1, 1960, amounts equal to the Social Security contributions by each member upon compensation upon which such member's contributions to the retirement system are based shall be deducted from the contributions required to be paid to the retirement system by such member as provided in section 29 of this act. On and after January 1, 1960, amounts equal to the Social Security contributions by each member upon compensation upon which such member's contributions to the retirement system are based shall be deducted

from the contributions required to be paid to the retirement system by such member to the extent of the Social Security rate of contribution in effect on December 31, 1959. Any change in the rate of contribution to the Social Security Fund after December 31, 1959, shall result in a corresponding change in the amount of contributions payable by the member.

Contributions by members of the retirement system to the Social Security Fund shall be made in the manner prescribed by the State Agency for Social Security. Contributions to the Social Security Fund shall not be subject to any provision of this act dealing with the withdrawal of contributions, loans, or the payment of any annuities, pension, disability or death benefits.

In the event a member of the retirement system is also a member of another retirement system, supported in whole or in part by the State or by an interstate instrumentality in which this State participates, which provides for a reduction in the amount of the retirement allowance by the amount of the member's Social Security benefit, the amount of the Social Security contribution to be deducted from the member's contribution to this retirement system shall be computed on the basis of the proportion that the member's compensation subject to this retirement system bears to the member's total compensation subject to such systems.

2. Section 68 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-112.70.
Social security
offset.

68. When a member who retires reaches age 65 or upon retirement of a member after the attainment of age 65, the Board of Trustees shall reduce the retirement allowance by the amount of the old age insurance benefit under Title II of the Social Security Act paid or payable to him whether received or not. Membership in the retirement system shall presume the member's acceptance of and consent to such reduction. However, such reduction shall be subject to the following limitations:

(a) The amount of the old age insurance benefit shall be computed in the same manner as computed by the Federal Social Security Administration, except that in determining such benefit amount only the wages or compensation for services performed in the employ of the State, or one or more of its instrumentalities, one or more of its political subdivisions, or one or more instrumentalities of its political subdivisions, or one or more instrumentalities of the State and one or more of its political subdivisions shall be included.

(b) Eligibility to the old age insurance benefit shall be computed in the same manner as computed by the Federal Social Security Administration, except that in determining such eligibility only the quarters of coverage and wages or compensation for services performed in the employ of the State, or one or more of its instrumentalities, or one or more of its political subdivisions, or one or more instrumentalities of its political subdivisions, or one or more instrumentalities of the State and one or more of its political subdivisions shall be included.

(c) The retirement allowance shall not be reduced below the amount of the annuity portion of the retirement allowance fixed at the time of the member's retirement, unless the member shall, at the time of retirement, agree to such reduction in order to provide a higher level of payments prior to attaining age 65 based upon his accumulated deductions.

(d) The reduction shall apply in the following cases only:

- (1) Retirement for age.
- (2) Retirement for disability.
- (3) Retirement for age on a deferred retirement allowance, as provided in section 36 of this act.
- (4) Where an allowance is being paid upon resignation after 25 years of service, as provided in section 37 of this act.

(5) Where an allowance is being paid upon retirement after 35 years of service as provided in section 45 of this act.

(e) Any increase in the amount of the old age insurance benefit under Title II of the Social Security Act to take effect after December 31, 1959, shall be disregarded in determining the amount of such reduction from the retirement allowance.

(f) Whenever the amount of such reduction from the retirement allowance shall have been once determined, it shall remain fixed for the duration of the retirement allowance, except that any decrease in the amount of the old age insurance benefit under Title II of the Social Security Act shall result in a corresponding decrease in the amount of reduction from the retirement allowance, and except that any error may be corrected, as provided in section 63 of this act.

(g) The reduction provided in this section shall never be greater than the amount of the old age insurance benefit which may be paid or payable by the Federal Social Security Administration whether received or not.

(h) Whenever a member of the retirement system is also a member of another retirement system, supported in whole or in part by the State or by an interstate instrumentality in which this State participates, which provides for a reduction in the member's retirement allowance by the amount of his Social Security benefit, the reduction shall be prorated among the said retirement systems on the basis of the proportion that the retirement allowance from each system bears to the total reduction required so that the total amount of the reduction by all such retirement systems shall not exceed the amount of the old age insurance benefit computed in accordance with the provisions of this section.

3. This act shall take effect immediately.

Approved May 27 1963.

CHAPTER 55

AN ACT concerning certain pensions and amending and supplementing chapter 5 of Title 43 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 43:5-1 of the Revised Statutes is amended to read as follows:

Application
of chapter.

43:5-1. This chapter shall apply to all persons in the State service, prior to January 1, 1922, qualifying hereunder. It shall not apply to any officer or employee of the State drawing a pension or who shall be entitled to do so under any other law.

Pensioner
to make
application;
time.

2. Any person now retired who shall be entitled to a pension under the provisions of chapter 5 of Title 43 of the Revised Statutes as a result of the provisions of this act must make an application for such a pension to the head of the department in which he was employed at the time of retirement within 45 days of the effective date of this act in order to be eligible to receive such a pension.

3. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 56

AN ACT concerning jurisdiction and supplementing chapter 30 of Title 52 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 52:30-11.
Governor
may accept
transfer of
jurisdiction;
transfer
effective.

1. Notwithstanding any other provision of law, the Governor, whenever he deems it desirable and in the public interest, may accept on behalf of the State the retrocession of all or part of jurisdiction

in and over lands heretofore or hereafter acquired by or ceded to the Federal Government.

The transfer of such jurisdiction shall be effective upon the written acceptance by the Governor of a notice of retrocession signed by the secretary or head of the appropriate department of the Federal Government, having authority to send such notice. Said notice and a copy of the written acceptance thereof shall be filed in the office of the Secretary of State.

2. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 57

AN ACT concerning elections, amending section 19:34-38 of the Revised Statutes and supplementing chapter 34 of Title 19 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 19:34-38 of the Revised Statutes is amended to read as follows: Section amended.

19:34-38. No person shall pay, lend or contribute, or offer or agree to pay, lend or contribute, any money or other valuable consideration to or for any person for any of the following: Certain expenditures prohibited.

a. The doing or procuring to be done of any act forbidden to be done by the laws relating to primary or general elections; or

b. The commission of any crime or offense against the elective franchise, or the encouragement or assistance of a person in the commission of a crime or offense against the elective franchise, or aiding or assisting any person charged with the

commission of a crime against the elective franchise to evade arrest or to escape conviction and punishment; or

c. Providing, wholly or in part, directly or indirectly, for the expense of boarding, lodging or maintaining a person in any place of domicile in any election precinct or ward or district, with the purpose of securing the vote of such person, or of inducing such person to vote for himself, or any other person at an election; or

d. The hiring or employment of a person to take or maintain a place in, or to otherwise obstruct or hinder, or to prevent the forming of the line of voters awaiting their opportunity or time to enter the polling place or election booth of an election precinct; or

e. In consideration of any person withdrawing as a candidate for public office or presidential elector, at any election; or

f. To pay any person for loss or damage due to attendance at the polls at any primary or general or charter election, or any registry therefor, or for the purpose of such registration; or

g. For any purpose in contravention of the provisions of this Title; or

h. Making any payment except in the manner provided by this Title.

C. 19:34-38.1.
Printed
matter used
in elections
to show
source of
payment and
printer.

2. No person shall print, copy, publish, exhibit, distribute or pay for the printing, copying, publishing, exhibiting or distribution or cause to be distributed in any manner or by any means, any circular, handbill, card, pamphlet, statement, advertisement or other printed matter having reference to any election or to any candidate or to the adoption or rejection of any public question at any general, primary for the general, or special election unless such circular, handbill, card, pamphlet, statement, advertisement or other printed matter shall bear upon its face a statement of the name and address of the person or persons causing the same to be printed, copied or published or of the name and address of the person or persons by whom the

cost of the printing, copying, or publishing thereof has been or is to be defrayed and of the name and address of the person or persons by whom the same is printed, copied or published.

3. Any person who prints, copies, publishes any such circular, handbill, card, pamphlet, statement, advertisement or other printed matter of the nature referred to in section 2 of this act shall maintain a record which shall include a copy of the full text thereof, a statement of the number of copies printed, copied, published or distributed and the true names and addresses of the persons paying for or to whom was billed the cost of such printing, copying, publishing or distribution, which record shall be retained for a period of not less than 2 years at the principal office of such person and shall be available for inspection by any interested person at all reasonable times between the hours of 10:00 A. M. and 4:00 P. M. on weekdays.

C. 19:34-38.2.
Records
retained for
period of
2 years.

4. In the event that any such circular, handbill, card, pamphlet, statement, advertisement or other printed matter of the nature referred to in section 2 of this act is hereafter printed, copied, published, exhibited, or distributed or the cost thereof is hereafter defrayed by an association, organization or committee, the name and address of the association, organization or committee shall be used in compliance with the provisions of this act with the name of at least one person by whose authority, acting for such association, organization or committee, such action is taken.

C. 19:34-38.3.
Name and
address of
individual
as well as
association
to be shown.

5. This act shall not apply to any bona fide news item or editorial comment item, contained or published in any newspaper of bona fide general circulation.

C. 19:34-38.4.
Application
of act.

6. This act shall take effect immediately.
Approved May 27, 1963.

CHAPTER 58

AN ACT concerning school elections and supplementing Title 18 of the Revised Statutes and to repeal section 32 of "An act concerning education prescribing certain offenses in connection with school elections and penalties for the commission thereof, and supplementing Title 18 of the Revised Statutes," approved July 22, 1958 (P. L. 1958, c. 128).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 18:5-82.32a.
Printed
matter used
in elections to
show source of
payment and
printer.

1. No person shall print, copy, publish, exhibit, distribute or pay for printing, copying, publishing, exhibiting or distribution or cause to be distributed in any manner or by any means, any circular, handbill, card, pamphlet, statement, advertisement or other printed matter having reference to any election or to any candidate or to the adoption or rejection of any public question at any annual or special school election unless such circular, handbill, card, pamphlet, statement, advertisement or other printed matter shall bear upon its face a statement of the name and address of the person or persons causing the same to be printed, copied or published or of the name and address of the person or persons by whom the cost of the printing, copying, or publishing thereof has been or is to be defrayed and of the name and address of the person or persons by whom the same is printed, copied or published.

C. 18:5-82.32b.
Records
retained for
period of
2 years.

2. Any person who prints, copies or publishes any such circular, handbill, card, pamphlet, statement, advertisement or other printed matter of the nature referred to in section 1 of this act shall maintain a record which shall include a copy of the full text thereof, a statement of the number of copies printed, copied, published or distributed and the true names and addresses of the persons paying

for or to whom was billed the cost of such printing, copying, publishing or distribution, which record shall be retained for a period of not less than 2 years at the principal office of such person and shall be available for inspection by any interested person at all reasonable times between the hours of 10:00 A. M. and 4:00 P. M. on weekdays.

3. In event that any such circular, handbill, card, pamphlet, statement, advertisement or other printed matter of the nature referred to in section 1 of this act is to be printed, copied, published, exhibited, or distributed or the cost thereof is to be defrayed by an association, organization or committee, the name and address of the association, organization or committee may be used in compliance with the provisions of this act if there is used therewith the name of at least one person by whose authority, acting for such association, organization or committee, such action is taken.

C. 18:5-82.32c.
Name and
address of
individual
as well as
association
to be shown.

4. This act shall not apply to any bona fide news item or editorial comment item, contained or published in any newspaper of bona fide general circulation.

C. 18:5-82.32d.
Application
of act.

5. Section 32 of "An act concerning education prescribing certain offenses in connection with school elections and penalties for the commission thereof, and supplementing Title 18 of the Revised Statutes," approved July 22, 1958, is repealed.

Section
repealed.

6. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 59

AN ACT to amend the "Corporation Business Tax Act (1945)," approved April 13, 1945 (P. L. 1945, c. 162).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 3 of the act of which this act is amendatory is amended to read as follows:

C. 54:10A-3.
Tax exempt
corporations.

3. The following corporations shall be exempt from the tax imposed by this act:

(a) corporations subject to a tax under the provisions of article 2 of chapter 13 of Title 54 of the Revised Statutes, or to a tax assessed upon the basis of gross receipts, other than the tax levied by the veterans bonus tax law, or insurance premiums collected;

(b) railroad, canal or banking corporations, savings banks, production credit associations organized under the Farm Credit Act of 1933, agricultural co-operative associations incorporated or domesticated under or subject to chapter 13 of Title 4 of the Revised Statutes and exempt under Subtitle A, Chapter 1 F Part III Section 521 of the Federal Internal Revenue Code, or building and loan or savings and loan associations;

(c) cemetery corporations not conducted for pecuniary profit of any private shareholder or individual;

(d) nonprofit corporations, associations or organizations established, organized or chartered, without capital stock, under the provisions of Titles 15, 16 or 17 of the Revised Statutes, or under a special charter or under any similar general or special law of this or any other State, and not conducted for pecuniary profit of any private shareholder or individual;

(e) corporations subject to a tax under the provisions of chapter 4 of the laws of 1940, or chapter 5 of the laws of 1940, or any statute or law imposing a similar tax or taxes;

(f) nonstock corporations organized under the laws of this State or of any other State of the United States to provide mutual ownership housing under Federal law by tenants, provided, however, that the exemption hereunder shall continue only so long as the corporations remain subject to rules and regulations of the Federal Housing Authority and the Commissioner of the Federal Housing Authority holds membership certificates in the corporations and the corporate property is encumbered by a mortgage deed or deed of trust insured under the National Housing Act (48 Stat. 1246) as amended by subsequent Acts of Congress. In order to be exempted under this subsection, corporations shall annually file a report on or before August 15 with the commissioner, in the form required by the commissioner, to claim such exemption, and shall pay a filing fee of \$25.00.

2. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 60

AN ACT to amend the "Higher Education Assistance Authority Act," approved June 17, 1959 (P. L. 1959, c. 121) and to repeal certain sections thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 10 of the act of which this act is amend-
atory is amended to read as follows:

Section
amended.

C. 18:22A-10.
Powers of the
authority.

10. The authority shall have the following powers:

(1) To assist in the placing of loans to persons, who are residents of this State, and who are attending and are in good standing in, or who plan to attend, any qualified institution of collegiate grade, located in this State or elsewhere, which is approved by any regional accrediting association recognized by the national commission on accrediting, or approved by the New Jersey State Board of Education in order to assist them in meeting their expenses of higher education, and to guarantee such loans upon such terms and conditions as the authority may prescribe, but no loan or loans shall be placed or guaranteed by the authority for any such person to an amount in excess of \$1,500.00 for any school year, nor to a total amount in excess of \$7,500.00.

(2) To adopt rules not inconsistent with law governing the application for and the guarantee of loans made by the authority and governing any other matters related to its activities.

(3) To perform any other acts which may be deemed necessary or appropriate to carry out the objects and purposes of this act.

Section
amended.

2. Section 11 of the act of which this act is amendatory is amended to read as follows:

C. 18:22A-11.
Application
for loan
approval;
required
findings.

11. Any application for a loan under this act shall be submitted to the authority for its approval, and the authority shall approve the same only if it finds that the applicant:

(1) Has been a resident of New Jersey for a period of not less than 6 months immediately preceding the date of his application for such loan, and has demonstrated high moral character, good citizenship, and dedication to American ideals, and

(2) Intends to make application for admission to, or has been admitted to, or is in regular attendance at and is in good standing in, a qualified institution of collegiate grade approved by any regional accrediting association recognized by the national

commission on accrediting, or approved by the New Jersey State Board of Education, and

(3) Has demonstrated financial need for such loan as determined by the standards and procedures established by the authority and has complied with all the rules adopted by the authority pursuant to this act in connection with the granting of such loans.

3. Section 12 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

12. Upon approval by the authority of a loan application, any bank may make the loan as approved and upon the terms and conditions required under this act, but no moneys shall be advanced or paid under any such loan until the applicant shall have satisfied the authority, and the authority shall have certified to the bank that the applicant has been admitted to, or is in regular attendance and in good standing at a qualified institution of collegiate grade approved by any regional accrediting association recognized by the national commission on accrediting or approved by the New Jersey State Board of Education. Any bank making a loan shall co-operate with the authority in supervising the use of credit in accordance with its purposes.

C. 18:22A-12.
Making of
loan; con-
ditions for
payment of
funds;
supervision
of credit.

4. Section 20 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

20. Whenever any approved note shall be in default to any bank for 30 days after the date of maturity thereof, or whenever any installment thereon is more than 3 months in arrears, the authority shall, upon the demand of the bank, purchase from said bank such note by paying to said bank out of the reserve fund the total amount of principal and interest then due and owing to said bank on said note, as herein provided.

C. 18:22A-20.
Purchase of
notes in
default.

5. Section 26 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

26. The authority may, with respect to the exercise of its functions related to loans guaranteed by it under this act, the provisions of any other law to the contrary notwithstanding:

C. 18:22A-26.
Powers of
authority with
respect to
guaranteed
loans.

(1) Consent to the modification with respect to rate of interest, time of payment of principal or interest or any portion thereof, or other provisions of any note, or any instrument securing a loan which has been guaranteed by the authority;

(2) Authorize payment or compromise, subject to the approval in writing of the Attorney General, of any claim upon or arising as a result of any such guaranty;

(3) Authorize payment, compromise, waiver or release, subject to the approval in writing of the Attorney General, of any debt, right, title, claim, lien or demand, however acquired, including any equity or right of redemption and the waiver or release of any debt, right, title, claim, lien or demand including any equity or right of redemption shall be sufficient if executed by the commissioner on behalf of the authority. The register or county clerk of any county and the clerk of any court is hereby authorized to cancel of record any lien, including but not limited to judgments, chattel mortgages and conditional sales agreements whenever the document evidencing such cancellation or request for cancellation is signed by the commissioner on behalf of the authority; and the register and the clerk of any county is authorized to record any documents of the authority signed by the commissioner;

(4) Purchase at any sale, public or private, upon such terms and for such prices as it determines to be reasonable and take title to, property, real, personal or mixed;

(5) Sell at public or private sale, exchange, assign, convey or otherwise dispose of any such property upon such terms and for such prices as it determines reasonable;

(6) Complete, administer, operate, obtain and authorize payment for insurance on and maintain, renovate, repair, modernize, lease or otherwise deal with any property acquired or held by it pursuant to this act;

(7) Authorize payment from the fund and any income received by the investment of said fund, subject to the rules of the authority, disbursements, costs, commissions, attorney's fees and other reasonable expenses related to and necessary for making and protection of guaranteed loans and the recovery of moneys, loans or management of property acquired in connection with such loans.

6. Sections 16, 17, 18, 19, 21 and 23 of the act of which this act is amendatory are repealed. Sections repealed.

7. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 61

AN ACT to amend "An act to establish in the Legislative Branch of the State Government a Law Revision and Legislative Services Commission and an agency to be known as the 'Law Revision and Legislative Services' and prescribing their powers and duties," approved December 15, 1954 (P. L. 1954, c. 254).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 14 of the act of which this act is amendatory is amended to read as follows:

Section amended.

14. The Division of Legislative Information and Research shall be headed and administered by a director appointed by the commission. He shall be well versed in political science and methods of research. He shall hold his office for such term as the commission shall, from time to time, fix or under such tenure as the commission shall, by resolution determine upon.

C. 52:11-19.
Director of
division of
legislative
information
and research;
tenure.

Section
amended.

C. 52:11-20.
Duties of
division.

2. Section 15 of the act of which this act is amendatory is amended to read as follows:

15. It shall be the duty of the Division of Legislative Information and Research to prepare and provide such summaries, digests and other informatory data, and to furnish general factual research service, in connection with legislative matters, to the members of the Legislature and such comprehensive research services in relation to legislative problems under study by the Legislature or any committee or any joint committee of the Legislature or of any legislative commission and to make such reports thereof to the commission or to the Legislature or to such committee, joint committee or member or members of the Legislature or to such legislative commission, as the Law Revision and Legislative Services Commission or the Legislature shall, from time to time, determine.

Section
amended.

C. 52:11-22.
Officers and
employees of
agency; civil
service status;
compensation.

3. Section 17 of the act of which this act is amendatory is amended to read as follows:

17. Officers and employees of the agency shall be chosen subject to the approval of the commission without reference to party affiliations, solely on grounds of fitness to perform the duties of his office or employment and their employment and civil service status shall be governed by subsection d of section 11:4-4 of the Revised Statutes, except that (a) any person holding office, position or employment in any department, board, commission or agency in the executive branch of the State Government, which is in the classified service of the civil service, who shall be appointed to any office, position or employment under the Law Revision and Legislative Services Commission shall, after the adoption of a resolution by the Law Revision and Legislative Services Commission to that effect, hold the office, position or employment to which he is so appointed with the same civil service rights, privileges and protections as he had and enjoyed in said office, position or employment in the executive branch of the State Government, notwithstanding that the office, position or employment to which he

is so appointed shall itself be in the unclassified service of the civil service and (b) employees performing stenographic or clerical duties may be appointed from the classified service of the civil service of the State in any case in which in the judgment of the commission more competent persons can be so employed and when so appointed such employees shall have civil service status as members of the classified service of the civil service, but no law or rule regulating assignment to duties, hours of work or payment for overtime shall be binding upon the agency as to persons employed by it whether or not they are employed from the classified service of the civil service.

The officers and employees of the agency shall receive such compensation as shall from time to time be fixed by the commission and as shall be within the limits of available appropriations therefor.

4. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 62

AN ACT to amend "An act concerning traffic regulations, and amending and supplementing chapter 4 of Title 39 of the Revised Statutes and certain other statutes relating thereto," approved April 5, 1951 (P. L. 1951, c. 23).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 103 of the act of which this act is amendatory is amended to read as follows:

103. Colors shall be used as specified for the following markings:

Section
amended.

C. 39:4-191.4.
Markings,
color.

a. Pavement markings—white except that yellow shall be used for all barrier lines.

b. Curb markings to show parking prohibitions—yellow.

c. Objects within or close to the roadway—alternate black and white stripes or large black and white checkerboard squares.

d. Objects adjacent to roadway—white.

e. Delineators—white or yellow.

f. Reflector markers—white, red or yellow may be used to indicate location of hazardous objects.

Section
amended.

2. Section 104 of the act to which this act is amendatory is amended to read as follows:

C. 39:4-191.5.
Types of
pavement
striping.

104. The following types of pavement striping shall be used:

a. Single broken white line—for center or lane lines, where these lines are guide lines and may be crossed at the discretion of the driver.

b. Single solid white line—for longitudinal markings, where the line would not normally be crossed but may be crossed if it can be done in a safe manner; also, for most transverse lines.

c. Combination of broken white line and parallel solid yellow line—for areas where passing is to be prohibited in one direction only; the solid yellow line shall not be crossed for the purpose of beginning a passing maneuver if it is the right-hand element of the combination.

d. Combination of 2 parallel solid yellow lines—for areas where passing is to be prohibited in both directions; neither solid yellow line may be crossed to begin a passing maneuver.

e. Yellow lines may be crossed from the left-hand lane for the purpose of completing a pass that was begun prior to the beginning of a yellow line in the driver's direction of travel.

Lines under paragraphs (c) and (d) shall not be less than 4 inches nor more than 6 inches wide and shall be separated from the adjacent parallel line in the combination by a space of not less than 2 inches nor more than 4 inches.

3. This act shall take effect immediately.

Approved May 27, 1963.

CHAPTER 63

AN ACT concerning leave of absence from public employment, and amending section 38:23-2 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 38:23-2 of the Revised Statutes is amended to read as follows: Section amended.

38:23-2. The head of every public department and of every court of this State, every superintendent or foreman on the public works of this State, the heads of the county offices of the several counties and the head of every department, bureau and office in the government of the various municipalities, shall give a leave of absence with pay to every person in the service of the State, county or municipality who is a duly authorized representative of the Grand Army of the Republic, United Spanish-American War Veterans, Disabled American Veterans of the World War, Veterans of Foreign Wars, Ladies Auxiliaries of Veterans of Foreign Wars, Ladies Auxiliary, Veterans of World War I of the U. S. A., American Gold Star Mothers, Indian War Veterans, American Legion, Jewish War Veterans of the United States, Catholic War Veterans of the United States, Women's Overseas Service League, American Veterans World War II, Reserve Officers Association of the United States, Marine Corps League of the United States, Army and Navy Legion of Valor, the Twenty-ninth Division Association, Council of State Employees, War Veteran Public Employees Association, New Jersey Civil Service Association, Blind Veterans Association of New Jersey, Army and Air National Guard Association of New Jersey, The National Guard Association of the United States, Navy League, Veterans of World War I of the United States of America and Leaves of absence to be granted organizations; duration.

the Italian-American War Veterans of the United States, Incorporated, to attend any State or national convention of such organization.

A certificate of attendance to the State convention or encampment shall, upon request, be submitted by the representative so attending.

Leave of absence shall be for a period inclusive of the duration of the convention with a reasonable time allowed for time to travel to and from the convention. No person shall be entitled to a total of more than 5 days leave of absence with pay each calendar year for the purpose of attending, as authorized representative, the State or national convention of one or more of the above enumerated organizations. The leaves of absence authorized hereunder shall not be cumulative and any unused leaves shall be canceled at the end of any given year.

2. This act shall take effect immediately.

Approved May 28, 1963.

CHAPTER 64

AN Act to amend "An act relating to State institutional buildings and making appropriations for construction, reconstruction, development, extension and improvement of several State mental, charitable, hospital, relief, training, correctional, reformatory or penal institutions, including equipment and facilities therefor, all for health and welfare purposes," approved January 25, 1962 (P. L. 1962, c. 3).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

1. There is hereby appropriated to the Department of Institutions and Agencies, from the State 1960 Institution Construction Fund, the sum of \$33,072,906.00 or so much thereof as may be necessary, for the construction, reconstruction, development, extension and improvement of the several State mental, charitable, hospital, relief, training, correctional, reformatory and penal institutional buildings, including equipment and facilities therefor, at the following institutions in the following respective amounts:

State Colony (New) at Woodbridge:	
New institutional building for 1,000 patients, with large laundry facility, hospital and equipment	\$13,154,438 00
New Lisbon Colony:	
Replacement of Cottages	4,893,468 00
Edward R. Johnstone Training and Research Center at Bordentown:	
New adjustment unit for defective delinquents, with equipment	1,375,000 00
New Jersey Home for Disabled Soldiers at Menlo Park:	
Infirmery with all necessary utilities, furnishings and equipment	1,750,000 00
Residential Group Center (New) at Forked River (South Jersey "Highfields"):	
New institutional building for 20 inmates, with necessary furnishings and equipment..	300,000 00
State Prison Farm at Leesburg:	
Preparation of plans and necessary site work for new	

Section
Amended.

Appropriations for
institutions.

medium-security prison for 500 inmates, with shops and necessary furnishings and equipment	775,000 00
State Home for Boys:	
To complete new reformatory at Yardville	7,000,000 00
New Lisbon Colony:	
Construction of second phase..	3,000,000 00
State Home for Boys, Jamesburg:	
Construction of work camp in Wharton Tract	275,000 00
State Reformatory, Annandale:	
Construction of work camp in Stokes Forest	300,000 00
Children's Detention Center:	
Construction of Center for children under age 12	250,000 00
<hr/>	
Total	\$33,072,906 00

2. This act shall take effect immediately.
Approved May 28, 1963.

CHAPTER 65

AN ACT concerning a reformatory for males,
amending, and repealing, certain sections of and
supplementing chapter 4 of Title 30 of the Re-
vised Statutes.

BE IT ENACTED *by the Senate and General Assem-
bly of the State of New Jersey:*

Section
amended.

1. Section 30:4-146 of the Revised Statutes is
amended to read as follows:

New Jersey
Reformatory
for males.

30:4-146. The New Jersey Reformatory for
Males shall include the existing reformatories near

Bordentown and Annandale and all new or additional institutions, farms, camps, quarries or grounds designated by the State board, where persons sentenced to the reformatory may, from time to time, be kept, housed or employed.

2. Section 30:4-147 of the Revised Statutes is amended to read as follows:

Section
amended.

30:4-147. Any male person between the ages of 15 and 30 years, who has been convicted of a crime punishable by imprisonment in the State Prison, who has not previously been sentenced to a State Prison in this State, or in any other State, may be committed to the reformatory.

Who may be
committed.

3. The members of the board of managers of the New Jersey Reformatory for Males shall be appointed by the State board with the approval of the Governor from residents of the State at large without respect to political affiliation or belief. The board of managers shall consist of no less than 7 nor more than 15 members. They shall serve without compensation but shall be reimbursed for actual expenditures incurred in the performance of duty.

C. 30:4-146.1.
Board of
managers;
number;
terms.

The term of each board member, except for the initial members, shall be 3 years, commencing on July 1 and ending on June 30 of the third year thereafter. Vacancies shall be filled by the State board for the unexpired term only. The board members shall be subject to removal by the State board at any time for good and sufficient cause.

The term of the members initially appointed shall be fixed, so that as nearly as possible, $\frac{1}{3}$ of the members will receive terms of 3 years, $\frac{1}{3}$, terms of 2 years, and the remainder, terms of 1 year. Initially appointed members may serve from the time of their respective appointments, but the term of office shall be deemed to commence on July 1 of the year in which the appointment was made.

4. Sections 30:4-150, 30:4-151 and 30:4-152 of the Revised Statutes are hereby repealed.

Sections
repealed.

5. This act shall take effect January 1, 1964.

Note:
Act effective.

Approved May 28, 1963.

CHAPTER 66

AN ACT concerning unemployment compensation and amending section 43:21-19 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 43:21-19 of the Revised Statutes is amended to read as follows:

Terms
defined.

43:21-19. As used in this chapter (R. S. 43:21-1 et seq.), unless the context clearly requires otherwise:

(a) (1) "Annual payroll" means the total amount of wages paid during a calendar year (regardless of when earned) by an employer for employment.

(2) "Average annual payroll" means the average of the annual payrolls of any employer for the last 3 or 5 preceding calendar years, whichever average is higher, except that any year or years throughout which an employer has had no "annual payroll" because of military service shall be deleted from the reckoning; the "average annual payroll" in such case is to be determined on the basis of the prior 3 or 5 calendar years in each of which the employer had an "annual payroll" in the operation of his business, if the employer resumes his business within 12 months after separation, discharge or release from such service, under conditions other than dishonorable, and makes application to have his "average annual payroll" determined on the basis of such deletion within 12 months after he resumes his business; provided, however, that "average annual payroll" solely for the purposes of paragraph (3) of subsection (e) of section 43:21-7 of this Title means the average of the annual payrolls of any employer, on which he paid contributions to the State disability benefits

fund, for the last 3 or 5 preceding calendar years, whichever average is higher; provided further, that only those wages be included on which employer contributions have been paid on or before January 31 (or the next succeeding day if such January 31 is a Saturday or Sunday) immediately preceding the beginning of the 12 months' period for which the employer's contribution rate is computed.

(b) "Benefits" means the money payments payable to an individual, as provided in this chapter (R. S. 43:21-1 et seq.), with respect to his unemployment.

(c) "Base year" with respect to benefit years commencing on or after January 1, 1953, shall mean the 52 calendar weeks ending with the second week immediately preceding an individual's benefit year.

(d) "Benefit year" with respect to any individual means the 364 consecutive calendar days beginning with the day on, or as of, which he first files a valid claim for benefits, and thereafter beginning with the day on, or as of, which the individual next files a valid claim for benefits after the termination of his last preceding benefit year. Any claim for benefits made in accordance with subsection (a) of section 43:21-6 of this Title shall be deemed to be a "valid claim" for the purpose of this subsection if (1) no remuneration was paid or is payable for the day on which, or as of which he files a claim for benefits, and no work is available to him with his current employing unit on such day, or, he is unemployed for the week in which, or as of which, he files a claim for benefits; and (2) he has fulfilled the conditions imposed by subsection (e) of section 43:21-4 of this Title.

(e) "Division" means the Division of Employment Security of the Department of Labor and Industry established by chapter 446, P. L. 1948, and any transaction or exercise of authority by the director of the division thereunder, or under this chapter (R. S. 43:21-1 et seq.), shall be deemed to be performed by the division.

(f) "Contributions" means the money payments to the State unemployment compensation fund required by this chapter (R. S. 43:21-1 et seq.).

(g) "Employing unit" means any individual or type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January 1, 1936, had in its employ one or more individuals performing services for it within this State. All individuals performing services within this State for any employing unit which maintains 2 or more separate establishments within this State shall be deemed to be employed by a single employing unit for all the purposes of this chapter (R. S. 43:21-1 et seq.). Whenever any employing unit contracts with or has under it any contractor or subcontractor for any employment which is part of its usual trade, occupation, profession, or business, unless the employing unit as well as each such contractor or subcontractor is an employer by reason of subsection (c) of section 43:21-8 of this Title or subsection (h) of this section, the employing unit shall for all the purposes of this chapter be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which such individual is engaged in performing such employment; except that each such contractor or subcontractor who is an employer by reason of subsection (c) of section 43:21-8 of this Title or subsection (h) of this section, shall alone be liable for the contributions measured by wages payable to individuals in his employ, and except that any employing unit who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer by reason of subsection (c) of section 43:21-8 of this Title or subsection (h) of this section, may recover the same from such contractor or subcontractor. Each individual employed

to perform or to assist in performing the work of any agent or employee of an employing unit shall be deemed to be employed by such employing unit for all the purposes of this chapter (R. S. 43:21-1 et seq.), whether such individual was hired or paid directly by such employing unit or by such agent or employee; provided, the employing unit had actual or constructive knowledge of the work.

(h) "Employer" means:

(1) Any employing unit which for some portion of a day, but not necessarily simultaneously, in each of 20 different weeks, whether or not such weeks are or were consecutive, within either the current or the preceding calendar year, has or had in employment 4 or more individuals (irrespective of whether the same individuals are or were employed in each such day);

(2) Any employing unit (whether or not an employing unit at the time of acquisition) which acquired the organization, trade or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter (R. S. 43:21-1 et seq.);

(3) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another employing unit and which, if treated as a single unit with such other employing unit, would be an employer under paragraph (1) of this subsection;

(4) Any employing unit which together with one or more other employing units is owned or controlled (by legally enforceable means or otherwise), directly or indirectly by the same interests, or which owns or controls one or more other employing units (by legally enforceable means or otherwise), and which, if treated as a single unit with such other employing unit or interest, would be an employer under paragraph (1) of this subsection;

(5) Any employing unit which, having become an employer under paragraphs (1), (2), (3) or (4) has not, under section 43:21-8 of this chapter (R. S. 43:21-1 et seq.) ceased to be an employer subject to this chapter (R. S. 43:21-1 et seq.); or

(6) For the effective period of its election pursuant to subsection (c) of section 43:21-8 of this chapter (R. S. 43:21-1 et seq.) any other employing unit which has elected to become fully subject to this chapter (R. S. 43:21-1 et seq.).

(i) (1) "Employment" means service, including service in interstate commerce performed for remuneration or under any contract of hire, written or oral, express or implied.

(2) The term "employment" shall include an individual's entire service performed within or both within and without this State if:

(A) The service is localized in this State; or

(B) The service is not localized in any State but some of the service is performed in this State, and (i) the base of operations, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this State; or (ii) the base of operations or place from which such service is directed or controlled is not in any State in which some part of the service is performed, but the individual's residence is in this State.

(3) Services performed within this State but not covered under paragraph (2) of this subsection shall be deemed to be employment subject to this chapter (R. S. 43:21-1 et seq.) if contributions are not required and paid with respect to such services under an unemployment compensation law of any other State or of the Federal Government.

(4) Services not covered under paragraph (2) of this subsection, and performed entirely without this State, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other State or of the Federal Government, shall be deemed to be employment subject to this chapter (R. S. 43:21-1 et seq.) if the individual performing such services is a resident of this State and the division approves the election of the employing unit for whom such

services are performed that the entire service of such individual shall be deemed to be employment subject to this chapter (R. S. 43:21-1 et seq.); provided, written objections on the part of a substantial proportion of such individuals affected are not presented to the division within 10 days following the filing of such election.

(5) Service shall be deemed to be localized within a State if

(A) the service is performed entirely within such State; or

(B) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions.

(6) Services performed by an individual for remuneration shall be deemed to be employment subject to this chapter (R. S. 43:21-1 et seq.) unless and until it is shown to the satisfaction of the division that

(A) such individual has been and will continue to be free from control or direction over the performance of such service, both under his contract of service and in fact; and

(B) such service is either outside the usual course of the business for which such service is performed, or that such service is performed outside of all the places of business of the enterprise for which such service is performed; and

(C) such individual is customarily engaged in an independently established trade, occupation, profession or business.

(7) The term "employment" shall not include:

(A) Agricultural labor;

(B) Domestic service in a private home;

(C) Service performed by an individual in the employ of his son, daughter or spouse, and service performed by a child under the age of 21 in the employ of his father or mother;

(D) Service performed in the employ of this State or of any political subdivision thereof or of any instrumentality of this State or its political subdivisions;

(E) Service performed in the employ of any other State or its political subdivisions, or of the United States Government, or of an instrumentality of any other State or States or their political subdivision, or of the United States;

(F) Services performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, hospital, benevolent, philanthropic, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(G) Services performed in the employ of fraternal beneficiary societies, orders, or associations operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system and providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association, or their dependents;

(H) Services performed as an officer or other employee of any building and loan association of this State, except where such services constitute the principal employment of the individual; services performed as an officer or other employee of any building and loan association where such association is a member of the Federal Home Loan Bank System; services performed as an officer or other employee

of any bank which is a member of the Federal Reserve System;

(I) Service with respect to which unemployment insurance is payable under an unemployment insurance program established by an Act of Congress;

(J) Service heretofore or hereafter performed by agents of mutual fund brokers or dealers in the sale of mutual funds or other securities, by agents of insurance companies, exclusive of industrial insurance agents, or by agents of investment companies, if the compensation to such agents for such services is wholly on a commission basis;

(K) Services performed by real estate salesmen or brokers who are compensated wholly on a commission basis;

(L) Services performed in the employ of any veterans' organization chartered by Act of Congress or of any auxiliary thereof, no part of the net earnings of which organization, or auxiliary thereof, inures to the benefit of any private shareholder or individual;

(M) Service heretofore or hereafter performed for or in behalf of the owner or operator of any theatre, ball room, amusement hall or other place of entertainment, not in excess of 10 weeks in any calendar year for the same owner or operator, by any leader or musician of a band or orchestra, commonly called a "name band," entertainer, vaudeville artist, actor, actress, singer or other entertainer;

(N) Services performed by an individual for a labor union organization, known and recognized as a union local, as a member of a committee or committees reimbursed by the union local for time lost from regular employment, or as a part-time officer of a union local and the remuneration for such services is less than \$250.00 in a calendar year.

(j) "Employment office" means a free public employment office, or branch thereof operated by this State or maintained as a part of a State-controlled system of public employment offices.

(k) "Fund" means the unemployment compensation fund established by this chapter (R. S. 43:21-1 et seq.), to which all contributions required and from which all benefits provided under this chapter (R. S. 43:21-1 et seq.) shall be paid.

(l) "State" includes, in addition to the States of the United States of America, the District of Columbia, the Virgin Islands and Puerto Rico.

(m) Unemployment.

(1) An individual shall be deemed "unemployed" for any week during which he is not engaged in full-time work and with respect to which his remuneration is less than his weekly benefit rate, including any week during which he is on vacation without pay; provided, such vacation is not the result of the individual's voluntary action.

(2) The term "remuneration," with respect to any individual for benefit years commencing on or after July 1, 1961, and as used in this subsection, shall include only that part of the same which in any week exceeds 20% of his weekly benefit rate (fractional parts of a dollar omitted) or \$5.00, whichever is the larger.

(3) An individual's week of unemployment shall be deemed to commence only after his registration at an employment office, except as the division may by regulation otherwise prescribe.

(n) "Unemployment compensation administration fund" means the unemployment compensation administration fund established by this chapter (R. S. 43:21-1 et seq.), from which administrative expenses under this chapter (R. S. 43:21-1 et seq.) shall be paid.

(o) "Wages" means remuneration paid subsequent to December 31, 1946, by employers for employment; provided, however, that for eligibility and benefit purposes wages earned but not paid when the amount thereof has been calculated and

is due as determined by the established and customary practices of the employer shall be construed as having been paid when earned.

(p) "Remuneration" means all compensation for personal services, including commissions and bonuses and the cash value of all compensation in any medium other than cash.

(q) "Week" means such period or periods of 7 consecutive days ending at midnight, as the division may by regulation prescribe.

(r) "Calendar quarter" means the period of 3 consecutive calendar months ending on March 31, June 30, September 30, or December 31.

(s) "Investment company" means any company as defined in paragraph 1-a of chapter 322 of the laws of 1938, entitled "An act concerning investment companies, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'investment companies.' "

(t) "Base week" means any calendar week of an individual's base year during which he earned in employment from an employer remuneration equal to not less than \$15.00; provided, if in any calendar week, an individual is in employment with more than one employer, he may in such calendar week establish a base week with respect to each such employer from whom the individual earns remuneration equal to not less than \$15.00 during such week.

(u) "Average weekly wage" means the amount derived by dividing an individual's total wages received during his base year base weeks (as defined in subsection (t) of this section) from that most recent base year employer with whom he had established at least 17 base weeks, by the number of base weeks in which such wages were earned. In the event that such claimant had no employer in his base year with whom he had established at least 17 base weeks, then such individual's average weekly wage shall be computed as if all of his base week wages were received from one employer and

as if all his base weeks of employment had been performed in the employ of one employer.

If on application of a claimant it is determined that he has been employed during at least the 4 weeks immediately preceding his separation from employment by an employer on a substantially reduced schedule of weekly hours due to lack of work, all weeks of substantially reduced schedule within the base period and his wages therefor shall be disregarded in computing his average weekly wage.

(v) "Initial determination" means, subject to the provisions of R. S. 43:21-6 (b) (2) and (3), a determination of benefit rights as measured by an eligible individual's base year employment with a single employer covering all periods of employment with that employer during the base year. Subject to the provisions of R. S. 43:21-3 (d) (3) if an individual has been in employment in his base year with more than one employer, no benefits shall be paid to that individual under any successive initial determination until his benefit rights have been exhausted under the next preceding initial determination.

(w) "Last date of employment" means the last calendar day in the base year of an individual on which he performed services in employment for a given employer.

(x) "Most recent base year employer" means that employer with whom the individual most recently, in point of time, performed services in employment in the base year.

2. This act shall take effect immediately.

Approved May 28, 1963.

CHAPTER 67

AN ACT concerning municipalities, and amending
section 40:50-1 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 40:50-1 of the Revised Statutes is amended to read as follows:

40:50-1. No municipality shall enter into any contract for the doing of any work, or for the furnishing of any materials, supplies or labor, or the hiring of teams or vehicles, where the sum to be expended exceeds the sum of \$2,500.00, unless the governing body shall first publicly advertise for bids therefor, and shall award the contract to the lowest responsible bidder, provided, however, that such advertising shall not be required where the contract to be entered into is one for the supplying of any product or the rendering of any service by a public utility subject to the jurisdiction of the Board of Public Utility Commissioners of this State and tariffs and schedules of the charges, made, charged, or exacted by the public utility for any such products to be supplied or services to be rendered are filed with the said board.

This section shall not prevent any municipality from having any work done by its own employees, nor shall it apply to repairs, or to the furnishing of materials, supplies or labor, or the hiring of teams or vehicles, when the safety or protection of public property or the public convenience require, or the exigency of the public service will not admit of such advertisement. In such case, however, the board shall, by resolution, passed by the affirmative vote of $\frac{1}{2}$ of all the members of the board or body having charge thereof, or of $\frac{3}{4}$ of all the members of such board or body if the full membership thereof shall be 4 members, or of $\frac{2}{3}$ of all the members of such board or body, if the full membership

Section
amended.

Contracts
exceeding
\$2,500;
advertisement;
bids; award.

thereof shall be 3 members, declare the exigency or emergency to exist, and set forth in the resolution the nature thereof and the approximate amount to be so expended.

2. This act shall take effect immediately.

Approved May 28, 1963.

CHAPTER 68

AN ACT relating to the confidentiality of certain health information and data in the possession of the Department of Health.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 26:1A-37.2.
Certain health
records
confidential.

1. Information and data in the possession of the State Department of Health, pertaining to the health of any named person, procured in connection with research studies approved by the Public Health Council for the purpose of reducing the morbidity or mortality from any cause or condition of health shall be kept in the confidence of the department and shall not be revealed or disclosed in any manner or under any circumstances by any person connected with such research studies or by the department or any person therein except (a) to persons within the department, (b) to other persons participating in such research studies or (c) in such impersonal form that the individual to whom the information or data relates cannot be identified therefrom.

C. 26:1A-37.3.
Person
furnishing
information
not liable.

2. No person may be held liable for damages or otherwise prejudiced in any manner by reason of furnishing information or data pertaining to the health of any person to the State Department of Health for use in connection with research studies described in section 1 of this act.

3. Any person who reveals or discloses any information or data pertaining to the health of any named person in violation of this act is a disorderly person.

C. 26:1A-37.4.
Disorderly
person.

4. This act shall take effect immediately.

Approved May 28, 1963.

CHAPTER 69

A SUPPLEMENT to "An act concerning municipalities, providing a plan of optional charters and for the manner of adoption and effect thereof," approved June 8, 1950 (P. L. 1950, c. 210).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The mayor of any municipality having a population of more than 100,000 which has adopted or shall hereafter adopt the form of government designated as "Mayor-Council Plan C" provided for in article 5 of the act of which this act is a supplement, may appoint a deputy mayor, a personal secretary, an executive secretary, and aides not exceeding 5 in number, who shall serve, and be removable at the pleasure of the mayor, and who shall serve in the unclassified service of the civil service of the city and shall receive such salary as shall be fixed by ordinance.

C. 40:69A-60.1.
Mayor
empowered
to appoint
certain
confidential
personnel.

2. The mayor shall prescribe, in writing, the powers and duties of the deputy, personal secretary, executive secretary, and aides to the mayor.

C. 40:69A-60.2.
Mayor to
prescribe
powers and
duties.

3. This act shall take effect immediately.

Approved May 28, 1963.

CHAPTER 70

AN ACT pertaining to the tax on motor fuels and amending sections 54:39-16, 54:39-30, 54:39-32, 54:39-33, 54:39-45, 54:39-51, 54:39-64 and 54:39-67, of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
Amended.

1. Section 54:39-16 of the Revised Statutes is amended to read as follows:

Hearings by
assistants;
effect.

54:39-16. Whenever the commissioner shall designate one of his assistants to hear the matter of the suspension or revocation of the license of any distributor, retail dealer, wholesale dealer or special licensee, said assistant shall after the hearing of all the evidence determine whether or not the license of such distributor, retail dealer, wholesale dealer or special licensee should or should not be suspended or revoked, and such determination shall have the same force and effect as if made by the commissioner.

Section
Amended.

2. Section 54:39-30 of the Revised Statutes is amended to read as follows:

Retail dealer;
license; fee;
display of
license; dis-
position fees.

54:39-30. Every person engaged in the retail sale of fuels, as herein defined, shall be known as a retail dealer, and shall, before engaging in said business, apply to the director for a license for each establishment operated by such person. A license fee of \$5.00 shall be paid for the issuing of such license and the director shall supply a license plate or suitable substitute containing the number assigned to the licensee, and words denoting the type of license, which the licensee shall publicly display at each establishment in a manner to be regulated by the director. No applicant shall continue in business after the end of the fourteenth day following the date of application unless the license applied for has been procured and is publicly displayed at the

establishment being operated. All moneys received by the director for such license fees shall be accounted for and forwarded by him to the State Treasurer.

3. Section 54:39-32 of the Revised Statutes is amended to read as follows:

Section amended.

54:39-32. Every license and permit required by the provisions of this chapter, except a distributor's license, a special license A and a special license B shall be issued for a fiscal year, or unexpired portion thereof, commencing on April 1 and ending on the succeeding March 31 and shall be void thereafter, and said license or permit may be suspended or revoked by the director in accordance with the provisions of article 2 of this chapter (54:39-10 et seq.). Every distributor's license, special license A and special license B once issued, shall remain in force until suspended or revoked for cause or otherwise canceled.

Duration of licenses and permits; revocation.

4. Section 54:39-33 of the Revised Statutes is amended to read as follows:

Section amended.

54:39-33. Every wholesale dealer and retail dealer purchasing fuels, taxable under this chapter, shall maintain and keep for a period of 2 years, a record of fuels received and sold, the amount of tax paid to the distributor as part of the purchase price, together with delivery tickets, invoices, and bills of lading, and such other records as the director may require.

Records retained for 2 years.

5. Section 54:39-45 of the Revised Statutes is amended to read as follows:

Section amended.

54:39-45. The license cards issued for the operation over the public highways or waterways of this State of any conveyance used for the transporting or hauling of fuels may be suspended or revoked upon reasonable grounds by the director in the same manner as other licenses may be suspended or revoked by the director under the provisions of this chapter.

Revocation of registration.

Section
Amended.

6. Section 54:39-51 of the Revised Statutes is amended to read as follows:

Penalty upon
failure to
procure
license.

54:39-51. Every person who engages in business as a wholesale dealer without first procuring a license from the director and every person who engages in business as a retail dealer without first applying to the director for a license, as required under R. S. 54:39-30, as amended, or who shall continue in business as a retail dealer after the end of the fourteenth day following the date of such application without having procured such license and displayed it at the establishment being operated, shall be subject for the first offense to a penalty of \$25.00 and for the second offense and thereafter shall be subject to a penalty of \$200.00, and for failure to forthwith pay such penalty after conviction, he shall be imprisoned for a period of not less than 5 nor more than 30 days.

Section
Amended.

7. Section 54:39-64 of the Revised Statutes is amended to read as follows:

Special
license;
bond; report
payment of
tax; violations;
penalties.

54:39-64. (a) Any person importing fuels, as herein defined, into this State, for the purpose of selling same incidental to his principal business of buying and selling fuels in this State or for the purpose of consuming the same, or for the purpose of blending the same with other fuels upon which the tax provided for in this chapter has been pre-paid, or is properly owing to the State, shall be required to obtain a special permit (special license A) from the Director of the Division of taxation and shall furnish bond as provided in this chapter. Such person shall be required to file a report with the director, disclosing the amount of fuel so imported, and such additional information as the director may require for the proper administration of this chapter, within 5 days from the receipt of such fuels. Upon application to the director, the period within which such reports shall be filed may be extended to a period of 60 days, if it shall be deemed advisable by the director. A tax, at the rate per gallon specified in section 54:39-27 of this Title,

on the total number of gallons so imported, together with any unpaid tax on such other fuels, shall be paid to the director and accompany the report.

Every person importing fuel into this State shall be presumed to have sold, consumed or to have blended such fuel, and proof of such importation shall be prima facie evidence that such fuel is taxable, as provided herein.

Any person violating any provisions of this subsection (a) shall be guilty of a misdemeanor.

(b) Any person purchasing motor fuel on which there has been no charge made to him of the motor fuel tax thereon, if the same be thereafter used or sold for use in the operation of a motor vehicle upon the highways, shall be required to obtain a special license B from the director and shall be required to pay a tax, at the rate per gallon specified in section 54:39-27 of this Title, on the total number of gallons so used or sold for use. Such person shall, on or before the fifteenth day of each month, render a report to the director, stating the number of gallons of fuel purchased, used or sold for use in this State by him during the preceding calendar month and such additional information as the director may require. The tax, as herein provided, shall be paid to the director and accompany such report.

Any person who, having purchased motor fuel on which there has been no charge made to him of the motor fuel tax thereon, shall thereafter use or sell such motor fuel for use in the operation of a motor vehicle upon the highways without having first secured a special license B from the director, shall, in the absence of a prior conviction, be liable to a penalty of \$25.00 for each offense but not in excess of \$100.00 for an aggregate number of offenses not exceeding 5; a penalty of \$25.00 for each offense but not in excess of \$250.00 for an aggregate number of offenses in excess of 5; provided, however, that in the event of a prior conviction the penalty shall be \$100.00 for each offense. Any person who, after conviction, shall fail to forthwith pay any of the foregoing penalties imposed against him, shall be

imprisoned for a period of not less than 10 nor more than 30 days.

Any person not holding a special license B who shall fail to file the report required by this subsection (b) on the day it shall be due, shall forfeit as a penalty for each day thereafter until the report is filed, the sum of \$1.00. Any such person who shall fail to pay the tax required by this subsection (b) on the day when it shall be due shall forfeit as a penalty an amount equivalent to 20% of the tax due. In addition to such penalty, such person shall pay interest on the tax due at the rate of 1% for each month or fraction thereof that the tax remains unpaid, to be calculated from the date the tax was originally due until the date of actual payment.

Any holder of a special license B who shall fail to file the report required by this subsection (b) on the day it shall be due, shall forfeit as a penalty for each day thereafter until the report is filed, the sum of \$1.00 up to a maximum of \$30.00. Any holder of a special license B who shall fail to pay the tax required by this subsection (b) on the date when it shall be due shall forfeit as a penalty an amount equal to 2% of the tax due. In addition to such penalty, all holders of a special license B shall pay interest on the tax due at the rate of 1% for each month or fraction thereof that the same remains unpaid, to be calculated from the date the tax was originally due until the date of actual payment.

The director, if satisfied that the failure to file the report or pay the tax was excusable, may remit or waive the payment of the whole or part of any penalty and the payment of any interest charge in excess of the rate of $\frac{1}{2}$ of 1% per month.

All penalties and interest assessed pursuant to the provisions of this subsection (b) shall be payable forthwith after notice and demand shall be mailed by the director to the person concerned. If payment be not made within 15 days thereafter, the penalty and interest shall be sued for in the manner set forth in sections 54:39-59 and 54:39-60 of the Revised Statutes.

(c) This section, including subsections (a) and (b) shall not apply to distributors duly licensed in accordance with the provisions of this chapter.

8. Section 54:39-67 of the Revised Statutes is amended to read as follows:

54:39-67. Upon approval by the director of such application a warrant shall be drawn upon the State Treasurer for the amount of such claim in favor of such claimant and such warrant shall be paid from the tax collected on motor fuel. The application for reimbursements and repayments shall be filed with the director on or before the last business day of the sixth month following that in which the fuels in question were purchased. Any person or the member of any firm or the officer or agent of any corporation who shall make false statement in any application required for the reimbursement and repayment of any taxes, or who shall collect or cause to be repaid to him or to any other person any such reimbursement or refund without being entitled to the same shall be guilty of a misdemeanor.

9. This act shall take effect immediately.

Approved May 28, 1963.

Section
Amended.

Refunds;
time limit;
false state-
ments; mis-
demeanor.

CHAPTER 71

AN ACT providing immunity to members of volunteer fire companies providing emergency public first aid and rescue services or providing service for the control and extinguishment of fires from liability to respond in damages in certain cases.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. No member of a volunteer fire company, which provides emergency public first aid and rescue

C. 2A:53A-13.
Members not
liable for
damages in
civil actions.

services or service for the control and extinguishment of fires, or both, shall be liable in any civil action to respond in damages as a result of his acts of commission or omission arising out of and in the course of his rendering in good faith any such services as such member but such immunity from liability shall not extend to the operation of any motor vehicle in connection with the rendering of any such services.

Nothing herein shall be deemed to grant any such immunity to any person causing damage by his willful or wanton act of commission or omission.

2. This act shall take effect immediately.

Approved May 28, 1963.

CHAPTER 72

AN ACT to amend "An act to authorize any municipality to waive, release or modify any covenants, conditions or limitations as to the erection of buildings or any other use to be made of land imposed in sales and conveyances of lands by said municipality, and supplementing article 2 of chapter 60 of Title 40 of the Revised Statutes," approved March 27, 1943 (P. L. 1943, c. 33).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 40:60-51.2.
May waive,
release or
modify
building
restrictions.

1. Any municipality is authorized and empowered, by resolution of the governing body thereof, to waive, release or modify any terms, covenants, conditions or limitations as to the erection, alteration or demolition of buildings or any other use to

be made of land heretofore imposed by said municipality in sales and conveyances of land by such municipality at public or private sale made prior to January 1, 1963, but only after public hearing held before such governing body, of the holding of which notice describing the lands in question and the terms, covenants, conditions or limitations to be waived, released or modified, and, if to be modified, describing the manner in which the same shall be modified, shall first have been given by advertisement published once each week for 2 weeks in a newspaper published in said municipality or, if no newspaper be published therein, then in a newspaper circulating in such municipality; provided, however, that the power herein granted shall not be exercised to impair any vested or contractual rights of third parties.

2. This act shall take effect immediately.

Approved May 28, 1963.

CHAPTER 73

AN ACT concerning public records and their examination by citizens of this State, providing certain exceptions to the right to examine public records, and conferring jurisdiction upon the Superior Court in respect to such examination.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The Legislature finds and declares it to be the public policy of this State that public records shall be readily accessible for examination by the citizens of this State, with certain exceptions, for the protection of the public interest.

C. 47:1A-1.
Public policy.

C. 47:1A-2.
Records
deemed to be
public; open
to public
inspection;
copies; fees.

2. Except as otherwise provided in this act or by any other statute, resolution of either or both houses of the Legislature, executive order of the Governor, rule of court, any Federal law, regulation or order, or by any regulation promulgated under the authority of any statute or executive order of the Governor, all records which are required by law to be made, maintained or kept on file by any board, body, agency, department, commission or official of the State or of any political subdivision thereof or by any public board, body, commission or authority created pursuant to law by the State or any of its political subdivisions, or by any official acting for or on behalf thereof (each of which is hereinafter referred to as the "custodian" thereof) shall, for the purposes of this act, be deemed to be public records. Every citizen of this State, during the regular business hours maintained by the custodian of any such records, shall have the right to inspect such records. Every citizen of this State shall also have the right, during such regular business hours and under the supervision of a representative of the custodian, to copy such records by hand and shall also have the right to purchase copies of such records. Copies of records shall be made available upon the payment of such price as shall be established by law. If a price has not been established by law for copies of any records, the custodian of such records shall make and supply copies of such records upon the payment of the following fees which shall be based upon the total number of pages or parts thereof to be purchased without regard to the number of records being copied:

First page to tenth page	\$0.50 per page,
Eleventh page to	
twentieth page	0.25 per page,
All pages over 20	0.10 per page,

If the custodian of any such records shall find that there is no risk of damage or mutilation of such records and that it would not be incompatible with the economic and efficient operation of the office and

the transaction of public business therein, he may permit any citizen who is seeking to copy more than 100 pages of records to use his own photographic process, approved by the custodian, upon the payment of a reasonable fee, considering the equipment and the time involved, to be fixed by the custodian of not less than \$5.00 or more than \$25.00 per day.

3. Notwithstanding the provisions of this act, where it shall appear that the record or records which are sought to be examined shall pertain to an investigation in progress by any such body, agency, commission, board, authority or official, the right of examination herein provided for may be denied if the inspection, copying or publication of such record or records shall be inimical to the public interest; provided, however, that this provision shall not be construed to prohibit any such body, agency, commission, board, authority or official from opening such record or records for public examination if not otherwise prohibited by law.

C. 47:1A-3.
Right to
examine
records may
be denied;
construing.

4. Any such citizen of this State who has been or shall have been denied for any reason the right to inspect, copy or obtain a copy of any such record as provided in this act may apply to the Superior Court of New Jersey by a proceeding in lieu of prerogative writ for an order requiring the custodian of the record to afford inspection, the right to copy or to obtain a copy thereof, as provided in this act.

C. 47:1A-4.
May obtain
court order
for inspection
and copies.

5. This act shall take effect 30 days following the date of approval.

Note:
Act effective.

Approved May 31, 1963.

CHAPTER 74

AN Act authorizing the creation of a debt of the State of New Jersey by issuance of bonds of the State in the sum of \$475,000,000.00 for the construction and improvement of public roads and highways; including the elimination of railroad crossings at road grade; to provide for State grants to assist municipalities and counties to construct and improve public roads and highways; providing the ways and means to pay the interest of said debt, not to exceed in the aggregate the sum of \$370,000,000.00, and also to pay and discharge the principal thereof; and providing for the submission of this act to the people at a general election.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C. 27:5C-1.
Short title.

1. This act may be cited as the "New Jersey Public Roads and Highways Bond Act of 1963."

C. 27:5C-2.
Legislative
findings and
determinations.

2. The Legislature hereby finds and determines that:

New Jersey is a highly urbanized corridor State with traffic volumes on its highways and roads which are far in excess of the national average and are certain to increase rapidly in future years;

The State Highway Department's Master Plan, which is based on a careful study of needs, requires expenditures greatly above the revenues available therefor from normal State tax sources and Federal grants-in-aid;

The construction and improvement of State highways has generated and will continue to generate additional traffic loads upon county and municipal roads, streets and highways and annual State aid for local facilities has not been substantially increased for a considerable period of time;

It is in the public interest that these essential transportation facilities be provided in the shortest possible time through acceleration of the State and local highway programs so there can be reasonable expectation of meeting traffic requirements in 1972, the year established for completion of the National System of Interstate and Defense Highways; and

This essential program of public road construction can best be accomplished on an integrated basis through the authorization of the bond issue provided for herein.

3. Bonds of the State of New Jersey in the sum of \$475,000,000.00 are hereby authorized for the purpose of the construction and improvement of public roads and highways including the elimination of railroad crossings at road grade.

C. 27:5C-3.
Bonds
authorized;
certain
proceeds
reserved.

Of such total, the proceeds from the sale of not more than \$25,000,000.00 of bonds shall be reserved to pay the public share of the cost of the elimination of railroad crossings at road grade; the proceeds from the sale of not more than \$100,000,000.00 of bonds shall be reserved for the purpose of State grants to municipalities and counties for the construction and improvement of public roads and highways and the proceeds from the sale of the remainder of the bonds not so reserved shall be reserved for the construction and improvement of State highways.

4. Except as the context may otherwise require:

C. 27:5C-4.
Terms defined.

(a) "Public roads and highways" shall mean and include any public highway, road, street, expressway, super-express, freeway, parkway, turnpike or motorway, whether constructed or maintained by the State, or any agency thereof, or by any municipality or county.

(b) "Construction and improvement of public roads and highways" shall mean, but shall not be limited to, the construction, reconstruction, improvement or rebuilding of public roads and highways including all necessary bridges, tunnels, overpasses, underpasses, interchanges, traffic circles, grade separations, traffic control devices and the

elimination of railroad crossings at road grade and shall include the acquisition of all property, rights of way, easements and interests therein as shall be necessary thereto.

C. 27:5C-5.
Public roads
and highway
bonds;
maturities.

5. Said bonds shall be serial bonds and known as "Public Roads and Highways Bonds" and, as to each series, the last annual installment thereof (subject to redemption prior to maturity) shall mature and be paid not later than 35 years from the date of its issuance.

C. 27:5C-6.
Issuing.

6. Said bonds shall be issued from time to time as the issuing officials herein named shall determine.

C. 27:5C-7.
Issuing
officials to
carry out
provisions
of act.

7. The Governor, State Treasurer and Comptroller of the Treasury or any 2 of such officials (hereinafter referred to as "the issuing officials") are hereby authorized to carry out the provisions of this act relating to the issuance of said bonds, and shall determine all matters in connection therewith subject to provisions hereof. In case any of said officials shall be absent from the State or incapable of acting for any reason, his powers and duties shall be exercised and performed by such person as shall be authorized by law to act in his place as a State official.

C. 27:5C-8.
Direct obliga-
tion of State;
tax exempt.

8. Bonds issued in accordance with the provisions of this act shall be a direct obligation of the State of New Jersey and the faith and credit of the State are pledged for the payment of the interest thereon as same shall become due and the payment of the principal at maturity. The principal and interest of such bonds shall be exempt from taxation by the State or by any county, municipality or other taxing district of the State.

C. 27:5C-9.
Signatures
seal required.

9. Said bonds shall be signed in the name of the State by the Governor or by his facsimile signature, under the Great Seal of the State, and attested by the Secretary of State, or an assistant Secretary of State, and shall be countersigned by the facsimile signature of the Comptroller of the Treasury. Interest coupons attached to said bonds shall be signed by the facsimile signature of the Comp-

troller of the Treasury. Such bonds may be issued notwithstanding that any of the officials signing them or whose facsimile signatures appear on the bonds or coupons shall cease to hold office at the time of such issue or at the time of the delivery of such bonds to the purchaser.

10. (a) Such bonds shall recite that they are issued for the purpose set forth in the first sentence of section 3 of this act and that they are issued in pursuance of this act and that this act was submitted to the people of the State at the general election held in the month of November, 1963, and that it was approved by a majority of the legally qualified voters of the State voting thereon at such election. Such recital in said bonds shall be conclusive evidence of the authority of the State to issue said bonds and of their validity. Any bonds containing such recital shall in any suit, action or proceeding involving their validity be conclusively deemed to be fully authorized by this act and to have been issued, sold, executed and delivered in conformity herewith and with all other provisions of statutes applicable thereto, and shall be incontestable for any cause.

C. 27:5C-10.
Bond recital;
denominations;
coupon or
registered.

(b) Such bonds shall be issued in such denominations and in such form or forms, whether coupon or registered as to both principal and interest, and with or without such provisions for interchangeability thereof, as may be determined by the issuing officials.

11. When the bonds are issued from time to time, the bonds of each issue shall constitute a separate series to be designated by the issuing officials. Each series of bonds shall bear such rate or rates of interest, that the aggregate amount of interest payable over the life of such series, less the premium, if any, received upon the sale thereof, shall not exceed an amount equal to 4% per annum computed over the life of such series, as may be determined by the issuing officials, which interest shall be payable semiannually; provided, that the first and last

C. 27:5C-11.
Issuing details.

interest periods may be longer or shorter, in order that intervening semi-annual payments may be at convenient dates.

C. 27:5C-12.
Selling.

12. Said bonds shall be issued and sold at such price not less than the par value thereof and accrued interest thereon, and under such terms, conditions and regulations, as the issuing officials may prescribe, after notice of said sale, published at least once in at least 3 newspapers published in the State of New Jersey, and at least once in a publication carrying municipal bond notices and devoted primarily to financial news, published in the city of New York or in New Jersey, the first notice to be at least 5 days prior to the day of bidding. The said notice of sale may contain a provision to the effect that any or all bids made in pursuance thereof may be rejected. In the event of such rejection or of failure to receive any acceptable bid, the issuing officials, at any time within 60 days from the date of such advertised sale, may sell such bonds at private sale upon terms not less favorable to the State than the terms offered by any rejected bid. The issuing officials may sell all or part of the bonds of any series as issued to any State fund or to the Federal Government or any agency thereof, at private sale, without advertisement.

C. 27:5C-13.
Temporary
bonds.

13. Until permanent bonds can be prepared, the issuing officials may, in their discretion, issue in lieu of such permanent bonds temporary bonds in such form and with such privileges as to registration and exchange for permanent bonds as may be determined by the issuing officials.

C. 27:5C-14.
Disposition
of proceeds.

14. The proceeds from the sale of the bonds shall be paid to the State Treasurer and be held by him in a separate fund, and be deposited in such depositories as may be selected by him to the credit of the fund, which fund shall be known as the "Public Roads and Highways Fund."

C. 27:5C-15.
Moneys
dedicated;
transfer of
funds
authorized.

15. The moneys in the said Public Roads and Highways Fund are hereby specifically dedicated and shall be applied to meeting the cost of construction and improvement of public roads and high-

ways, and all of such moneys are hereby appropriated for such purpose, and no such moneys shall be expended for such purpose (except as otherwise hereinbelow authorized) without the specific appropriation thereof by the Legislature, but bonds may be issued as herein provided notwithstanding that the Legislature shall not have then adopted an act making specific appropriation of any of said moneys.

At any time prior to the issuance and sale of bonds under this act, the State Treasurer is hereby authorized to transfer from any available money in the treasury of the State to the credit of the Public Roads and Highways Fund such sum as may be deemed necessary for the purpose of this act by the State House Commission, which said sum so transferred shall be returned to the treasury of this State by the treasurer thereof from the proceeds of the sale of the first issue of bonds.

Pending their application to the purpose provided in this act, moneys in the Public Roads and Highways Fund may be invested and reinvested as other trust funds in the custody of the State Treasurer in the manner provided by law. Net earnings received from the investment or deposit of such fund shall be paid into the General Treasury and become a part of the General State Fund.

16. In case any coupon bonds or coupons thereunto appertaining or any registered bond shall become lost, mutilated or destroyed, a new bond shall be executed and delivered of like tenor, in substitution for the lost, mutilated or destroyed bonds or coupons, upon the owner furnishing to the issuing officials evidence satisfactory to them of such loss, mutilation or destruction and also such security and indemnity as the issuing officials may require.

C. 27:5C-16.
Replacing
lost and
mutilated
obligations.

17. Accrued interest received upon the sale of said bonds shall be applied to the discharge of a like amount of interest upon said bonds when due. Any expense incurred by the issuing officials for advertising, engraving, printing, clerical, legal or other services necessary to carry out the duties imposed

C. 27:5C-17.
Payment of
issuing
expenses.

upon them by the provisions of this act shall be paid from the proceeds of the sale of said bonds, by the State Treasurer upon warrant of the Comptroller of the Treasury, in the same manner as other obligations of the State are paid.

C. 27:5C-18.
Maturities.

18. Bonds of each series issued hereunder shall mature in annual installments commencing not later than the tenth year and ending not later than the thirty-fifth year from the date of issue of such series, and in such amounts as shall be determined by the issuing officials, but the issuing officials may reserve to the State by appropriate provision in the bonds of any series the power to redeem all or any of such bonds prior to maturity at such price or prices and upon such terms and conditions as may be provided in such bonds.

C. 27:5C-19.
Issuing re-
funding bonds.

19. The issuing officials may at any time and from time to time issue refunding bonds for the purpose of refunding in whole or in part an equal principal amount of the bonds of any series issued and outstanding hereunder, which by their terms are subject to redemption prior to maturity, provided such refunding bonds shall mature at any time or times not later than the latest maturity date of such series, and the aggregate amount of interest to be paid on the refunding bonds, plus the premium, if any, to be paid on the bonds refunded, shall not exceed the aggregate amount of interest which would be paid on the bonds refunded if such bonds were not so refunded. Refunding bonds shall constitute direct obligations of the State of New Jersey, and the faith and credit of the State are pledged for the payment of the principal thereof and the interest thereon. The proceeds received from the sale of refunding bonds shall be held in trust and applied to the payment of the bonds refunded thereby. Refunding bonds shall be entitled to all the benefits of this act and subject to all its limitations except as to the maturities thereof and to the extent herein otherwise expressly provided.

C. 27:5C-20.
Provisions
for payment
of principal
and interest.

20. To provide funds to meet the interest and principal payment requirements for the bonds is-

sued under this act and outstanding, there is hereby appropriated in the order following:

(a) Revenues described in section 22 of this act to the extent therein provided, or so much thereof as may be required;

(b) Revenues derived from the tax collected upon the sale of motor fuels under and by virtue of the motor fuel tax act (Title 54, chapter 39 of the Revised Statutes as amended and supplemented), or so much thereof as may be required; and

(c) If in any year or at any time funds, as herein appropriated, necessary to meet interest and principal payments upon outstanding bonds issued under this act, be insufficient or not available, then and in that case there shall be assessed, levied and collected annually in each of the municipalities of the counties of this State a tax on real and personal property upon which municipal taxes are or shall be assessed, levied and collected, sufficient to meet the interest on all outstanding bonds issued hereunder and on such bonds as it is proposed to issue under this act in the calendar year in which such tax is to be raised and for the payment of bonds falling due in the year following the year for which the tax is levied. The tax thus imposed shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property are assessed, levied and collected. The governing body of each municipality shall cause to be paid to the county treasurer of the county in which such municipality is located, on or before December 15 in each year, the amount of tax herein directed to be assessed and levied, and the county treasurer shall pay the amount of said tax to the State Treasurer on or before December 20 in each year.

If on or before December 31 in any year the issuing officials shall determine that there are moneys in the General State Fund beyond the needs of the State, sufficient to meet the principal of bonds falling due and all interest payable in the ensuing calendar year, then and in that event such issuing

officials shall by resolution so find and shall file the same in the office of the State Treasurer, whereupon the State Treasurer shall transfer such moneys to a separate fund to be designated by him, and shall pay the principal and interest out of said fund as the same shall become due and payable, and the other sources of payment of said principal and interest provided for in this section shall not then be available, and the receipts for said year from the revenues and taxes specified in subsections (a) and (b) of this section treated as part of the General State Fund, available for general purposes.

C. 27:5C-21.
Taxing
provision
for deficit.

21. Should the State Treasurer, by December 31 of any year, deem it necessary, because of insufficiency of funds to be collected from the sources of revenues as herein provided, to meet the interest and principal payments for the year after the ensuing year, then the treasurer shall certify to the Comptroller of the Treasury the amount necessary to be raised by taxation for such purposes, the same to be assessed, levied and collected for and in the ensuing calendar year. In such case the Comptroller of the Treasury shall, on or before March 1 following, calculate the amount in dollars to be assessed, levied and collected as herein set forth in each county. Such calculation shall be based upon the corrected assessed valuation of such county for the year preceding the year in which such tax is to be assessed, but such tax shall be assessed, levied and collected upon the assessed valuation of the year in which the tax is assessed and levied. The Comptroller of the Treasury shall certify said amount to the county board of taxation and the county treasurer of each county. The said county board of taxation shall include the proper amount in the current tax levy of the several taxing districts of the county in proportion to the ratables as ascertained for the current year.

C. 27:5C-22.
Use of N. J.
Turnpike
revenues for
payment of
principal and
interest.

22. The revenues of the New Jersey Turnpike Authority created by chapter 454, P. L. 1948, to the extent authorized by the New Jersey Turnpike Authority Act of 1948 or any amendment or supple-

ment thereto, shall be devoted to provide funds to meet the interest and principal payment requirements for the bonds issued and outstanding under this act and under the "New Jersey Public Building Construction Bond Act of 1963."

The allocation of such revenues, for the payment of the principal and interest payment requirements, between the bonds issued and outstanding under this act and the bonds issued and outstanding under the "New Jersey Public Building Construction Bond Act of 1963" shall be made by the issuing officials under said acts and their judgment as to allocation shall be final and binding.

23. For the purpose of complying with the provisions of the State Constitution this act shall, at the general election to be held in the month of November, 1963, be submitted to the people. In order to inform the people of the contents of this act it shall be the duty of the Secretary of State, after this section shall take effect, and at least 15 days prior to the said election, to cause this act to be published in at least 10 newspapers published in the State and to notify the clerk of each county of this State of the passage of this act, and the said clerks respectively, in accordance with the instructions of the Secretary of State, shall cause to be printed on each of the said ballots, the following:

If you approve the act entitled below, make a cross X, plus +, or check V mark in the square opposite the word "Yes."

If you disapprove the act entitled below, make a cross X, plus +, or check V mark in the square opposite the word "No."

If voting machines are used, a vote of "Yes" or "No" shall be equivalent to such markings respectively.

C. 27:5C-23.
Act submitted
to electors;
procedure.

		NEW JERSEY PUBLIC ROADS AND HIGHWAYS BOND ISSUE.
	Yes.	Shall the act entitled "An act authorizing the creation of a debt of the State of New Jersey by issuance of bonds of the State in the sum of \$475,000,000.00. for the con- struction and improvement of public roads and highways, in- cluding the elimination of rail- road crossings at road grade; to provide for State grants to assist municipalities and coun- ties to construct and improve public roads and highways; providing the ways and means to pay the interest of said debt, not to exceed in the aggregate the sum of \$370,000,000.00, and also to pay and discharge the principal thereof; and provid- ing for the submission of this act to the people at a general election," be approved?
	No.	

The fact and date of the approval or passage of this act, as the case may be, may be inserted in the appropriate place after the title in said ballot. No other requirements of law of any kind or character as to notice or procedure except as herein provided need be adhered to.

The said votes so cast for and against the approval of this act, by ballot or voting machine, shall be counted and the result thereof returned by the election officer, and a canvass of such election had in the same manner now as is provided for by law in the case of the election of a Governor, and the approval or disapproval of this act so determined shall be declared in the same manner as the result

of an election for a Governor, and if there shall be a majority of all the votes cast for and against it at such an election in favor of the approval of this act, then all the provisions of this act shall take effect forthwith.

24. The Secretary of State shall prepare a single summary statement as to the reasons for submitting the question set forth in section 23 of this act and, if approved or passed, the question set forth in the "New Jersey Public Building Construction Bond Act of 1963" and shall direct the clerk of each county of this State to cause such question or questions, as the case may be, to be printed and placed on each of said ballots, together with the summary statement, in a manner which will give prominence to such question or questions and statement.

C. 27:5C-24.
Secretary of
State to
prepare a
summary
statement;
question
placed on
ballots.

25. This section and sections 23 and 24 of this act shall take effect immediately and the remainder of the act shall take effect as and when provided in section 23.

C. 27:5C-25.
Act effective.

Approved June 4, 1963.

CHAPTER 75

AN ACT authorizing the creation of a debt of the State of New Jersey by issuance of bonds of the State in the sum of \$275,000,000.00 for public buildings, their construction, reconstruction, development, extension, improvement, equipment and facilities for health, education and welfare uses; providing the ways and means to pay the interest of said debt, not to exceed in the aggregate the sum of \$215,000,000.00, and also to pay and discharge the principal thereof; and providing for the submission of this act to the people at a general election.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

New Jersey State Library

C. 52:37-1.
Short title.

1. This act shall be cited as the "New Jersey Public Building Construction Bond Act of 1963."

C. 52:37-2.
Legislative findings.

2. The Legislature hereby finds that:

The State of New Jersey requires an extensive and immediate, comprehensive and integrated program for the construction of public buildings;

The needs of the State for public buildings exist in the areas of institutions and education;

The requirements of the Department of Institutions and Agencies for the decade of the 1960's have not been satisfied by the \$40,000,000.00 bond issue of 1961;

The State Board of Education in its "Strayer Report" anticipates State capital expenditures for higher education of approximately \$134,000,000.00 by 1970:

The enactment of the Community College Act of 1962 requires the State to provide $\frac{1}{2}$ the cost of capital projects undertaken pursuant to the act;

The program for State assistance for capital construction for local school districts should be treated as an integral part of this capital development program; and

This essential program for the construction of public buildings can best be achieved, in the shortest period of time and in the least expensive manner through the authorization of the bond issue provided for herein.

C. 52:37-3.
Bonds
authorized;
certain pro-
ceeds reserved.

3. Bonds of the State of New Jersey in the sum of \$275,000,000.00 are hereby authorized for the purpose of the construction and improvement of public buildings.

Of such total, the proceeds from the sale of bonds shall be reserved as follows:

(a) The construction and improvement of public buildings for local school districts—not more than \$80,000,000.00.

(b) The construction and improvement of public buildings for community colleges—not more than \$10,000,000.00.

(c) The construction and improvement of public buildings for State institutions—not more than \$60,000,000.00.

The proceeds from the sale of the remainder of the bonds not so reserved shall be reserved for the construction of public buildings for State institutions of higher education.

4. Except as the context may otherwise require:

C. 52:37-4.
Terms defined.

(a) "Public buildings" shall mean (1) mental, charitable, hospital, training and correctional buildings required by the State Department of Institutions and Agencies, (2) buildings required for the operation of community colleges, (3) buildings required for the operation of local school districts, and (4) buildings required for the operation of State Institutions of Higher Education.

(b) "Construction and improvement of public buildings" shall mean the construction, improvement, reconstruction, development and extension of public buildings, including all equipment and facilities necessary to the operation thereof and shall include the acquisition of land for said purposes, if necessary.

(c) "State institutions" shall mean institutions operated and maintained by the Department of Institutions and Agencies.

(d) "State institutions of higher education" shall mean Rutgers, The State University, the State colleges and Newark College of Engineering.

(e) "Community colleges" shall mean colleges operated pursuant to the provisions of chapter 41, P. L. 1962.

(f) "Local school districts" shall mean school districts entitled to school building aid under the provisions of chapters 8 and 9, P. L. 1956.

5. Said bonds shall be serial bonds and known as "Public Building Construction Bonds" and, as to each series, the last annual installment thereof (subject to redemption prior to maturity) shall mature and be paid not later than 35 years from the date of its issuance.

C. 52:37-5.
Public building
construction
bonds;
maturities.

6. Said bonds shall be issued from time to time as the issuing officials herein named shall determine.

C. 52:37-6.
Issuing.

7. The Governor, State Treasurer and Comptroller of the Treasury or any 2 of such officials (hereinafter referred to as "the issuing officials")

C. 52:37-7.
Issuing
officials to
carry out
provisions
of act.

are hereby authorized to carry out the provisions of this act relating to the issuance of said bonds, and shall determine all matters in connection therewith subject to provisions hereof. In case any of said officials shall be absent from the State or incapable of acting for any reason, his powers and duties shall be exercised and performed by such person as shall be authorized by law to act in his place as a State official.

C. 52:37-8.
Direct obligation of State; tax exempt.

8. Bonds issued in accordance with the provisions of this act shall be a direct obligation of the State of New Jersey and the faith and credit of the State are pledged for the payment of the interest thereon as same shall become due and the payment of the principal at maturity. The principal and interest of such bonds shall be exempt from taxation by the State or by any county, municipality or other taxing district of the State.

C. 52:37-9.
Signatures and seal required.

9. Said bonds shall be signed in the name of the State by the Governor or by his facsimile signature, under the Great Seal of the State, and attested by the Secretary of State, or an assistant Secretary of State, and shall be countersigned by the facsimile signature of the Comptroller of the Treasury. Interest coupons attached to said bonds shall be signed by the facsimile signature of the Comptroller of the Treasury. Such bonds may be issued notwithstanding that any of the officials signing them or whose facsimile signatures appear on the bonds or coupons shall cease to hold office at the time of such issue or at the time of the delivery of such bonds to the purchaser.

C. 52:37-10.
Bond recital; denominations; coupon or registered.

10. (a) Such bonds shall recite that they are issued for the purpose set forth in the first sentence of section 3 of this act and that they are issued in pursuance of this act and that this act was submitted to the people of the State at the general election held in the month of November, 1963, and that it was approved by a majority of the legally qualified voters of the State voting thereon at such election. Such recital in said bonds shall be conclusive evidence of the authority of the State to

issue said bonds and of their validity. Any bonds containing such recital shall in any suit, action or proceeding involving their validity be conclusively deemed to be fully authorized by this act and to have been issued, sold, executed and delivered in conformity herewith and with all other provisions of statutes applicable thereto, and shall be incontestable for any cause.

(b) Such bonds shall be issued in such denominations and in such form or forms, whether coupon or registered as to both principal and interest, and with or without such provisions for interchangeability thereof, as may be determined by the issuing officials.

11. When the bonds are issued from time to time, the bonds of each issue shall constitute a separate series to be designated by the issuing officials. Each series of bonds shall bear such rate or rates of interest, that the aggregate amount of interest payable over the life of such series, less the premium, if any, received upon the sale thereof, shall not exceed an amount equal to 4% per annum computed over the life of such series, as may be determined by the issuing officials, which interest shall be payable semi-annually; provided, that the first and last interest periods may be longer or shorter, in order that intervening semi-annual payments may be at convenient dates.

C. 52:37-11.
Issuing details.

12. Said bonds shall be issued and sold at such price not less than the par value thereof and accrued interest thereon, and under such terms, conditions and regulations, as the issuing officials may prescribe, after notice of said sale, published at least once in at least 3 newspapers published in the State of New Jersey, and at least once in a publication carrying municipal bond notices and devoted primarily to financial news, published in the city of New York or in New Jersey, the first notice to be at least 5 days prior to the day of bidding. The said notice of sale may contain a provision to the effect that any or all bids made in pursuance thereof may

C. 52:37-12.
Selling.

be rejected. In the event of such rejection or of failure to receive any acceptable bid, the issuing officials, at any time within 60 days from the date of such advertised sale, may sell such bonds at private sale upon terms not less favorable to the State than the terms offered by any rejected bid. The issuing officials may sell all or part of the bonds of any series as issued to any State fund or to the Federal Government or any agency thereof, at private sale, without advertisement.

C. 52:37-13.
Temporary
bonds.

13. Until permanent bonds can be prepared, the issuing officials may, in their discretion, issue in lieu of such permanent bonds temporary bonds in such form and with such privileges as to registration and exchange for permanent bonds as may be determined by the issuing officials.

C. 52:37-14.
Disposition
of proceeds.

14. The proceeds from the sale of the bonds shall be paid to the State Treasurer and be held by him in a separate fund, and be deposited in such depositories as may be selected by him to the credit of the fund, which fund shall be known as the "Public Building Construction Fund."

C. 52:37-15.
Moneys
dedicated;
transfer of
funds
authorized.

15. The moneys in the said Public Building Construction Fund are hereby specifically dedicated and shall be applied to meeting the cost of construction and improvement of public buildings, and all of such moneys are hereby appropriated for such purpose, and no such moneys shall be expended for such purpose (except as otherwise hereinbelow authorized) without the specific appropriation thereof by the Legislature, but bonds may be issued as herein provided notwithstanding that the Legislature shall not have then adopted an act making specific appropriation of any of said moneys.

At any time prior to the issuance and sale of bonds under this act, the State Treasurer is hereby authorized to transfer from any available money in the treasury of the State to the credit of the Public Building Construction Fund such sum as may be deemed necessary for the purpose of this act by the State House Commission, which said sum so transferred shall be returned to the treasury of this

State by the treasurer thereof from the proceeds of the sale of the first issue of bonds.

Pending their application to the purpose provided in this act, moneys in the Public Building Construction Fund may be invested and reinvested as other trust funds in the custody of the State Treasurer in the manner provided by law. Net earnings received from the investment or deposit of such fund shall be paid into the General Treasury and become a part of the General State Fund.

16. In case any coupon bonds or coupons thereunto appertaining or any registered bond shall become lost, mutilated or destroyed, a new bond shall be executed and delivered of like tenor, in substitution for the lost, mutilated or destroyed bonds or coupons, upon the owner furnishing to the issuing officials evidence satisfactory to them of such loss, mutilation or destruction and also such security and indemnity as the issuing officials may require.

C. 52:37-16.
Replacing
lost and
mutilated
obligations.

17. Accrued interest received upon the sale of said bonds shall be applied to the discharge of a like amount of interest upon said bonds when due. Any expense incurred by the issuing officials for advertising, engraving, printing, clerical, legal or other services necessary to carry out the duties imposed upon them by the provisions of this act shall be paid from the proceeds of the sale of said bonds, by the State Treasurer upon warrant of the Comptroller of the Treasury, in the same manner as other obligations of the State are paid.

C. 52:37-17.
Payment of
issuing
expenses.

18. Bonds of each series issued hereunder shall mature in annual installments commencing not later than the tenth year and ending not later than the thirty-fifth year from the date of issue of such series, and in such amounts as shall be determined by the issuing officials, but the issuing officials may reserve to the State by appropriate provision in the bonds of any series the power to redeem all or any of such bonds prior to maturity at such price or prices and upon such terms and conditions as may be provided in such bonds.

C. 52:37-18.
Maturities.

19. The issuing officials may at any time and from time to time issue refunding bonds for the

C. 52:37-19.
Issuing re-
funding bonds.

purpose of refunding in whole or in part an equal principal amount of the bonds of any series issued and outstanding hereunder, which by their terms are subject to redemption prior to maturity, providing such refunding bonds shall mature at any time or times not later than the latest maturity date of such series, and the aggregate amount of interest to be paid on the refunding bonds, plus the premium, if any, to be paid on the bonds refunded, shall not exceed the aggregate amount of interest which would be paid on the bonds refunded if such bonds were not so refunded. Refunding bonds shall constitute direct obligations of the State of New Jersey, and the faith and credit of the State are pledged for the payment of the principal thereof and the interest thereon. The proceeds received from the sale of refunding bonds shall be held in trust and applied to the payment of the bonds refunded thereby. Refunding bonds shall be entitled to all the benefits of this act and subject to all its limitations except as to the maturities thereof and to the extent herein otherwise expressly provided.

C. 52:37-20.
Provisions
for payment
of principal
and interest.

20. To provide funds to meet the interest and principal payment requirements for the bonds issued under this act and outstanding, there is hereby appropriated in the order following:

(a) Revenues described in section 22 of this act to the extent therein provided, or so much thereof as may be required;

(b) Revenues derived from the tax collected upon the sale of cigarettes under and by virtue of the Cigarette Tax Act (P. L. 1948, c. 65), as amended and supplemented, or so much thereof as may be required; and

(c) If in any year or at any time funds, as herein appropriated, necessary to meet interest and principal payments upon outstanding bonds issued under this act, be insufficient or not available, then and in that case there shall be assessed, levied and collected annually in each of the municipalities of the counties of this State a tax on real and personal property upon which municipal taxes are or shall

be assessed, levied and collected, sufficient to meet the interest on all outstanding bonds issued hereunder and on such bonds as it is proposed to issue under this act in the calendar year in which such tax is to be raised and for the payment of bonds falling due in the year following the year for which the tax is levied. The tax thus imposed shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property are assessed, levied and collected. The governing body of each municipality shall cause to be paid to the county treasurer of the county in which such municipality is located, on or before December 15 in each year, the amount of tax herein directed to be assessed and levied, and the county treasurer shall pay the amount of said tax to the State Treasurer on or before December 20 in each year.

If on or before December 31 in any year the issuing officials shall determine that there are moneys in the General State Fund beyond the needs of the State, sufficient to meet the principal of bonds falling due and all interest payable in the ensuing calendar year, then and in that event such issuing officials shall by resolution so find and shall file the same in the office of the State Treasurer, whereupon the State Treasurer shall transfer such moneys to a separate fund to be designated by him, and shall pay the principal and interest out of said fund as the same shall become due and payable, and the other sources of payment of said principal and interest provided for in this section shall not then be available, and the receipts for said year from the revenues and taxes specified in subsections (a) and (b) of this section treated as part of the General State Fund, available for general purposes.

21. Should the State Treasurer, by December 31 of any year, deem it necessary, because of insufficiency of funds to be collected from the sources of revenues as herein provided, to meet the interest and principal payments for the year after the ensuing year, then the Treasurer shall certify to the Comptroller of the Treasury the amount necessary

C. 52:37-21.
Taxing
provision
for deficit.

to be raised by taxation for such purposes, the same to be assessed, levied and collected for and in the ensuing calendar year. In such case the Comptroller of the Treasury shall, on or before March 1 following, calculate the amount in dollars to be assessed, levied and collected as herein set forth in each county. Such calculation shall be based upon the corrected assessed valuation of such county for the year preceding the year in which such tax is to be assessed, but such tax shall be assessed, levied and collected upon the assessed valuation of the year in which the tax is assessed and levied. The Comptroller of the Treasury shall certify said amount to the county board of taxation and the county treasurer of each county. The said county board of taxation shall include the proper amount in the current tax levy of the several taxing districts of the county in proportion to the ratables as ascertained for the current year.

C. 52:37-22.
Use of N. J.
Turnpike
revenues for
payment of
principal and
interest.

22. The revenues of the New Jersey Turnpike Authority created by chapter 454, P. L. 1948, to the extent authorized by the New Jersey Turnpike Authority Act of 1948 or any amendment or supplement thereto, shall be devoted to provide funds to meet the interest and principal payment requirements for the bonds issued and outstanding under this act and under the "New Jersey Public Roads and Highways Bond Act of 1963."

The allocation of such revenues, for the payment of the principal and interest payment requirements, between the bonds issued and outstanding under this act and the bonds issued and outstanding under the "New Jersey Public Roads and Highways Bond Act of 1963" shall be made by the issuing officials under said acts and their judgment as to allocation shall be final and binding.

C. 52:37-23.
Act submitted
to electors;
procedure.

23. For the purpose of complying with the provisions of the State Constitution this act shall, at the general election to be held in the month of November, 1963, be submitted to the people. In order to inform the people of the contents of this act it shall be the duty of the Secretary of State,

after this section shall take effect, and at least 15 days prior to the said election, to cause this act to be published in at least 10 newspapers published in the State and to notify the clerk of each county of this State of the passage of this act, and the said clerks respectively, in accordance with the instructions of the Secretary of State, shall cause to be printed on each of the said ballots, the following:

If you approve the act entitled below, make a cross X, plus +, or check V mark in the square opposite the word "Yes."

If you disapprove the act entitled below, make a cross X, plus +, or check V mark in the square opposite the word "No."

If voting machines are used, a vote of "Yes" or "No" shall be equivalent to such markings respectively.

		NEW JERSEY PUBLIC BUILDING CONSTRUCTION BOND ISSUE
	Yes.	Shall the act entitled "An act authorizing the creation of a debt of the State of New Jersey by issuance of bonds of the State in the sum of \$275,000,000.00 for public buildings, their construction, reconstruction, development, extension, improvement, equipment and facilities for health, education and welfare uses; providing the ways and means to pay the interest of said debt, not to exceed in the aggregate the sum of \$215,000,000.00, and also to pay and discharge the principal thereof; and providing for the submission of this act to the people at a general election," be approved?
	No.	

The fact and date of the approval or passage of this act, as the case may be, may be inserted in the appropriate place after the title in said ballot. No other requirements of law of any kind or character as to notice or procedure except as herein provided need be adhered to.

The said votes so cast for and against the approval of this act, by ballot or voting machine, shall be counted and the result thereof returned by the election officer, and a canvass of such election had in the same manner now as is provided for by law in the case of the election of a Governor, and the approval or disapproval of this act so determined shall be declared in the same manner as the result of an election for a Governor, and if there shall be a majority of all the votes cast for and against it at such an election in favor of the approval of this act, then all the provisions of this act shall take effect forthwith.

C. 52:37-24.
Secretary of
State to
prepare a
summary state-
ment; question
placed on
ballots.

24. The Secretary of State shall prepare a single summary statement as to the reasons for submitting the question set forth in section 23 of this act and, if approved or passed, the question set forth in the "New Jersey Public Roads and Highways Bond Act of 1963" and shall direct the clerk of each county of this State to cause such question or questions, as the case may be, to be printed and placed on each of said ballots, together with the summary statement, in a manner which will give prominence to such question or questions and statement.

C. 52:37-25.
Act effective.

25. This section and sections 23 and 24 of this act shall take effect immediately and the remainder of the act shall take effect as and when provided in section 23.

Approved June 4, 1963.

CHAPTER 76

AN Act regulating and concerning the powers, duties and revenues of the New Jersey Turnpike Authority, and amending "An act to facilitate vehicular traffic in the State of New Jersey by providing for the construction, maintenance, repair and operation of turnpike projects; creating the New Jersey Turnpike Authority and defining its powers and duties; providing for financing such projects by the issuance of turnpike revenue bonds of the authority, payable solely from the tolls, other revenues and proceeds of such bonds; and providing for the collection of tolls and other revenues to pay the cost of construction, maintenance, repair and operation of such projects and to pay such bonds and the interest thereon," approved October 27, 1948 (P. L. 1948, c. 454), as said title was amended by P. L. 1950, c. 1.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 3 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

3. New Jersey Turnpike Authority. (A) There is hereby established in the State Highway Department a body corporate and politic, with corporate succession, to be known as the "New Jersey Turnpike Authority." The authority is hereby constituted an instrumentality exercising public and essential governmental functions, and the exercise by the authority of the powers conferred by this act in the construction, operation and maintenance of turnpike projects shall be deemed and held to be an essential governmental function of the State.

C. 27:23-3.
New Jersey
Turnpike
Authority.

(B) The New Jersey Turnpike Authority shall consist of 3 members, each of whom shall be a resi-

dent of the State who shall have been a qualified elector therein for a period of at least 1 year next preceding his appointment. Each member of the authority shall be appointed by the Governor, with the advice and consent of the Senate, for a term of 5 years and shall serve until his successor is appointed and has qualified; except that of the first appointments hereunder, one shall be for a term of 2 years and one for a term of 3 years, and they shall serve until their respective successors are appointed and have qualified. The term of each of the first appointees hereunder shall be designated by the Governor. Each member of the authority may be removed from office by the Governor, for cause, after a public hearing. Each member of the authority before entering upon his duties shall take and subscribe an oath to perform the duties of his office faithfully, impartially and justly to the best of his ability. A record of such oaths shall be filed in the office of the Secretary of State. Any vacancies in the membership of the authority occurring other than by expiration of term shall be filled in the same manner as the original appointment, but for the unexpired term only.

(C) The Governor shall designate one of the members of the authority as chairman thereof and another member as vice-chairman thereof. The chairman and vice-chairman of the authority so designated shall serve as such at the pleasure of the Governor and until their respective successors have been designated. The authority shall elect a secretary and a treasurer who need not be members. At the option of the authority the same person may be elected to serve both as secretary and treasurer. Two members of the authority shall constitute a quorum and the vote of 2 members shall be necessary for any action taken by the authority. No vacancy in the membership of the authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the authority.

(D) Each member of the authority shall execute a surety bond in the penal sum of \$25,000.00 and the

treasurer shall execute a surety bond in the penal sum of \$50,000.00, each such surety bond to be conditioned upon the faithful performance of the duties of the office of such member or treasurer, as the case may be, to be executed by a surety company authorized to transact business in the State of New Jersey as surety and to be approved by the Attorney General and filed in the office of the Secretary of State.

(E) The members of the authority shall not receive compensation for their services as members of the authority. Each member shall be reimbursed by the authority for his actual expenses necessarily incurred in the performance of his duties.

(F) No resolution or other action of the authority providing for the issuance of bonds, refunding bonds or other obligations or for the fixing, revising or adjusting of tolls for the use of any turnpike project or parts or sections thereof shall be adopted or otherwise made effective by the authority without the prior approval in writing of the Governor and at least one of the following: the State Treasurer and the Comptroller of the Treasury. A true copy of the minutes of every meeting of the authority shall be forthwith delivered by and under the certification of the secretary thereof, to the Governor. No action taken at such meeting by the authority shall have force or effect until 10 days after such copy of the minutes shall have been so delivered. If, in said 10 day period, the Governor returns such copy of the minutes with veto of any action taken by the authority or any member thereof at such meeting, such action shall be null and of no effect. The powers conferred in this paragraph (F) upon the Governor, the State Treasurer and the Comptroller of the Treasury shall be exercised with due regard for the rights of the holders of bonds of the authority at any time outstanding, and nothing in, or done pursuant to, this paragraph (F) shall in any way limit, restrict or alter the obligation or powers of the authority or any representative or officer of the authority to

carry out and perform in every detail each and every covenant, agreement or contract at any time made or entered into by or on behalf of the authority with respect to its bonds or for the benefit, protection or security of the holders thereof.

Section
amended.

2. Section 9 of the act of which this act is amendatory is amended to read as follows:

C. 27:23-9.
Revenues.

9. Revenues. (A) The authority is hereby authorized to fix, revise, charge and collect tolls for the use of each turnpike project and the different parts or sections thereof, and to contract with any person, partnership, association or corporation desiring the use of any part thereof, including the right-of-way adjoining the paved portion, for placing thereon telephone, telegraph, electric light or power lines, gas stations, garages, stores, hotels, and restaurants, or for any other purpose except for tracks for railroad or railway use, and to fix the terms, conditions, rents and rates of charges for such use; provided, that a sufficient number of gas stations may be authorized to be established in each service area along any such highway to permit reasonable competition by private business in the public interest; and provided further, that no contract shall be required, and no rent, fee or other charge of any kind shall be imposed for the use and occupation of any turnpike project for the installation, construction, use, operation, maintenance, repair, renewal, relocation or removal of tracks, pipes, mains, conduits, cables, wires, towers, poles or other equipment or appliances in, on, along, over or under any such turnpike project by any public utility as defined in section 27:7-1 of the Revised Statutes which is subject to taxation pursuant to either chapter 4 of the laws of 1940, as amended (R. S. §§ 54:31-15.14 et seq.), or chapter 5 of the laws of 1940, as amended (R. S. §§ 54:31-45 et seq.), or pursuant to any other law imposing a tax for the privilege of using the public streets, highways, roads or other public places in this State. Such tolls shall be so fixed and adjusted as to carry out and perform the terms and provisions of any contract

with or for the benefit of bondholders, and thereafter, to the extent consistent therewith, as to produce revenues in amount sufficient to provide for the payment of principal and interest of any indebtedness existing from time to time under and pursuant to the provisions of the "New Jersey Public Roads and Highways Bond Act of 1963" and the "New Jersey Public Building Construction Bond Act of 1963." Such tolls shall not be subject to supervision or regulation by any other commission, board, bureau or agency of the State. The use and disposition of tolls and revenues shall be subject to the provisions of the resolution authorizing the issuance of such bonds or of the trust agreement securing the same.

(B) All revenues and other funds of the authority not pledged or otherwise required to pay or secure the payment of principal and interest of any indebtedness of the authority existing from time to time under, and not otherwise required for the purposes of, this act shall be held and applied, in accordance with the provisions of section 10 hereof, for the purpose of paying principal and interest of any indebtedness existing from time to time under and pursuant to the provisions of the "New Jersey Public Roads and Highways Bond Act of 1963" and the "New Jersey Public Building Construction Bond Act of 1963."

3. Section 16 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

16. Cessation of tolls. When all bonds issued under the provisions of this act to finance any turnpike project or projects and the interest thereon shall have been paid or a sufficient amount for the payment of all such bonds and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the bondholders, and all bonds issued under the provisions of the "New Jersey Public Roads and Highways Bond Act of 1963" and the "New Jersey Public Building Construction Bond Act of 1963" shall have been paid or a sufficient amount for the payment of all such bonds

C. 27:23-16.
Cessation
of tolls.

and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the bondholders, such project or projects, if then in good condition and repair to the satisfaction of the State Highway Department, shall become part of the State highway system and shall thereafter be maintained by the State Highway Department free of tolls; provided, however, that the authority may thereafter charge tolls for the use of any such project and pledge such tolls to the payment of bonds issued under the provisions of this act in connection with another turnpike project or projects, but any such pledge of tolls of a turnpike project to the payment of bonds issued in connection with another project or projects shall not be effectual until the principal of and the interest on the bonds issued in connection with the first mentioned project shall have been paid or provision made for their payment.

Note:
Act effective.

4. This act shall take effect immediately but shall remain inoperative unless and until (a) the "New Jersey Public Roads and Highways Bond Act of 1963" or the "New Jersey Public Buildings Construction Bond Act of 1963" now pending before the Legislature or both are enacted and (b) such acts, or either of them, shall be approved by the people at the General Election to be held in the month of November 1963.

Approved June 4, 1963.

CHAPTER 77

AN ACT to amend "An act providing for the establishment, development, improvement and expansion of community mental health services and providing for payment by the State of financial grants-in-aid for community mental health projects," approved July 15, 1957 (P. L. 1957, c. 146) and making an appropriation.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 9 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

9. a. Reimbursement grants shall be paid to an eligible sponsoring agency from State funds in an amount not exceeding 50% of the allowable expenditures for each project approved by the commissioner. Allowable expenditures shall include expenditures for such purposes as the commissioner shall, by regulation, determine to be necessary or required to carry out the mental health project, except that expenditures for rental or improvements to premises used for the project shall not be included. The total of the annual reimbursement grants from Federal and State funds for all community health projects in any one county shall not exceed an amount equal to \$0.25 multiplied by the population of that county.

C. 30:9A-9.
Grants and
expenditures.

b. Claims for State reimbursement to the sponsoring agency shall be made in accordance with the regulations of the department.

2. This act shall take effect immediately.

Approved June 4, 1963.

CHAPTER 78

AN Act providing for the payment of a pension to the widow of certain former Vice-Chancellors of this State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 43:6-6.12.
Widow
entitled to
pension.

1. If any person, heretofore having held the office of a Vice-Chancellor of this State for a period of 35 years or more and having attained the age of 78 years or more, has died, having left a widow surviving him of the age of 60 years or more, such widow shall be entitled to receive during the remainder of the term of her natural life an annual pension of \$4,500.00 to be paid in equal semi-monthly payments by the State Treasurer. Such pension shall be payable as in the case of judicial pensions upon application by any such widow to the State Treasurer.

2. This act shall take effect immediately.

Approved June 4, 1963.

CHAPTER 79

A SUPPLEMENT to the "State Competitive Scholarship Act," passed May 25, 1959 (P. L. 1959, c. 46).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 18:22-14.8a.
To be
admitted to
examination.

1. Notwithstanding the provisions of paragraph (b) of section 7 of the act to which this act is a supplement, any person, otherwise qualified, who, after admission and attendance with a satisfactory

academic record at an institution of collegiate grade accredited or approved by the State Board of Education, by reason of changed financial circumstances is unable to continue in college without financial assistance or who, for such reason, has or shall have withdrawn from college within a period not greater than 1 year prior to the date of his application, may apply, and be admitted to competitive examination, for a State competitive scholarship. A scholarship awarded under this supplementary act shall be for the remainder of the holder's 4-year academic course of study subject to the same conditions as apply to other State competitive scholarships.

2. The State Scholarship Commission is authorized to adopt special rules and regulations to implement the application for and award of scholarships pursuant to this act.

C. 18:22-14.8b.
Special
rules and
regulations.

3. This act shall take effect immediately.

Approved June 4, 1963.

CHAPTER 80

A SUPPLEMENT to the "State School Aid Act of 1954" approved June 30, 1954 (P. L. 1954, c. 85).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Every school district shall be entitled to special additional State aid pursuant to this act if 2 or more per cent of its average daily enrollment consists of pupils certified to the commissioner by the district with the approval of the county superintendent, are living in the district as residents on property owned by the State which is not taxable. This act shall not apply to school districts which receive from the State or any of its political sub-

C. 18:10-29.35a.
Special
additional
State aid.

divisions or agencies, a fixed amount in lieu of taxes.

C. 18:10-29.35b.
Amount of aid.

2. For each such pupil residing on property owned by the State the amount of special additional State aid payable to the district under this act shall be \$200.00 per pupil provided that this amount plus the equalization or minimum aid, whichever is greater, to which the district is entitled to pursuant to the act to which this act is a supplement does not exceed the average cost of elementary or secondary education in the State as determined by the State Board of Education.

C. 18:10-29.35c.
Report claim-
ing special
additional
State aid.

3. The Commissioner of Education shall prescribe the time and manner in which reports shall be made to claim special additional State aid pursuant to this act. The commissioner shall make estimates, determinations and certificates relating to special additional State aid in the same manner and at the same time as the same are made pursuant to sections 12 and 13 of the act to which this act is a supplement and payment of special additional school aid shall be included in the installment payments to be made by the State Treasurer pursuant to section 14 of said act.

C. 18:10-29.35d.
Rules and
regulations.

4. The Commissioner of Education may make such additional rules and regulations necessary to implement the provisions of this act.

C. 18:10-29.35e.
When payable.

5. Sums due school districts under this act shall first be payable in the school year commencing July 1, 1963.

6. This act shall take effect immediately.
Approved June 4, 1963.

CHAPTER 81

AN ACT to revise and correct certain statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 1 of chapter 277 of the laws of 1955 (2A:170-77.3) is amended to read as follows:

Section
amended.

1. No person shall sell, furnish, or give to any person or persons other than a duly licensed physician, dentist, veterinarian, undertaker, nurse, podiatrist, registered pharmacist, or a hospital, sanitarium, clinical laboratory or any other medical institution or a State or governmental agency, or a regular dealer in medical, dental or surgical supplies, or a resident physician or interne of a hospital, sanitarium or other medical institution, an instrument commonly known as a hypodermic syringe, hypodermic needle or any instrument adapted for the use of narcotic drugs by subcutaneous injections without a written prescription of a duly licensed physician, dentist or veterinarian. Such prescription shall contain the name and address of the patient, the description of the instrument prescribed and the number of instruments prescribed.

C. 2A:170-77.3.
Hypodermic
syringe or
needle; sale or
distribution
without pre-
scription
prohibited;
exception.

2. Section 3 of chapter 277 of the laws of 1955 (2A:170-77.5) is amended to read as follows:

Section
amended.

3. It shall be unlawful for any person or persons, except a duly licensed physician, dentist, veterinarian, nurse, podiatrist, hospital, sanitarium or other medical institution, or a resident physician or interne of a hospital, sanitarium or other medical institution, to have under control or possess a hypodermic syringe, hypodermic needle or any other instrument adapted for the use of narcotic drugs by subcutaneous injections with intent to use such syringe, needle or instrument for such purpose, unless such possession be obtained upon a valid written prescription from, and such use be au-

C. 2A:170-77.5.
Control or
possession
of needles
without
prescription
prohibited;
exception.

thorized or directed by, a duly licensed physician, dentist or veterinarian. For the purposes of this subdivision no such prescription shall be valid, which has been outstanding for more than 6 months.

Section
amended.

3. Section 16:2-20 of the Revised Statutes is amended to read as follows:

Extinct church
or society
defined.

16:2-20. Any Baptist church or religious society or any Seventh-Day Baptist church or religious society in this State, which has ceased, or failed to maintain religious worship, or services, or to use its property for religious worship or services according to the tenets, usages and customs of Baptist churches in this State, or of Seventh-Day Baptist churches which are members of the Seventh-Day Baptist General Conference, as the case may be, for the space of 2 consecutive years immediately prior to the commencement of the action; or whose membership has so diminished in numbers, or in financial strength, as to render it impossible or impracticable to maintain religious worship or services or to protect its property from exposure to waste and dilapidation, or to fulfill the purpose for which it was incorporated, shall be deemed and taken to be extinct. The Superior Court in a civil action, proceeding in a summary manner or otherwise, may dissolve any such church or religious society.

Section
amended.

4. Section 24 of chapter 67 of the laws of 1948 (C. 17:9A-24) is amended to read as follows:

C. 17:9A-24.

Powers of
banks and
savings banks.

24. Powers of banks and savings banks.

Every bank and savings bank shall, subject to the provisions of this act, have the following powers, whether or not such powers are specifically set forth in its certificate of incorporation:

(1) to adopt a corporate seal, and to sue and be sued;

(2) to issue cashier's checks, treasurer's checks, and money orders; to transmit funds; to guarantee signatures and endorsements;

(3) to borrow money, and to pledge, mortgage or hypothecate its real or personal property as security therefor, and to execute and deliver all such

instruments as may be necessary to evidence such borrowing, pledge, mortgage, or hypothecation;

(4) to keep, maintain, and rent out for hire, at any location occupied by its principal office or any branch office, safe deposit boxes or other receptacles for the safekeeping of personal property. In exercising the powers authorized by this paragraph, the bank or savings bank shall have, but shall not be confined to, the same rights and remedies conferred upon safe deposit companies;

(5) to purchase, hold, lease and convey real property or any interest therein for the following purposes, and for no others:

(a) such as may be necessary or convenient for the use, operation, or housing of its principal office or any branch office, or an auxiliary office, or for the storage of records or other personal property, or for office space for use by its officers or employees, or which may be reasonably necessary for future expansion of its business, or which is otherwise reasonably incidental to the conduct of its business; and which may include, in addition to the space required for the transaction of its business, other space which may be let as a source of income. In exercising the powers conferred by this subparagraph, the bank or savings bank shall be subject to the limitations imposed by paragraph (13) of this section;

(b) such as may be conveyed to it in whole or part satisfaction of debts previously contracted in the course of its dealings;

(c) such as it shall purchase at sale under judgments and decrees in its favor, and on foreclosure of mortgages held by it; and

(d) such as it shall purchase or acquire to minimize or prevent the loss or destruction of any lien or interest therein;

provided, that all real property not held for any purpose specified in subparagraph (a) of this paragraph, shall be sold within 5 years of its acquisition, or within 5 years after the time it ceases to be held for any purpose specified in subparagraph (a) of

this paragraph, unless the commissioner shall extend the time within which such sale shall be made;

(6) to be a member of the Federal Reserve System; to subscribe for, purchase, hold, and surrender such amounts of the capital stock of the Federal Reserve Bank organized within the district in which such bank or savings bank is located as may be required or as may be deemed advisable by such bank or savings bank; and to have and exercise all powers, privileges and options which are conferred by law upon such members; to comply with all requirements of Federal legislation and the rules and regulations lawfully promulgated thereunder governing such membership as such legislation and such rules and regulations may provide at the time of inception of such membership, and as the same may from time to time thereafter be amended or supplemented; and to assume and discharge all liabilities and obligations which may be required by reason of such membership;

(7) to be a member of Federal Deposit Insurance Corporation, or of any successor corporation having for its purpose the insurance of deposits, and to do all things, and assume and discharge all liabilities and obligations imposed upon such members by Federal legislation or by rules and regulations lawfully promulgated pursuant thereto, as the same may provide at the inception of such membership, or as the same may thereafter be amended or supplemented;

(8) to be a member of any Federal agency hereafter created, membership in which is open to banking institutions, and the purpose of which is to afford advantages or safeguards to banking institutions, or to their depositors, and to comply with all the requirements and conditions imposed upon such members, except that the power by this paragraph conferred shall not be exercised unless the commissioner, with the concurrence of the banking advisory board, shall make a general order authorizing banks or savings banks, or both, to become and be such members, upon such terms and conditions as may in such order be prescribed;

(9) to subscribe for, purchase and hold stock of one or more safe deposit companies which have been or may be organized to do business on or adjacent to premises occupied by the principal office or a branch office of the bank or savings bank; provided, that

(a) in the case of a savings bank, the amount so invested shall not exceed 5% of its surplus; and

(b) in the case of a bank, the amount so invested shall not exceed 10% of its capital stock and surplus; and

(c) each purchase of such stock shall first have been authorized by a resolution, stating the number of shares to be purchased and the amount to be paid therefor, adopted by its board of directors or board of managers, and, in the case of a bank, approved by a majority in interest of its stockholders at any annual or special meeting; and

(d) each purchase of such stock by a bank or savings bank shall have been approved in writing by the commissioner;

(10) to subscribe for, purchase and hold stock of not more than one fiduciary institution organized under any law of this State hereafter enacted; provided, that

(a) in the case of a savings bank, the amount so invested shall not exceed 10% of its surplus; and

(b) in the case of a bank, the amount so invested shall not exceed 20% of its capital stock and surplus; and

(c) each purchase of such stock shall first have been authorized by a resolution, stating the number of shares to be purchased and the amount to be paid therefor, adopted by its board of directors or board of managers, and, in the case of a bank, approved by a majority in interest of its stockholders at any annual or special meeting; and

(d) each purchase of such stock by a bank or savings bank shall have been approved in writing by the commissioner;

(11) to contribute to community funds, or to charitable, philanthropic, or benevolent instru-

mentalities conducive to public welfare, or civic betterment, or the economic advantage of the community, and to instrumentalities for the protection or advancement of the interests of banking institutions, such sums as its board of directors or board of managers may deem expedient and in the interests of such bank or savings bank;

(12) to exercise all incidental powers, not specifically enumerated in this act, which shall be necessary or convenient to carry on the business of the bank or savings bank;

(13) to invest in stock of a subsidiary of such bank or savings bank which holds title to real property of the kind in which such bank or savings bank could itself invest pursuant to subparagraph (a) of paragraph 5 of this section, and to make secured or unsecured loans to such subsidiary, without regard to the limitations imposed by Article 13; but no bank or savings bank shall, except with the prior approval of the commissioner (1) invest in real property pursuant to subparagraph (a) of paragraph (5) of this section; or (2) invest in the stock or other securities of such subsidiary; or (3) make a loan to such subsidiary, if the aggregate of all such investments and loans, when added to any indebtedness otherwise owing by the subsidiary, will exceed 25% of the capital funds of the bank or savings bank. As used in this paragraph, "subsidiary" of a bank or savings bank means a corporation all of whose capital stock and other securities having voting rights are owned by such bank or savings bank, and whose powers are limited by its certificate of incorporation, to the acquiring, holding, managing, selling, leasing, mortgaging, altering, improving and otherwise dealing in and with real property of the kind in which the bank or savings bank could itself invest pursuant to subparagraph (a) of paragraph (5) of this section; and "capital funds" means the aggregate of the capital stock, surplus and undivided profits of a bank, and the aggregate of the capital deposits, if any, and the surplus of a savings bank. Every sub-

subsidiary of a bank or savings bank shall be subject to examination by the commissioner as provided in the case of banks and savings banks pursuant to sections 260, 261, 262, 263 and 335, and the ultra vires or unlawful act of a subsidiary of a bank or savings bank shall be deemed to be the ultra vires or unlawful act of such bank or savings bank for the purposes of Article 42. In determining whether to give or withhold approval of an investment or loan in excess of the limitation imposed by this paragraph, the commissioner shall consider whether the making of such loan or investment is consistent with sound banking practice, having regard to (1) the ratio between the aggregate of such loans and investments and the capital funds of the bank or savings bank; (2) the benefits to the bank or savings bank reasonably to be anticipated from such investment or such loan; (3) the ratio between such aggregate capital funds and total deposits; and (4) such other factors as the commissioner shall consider germane to the protection of deposits. A violation of any provision of this paragraph by any bank, savings bank, or subsidiary of a bank or savings bank, shall not impair the validity or sufficiency of any deed of conveyance, mortgage, or lease made by such bank, savings bank, or subsidiary, of any real property owned by it; nor shall any other interest in such real property, acquired by or vested in any person claiming through or under such bank, savings bank, or subsidiary, or to which such person may be entitled, be impaired by reason of such violation.

5. Section 17:10-18 of the Revised Statutes is amended to read as follows:

Section
amended.

17:10-18. No assignment of or order for payment of any salary, wages, commissions, or other compensation for services, earned or to be earned, given to secure any loan made by any licensee under this chapter, shall be valid unless the amount of the loan is paid to the borrower simultaneously with its execution; nor shall the assignment or order, or any chattel mortgage or security interest, as defined in

Assignment of
salary; amount
collectible;
municipal and
county
employees.

section 12A:1-201 of Title 12A of the New Jersey Statutes, in, or other lien on, household furniture, then in the possession and use of the borrower, be valid unless such assignment, order or chattel mortgage or the financing statement and the security agreement is in writing, signed in person by the borrower, and if the borrower is married unless it is signed in person by both husband and wife. The written assent of a spouse shall not be required when husband and wife have been living separate and apart for a period of at least 5 months prior to the making of the assignment, order, mortgage, or lien or security interest.

Under the assignment or order for the payment of future salary, wages, commissions, or other compensation for services, given as security for a loan made by any licensee under this chapter, a sum equal to 10% of the borrower's salary, wages, commissions, or other compensation for services shall be collectible from the employer of the borrower by the licensee at the time of each payment to the borrower of such salary, wages, commissions, or other compensation for services, from the time that a copy of the assignment, verified by the oath of the licensee or his agent, together with a similarly verified statement of the amount unpaid upon the loan, is served upon the employer.

No assignment of or order for wages earned or to be earned in the future by any municipal or county employee to secure a loan for advancement of \$500.00 or less shall be valid against any municipality or county employing the person making such assignment or order unless such assignment or order is accepted in writing by such municipality or county.

Section
amended.

C. 18:5-74.1.
Compulsory
membership
in system for
veterans.

6. Section 1 of chapter 98 of the laws of 1962 (C. 18:5-74.1) is amended to read as follows:

1. a. Each veteran now holding permanent or provisional office, position or employment, not covered by the retirement system established under chapter 37 of the laws of 1955, with a board of education or school district in a county in which there

exists a pension fund established under article 16 of chapter 5 of Title 18 of the Revised Statutes, shall become a member of said pension fund as of the effective date of this legislation; and each veteran hereafter commencing service in such office, position, or employment shall become a member of said pension fund as of the date of the commencement of said service.

b. No public employee veteran who is eligible to be a member of such pension fund shall be eligible for or receive retirement benefits under sections 43:4-1, 43:4-2 and 43:4-3 of the Revised Statutes.

7. Section 26:8-56 of the Revised Statutes is amended to read as follows:

Section amended.

26:8-56. The local registrar shall be paid \$0.50 for each birth or death certificate properly executed, registered, recorded, and promptly returned to the State Registrar. A local registrar shall not receive such fee if compensated by a fixed salary as provided in section 26:8-59 of this Title.

Fees for certificates.

8. Section 1 of chapter 59 of the laws of 1962 (C. 30:6-15.1) is amended to read as follows:

Section amended.

1. It shall be lawful for the head of any department, board, agency, or governing body in charge of any State, county or municipal building, grounds and premises, to grant priority and preference to the New Jersey State Commission for the Blind in the issuance of a permit to operate in such building, grounds and premises, under their control, a stand, with or without mechanical machines, for the vending of newspapers, periodicals, confections, tobacco products, and such other articles as may be approved; provided, however, that such stand, with or without mechanical machines, shall be operated by a blind person under the supervision and control of the said New Jersey Commission for the Blind. Such blind person must be 21 years of age, a citizen of the United States and a resident of the State for 1 year immediately prior to the date of his application for a stand, with or without mechanical machines. In buildings, grounds and premises where a stand, with or without mechanical machines, now

C. 30:6-15.1.
Permit to operate stand in public building, grounds, or premises by blind person.

exists the present operator shall not be removed, but when such operator ceases to operate such stand, with or without mechanical machines, priority and preference for the further operation of the stand, with or without mechanical machines, shall be granted to the New Jersey Commission for the Blind.

Section
amended.

9. Section 10 of chapter 141 of the laws of 1956 (C. 34:15-12.7) is amended to read as follows:

C. 34:15-12.7.
Artificial
devices to be
replaced or
compensated
for.

10. Whenever as the result of an accident for which compensation is payable to any employee of any employer under article 2 of chapter 15 of Title 34 of the Revised Statutes, to which this act is a supplement, such employee sustains damage to, or destruction of, a prosthetic device, hearing aid, artificial member, dental appliance or eyeglasses, it shall be the obligation of the employer to repair or replace the same or to make payment of the cost or value thereof, upon claim made therefor, which obligation shall be in addition to the obligation for the payment of the compensation payable to said employee for injuries sustained as a result of such accident.

Section
amended.

10. Section 5 of chapter 174 of the laws of 1952 (C. 39:6-65) is amended to read as follows:

C. 39:6-65.
Notice of
accident and
intention to
file claim.

5. Any qualified person, or the personal representative of such person, who suffers damages resulting from bodily injury or death or damage to property arising out of the ownership, maintenance or use of a motor vehicle in this State on or after April 1, 1955, and whose damages may be satisfied in whole or in part from the fund, shall, except in cases in which the claim is asserted by actions brought under section 18 of this act pursuant to section 19 of this act, within 90 days after the accident, as a condition precedent to the right thereafter to apply for payment from the fund, give notice to the board, the form and contents of which shall be prescribed by the board, of his intention to make a claim thereon for such damages if otherwise uncollectible; provided, any such qualified person may, in lieu of giving said notice within said time,

make proof to the court on the hearing of the application for the payment of a judgment (a) that he was physically incapable of giving said notice within said period and that he gave said notice within 90 days after he became physically capable to do so or in the event he did not become so capable, that a notice was given on his behalf within a reasonable period, or (b) that he gave notice to the board within 15 days of receiving notice that an insurer had disclaimed on a policy of insurance so as to remove or withdraw liability insurance coverage for his claim against a person or persons who allegedly caused him to suffer damages. A copy of the complaint shall be furnished to the board if an action has theretofore been brought for the enforcement of such claim. Such person shall also notify the board of any action thereafter instituted for the enforcement of such claim within 15 days after the institution thereof and such notice shall be accompanied by a copy of the complaint.

The director is hereby authorized and empowered, the provisions of any other law relating to the confidential nature of any reports or information furnished to or filed with the Division of Motor Vehicles notwithstanding, to furnish to the board upon its request, for such use, utilization and purposes as the board may deem reasonably appropriate to administer this act and discharge its functions hereunder, any reports or information filed by any person or persons claiming benefits under the provisions of this act, that the director has with regard to any accident, and any operator or owner of a motor vehicle involved in any accident, and as to any automobile or motor vehicle liability insurance or bond carried by an operator or owner of any motor vehicle.

11. Section 19 of chapter 174 of the laws of 1952 (C. 39:6-79) is amended to read as follows:

Section
amended.

19. When in an action in respect to the death of, or personal injury to, any person, arising out of the ownership, maintenance or use of a motor vehicle in this State on or after April 1, 1955, judgment is

C. 39:6-79.
Other "hit and
run" cases.

rendered for the defendant on the sole ground that such death or personal injury was occasioned by a motor vehicle—

(a) The identity of which, and of the owner and operator of which, has not been established, or

(b) Which was in the possession of some person other than the owner or his agent without the consent of the owner and the identity of the operator has not been established, such cause shall be stated in the judgment and the plaintiff in such action may within 3 months from the date of the entry of such judgment bring an action upon said cause of action against the director in the manner provided in section 18.

Section
amended.

12. Section 46:14-8 of the Revised Statutes is amended to read as follows:

Officers out-
side of United
States before
whom deeds,
etc. may be
acknowledged
or proved;
methods;
certificates.

46:14-8. If the party who shall have executed or who shall execute any deed or instrument of the description or nature set forth in section 46:16-1 of this Title, or the witnesses thereto, shall have happened or shall happen to be in any foreign kingdom, State, nation or colony, whether resident in this State, or in such foreign kingdom, State, nation or colony, or elsewhere, an acknowledgment or proof such as is prescribed by section 46:14-6 of this Title, made before and certified by any one of the officers herein named, shall be as good and effectual as if the same had been made within this State before an officer authorized to take acknowledgments or proofs within the State and had been certified by him, as provided in section 46:14-6.

The officers authorized to take acknowledgments or proofs under authority of this section are:

(a) Any master of the Superior Court or attorney-at-law of New Jersey;

(b) Any public ambassador, minister, consul, vice-consul, consular agent, charge d'affaires or other representative of the United States for the time being, to or at any such foreign kingdom, State, nation or colony;

(c) Any court of law of such foreign kingdom, State, nation or colony;

(d) Any notary, notary public, commissioner for oaths, mayor or other chief magistrate, of and then having been or being within any city, borough, or corporation of such foreign kingdom, State, nation or colony, in which city, borough or corporation such party or witnesses may have happened or may happen to be.

Acknowledgments or proofs taken or made by a court of law, a notary, notary public, commissioner for oaths, or a mayor or other chief magistrate under authority of this section shall be certified if taken by said court under the official seal of said court, and the hand of the judge or clerk thereof, or under the official seal, if any, and the hand of any other person hereby authorized to take acknowledgments or proofs; and such certificate of acknowledgment or proof shall be sufficient proof as to the existence and authority of said court, mayor, notary or other officer.

13. Section 10 of chapter 56 of the laws of 1961 (C. 52:17B-75) is amended to read as follows:

Section
amended.

10. The members of the commission shall receive no salary but all members except those designated in subsection c. of section 5 of this act shall be reimbursed for their reasonable expenses lawfully incurred in the performance of their official functions.

C. 52:17B-75.
Reimburse-
ment for
expenses.

14. Section 1 of chapter 91 of the laws of 1961 (C. 54:30A-51.1) is amended to read as follows:

Section
amended.

1. Every water corporation which is or shall hereafter be taxed under the provisions of chapter 5, laws of 1940, as amended and supplemented (C. 54:30A-49 et seq.) shall be required to pay to each municipality wherein it had a water supply system or any part thereof in the year 1961 the difference between any amount of tax hereafter apportioned to such municipality by the Director, Division of Taxation, Department of the Treasury, under the provisions of section 13 of said act, as amended and supplemented (C. 54:30A-61), and the amount payable in the year 1961 by such water corporation to such municipality as taxes covering certain scheduled property of said water corpo-

C. 54:30A-51.1.
Water corpo-
rations; tax
differential.

ration enumerated in section 10 of said act as amended in 1961 (C. 54:30A-58). "Difference" as used herein, shall mean the amount necessary when added to any amount hereafter apportioned to such municipality by the Director, Division of Taxation, Department of the Treasury, under the provisions of section 13 of said act, as amended, to equal the amount paid in the year 1961 by such water corporation to such municipality as taxes covering certain scheduled property of such water corporation as enumerated in section 10 of said act as amended in 1961.

Section
amended.

C. 54:30A-51.2.
Manner and
time of pay-
ment; lien;
collection.

15. Section 2 of chapter 91 of the laws of 1961 (C. 54:30A-51.2) is amended to read as follows:

2. The amount of said difference shall be paid to such municipality in the same manner and at the same time as provided in section 14 of said act (C. 54:30A-62), and if not so paid shall be a first lien on the property and other assets of such water company and shall be collected in the same manner and subject to the same discounts, interest and penalties as personal taxes against other corporations or individuals and the same proceedings now available for the collection of personal taxes against other corporations or individuals shall be applicable to the collection of such difference in taxes hereby imposed and payable to any municipality.

Section
amended.

App. A:9-51.8.
Satisfying
obligations.

16. Section 4 of chapter 48 of the laws of 1962 (App. A:9-51.8) is amended to read as follows:

4. (a) The governing body of the municipality to the extent that the municipality may incur a financial obligation by virtue of the provisions of this act shall satisfy such obligations:

(1) By appropriating the amount necessary by an emergency appropriation adopted pursuant to the provisions of the "Local Budget Law," N.J.S. 40A:4-1 et seq.; or

(2) By the adoption of a bond ordinance pursuant to the provisions of the Local Bond Law which ordinance shall be deemed to authorize obligations within the purposes set forth in section 40A:2-7 of the New Jersey Statutes.

(b) The county in which such municipality shall be located may, with the approval of the Director of the Division of Local Government, pursuant to resolution duly adopted, by its governing body, after notice published in a manner provided for by a resolution authorizing bonds of such county pursuant to the aforesaid Local Bond Law and with or without consideration and upon such terms and conditions as may be agreed to by and between any such county and municipality, unconditionally guarantee the punctual payment of the principal of and interest on any bonds of the municipality so issued for the purposes set forth in this act. Any guaranty of bonds of the municipality made pursuant to this section shall be evidenced by endorsement thereof on such bonds executed in the name of the county and on its behalf by such official thereof as may be designated in the resolution authorizing such guaranty and such county shall thereupon and thereafter be obligated to pay the principal of and interest on said bonds in the same manner and to the same extent as in the case of bonds issued by it. Any such guaranty of bonds of a municipality may be made, and any resolution authorizing such guaranty may be adopted notwithstanding statutory or other debt limitations, including particularly any limitation or requirement under or pursuant to the said Local Bond Law but the principal amount of bonds so guaranteed shall, after their issuance, be included in the gross debt of such county for the purposes of determining the indebtedness of such county under or pursuant to said Local Bond Law.

In order to meet the obligation for payment of principal of or interest on any such bonds by virtue of such guaranty, a county is hereby authorized to borrow the funds necessary to meet such obligation and to issue such promissory note or notes therefor payable within 2 years from the date of such borrowing to the extent that funds of such county are not otherwise available for such purpose.

The municipality shall repay to the county as soon as practicable all sums paid by the county by virtue of the aforesaid bond guaranty.

Title amended.

17. The title of "An act concerning crimes, relating to the use of telephone party lines in cases of emergency, and supplementing subtitle 10 of Title 2A of the New Jersey Statutes," approved December 27, 1955 (P. L. 1955, c. 250) is amended to read "An act concerning disorderly persons, relating to the use of telephone party lines in cases of emergency, and supplementing chapter 170 of Title 2A of the New Jersey Statutes."

Title amended.

18. The title of "An act authorizing the leasing of certain real estate by counties to associations for the education and treatment of cerebral palsy patients, and supplementing chapter 60, of Title 40 of the Revised Statutes," approved June 6, 1960 (P. L. 1960, c. 34) is amended to read "An act authorizing the leasing of certain real estate by counties to associations for the education and treatment of cerebral palsy patients, and supplementing chapter chapter 32, of Title 40 of the Revised Statutes."

Title amended.

19. The title of "An act requiring every water corporation which is or shall hereafter be taxed under the provisions of chapter 5, laws of 1940, as amended and supplemented (N. J. S. A. 54:31-45 et seq.) to pay to each municipality wherein it had a water supply system or any part thereof in the year 1961 the difference, as defined herein, between any amount of tax hereafter apportioned to such municipality by the Director, Division of Taxation, Department of the Treasury, under the provisions of section 13 of said act, as amended (N. J. S. A. 54:31-57), and the amount payable in the year 1961 by such water corporation to such municipality as taxes covering certain scheduled property enumerated in section 10 of said act, as amended in 1961 (N. J. S. A. 54:31-54), to eliminate such scheduled property from the tax assessment rolls of such municipality so it shall not be assessed by such municipality for the year 1962 and thereafter, and

to provide for the assessment of taxes on water corporations under chapter 5, laws of 1940, as amended and supplemented, and the tax differential aforesaid, as of October 1 of the year preceding the year in which such taxes and tax differential are payable," approved July 18, 1961 (P. L. 1961, c. 91) is amended to read "An act requiring every water corporation which is or shall hereafter be taxed under the provisions of chapter 5, laws of 1940, as amended and supplemented (C. 54:30A-49 et seq.) to pay to each municipality wherein it had a water supply system or any part thereof in the year 1961 the difference, as defined herein, between any amount of tax hereafter apportioned to such municipality by the Director, Division of Taxation, Department of the Treasury, under the provisions of section 13 of said act, as amended (C. 54:30A-61), and the amount payable in the year 1961 by such water corporation to such municipality as taxes covering certain scheduled property enumerated in section 10 of said act, as amended in 1961 (C. 54:30A-58), to eliminate such scheduled property from the tax assessment rolls of such municipality so it shall not be assessed by such municipality for the year 1962 and thereafter, and to provide for the assessment of taxes on water corporations under chapter 5, laws of 1940, as amended and supplemented, and the tax differential aforesaid, as of October 1 of the year preceding the year in which such taxes and tax differential are payable.

20. The title of "An act concerning education, authorizing boards of education to require the classification of bidders, and supplementing Title 18 of the Revised Statutes," approved July 6, 1962 (P. L. 1962, c. 105) is amended to read "An act concerning education, requiring boards of education to require the classification of bidders, and supplementing Title 18 of the Revised Statutes." Title amended.

21. Section 2 of "An act concerning municipalities having a population of 15,000 or over" Section repealed.

governed under the 'commission form of government law,' and supplementing chapter 72 of Title 40 of the Revised Statutes,' approved April 24, 1944 (P. L. 1944, c. 236), is repealed.

22. This act shall take effect immediately.

Approved June 4, 1963.

CHAPTER 82

AN ACT concerning salaries of clerks to grand juries in certain cases, and amending section 2A:73-6 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 2A:73-6 of the New Jersey Statutes is amended to read as follows:

Salaries of
clerks to
grand juries.

2A:73-6. The clerks to the grand juries shall receive such annual salaries as shall be fixed by the courts appointing them. All salaries herein provided shall be paid monthly by the county treasurer of the respective counties.

2. This act shall take effect immediately.

Approved June 6, 1963.

CHAPTER 83

AN ACT to amend and supplement the "Banking Act of 1948," approved April 29, 1948 (P. L. 1948, c. 67).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 175 of the act of which this act is amendatory is amended to read as follows:

Section amended.

175. Federal, State, county and municipal securities

C. 17:9A-175.
Investments
by savings
banks in
Federal,
State,
county and
municipal
securities.

A. A savings bank may invest in

(1) stocks, bonds, and notes or obligations of or guaranteed by the United States, or those for which the credit of the United States is pledged for the payment of the principal and interest or dividends thereof;

(2) bonds or obligations of or guaranteed by this State or heretofore authorized by the laws of this State to be issued pursuant to any law of this State; by any commission appointed by the Supreme Court of New Jersey, as the said court was constituted prior to September 15, 1948;

(3) bonds, notes or obligations of or guaranteed by any other State of the United States which has not, within 10 years prior to the making of the investment, defaulted in the payment of any part of the principal or interest of any debt evidenced by bonds, notes or obligations;

(4) bonds, notes or obligations of any county, municipality, public school district, union graded school district, regional board of education, water district, sewer district, or other municipal or political subdivision of this State, issued pursuant to a law of this State; provided, that, the issuer has not, within 5 years prior to the making of the investment, been in default for more than 6 months in the payment of any part of the principal or

interest of any debt evidenced by its bonds, notes or obligations;

(5) bonds, notes or other obligations issued, guaranteed or assumed by any municipality, county, school district, water district, sewer district or other municipal or political subdivision of any other State of the United States; provided, (a) that any such municipality, county, school district, water district, sewer district or other municipal or political subdivision of any other State of the United States, or the total of its component parts, shall have a population as shown by the last preceding Federal census of not less than 25,000; and (b) the issuer, guarantor or assumer of such bonds, notes or other obligations

(i) shall have pledged its faith and credit for the payment of the principal and interest of such bonds, notes or other obligations, and

(ii) shall have the power to levy taxes on the taxable real property therein for the payment of both principal and interest of such bonds, notes or other obligations without limitation of rate or amount, and

(iii) shall not within 10 years prior to the making of the investment have defaulted in payment of principal or interest of any debt evidenced by its bonds, notes or other obligations for more than 60 days.

(6) bonds, including consolidated bonds, or other obligations, issued by Federal land banks, and debentures, including consolidated debentures, or other obligations, issued by Federal intermediate credit banks or banks for co-operatives organized under the laws of the United States;

(7) bonds, debentures or other obligations issued by the Home Owners' Loan Corporation, Federal Home Loan Banks or by any other agency or administration succeeding to its functions or powers, under the Act of Congress of June 13, 1933, known as the "Home Owners' Loan Act of 1933," as amended or supplemented from time to time;

(8) bonds, debentures or other obligations issued by any national mortgage association under the Act of Congress of June 27, 1934, known as the "National Housing Act," as amended or supplemented from time to time;

(9) bonds issued, guaranteed or assumed by any governmental unit, which, if issued, guaranteed or assumed by a private company, would be legal for investment under any of the provisions of this article; and

(10) other investments presently or from time to time hereafter authorized by law.

B. No savings bank shall make an investment pursuant to any one of paragraphs (6), (7) or (8) of subsection A of this section at any time when the total of all the investments of the nature authorized by such paragraph exceeds, or if the making of such an investment would cause such total to exceed, 2% of its deposits; provided, however, investments under paragraph (6) hereof may be in the amount of 2% of each of the agencies referred to therein when the maturities of any such obligations are within 1 year. No savings bank shall make an investment pursuant to paragraph (9) of subsection A of this section in the bonds of any one such governmental unit at any time when the total of all its investments in such bonds of such unit exceeds, or if the making of such investment would cause such total to exceed, 2% of its deposits. The acquisition of any such investment as a result of a refunding or other refinancing or an exchange of any investment authorized by such paragraphs shall not be considered the making of an investment for the purposes of this subsection.

2. Any investment by any savings bank organized under the laws of this State made at any time subsequent to September 16, 1948 in the bonds, debentures, or other obligations issued by or in behalf of any Federal Home Loan Bank or in behalf of all Federal Home Loan Banks created pursuant to an Act of Congress entitled "An act to create Federal Home Loan Banks, to provide for

Validates
investments.

the supervision thereof and for other purposes," approved July 22, 1932, and the amendments thereof and supplements thereto, which act is known as the "Federal Home Loan Bank Act," including the consolidated Federal Home Loan Bank debentures authorized to be issued under said act by the Federal Home Loan Bank Board as the joint and several obligations of all Federal Home Loan Banks organized and existing under the said Federal Home Loan Bank Act, shall be valid and effectual in law and in equity as fully and to the same extent as if such investment was expressly authorized as valid by statute at the time made, notwithstanding that such investment was not authorized by the provisions of "The Banking Act of 1948" (P. L. 1948, c. 67), provided, that no action or proceeding shall have been instituted subsequent to September 16, 1948, or shall be instituted within 30 days of the effective date of this act, in any court with respect to the validity of any such investment.

3. This act shall take effect immediately.

Approved June 6, 1963.

CHAPTER 84

AN ACT to amend the Uniform Commercial Code in relation to the definition of farm products and amending section 12A:9-109 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 12A:9-109 of the New Jersey Statutes is amended to read as follows:

"Goods"
defined.

12A:9-109. Goods are

(1) "consumer goods" if they are used or bought for use primarily for personal, family or household purposes;

(2) "equipment" if they are used or bought for use primarily in business (including farming or a profession) or by a debtor who is a nonprofit organization or a governmental subdivision or agency or if the goods are not included in the definitions of inventory, farm products or consumer goods;

(3) "farm products" if they are crops or livestock or supplies used or produced in farming operations or if they are products of crops or of livestock in their unmanufactured states (such as ginned cotton, wool-clip, maple syrup, milk and eggs), and if they are in the possession of a debtor engaged in raising, fattening, grazing or other farming operations. "Crops" include oysters on leased, licensed or owned beds. If goods are farm products they are neither equipment nor inventory;

(4) "inventory" if they are held by a person who holds them for sale or lease or to be furnished under contracts of service or if he has so furnished them, or if they are raw materials, work in process or materials used or consumed in a business. Inventory of a person is not to be classified as his equipment.

2. This act shall take effect immediately.

Approved June 6, 1963.

CHAPTER 85

AN ACT to validate certain proceedings at meetings or elections of school districts, and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Validates
proceedings,
elections
and bonds.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that the adoption of such proposal authorized the board of education to issue bonds the principal amount of which, added to the amount of all the bonds and notes of the school district then issued and outstanding or authorized but unissued less the amount of any sinking funds held for payment of the same, exceeded any limitation or other restriction prescribed by section 18:5-84 of the Revised Statutes, and such proposal did not disclose or correctly disclose the effect thereof on the borrowing margin of any municipality comprised within the school district in compliance with the provisions of section 18:5-85 of the Revised Statutes; provided, however, that supplemental debt statements and school debt statements, prepared and filed as of a date not more than 60 days prior to such meeting or election show that the percentage of net debt of the municipality as stated in any such supplemental debt statement does not exceed 7%; and provided further, that no action, suit or other proceeding of any nature to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court, or, when such time has not theretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved June 6, 1963.

CHAPTER 86

AN ACT concerning certain game and other birds
and amending section 23:4-50 of the Revised
Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 23:4-50 of the Revised Statutes is amended to read as follows:

23:4-50. Any provision of law or of the State Fish and Game Code to the contrary notwithstanding, no person shall, within this State, kill or catch, or have in his possession, living or dead, a wild bird other than a game bird as defined in section 23:4-49 of this Title, or purchase, offer or expose for sale any such wild bird after it has been killed or caught. No part of plumage, skin or body of a bird protected by this section shall be sold or had in possession for sale. Plumage, as used in this section, includes any part of the feathers, head, wings, or tail of a bird, and when the word occurs in this section reference is had equally to plumage of birds coming from without the State as to birds obtained within the State, but it shall not be construed to apply to the feathers of ostriches, domestic fowl or domestic pigeons. The fact that a bird belongs to a different species from that native in this State shall constitute no defense to the possession thereof if it belongs to the same family as any bird protected by this section.

The English or European house sparrow (*passer domesticus*), European starling, blackbird, crow, grackle and cowbird are not included among the birds protected by this section; provided however, that nothing herein contained shall be deemed to make it unlawful for the owner or occupant of land or his regular employees to kill hawks or owls when in the act of destroying poultry or livestock or when

Section
amended.

Wild birds
other than
game birds;
killing;
possession;
sale;
plumage;
penalty.

found in the immediate vicinity of a poultry or livestock range of said landowner or occupant.

Nothing herein contained shall prohibit the control of animals or birds which have become obnoxious in nature and habit or that are doing damage to wildlife or agricultural crops, by the Division of Fish and Game or its employees on any lands in the State; provided, however, that nothing herein contained shall be deemed to make lawful any act with respect to all grackles, yellow-headed red-wing, bi-colored red-wing, tri-colored red-wing and Brewer's blackbirds, which is made unlawful by the laws of the United States or any regulation issued pursuant thereto.

A person violating this section shall be subject to a fine of \$20.00 for each bird or part thereof killed, caught or had in possession.

2. This act shall take effect immediately.

Approved June 6, 1963.

CHAPTER 87

AN ACT concerning the juvenile and domestic relations courts and amending section 2A:4-4 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

Appointment
of judges
in certain
counties;
salary;
practice
of law;
temporary
assignments.

1. Section 2A:4-4 of the New Jersey Statutes is amended to read as follows:

2A:4-4. The Governor, with the advice and consent of the Senate,

(1) shall appoint 4 attorneys-at-law in each county having a population exceeding 800,000,

(2) shall appoint 2 attorneys-at-law in each county having a population between 600,000 and 800,000,

(3) shall appoint one attorney-at-law in each county having a population between 500,000 and 600,000, and

(4) may appoint one attorney-at-law in each county having a population of not less than 305,000 nor more than 370,000, to be the judges or judge of the juvenile and domestic relations court of the county.

Each judge of the juvenile and domestic relations court who is required by law to devote his entire time to his judicial duties and is prohibited from practice of law shall be paid a salary by the board of chosen freeholders in the same amount as that paid to a judge of the County Court. The salary of a judge not required to devote his entire time to his judicial duties shall be paid by the board in such amount as the board shall determine.

The judges in counties of more than 500,000 inhabitants shall devote their entire time to their judicial duties and shall not engage in the practice of law; except that each judge in office in such a county on the effective date of this act who was not required to devote his entire time to his judicial duties immediately prior to the effectiveness of the 1960 census, shall elect either to continue until the expiration of his term at the same salary as he was then receiving without being required to devote his entire time to his judicial duties, or to devote his entire time to his judicial duties, in which latter case he shall thereafter during the balance of said term devote his entire time to his judicial duties and shall not engage in the practice of law. Any such election shall be evidenced by a notice in writing filed with the Administrative Director of the Courts and with the board of chosen freeholders of the county.

Each judge of the juvenile and domestic relations court of a county who is required to devote his entire time to his judicial duties may be assigned by

the Chief Justice of the Supreme Court to hold temporarily the County Court or county district court of that county and, upon such assignment, shall have all the power, authority and jurisdiction of a judge of the County Court or county district court.

2. This act shall take effect immediately.

Approved June 6, 1963.

CHAPTER 88

AN ACT to supplement "An act concerning banks and banking institutions (Revision of 1948)" approved April 29, 1948 (P. L. 1948, c. 67).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 17:9A-22.1.
Qualified
bank.

1. A. A bank that is a qualified bank and which
 - (1) Has its principal office in a municipality the population of which exceeds 200,000;
 - (2) Has a capitalization as stated in its certificate of incorporation which is less than that required for a new bank at its present location;
 - (3) Has no branch office or offices and no auxiliary office or offices;
 - (4) Has not within the period of 10 years immediately preceding the date of the application, exercised any of the powers specified in paragraphs (4), (6), (7), (9), (10) or (13) of section 24 or of paragraphs (2), (3), (4), (5), (6), (7), (9) or (13) of section 25 of the act of which this act is supplementary;
 - (5) Has not at any time within the period of 10 years immediately preceding the date of the application held any stock or stocks which it lawfully acquired on or before September 16, 1948, the

effective date of the act of which this act is supplementary, but which it would not, under the provisions of paragraph 10 of section 25 of the act of which this act is supplementary, be authorized to purchase for its own account as of the date of such application;

may change the location of its principal office to a location in a municipality, the population of which exceeds 200,000, in an adjoining or contiguous county, on filing an application therefor in the department and obtaining the approval of the commissioner.

B. If it shall appear from the application, or if the commissioner shall find from such proof as he may require, or from such investigation as he may cause to be made, that conditions in the locality in the adjoining or contiguous county to which removal is proposed afford reasonable promise of successful operation, he shall approve the application.

C. No bank shall change the location of its principal office pursuant to subsection B of this section unless, following the approval of the commissioner, it shall amend its certificate of incorporation to effect such change and the capital stock of such bank shall be increased to an amount at least equal to the minimum capital stock required by section 4 of the act of which this act is supplementary on the organization of a bank to transact business at the location proposed for the principal office of such bank.

2. This act shall take effect immediately.

Approved June 6, 1963.

CHAPTER 89

AN ACT concerning court interpreters, and amending sections 2A:11-28 and 2A:11-29 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 2A:11-28 of the New Jersey Statutes is amended to read as follows:

Interpreters;
appointment
and duties.

2A:11-28. Whenever the transaction of the public business of the Superior Court, the County Court and the juvenile and domestic relations courts, in any of the counties of this State, other than counties of the first class having a population of more than 800,000 inhabitants, and the business connected with such courts in the office of the county prosecutor, the sheriff, the county clerk, the surrogate and of the grand jury, will be expedited or improved thereby, the judge of the County Court of any such county, or the judges of the County Court if there be more than one such judge in any such county, may appoint, to serve at the pleasure of the appointing judge or judges, interpreters of the following languages, namely, Italian, German, Polish, Russian, Spanish, Yiddish, Hungarian and Slavish, and Greek, or any one interpreter for one or more of the aforesaid languages.

Interpreters appointed under authority of this section shall severally attend in person upon the courts mentioned in this section during the several sessions thereof, and at chambers when requested so to do upon the judges of such courts, upon the sessions of the grand jury, upon the county prosecutor, upon the sheriff, upon the clerks of such courts, and upon the other officers charged with the transaction of the public business of such courts, for the purpose of interpreting the languages and dialects for the interpretation of which they are appointed respectively.

In all counties of the first class having more than 800,000 inhabitants, the persons holding positions of interpreters of languages under authority of article 6 of chapter 16 of Title 2 of the Revised Statutes of 1937 shall be transferred to the office of the sheriff of the county. Such person shall retain all the rights and privileges under all laws relating to seniority, civil service, pensions and veterans, and shall perform the duties of interpreters of languages as set forth in this article. Hereafter interpreters of the languages specified in this section may be appointed by the sheriff in counties of the first class having more than 800,000 inhabitants, with the approval of the board of chosen freeholders, at a salary fixed for the position by the board.

2. Section 2A:11-29 of the New Jersey Statutes is amended to read as follows:

Section
amended.

2A:11-29. In any county of the State other than counties of the first class having a population of more than 800,000 inhabitants, the compensation of interpreters appointed to interpret the Italian, German, Polish, Russian, Spanish, Yiddish, and Hungarian and Slavish languages shall be fixed by the judge of the County Court of the respective counties, or by the judges of such court if there be more than one such judge in any county; but the salaries so fixed shall not become effective unless approved by resolution of the board of chosen freeholders of the county wherein such salaries are to be paid.

Salaries of
interpreters.

The salaries herein provided shall be paid by the treasurer of each county, semimonthly, out of the funds of the county, and shall, whenever fixed as herein provided, be in lieu of all other fees or compensation whatsoever.

3. This act shall take effect immediately.

Approved June 6, 1963.

CHAPTER 90

AN ACT to validate certain proceedings at meetings or elections of school districts and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Validates
proceedings,
elections
and bonds.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance to a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that notices relating to such meeting or election were not published prior thereto as required by the provisions of the Absentee Voting Law (1953) (P. L. 1953, c. 211) provided, however, that any applications received by the secretary of the board of education of the school district for military service ballots or civilian absentee ballots for such meeting or election were forwarded to the clerk of the county in which such school district is located; and provided further that no action, suit or other proceedings of any nature to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court or, when such time has not theretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved June 6, 1963.

CHAPTER 91

AN ACT concerning education and supplementing chapter 8 of Title 18 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Whenever any school district uniting to form a regional district is comprised of 2 or more municipalities and shall have membership on the regional board of education in number equal to or more than the number of municipalities comprising the district, such membership on the regional board of education shall further be apportioned and from time to time reapportioned among the municipalities of the district by the county superintendent of schools of the county in which the school district is situated as nearly as may be according to the number of the inhabitants of said constituent municipalities in the same manner as if said municipalities comprised separate districts and were the only constituents of the regional district. Thereafter such members of the regional board of education shall be elected in the same manner and at the same time as if each municipality of the district were a constituent district of the regional district.

2. This act shall take effect immediately.

Approved June 10, 1963.

C. 18:8-6.9.
Membership
on board to be
apportioned;
periodic re-
apportioning.

CHAPTER 92

A SUPPLEMENT to "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware river and the improvement of the facilities for transportation across the said river; authorizing the New Jersey Interstate Bridge Commission on behalf of the State of New Jersey for these purposes to enter into an agreement with the Commonwealth of Pennsylvania creating the Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation," approved June 30, 1931 (P. L. 1931, c. 391) authorizing the Governor, on behalf of the State of New Jersey, to enter into a supplemental compact or agreement with the Commonwealth of Pennsylvania amending and supplementing the compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania entitled "Agreement Between The Commonwealth of Pennsylvania and The State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," as heretofore amended and supplemented, enlarging and authorizing the making of additions to the public purposes of the Delaware River Joint Commission (now known as the Delaware River Port Authority) and extending its jurisdiction, powers and duties and defining or describing such en-

larged public purposes and such authorized additions to such public purposes, and such jurisdiction, powers and duties, authorizing and empowering said authority to construct, acquire, finance, equip, operate, maintain and own an additional bridge across and ferries over and across the Delaware river, and authorizing the Governor to apply, on behalf of the State of New Jersey, to the Congress of the United States for its consent to such supplemental compact or agreement.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The Governor is hereby authorized to enter into a supplemental compact or agreement, on behalf of the State of New Jersey, with the Commonwealth of Pennsylvania further amending and supplementing the compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey entitled "Agreement Between The Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission as a body corporate and politic and defining its powers and duties," which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on July 1, 1931, and on behalf of the State of New Jersey by the New Jersey Interstate Bridge Commission by its members on July 1, 1931, and which was consented to by the Congress of the United States by Public Resolution Number 26, being Chapter 258 of the Public Laws, Seventy-second Congress, approved June 14, 1932, which supplemental compact and agreement shall be in substantially the following form:

"Supplemental agreement between the Commonwealth of Pennsylvania and the State of New Jersey further amending and supplementing the agreement entitled 'Agreement Between THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF NEW JERSEY CREATING THE DELAWARE RIVER JOINT

R. S. 32:3-2.
Supplemental
interstate
compact.

COMMISSION AS A BODY CORPORATE AND POLITIC AND DEFINING ITS POWERS AND DUTIES' enlarging the public purposes of the Delaware River Port Authority and extending its jurisdiction, powers and duties, and defining such additional purposes, jurisdiction, powers and duties.

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree, each with the other, as follows:

(1) Article I of the compact or agreement entitled 'Agreement Between THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF NEW JERSEY CREATING THE DELAWARE RIVER JOINT COMMISSION AS A BODY CORPORATE AND POLITIC AND DEFINING ITS POWERS AND DUTIES,' which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on July 1, 1931, and on behalf of the State of New Jersey by the New Jersey Interstate Bridge Commission by its members on July 1, 1931, and which was consented to by the Congress of the United States by Public Resolution Number 26, being Chapter 258 of the Public Laws, Seventy-second Congress, approved June 14, 1932, as heretofore amended and supplemented, is amended to read as follows:

ARTICLE I

C. 32:3-13.42.
Body
corporate and
politic;
functions,
powers
and duties.

The body corporate and politic, heretofore created and known as the Delaware River Joint Commission hereby is continued under the name of the Delaware River Port Authority (hereinafter in this agreement called the "commission"), which shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey for the following public purposes, and which shall be deemed to be exercising an essential governmental function in effectuating such purposes, to wit:

(a) The operation and maintenance of the bridge, owned jointly by the 2 States, across the Delaware river between the city of Philadelphia in the Commonwealth of Pennsylvania and the city of

Camden in the State of New Jersey, including its approaches, and the making of additions and improvements thereto.

(b) The effectuation, establishment, construction, operation and maintenance of railroad or other facilities for the transportation of passengers across any bridge or tunnel owned or controlled by the commission, including extensions of such railroad or other facilities within the city of Camden and the city of Philadelphia necessary for efficient operation in the Port District.

(c) The improvement and development of the Port District for port purposes by or through the acquisition, construction, maintenance or operation of any and all projects for the improvement and development of the Port District for port purposes, or directly related thereto, either directly by purchase, lease or contract, or by lease or agreement with any other public or private body or corporation or in any other manner.

(d) Co-operation with all other bodies interested or concerned with, or affected by the promotion, development or use of the Delaware river and the Port District.

(e) The procurement from the Government of the United States of any consents which may be requisite to enable any project within its powers to be carried forward.

(f) The construction, acquisition, operation and maintenance of other bridges and tunnels across or under the Delaware river, between the city of Philadelphia or the county of Delaware in the Commonwealth of Pennsylvania and the State of New Jersey, including approaches and the making of additions and improvements thereto.

(g) The promotion as a highway of commerce of the Delaware river, and the promotion of increased passenger and freight commerce on the Delaware river and for such purpose the publication of literature and the adoption of any other means as may be deemed appropriate.

New Jersey State Library

(h) To study and make recommendations to the proper authorities for the improvement of terminal, lighterage, wharfage, warehouse and other facilities necessary for the promotion of commerce on the Delaware river.

(i) Institution through its counsel, or such other counsel as it shall designate, or intervention in, any litigation involving rates, preferences, rebates or other matters vital to the interest of the Port District; provided, that notice of any such institution of or intervention in litigation shall be given promptly to the Attorney General of the Commonwealth of Pennsylvania and to the Attorney General of the State of New Jersey, and provision for such notices shall be made in a resolution authorizing any such invention or litigation and shall be incorporated in the minutes of the commission.

(j) The establishment, maintenance, rehabilitation, construction and operation of a rapid transit system for the transportation of passengers, express, mail, and baggage, or any of them, between points in New Jersey within the Port District and within a 35-mile radius of the city of Camden, New Jersey, and points within the city of Philadelphia, Pennsylvania, and intermediate points. Such system may be established by utilizing existing rapid transit systems, railroad facilities, highways and bridges within the territory involved and by the construction or provision of new facilities where deemed necessary, and may be established either directly by purchase, lease or contract, or by lease or agreement with any other public or private body or corporation, or in any other manner.

(k) The performance of such other functions which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion and development of the Port District for port purposes and the use of its facilities by commercial vessels.

(1) The performance or effectuation of such additional bridge, tunnel, railroad, rapid transit,

transportation, transportation facility, terminal, terminal facility, and port improvement and development purposes within the Port District as may hereafter be delegated to or imposed upon it by the action of either State concurred in by legislation of the other.

(2) Said compact or agreement is further amended and supplemented by adding thereto, as a part thereof, following Article XII-A thereof, a new article reading as follows:

ARTICLE XII-B

(1) In addition to other public purposes provided for it and other powers and duties conferred upon it, and not in limitation thereof, and notwithstanding the provisions of any other article hereof, the commission shall have among its authorized purposes, and it shall have the power to effectuate, the construction, operation and maintenance of a bridge for vehicular traffic across the Delaware river, between a point or points in the township of Logan, New Jersey, and a point or points in the city of Chester, Pennsylvania, including approaches thereto.

(2) In addition to other public purposes provided for it and other powers and duties conferred upon it, and not in limitation thereof, and notwithstanding the provisions of any other article hereof, the commission shall have among its authorized purposes, and it shall have the power to effectuate, the establishment, rehabilitation, equipment, construction, maintenance and operation of ferries for passengers and vehicular traffic over and across the Delaware river within the Port District between the Commonwealth of Pennsylvania and the State of New Jersey. Such ferries may be established either directly by purchase, lease or contract, or by lease or agreement with any other public or private body or corporation, or in any other manner, and may be established by utilizing any existing ferries within the Port District across the Delaware river

between said Commonwealth and said State and by the construction or provision of new facilities where deemed necessary. Any such ferry may include such approach highways and interests in land or other property necessary therefor in the Commonwealth of Pennsylvania or the State of New Jersey as may be determined by the commission to be necessary to facilitate the flow of traffic in the vicinity of any such ferry or to connect any such ferry with the highway system or other traffic facilities in said Commonwealth or said State.

(3) (a) For the effectuation of any of its purposes authorized by this article, the commission is hereby granted, in addition to any other powers heretofore or hereafter granted to it, power and authority to acquire in its name by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power of eminent domain any such land and other property which it may determine is reasonably necessary to acquire for any of its purposes authorized by this article and any and all rights, title and interest in such land and other property, including public lands, parks, playgrounds, reservations, highways, or parkways, owned by or in which any county, city, borough, town, township, village, or other political subdivision of the State of New Jersey or the Commonwealth of Pennsylvania has any right, title or interest, or parts thereof or rights therein and any fee simple absolute or any lesser interest in private property, and any fee simple absolute in, easements upon, or the benefit of restrictions upon, abutting property to preserve and protect such land and other property. Upon the exercise of the power of eminent domain under this paragraph, the compensation to be paid with regard to property located in the State of New Jersey shall be ascertained and paid in the manner provided in Title 20 of the Revised Statutes of New Jersey insofar as the provisions thereof are applicable and not inconsistent with the provisions contained in this paragraph, and with re-

gard to property located in the Commonwealth of Pennsylvania shall be ascertained and paid in the manner provided by the act approved July 9, 1919 (Pamphlet Laws 814) and acts amendatory thereof and supplementary thereto, insofar as the provisions are applicable and not inconsistent with the provisions contained in this paragraph. The commission may join in separate subdivisions in one petition or complaint the descriptions of any number of tracts or parcels of such land and other property to be condemned and the names of any number of owners and other parties who may have an interest therein and all such land and other property included in said petition or complaint may be condemned in a single proceeding; provided, however, that separate awards shall be made for each tract or parcel of such land or other property; and provided further, that each of said tracts or parcels of such land or other property lies wholly in or has a substantial part of its value lying wholly within the same county.

(b) Whenever the commission acquires under this paragraph (3) the whole or any part of the right of way of a public utility located in the Commonwealth of Pennsylvania, the commission shall, at its own expense, provide a substitute right of way on another and favorable location. Such public utility shall thereupon provide for the transfer to or reconstruction upon, in, under or above said substitute right of way of any structures and facilities of said public utility located upon, in, under or above said original right of way at the time the same is so acquired. The commission is hereby authorized to enter into agreements with such public utility to contribute toward the expense of such transfer or reconstruction, and in the event that they are unable to agree on the amount to be paid, the matter shall be referred to the Pennsylvania Public Utility Commission, which shall, after hearing thereon, make a finding of the amount to be paid to such public utility by the commission. In case of failure of such public utility, within a

reasonable time after notice so to do, to remove its facilities to such substitute right of way, the Pennsylvania Public Utility Commission shall have jurisdiction, on petition of the commission, to order such transfer or reconstruction. Any party to such proceedings shall have the right of appeal from the ruling of the Pennsylvania Public Utility Commission. The Delaware River Port Authority is hereby authorized to acquire, by purchase or by the exercise of the power of eminent domain, any necessary land or right of way for the relocation of any such public utility right of way and facilities. The substitute right of way thus acquired shall be equal in estate to the original right of way acquired from the public utility, and the commission shall deliver to the public utility a deed, duly executed and acknowledged, conveying to it an estate in the substitute right of way, at least equal to that owned by the public utility in the original right of way, or if such substitute right of way is to be acquired by purchase, the commission shall procure and deliver to the public utility a deed conveying such estate to it from the owner of the land on which such substitute right of way is located.

This subparagraph (b) shall have no application to the relocation of public utility facilities located in the beds of public streets, roads or highways.

(c) In addition to any other powers heretofore or hereafter granted to it, the commission, in connection with construction or operation of any project for the effectuation of any of its purposes authorized by this article, shall have power to make reasonable regulations for the installation, construction, maintenance, repair, renewal, relocation and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles or any other equipment and appliances (in this subparagraph (c) called "works") located in the State of New Jersey of any public utility as defined in section 48:2-13 of the Revised Statutes of New Jersey, in, on, along, over or under any such project. Whenever in connection with the construction or operation of any such

project the commission shall determine that it is necessary that any such works, which now are or hereafter may be located in, on, along, over or under any such project shall be relocated in such project, or should be removed therefrom, the public utility owning or operating such works shall relocate or remove the same in accordance with the order of the commission, provided, however, that, except in the case of the relocation or removal of such works located in, on, along, over or under public streets, roads or highways, the cost and expenses of such relocation or removal, including the cost of installing such works in a new location or new locations, and the cost of any lands or any rights or interest in lands or any other rights acquired to accomplish such relocation or removal, less the cost of any lands or any rights or interests in lands or any other rights of the public utility paid to the public utility in connection with the relocation or removal of such works, shall be paid by the commission and shall be included in the cost of such project. In case of any such relocation or removal of works as aforesaid, the public utility owning or operating the same, its successors or assigns, may maintain and operate such works, with the necessary appurtenances, in the new location or new locations for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate such works in their former location.

In case of any such relocation or removal of works, as aforesaid, the commission shall own and maintain, repair and renew structures within the rights of way of railroad companies carrying any such project over railroads, and the commission shall bear the cost of maintenance, repair and renewal of structures within the rights of way of railroad companies carrying railroads over any such project, but this provision shall not relieve any railroad company from responsibility for damage caused to any authority or railroad structure by the operation of its railroad. Such approaches, curbing, sidewalk paving, guard rails on ap-

proaches and surface paving on such projects as shall be within the rights of way of a railroad company or companies shall be owned and maintained, repaired and renewed by the commission; rails, pipes and lines shall be owned and maintained, repaired and renewed by the railroad company or companies.

(4) The power and authority granted in this article to the commission to construct new or additional approach highways shall not be exercised unless and until the Department of Highways of the Commonwealth of Pennsylvania shall have filed with the commission its written approval as to approach highways to be located in said Commonwealth and the State Highway Department of the State of New Jersey shall have filed with the commission its written approval as to approach highways to be located in said State.

(5) The effectuation of any of the purposes authorized by this article, and the exercise or performance by the commission of any of its powers or duties in connection with effectuation of any such purpose, shall not be subject to any restrictions, limitation or provisions provided for or set forth in Article XII hereof. The bridge or ferries referred to in this article may be established, constructed or erected by the commission notwithstanding the terms and provisions of any other agreement between the Commonwealth of Pennsylvania and the State of New Jersey.

(6) The commission shall not construct or erect the bridge referred to in this article unless and until the Governor of the State of New Jersey and the Governor of the Commonwealth of Pennsylvania shall have filed with the commission their written consents to such construction or erection.

(7) The commission is hereby granted the following powers in addition to any other powers heretofore or hereafter granted to it:

- (a) To abandon, close off, dismantle, sell or otherwise dispose of, any project or facility, or any part thereof, or any other property,

which the commission may determine to be no longer useful or necessary for public use.

(b) To effectuate any of its authorized purposes either directly or indirectly by or through wholly owned subsidiary corporations. Any such subsidiary corporation shall be a public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey for such purposes and shall be deemed to be exercising an essential governmental function in effectuating such purposes. Any such subsidiary corporation and any of its property, functions and activities shall have such of the privileges, immunities, tax and other exemptions of the commission and of the commission's property, functions and activities, and such of the rights, powers and duties of the commission, as the commission shall determine.

(8) The power of the commission, which is hereby confirmed, to purchase, construct, lease, finance, operate, maintain and own a terminal facility consisting in whole or in part of a parking area or place, garage, building, improvement, structure, or other accommodation for the parking or storage of motor or other vehicles, including all real or personal property necessary or desirable in connection therewith, shall, notwithstanding any other provision of this agreement, be exercised only at such place, in the vicinity of and in connection with, or as a part of any bridge, tunnel, ferry, railroad, rapid transit system, transportation or terminal facility, as the commission may determine to be necessary or desirable.

2. Upon its signature on behalf of the State of New Jersey and the Commonwealth of Pennsylvania, the supplemental compact or agreement hereinabove set forth shall become binding and shall have the force and effect of a statute of the State of New Jersey; and the commission referred to in such supplemental compact or agreement shall

C. 32:3-13.43.
Compact to
have force
and effect
of statute.

thereupon become vested with all the powers, rights and privileges and be subject to the duties and obligations provided for therein, as though the same were specifically authorized and imposed by statute; and the State of New Jersey shall be bound by all of the obligations assumed by it under such supplemental compact or agreement, and the Governor shall transmit an original signed copy thereof to the Secretary of State of this State for filing in his office.

C.32:3-13.44.
Consent of
Congress.

3. The Governor is hereby authorized to apply, on behalf of the State of New Jersey, to the Congress of the United States for its consent and approval to such supplemental compact or agreement, but in the absence of such consent and approval, the commission referred to in such supplemental compact or agreement shall have all of the powers which the Commonwealth of Pennsylvania and the State of New Jersey may confer upon it without the consent and approval of Congress.

C.32:3-13.45.
Construed as
additional
powers.

4. The powers vested in the commission referred to in such supplemental compact or agreement by this act shall be construed as being in addition to and not in diminution of the powers heretofore vested by law in The Delaware River Joint Commission.

C.32:3-13.46.
Definition.

5. As used herein, the term State Highway Department of the State of New Jersey means the State Highway Commissioner of the State of New Jersey.

C.32:3-13.47.
Construction
as to previous
acts.

6. Except where specifically amended or repealed by this act, the provisions of the agreement authorized by chapter 391 of the laws of 1931, the provisions of the agreement authorized by chapter 287 of the laws of 1951 and the provisions of the agreement authorized by chapter 288 of the laws of 1951 are maintained in full force and effect.

C.32:3-13.48.
Provisions
severable.

7. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application,

and to this end the provisions of this act are declared to be severable.

8. This act shall take effect immediately; but the Governor shall not enter into the supplemental compact or agreement hereinabove set forth on behalf of the State of New Jersey until passage by the Commonwealth of Pennsylvania of a substantially similar act embodying the supplemental compact or agreement between the 2 States.

C.32:3-13.49.
Act
effective.

Approved June 10, 1963.

CHAPTER 93

AN ACT concerning roadside advertising, amending chapter 191, laws of 1959, approved December 15, 1959, and supplementing Title 27 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The purpose of this act is to establish a system of control by the State of New Jersey of roadside advertising in certain areas adjacent to the Federal Interstate System, and to authorize the State Highway Commissioner to enter into agreements with the United States Secretary of Commerce in order to obtain Federal funds available to the State under Title 23 of the United States Code.

C. 27:7A-11.
Purpose
of act.

2. As used in this act:

(a) "Interstate system" means those highways constructed within this State and approved by the Secretary of Commerce of the United States as an official portion of the National System of Interstate and Defense Highways pursuant to the provisions of Title 23, "Highways," of the United States Code, as amended.

C. 27:7A-12.
Terms
defined.

(b) "Controlled portion of the Interstate System" means any portion which is constructed upon any part of right-of-way, the entire width of which was acquired subsequent to July 1, 1956, excluding those segments which traverse commercial or industrial zones within the boundaries of incorporated municipalities, as such boundaries existed on September 21, 1959, wherein the use of real property adjacent to the Interstate System is subject to municipal regulation or control, and which traverse other areas where the land use, as of September 21, 1959, was clearly established by the laws of this State as industrial or commercial.

(c) "Protected areas" means all areas inside the boundaries of this State which are adjacent to and within 660 feet of the edge of the right-of-way of all controlled portions of the Interstate System within this State.

(d) "Informational site" means an area or a site established and maintained within or adjacent to the right-of-way of a highway on the Interstate System by or under the supervision or control of the State Highway Department, wherein panels for the display of advertising and informational signs may be erected and maintained.

(e) "Roadside advertising" means the use of any roadside sign which is intended to attract, or which does attract, the attention of operators, attendants, or passengers of motor vehicles using the Interstate System.

(f) "Roadside sign" means any writing, printing, painting, display, emblem, drawing, sign, or other device whether placed on the ground, rocks, trees, treestumps or other natural structures, or on a building, structure, signboard, billboard, wallboard, roofboard, frame, support, fence, or elsewhere, and any lighting or other accessories used in conjunction therewith.

C. 27:7A-13.
Forbids
signs in
right-of-way;
exception.

3. No roadside signs shall be erected or maintained within the right-of-way of any portion of the Interstate System within this State, except that this prohibition shall not apply to signs, public notices,

or markers erected or maintained by the State Highway Department, or the signs erected or maintained at the "informational sites" designated by the State Highway Commissioner pursuant to section 8 of this act.

4. No roadside signs shall be erected or maintained within any protected area in a controlled portion of the Interstate System in this State, except as authorized by a permit obtained from the State Highway Commissioner and pursuant to the conditions set forth in such permit.

C. 27:7A-14.
Forbids signs in protected area; exception.

5. No permit shall be issued by the State Highway Commissioner for roadside signs to be erected or maintained in any protected area visible from the main-traveled way of any portion of the Interstate System in this State, which is inconsistent with the following conditions:

C. 27:7A-15.
Permit not to be issued to erect signs that would be inconsistent with conditions.

(a) No roadside signs may attempt or appear to attempt to direct the movement of traffic or interfere with, imitate, or resemble any official traffic signs, signal or device, or include or utilize flashing, intermittent or moving lights, or utilize lighting equipment or reflectorized materials which emit or reflect a red, amber or green color.

(b) No roadside signs may interfere or be likely to interfere with the ability of the operator of a motor vehicle to have a clear and unobstructed view of the street or highway ahead or of official signs, signals or traffic control devices.

(c) Illumination of roadside signs must be effectively shielded so as to prevent light from being directed at any portion of the main-traveled way of the street or highway, or, if not so shielded, be of such low intensity or brilliance as not to cause glare or impair the vision of operators of motor vehicles on such street or highway, or otherwise impair the operation of a motor vehicle.

(d) All roadside signs must be maintained in a safe condition with due regard for conditions of climate, weather and terrain.

(e) No roadside signs may be of such a type, size, or character as will endanger or injure public

safety, health or morals or be injurious to property in the vicinity thereof.

C. 27:7A-16.
Application of
provisions.

6. The provisions of this act relating to the requirement of obtaining a permit for erection and maintenance of roadside signs in a protected area shall not apply to any sign used exclusively for any of the following purposes:

(a) To advertise the sale or lease of property upon which such sign is located;

(b) To designate the name of the owner or occupant of the premises upon which such sign is located; or to identify such premises;

(c) To advertise goods sold, manufactured or produced, or services rendered, on the property where such advertising is located;

(d) To publish any public information or notice required or authorized by law or regulations of an official agency of this State, or political subdivision thereof.

Roadside signs used exclusively for the purposes set forth in this section shall, however, be subject to the provisions of section 5 of this act and regulations promulgated by the State Highway Commissioner relating to the number, location and types of roadside advertising, and specifications therefor.

C. 27:7A-17.
Rules and
regulations;
scope;
fees; use of
moneys.

7. (a) The State Highway Commissioner is hereby authorized, following public hearings, to promulgate regulations governing the issuance of permits for the erection and maintenance of roadside signs within protected areas of a controlled portion of the Interstate System, prescribing the number, locations and types of, and specifications for roadside signs, and designating the conditions under which roadside signs may be erected and maintained; provided, however, that such regulations shall not be more restrictive than the minimum requirements of the national standards as now promulgated or hereafter amended and promulgated by the Secretary of Commerce of the United States pursuant to Title 23, "Highways" of the United States Code, as amended.

(b) In the promulgation of regulations pursuant to this section, the State Highway Commissioner shall give due consideration to the safety, convenience, and enjoyment of travel on the highways to which this act applies, to the public investment in such highways, and to the type of information needed by the traveling public when using such highways.

(c) In connection with the issuance of permits for roadside signs, the State Highway Commissioner is hereby authorized to charge and collect fees in such amounts as set forth in section 7 of chapter 191 of the laws of 1959 (C. 54:40-56) for the issuance of such permit. The moneys received from such fees shall be deposited with the State Treasurer, and be subject to disbursement on order of the State Highway Commissioner to defray the expenses of administering the provisions of this act.

8. The State Highway Commissioner is hereby authorized to designate certain roadside areas as "informational sites" and to provide by regulations for the erection and maintenance of signs in such sites. In the establishment and maintenance of such sites, the State Highway Commissioner is authorized to use existing right-of-way, notwithstanding any prohibition against such use set forth in section 3 herein, roadside rest areas or other publicly-owned land adjacent to the right-of-way, as in his judgment is needed for this purpose. The use of such land for informational sites is hereby declared to be a "highway purpose" under the law of this State.

C. 27:7A-18.
Informational
sites.

9. The State Highway Commissioner is hereby authorized to enter into agreements with the Secretary of Commerce of the United States, as provided by Section 131 of Title 23, U. S. Code, as amended, relating to the control of roadside advertising in areas adjacent to the Interstate System, including the establishment of informational sites, and to take action in the name of the State to comply with the terms of such agreement. Expenditures

C. 27:7A-19.
Agreements
for control
of roadside
advertising.

of money by the State Highway Commissioner in connection with agreements authorized by this section shall be payable from any funds available to him. The State Highway Commissioner is hereby authorized to accept any allotment of funds by the United States, or any department or agency thereof, authorized by Title 23, U. S. Code or any subsequent legislation supplementary to or amending such act, in connection with any agreement entered into by the State Highway Commissioner and the Secretary of Commerce of the United States relating to control of roadside advertising in areas adjacent to the Interstate System.

C. 27:7A-20.
Municipal
powers not
impaired.

10. Nothing in this act shall be deemed to limit or impair the powers which incorporated municipalities or political divisions of this State now possess or may hereafter possess to control the use of land, streets, buildings, or structures by zoning or other means, nor to prohibit the enforcement of ordinances or regulations enacted by municipalities, or political subdivision of this State or their agencies, not inconsistent with the provisions of this act or the regulations promulgated pursuant to it, except that in the event of conflict between the provisions of this act or the regulations promulgated pursuant thereto and an ordinance or regulation of an incorporated municipality or political subdivision of this State, the provisions of this act, or regulations promulgated pursuant to this act shall prevail to the extent necessary to permit the State to carry out the policy as declared herein, or to permit the State to comply with the terms of any agreements entered into under the provisions of section 9 of this act.

C. 27:7A-21.
Acquisition
of property.

11. The State Highway Commissioner is hereby authorized to acquire, by gift, purchase or condemnation, real and personal property, or the right to erect or maintain roadside signs or to use such lands for roadside advertising, in any protected area within a controlled portion of the Interstate System for the purpose of implementing this act, and the cost of such acquisition shall be considered

as a part of the cost of right-of-way of such highway. It is the legislative intent that all persons whose property is purchased or otherwise acquired pursuant to this act shall receive just compensation therefor.

12. Any roadside sign hereafter erected in violation of the provisions of this act shall be declared to be unlawful and shall be abated and the State Highway Commissioner may institute any appropriate action or proceeding in a court of competent jurisdiction for its removal if such sign is not brought into compliance within 15 days after written notification to the owner.

C. 27:7A-22.
Action to
remove signs
unlawfully
erected.

13. Whoever shall hereafter erect any roadside sign in violation of the provisions of this act shall, after conviction, be liable to a penalty of not less than \$50.00 nor more than \$500.00 for each instance of violation and in default of the payment of such penalty shall be imprisoned for a period not to exceed 30 days.

C. 27:7A-23.
Penalty.

14. If any section, subsection or other provision of this act, or the application thereof to any person or circumstance is held invalid, the remainder of this act and the application of such section, or other provision to other persons or circumstances shall not be affected thereby.

C. 27:7A-24.
Provisions
severable.

15. Section 2 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

2. For the purposes of this act and unless otherwise required by the context:

C. 54:40-51.
Terms
defined.

a. "Back-up" means an advertising structure erected upon the ground in the rear of another structure, at a distance of not more than 25 feet, which conforms with the general lines and measurements of the existing structure.

b. "Built-up area" means the territory contiguous to a highway when 50% or more of the frontage thereon for a distance of 1,000 feet or more along one side of the highway is used for business, commercial or industrial purposes.

c. "Commercial point" means the location of a permanent structure having a ground area of not

less than 250 square feet the nearest wall of which is situated not more than 150 feet from the outer edge of the right-of-way of a highway, whether such structure has or has not access to the highway bounded by said right-of-way, and which is used for industrial, commercial or business purposes, or the location of any area which is used for industrial, commercial or business purposes whether the same shall be fenced in, enclosed or not, if the said area covers 250 square feet or more of land and at its nearest point is situated not more than 150 feet from the outer edge of the right-of-way of the highway whether such area has or has not access to the highway bounded by said right-of-way. There shall be excluded, however, as permanent structures, farm buildings unless the same are used for business, commercial or industrial purposes and roadstands which are occupied seasonally for the sale of farm produce by the owner or lessee of said stand.

d. "Conditional permit" means a written certificate issued hereunder to any person, firm or corporation authorizing the maintenance of an outdoor advertising structure or device intended to direct or to point towards a place, or one that points out the way to either an unfamiliar or known place which could not be readily located without the aid of such a structure or device.

e. "Curve" means a bend of a highway having a turn in direction of 45 or more degrees of arc.

f. "Director" means the Director of the Division of Taxation, in the Department of the Treasury.

g. "Expressway" and "freeway" shall mean a State highway especially designed for through mixed traffic over which abutters have no easement or right of light, air or direct access by reason of the fact that their property abuts upon such way, with infrequent public entrances and exits and with or without service roads.

h. "Land service road" shall mean any other highway in the State Highway System not included

in the definitions for "Expressway," "Freeway" and "Parkway" as set forth herein.

i. "Natural area" means any area along one side of a highway between 2 commercial points separated by a distance of one mile or more.

j. "Parkway" shall mean a State highway especially designed for through passenger traffic over which abutters have no easement or right of light, air or direct access by reason of the fact that their property abuts upon such way, with special treatment in landscaping and planting between roadways and along its borders, which borders may also include service roads, open to mixed traffic, recreational facilities such as pedestrian, bicycle and bridle paths, overlooks and picnic areas, and other necessary noncommercial facilities.

k. "Visibility" means the distance from which an advertisement or licensed location can be seen without obstruction, and shall not be determined in any case to be less than a distance in lineal feet equal to twice the square feet area licensed by the existing permit.

16. Section 11 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

11. Except as provided in section 6 of this act, no permit, other than a renewal of an existing permit, shall be issued for the erection, use or maintenance of any structure for the display of outdoor advertising in any of the following locations:

C. 54:40-60.
Issuance
of permit
prohibited
for certain
locations.

(1) where it would be injurious to the property in the vicinity thereof or injuriously affect any public interest;

(2) where it shall endanger the interests of public safety, health or morals;

(3) where it would reduce or impair the visibility of another licensed display or space;

(4) where it would be within a natural area along one side of any expressway, freeway or parkway, or land service road, in this State unless the natural area has been zoned by local ordinance for business, commerce or industry;

(5) along the outside curve of a highway or along a straightaway of a highway within 500 feet from such outside curve of a highway if the location would be less than 250 feet from the point of an existing licensed structure or location where the existing and proposed locations are not separated by dense woods, buildings or other permanent objects unless the proposed structure is a back-up to an existing licensed advertising structure or is in a built-up area;

(6) where it would obstruct the view of traffic;

(7) where it is to be painted on or attached to rocks or attached to public utility poles or trees.

17. Section 12 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

C. 54:40-61.
Purposes
for which
permit not
required.

12. No permit shall be required for the erection, use or maintenance of any sign, advertising structure, object or other device which is to be used solely for any of the following purposes:

(1) To advertise exclusively for sale or rent the property upon which such sign or other device is located;

(2) For legal advertisements required by law to be posted or displayed;

(3) For any cautionary, informative or directory sign, signal or device erected on any public highway in the interest of public safety, convenience or health when permission has been given therefor by the public authority having jurisdiction of such public highway;

(4) For the display of a name, symbol, mark, product, service or advertisement of any industry, commerce, business, occupation, trade or service on any premises where the same is conducted or on any equipment on such premises provided that such sign, structure, object or device is not owned by a person required to be licensed under this act; but the exception provided by this paragraph shall not apply to such sign, structure, object or device after the premises have been put to some different use and after the director shall have given notice, either personally or by certified mail, return receipt

requested, to the person, firm or corporation erecting, using or maintaining such sign or device that such person, firm or corporation will be violating the act if such signs are not removed within 30 days, after which the director may remove the same and recover a penalty as provided in section 8 of this act;

(5) For any sign or device erected, owned or maintained by or for the use of the United States, the State of New Jersey, or any agency thereof or any public corporation or body, by or for the use of any county or municipality if erected within the boundary line of such county or municipality, or for any sign or device erected or maintained pursuant to the provisions of any contract to which any of such governments, agencies, public corporations, bodies, or any of such counties or municipalities shall be a party;

(6) For any private directional sign not exceeding 2 square feet in area intended to direct or point towards a place, or one that points out the way to a place which the director determines not to be adequately designated by official signs of the kind described in section 9 of this act.

(7) For any sign or device erected or maintained in a protected area within a controlled portion of the National System of Interstate and Defense Highways under a permit issued by the State Highway Commissioner.

18. This act shall take effect immediately.

Approved June 10, 1963.

CHAPTER 94

AN ACT concerning the exchange, conversion and continuance of investments by fiduciaries in certain cases, and supplementing chapter 15 of Title 3A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 3A:15-17.1.
Fiduciary
authorized to
exchange,
convert, etc.
securities.

1. Except when a will, deed of trust, other trust instrument or court order otherwise provides, a fiduciary who holds in trust securities issued by a corporation which has been recapitalized or reorganized, or which has been a party to a merger or consolidation, may exchange or convert the securities so held for or into other securities issued by such corporation as an incident of its recapitalization, reorganization, merger or consolidation, or issued by such corporation's successor corporation as an incident of such merger or consolidation.

C. 3A:15-17.2.
Exchange or
conversion
authorized
in own
securities.

2. An exchange or conversion of securities may be made pursuant to this act notwithstanding that the fiduciary which holds the securities in trust is the same corporation which issued such securities.

C. 3A:15-17.3.
Not
accountable
for loss.

3. A fiduciary receiving securities on an exchange or conversion as authorized by this act may, in the exercise of good faith and reasonable discretion, continue to hold the securities so received, without being accountable for any loss by reason of such continuance, regardless whether or not (a) the securities so received and held are the substantial equivalent of the securities surrendered on such exchange or conversion; and (b) the securities so received and held are authorized by the law of this State from time to time governing the investment of trust funds.

C. 3A:15.17.4.
"Securities"
defined.

4. As used in this act, "securities" means shares of corporate stock, bonds, debentures, notes and other corporate securities and obligations.

5. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 95

AN ACT to amend “An act concerning banking and banking institutions (Revision of 1948),” approved April 29, 1948 (P. L. 1948, c. 67).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 64 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

64. Definitions; powers and limitations.

C. 17:9A-64.
Terms
defined;
powers and
limitations.

A. For the purposes of this article,

(1) “mortgage loan” means (a) a loan made by a bank, secured by a mortgage constituting a lien upon real property or upon a lease of the fee of real property, in the making of which the bank relies primarily upon the value of the mortgaged property; and (b) the purchase by a bank of the whole of, or a part interest in, an existing mortgage constituting a lien upon real property or upon a lease of the fee of real property;

(2) “mortgaged property” means (a) the real property or the lease of the fee of real property to be mortgaged to secure a loan made by a bank; and (b) the real property or the lease of the fee of real property which is subject to the lien of an existing mortgage the whole whereof or a part interest wherein is purchased by a bank;

(3) in making a mortgage loan as defined in subparagraph (a) of paragraph (1) of this subsection, a bank may act as the sole lender, or as a co-lender with any other lender or lenders; and, except as otherwise expressly provided by this article, when a bank participates in making a mortgage loan as co-lender, all the provisions of this article shall apply to the same extent and with the same effect as if such bank were lending the full amount of such loan as sole lender.

B. When a bank purchases the whole of, or a part interest in an existing mortgage,

(1) the principal amount due upon such mortgage at the time of such purchase shall constitute the amount of the loan for the purposes of paragraph (4) of section 65, and paragraph (4) of section 66, and shall also constitute the original amount of the loan for the purposes of paragraph (5) of section 65;

(2) the appraised value of the mortgaged property shall be determined pursuant to section 67;

(3) the date of such purchase shall constitute the date of the loan within the meaning of paragraphs (4) and (5) of section 65; and

(4) except as in this section otherwise expressly provided, such purchase shall be subject to all the provisions of this article to the same extent and with the same effect as if such bank were, at the time of such purchase, making a mortgage loan on the mortgaged property pursuant to subparagraph (1) (a) of subsection A of this section.

C. When a bank acts as a co-lender, as authorized by paragraph (3) of subsection A of this section, and when it purchases a part interest in an existing mortgage, as authorized by subsection B of this section, the bank's contractual and other rights in the mortgage loan, and in the mortgage, and in the mortgaged property, shall not be subordinate to those of any other co-lender, or of any other holder of a part interest in such mortgage loan or mortgage.

2. Section 65 of the act of which this act is amendatory is amended to read as follows:

65. Real property mortgages.

No bank shall make a mortgage loan secured by a mortgage upon real property unless

(1) the mortgaged property is located within this State, or, if outside this State, the mortgaged property is located within 50 miles of the border of this State; or if the mortgaged property is located outside this State and is more than 50 miles from the border of this State, the payment of the mortgage loan is insured or guaranteed, or is the subject of an unconditional commitment for such insurance or

Section
amended.

C. 17:9A-65.
Real
property
mortgages.

guarantee, to the extent provided for in subsection A of section 68, by the Federal Housing Commissioner or by the United States, or by this State;

(2) the mortgaged property shall consist of improved real property, including farm lands, or unimproved real property if the proceeds of such loan shall be used for the purpose of erecting improvements thereon;

(3) the mortgage securing such loan shall constitute a first lien on a fee; a mortgage shall be deemed a first lien notwithstanding the existence of a prior mortgage or mortgages held by the bank, or liens of taxes which are not delinquent, building restrictions or other restrictive covenants or conditions, leases or tenancies whereby rents or profits are reserved to the owner, joint driveways, sewer rights, rights in walls, rights-of-way or other easements, or encroachments, which the persons signing the certificate provided for in section 67 report in their opinion do not materially affect the security for the mortgage loan. Every mortgage shall be certified to be such a first lien by an attorney-at-law of the State in which the real property is located, or certified or guaranteed to be such a first lien by a corporation authorized to guarantee titles to land in such State;

(4) no such loan shall be made for a period longer than 20 years from its date and no such loan shall exceed 75% of the appraised value of the mortgaged property, except that in the case of a mortgage loan of \$25,000.00 or less upon a single family dwelling, such loan may equal 80% of the appraised value of the mortgaged property; provided, that there shall be included in the appraised value of the mortgaged property, for the purpose of this paragraph (4), the value of the improvements to be erected upon the mortgaged property wholly or partly with the proceeds of such loan; and

(5) the instrument evidencing the loan shall require payment to be made during each year on account of the principal amount of the loan at a rate not less than 1% per annum of the original amount

of the loan, if the original amount of the loan does not exceed 50% of the appraised value of the mortgaged property; or 2% per annum of the original amount of the loan, if the loan exceeds 50% but does not exceed 66-2/3% of such appraised value; or 4% per annum of the original amount of the loan, if the mortgaged property consists of a single family dwelling, and if the loan exceeds 66-2/3% of such appraised value; or 5% per annum of the original amount of the loan, if the mortgaged property consists of property other than a single family dwelling, and if the loan exceeds 66-2/3% of such appraised value; provided, that, in lieu of such principal payments, the instrument evidencing any mortgage loan may require equal monthly payments, each applicable to principal and interest, in an amount sufficient to pay current interest and to repay the amount of the loan in not more than 20 years from its date; and provided further, that, in lieu of such principal payments, the instrument evidencing a mortgage loan upon a single family dwelling may require equal monthly payments, each applicable to principal and interest, in an amount sufficient to pay current interest on, and to repay an amount equal to the amount of the loan in not more than 25 years from its date, any unpaid balance owing on such loan to be payable in full not later than 20 years from its date; and provided further, that when the proceeds of any such loan are to be used to pay, in whole or in part, the cost of constructing a building or buildings on the mortgaged property, and such proceeds are paid by the bank from time to time, final payment being made at or after completion, the instrument evidencing such loan need not require that any payment be made on account of the principal amount of the loan during the period from the date of such loan to a date not more than 18 months from the date of such loan; and such date marking the end of the period during which no payments are required to be made on account of the principal amount of the loan, shall be deemed to be the date of such loan for the pur-

pose of reckoning the 20-year period limited for the payment of such loan by this paragraph (5), and by paragraph (4) of this section.

3. Section 69 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

69. Limitations on mortgage loans.

C. 17:9A-69.
Limitations
on mortgage
loans.

A. No bank shall make a mortgage loan when the total cost of acquisition by the bank of all real property owned by it, other than real property held for the purposes specified in subparagraph (a) of paragraph (5) of section 24, and the total of all principal balances owing to the bank on mortgage loans, less all write-offs and reserves with respect to such real property and mortgage loans, together exceed, or by the making of such loan will exceed, 70% of the time deposits of the bank or 100% of the aggregate of its unimpaired capital stock and its surplus, whichever is the greater. For the purposes of this subsection, principal balances owing to the bank on mortgage loans which are subject to the provisions of subsection A of section 68, other than mortgage loans upon 1-family, 2-family, 3-family and 4-family dwellings, the payment of which is fully insured by the Federal Housing Commissioner, shall only to the extent of 66-2/3% of such balances owing to the bank, be included in the total of all principal balances owing to the bank on mortgage loans, and principal balances owing to the bank on mortgage loans upon 1-family, 2-family, 3-family and 4-family dwellings the payment of which is fully insured by the Federal Housing Commissioner shall, only to the extent of 50% of such balances owing to the bank, be included in the total of all principal balances owing to the bank on mortgage loans. This subsection shall not, however, prevent the renewal or extension of the time for payment of a mortgage loan for the amount due thereon at the time of such renewal or extension.

B. Except as in this article otherwise provided, no bank shall, as sole lender or as a co-lender, make a loan secured by mortgage on real property or by mortgage on a lease of the fee of real property, nor

shall any bank purchase the entire interest or a part interest in any such mortgage, if the making of such loan or the purchase of such interest would cause the total of all unpaid balances secured by a mortgage or mortgages held by the bank as sole owner or as co-owner upon such real property or such leasehold, to exceed the limitations imposed by this article upon the amount of a mortgage loan which may be made upon the security of such real property or such leasehold.

C. The granting of mortgage loans to any person shall be without regard to race, creed, color, national origin or ancestry. The granting of such loans shall be without discrimination of any nature including, but not limited to, interest rates, terms and duration, because of race, creed, color, national origin or ancestry.

D. When a bank makes a mortgage loan the proceeds of which are to be used to pay, in whole or in part, the cost of constructing one or more industrial or commercial buildings on the mortgaged property, and such loan has a maturity of not more than 18 months, and a financially responsible lender has entered into a valid and binding agreement to repay to the bank the full amount of the bank's loan upon the completion of such industrial or commercial building or buildings; or when a bank makes a mortgage loan the proceeds of which are to be used to pay, in whole or in part, the cost of constructing a farm or residential building on the mortgaged property, and such loan has a maturity of not more than 18 months, the bank may, at its option to be exercised from time to time, treat any such loan either as a mortgage loan for all purposes of this article, or as an unsecured commercial loan. If the bank elects to treat any such loan as an unsecured commercial loan, the loan shall be subject to all limitations and requirements applicable to unsecured commercial loans otherwise made, and the principal balance owing to the bank on any such loan shall not be included in the total of all principal balances owing to the bank on mortgage loans for the pur-

pose of determining the limitations imposed by subsection A of this section. No bank shall treat any such loan as a commercial loan as in this subsection provided at any time when the principal balances owing to the bank on all such loans so treated exceed 100% of the aggregate of the bank's unimpaired capital stock and its surplus, or if the making of any such loan so treated would cause the principal balances owing to the bank on all such loans so treated to exceed 100% of the aggregate of its unimpaired capital stock and its surplus.

4. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 96

A SUPPLEMENT to the "Railroad Tax Law of 1948" approved July 22, 1941 (P. L. 1941, c. 291) as said short title was amended by chapter 40 of the laws of 1948.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The value of the main stem, the other real estate used for railroad purposes and the tangible personal property of each railroad shall be ascertained without including any part of the value of improvements to capital facilities undertaken pursuant to the provision of a contract with the State Highway Commissioner or pursuant to the provision of an agreement with a municipality, where such improvements were made after January 1, 1963. For the purpose of this section "improvements to capital facilities" shall mean the construction, reconstruction, relocation, establishment, improvement (by way of betterments, additions or otherwise) or rehabilitation in connection with

C. 54:29A-17.1.
Value not
to include
improvements
to capital
facilities;
term defined.

passenger service of passenger stations and terminals, automobile parking facilities for railroad patrons, track connections, signal systems, power systems, roadbeds, equipment storage and service facilities, and shall include the reconstruction or rehabilitation of railroad passenger cars, locomotives, self-propelled passenger carrying rail cars.

2. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 97, P. L. 1963

AN ACT making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1964, and regulating the disbursement thereof.

Anticipated
revenues.

ANTICIPATED RESOURCES FOR THE FISCAL YEAR

1963-64

Surplus

Estimated balance, July 1, 1963	\$1,664,907
---------------------------------------	-------------

Major Taxes and Fee Revenues

Transfer inheritance taxes	\$36,000,000
Main stem and franchise-excise taxes.	2,550,000
Miscellaneous corporation taxes, domestic and foreign	70,000,000
Domestic life insurance corporation taxes	900,000
Foreign insurance corporation taxes.	20,000,000
Beverage taxes	25,000,000
Taxes on cigarettes	62,000,000
Revenue from pari-mutuel racing ...	25,500,000
Tax on motor fuels	128,800,000

Motor vehicle fees, fines, et cetera ...	80,144,000
Motor vehicle fees—(Administering Security-Responsibility Law)	812,806
Commuters benefits	6,000,000

*Other Taxes, Licenses, Fees and Departmental
Revenue*

Department of Law and Public Safety:	
Bureau of Securities—License Fees	84,000
Special investigation refunds	7,000
Beverage licenses	895,000
Amusement Games Control Fees ..	68,000
Professional Examining Boards Fees	581,521
Beauty Culture Control Licenses ..	268,000
Tenement House Supervision	57,500
Hotel Fire Safety Inspection Fees.	48,000
Division of Weights and Measures.	42,000
Bus Excise taxes	284,153
Department of the Treasury:	
Investment earnings	1,000,000
Interest on deposits	275,000
Escheats, Personal Property (14- year law)	100,000
Outdoor advertising permits	144,500
Dividends	18,870
Division of Local Government	100,000
Public Utility Tax (Administration)	45,000
State cafeterias receipts	147,141
Receipts for pension and Social Se- curity Administration	435,000
Pension contributions from special funds	1,300,000
Social Security contributions from special funds	460,000
Federal Aid: Unemployment Bene- fits Section—Treasury Depart- ment	69,648

Department of State:	
General revenue, fees	900,000
Uniform Commercial Codes—Fees.	220,000
Commissions	100,000
Athletic commissioner	43,000
Department of Banking and Insurance:	
Examining and other fees	2,500,000
Real Estate Commission	500,000
Department of Agriculture:	
General fees	65,000
Milk control licenses and fees	230,000
Department of Defense:	
Armory rentals	90,000
Federal Aid, General	190,000
Federal Aid, Civil Defense	225,491
Department of Public Utilities:	
Fees	325,000
Department of Health:	
General fees	150,000
Rabies control licenses	109,813
Board of Barber Examiners, li- censes and fees	97,000
Department of Labor and Industry:	
Permits, fees and other revenue ...	360,000
1% workmen's compensation insur- ance tax	539,995
1% workmen's compensation ad- ministration fund	50,000
Federal Aid, Vocational Rehabilita- tion	1,570,830
Department of Conservation and Eco- nomic Development:	
Hunters' and anglers' licenses	1,776,852
Federal Aid, Public Hunting and Fishing Grounds	105,000

Division of Planning and Development, general revenue, licenses, fees, et cetera	670,000
Federal Aid, Forest Nursery and Farm Forestry	167,900
Receipts, Commissioners of Pilotage	21,360
Excess water diversion fees	190,000
Well drillers' licenses and permits.	16,500
Delaware and Raritan canal rentals and sales	275,250
Division of Shell Fisheries, licenses and fees	102,280
Receipts, Morris canal fund	50,317
Department of Education:	
Academic certificate fees	39,000
State Board of Examiners, fees ...	65,000
State Museum, service charges	15,000
Federal Aid, Smith-Hughes, George-Barden Funds	160,476
State Colleges—	
Glassboro:	
Tuition—Regular	352,500
Demonstration school	84,000
Miscellaneous	8,100
Cafeteria and boarding halls fees	534,420
Summer, extension, field, graduate fees	220,000
Jersey City:	
Tuition—Regular	322,500
Miscellaneous	9,000
Cafeteria and boarding halls fees	64,800
Summer, extension, field, graduate fees	105,550

Newark:

Tuition—Regular	278,550
Miscellaneous	5,000
Cafeteria and boarding halls fees	92,200
Summer, extension, field, grad- uate fees	425,000

Paterson:

Tuition—Regular	315,000
Cafeteria and boarding halls fees	92,000
Summer, extension, field, grad- uate fees	225,000
Miscellaneous	4,000

Montclair:

Tuition—Regular	354,000
Miscellaneous	15,000
Cafeteria and boarding halls fees	412,200
Summer, extension, field, grad- uate fees	211,652
Federal aid, home economics program	12,000

Trenton:

Tuition—Regular	363,750
Miscellaneous	5,000
Cafeteria and boarding halls fees	712,000
Summer, extension, field, grad- uate fees	285,000

School for the Deaf, board and fees 15,000

School of Conservation, tuition and
fees 151,441

Agricultural Experiment Station,
fees 80,000

Fertilizer inspection fees, Agricul-
tural Experiment Station 100,000

State Highway Department:	
Miscellaneous receipts	100,000
Department of Institutions and Agencies:	
Board of patients and other income	21,000,000
Adoption law fees	85,000
Federal aid, soldiers' homes	245,375
Federal aid, Child Welfare Services	575,000
Federal aid, administration of bureau of assistance and central office	275,000
Federal aid, administration of blind	260,000
Delaware River Joint Toll Bridge Commission:	
Pennsylvania share	163,326
Rentals and miscellaneous income..	1,251
Judiciary:	
Court fees	2,000,000
Unclassified:	
Miscellaneous revenues	250,000
Total Revenues	<u>\$506,867,818</u>

Interfund Transfers

Unclaimed Bank Deposits Escheat Fund	\$67,500
Unclaimed Life Insurance Escheat Fund	37,500
Unclaimed Personal Property Trust Fund	50,000
School Fund Income	670,000
1837 Surplus Revenue Fund Income..	23,000
State Higher Education Fund	846,624
State Recreation and Conservation Land Acquisition Fund	200,000

Unsatisfied Claim and Judgment Fund	181,665
State Water Development Fund	420,000
State Disability Benefits Fund	1,970,999
<hr/>	
Total Interfund Transfers ..	\$4,467,288
New Revenue Program	34,000,000
<hr/>	
Total Resources Available for Appropriations	\$547,000,013
<hr/>	

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Annual
appropriations.

1. The appropriations herein made or so much thereof as may be necessary are hereby appropriated out of the General State Fund, or such other sources of funds specifically indicated or as may be applicable, for the respective public officers and for the several purposes herein specified for the fiscal year ending on June 30, 1964. The appropriations herein made shall be available for expenditure during said fiscal year and for a period of 2 months thereafter to pay obligations incurred during said fiscal year. At the expiration of said 2 months' period all unexpended balances except those specifically held by contracts on file with the Director, Division of Budget and Accounting shall lapse into the State treasury or, in cases of appropriations from special funds, shall lapse to the credit of such special funds. Nothing in this section or in this act contained shall be construed to prohibit the payment due upon any contract made under any appropriation contained in any appropriation bill of the previous year or years.

GENERAL STATE PURPOSES

001-100 and 002-100. LEGISLATURE

001-100. *Senate*

Salaries:

Senators (21)	\$106,667	
Members' secretaries ..	10,500	
Other employees	78,875	
	<hr/>	\$196,042

Materials and Supplies:

Office	\$10,000	
Printing	94,000	
Education and rehabilitation	3,000	
	<hr/>	107,000

Services Other Than Personal:

Travel	\$600	
Telephone	6,000	
Household	100	
Subscriptions and memberships	38,000	
Postage	4,000	
Other	14,270	
	<hr/>	62,970

Maintenance and Replacements:

Maintenance of Property—		
Office equipment		175

Additions and Improvements:

Office equipment	500	
------------------------	-----	--

Total Appropriation, Senate	<hr/>	\$366,687
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002-100. *General Assembly*

Salaries:		
Assemblymen (60)	\$301,667	
Members' secretaries ..	24,000	
Other employees	60,000	
	<hr/>	\$385,667
Materials and Supplies:		
Office	\$8,500	
Printing	125,000	
Education and rehabilitation	6,500	
	<hr/>	140,000
Services Other Than Personal:		
Travel	\$700	
Telephone	10,900	
Household	100	
Subscriptions and memberships	81,700	
Postage	11,500	
Other	40,400	
	<hr/>	145,300
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment		7,000
Additions and Improvements:		
Office equipment		600
	<hr/>	
Total Appropriation, General Assembly		\$678,567
	<hr/>	
Total Appropriation, Legislature		\$1,045,254
	<hr/>	<hr/>

003-100. LAW REVISION AND LEGISLATIVE SERVICES
COMMISSION

Salaries:

Executive Director and Chief Counsel	\$17,500	
Other employees	127,516	
	<hr/>	\$145,016

Materials and Supplies:

Office	\$2,400	
Printing	1,500	
Education and rehabili- tation	1,200	
	<hr/>	5,100

Services Other Than Personal:

Travel	\$10,800	
Telephone	2,000	
Household	75	
Legal and investigative	6,500	
Postage	438	
Rent—Other	1,824	
Other	200	
	<hr/>	21,837

Maintenance and Replacements:

Maintenance of Property— Office equipment	\$200	
Replacements and Spe- cial Maintenance— Office equipment	200	
	<hr/>	400

Extraordinary:

Preliminary expenses for arranging National Legislative Conference in New Jersey, 1964 ..	\$2,000	
New positions, subject to the passage of Assem- bly, No. 671, or similar legislation	14,500	
	<hr/>	16,500

Additions and Improvements:	
Office equipment	500

Total Appropriation, Law Revision and Legislative Services Commission	<u>\$189,353</u>
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The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

004-100. LEGISLATIVE BUDGET AND FINANCE
DIRECTOR

Salaries:	
Other employees	\$74,696
New positions	6,669
	<u>\$81,365</u>

Materials and Supplies:	
Office	\$700
Vehicular	1,000
	<u>1,700</u>

Services Other Than Personal:	
Travel	\$3,600
Telephone	1,200
Insurance—Other	92
Household	25
Postage	300
Rent—Other	25
Other	1,500
	<u>6,742</u>

Maintenance and Replacements:	
Maintenance of Property—	
Office equipment	\$50
Vehicular equipment .	200
	<u>250</u>

Additions and Improvements:	
Office equipment	250
	<hr/>
Total Appropriation, Legis-	
lative Budget and Finance	
Director	\$90,307
	<hr/> <hr/>

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

005-100. STATE AUDITOR'S DEPARTMENT

Salaries:		
State Auditor	\$12,000	
Other employees	398,087	
	<hr/>	\$410,087
Materials and Supplies:		
Office	\$600	
Printing	600	
Vehicular	400	
Household and security .	50	
	<hr/>	1,650
Services Other Than Personal:		
Travel	\$19,600	
Telephone	800	
Insurance—Other	99	
Subscriptions and mem-		
berships	148	
Postage	425	
	<hr/>	21,072
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	800	
	<hr/>	
Total Appropriation, State		
Auditor's Department ...	\$433,609	
	<hr/> <hr/>	

MISCELLANEOUS LEGISLATIVE COMMISSIONS

010-100. *Commission on Interstate Co-operation*

Salaries:

Other employees	\$600
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Materials and Supplies:

Office	\$40	
Printing	200	
		240

Services Other Than Personal:

Travel	\$3,900	
Telephone	50	
Postage	50	
Other	150	
		4,150

Extraordinary:

Commitments to Interstate Agencies:

The Council of State Governments	\$24,000	
Atlantic States Marine Fisheries Commission	2,500	
National Conference of Commissioners on Uniform State Laws	1,200	
		27,700
		\$32,690

011-100. *Commission on State Tax Policy*

Extraordinary:

Expenses of the Commission	\$25,000
----------------------------------	----------

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

014-100. *County and Municipal Law
Revision Commission*

Extraordinary:

Expenses of the Commission \$15,000

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

019-100. *Commission on Narcotic Control*

Services Other Than Personal:

Travel \$1,500

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

020-100. *Uniform Commercial Code Study
Commission*

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

023-100. *Corporation Law Revision Commission*

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

024-100. *Insurance Law Revision Commission*

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

027-100. *State Capitol Development Commission*

Extraordinary:

Expenses of the Commission	\$25,000
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The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

028-100. *Narcotic Drug Study Commission*

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

029-100. *Commission to Study Tort Liability of Counties and Municipalities*

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

030-100. *Eminent Domain Revision Commission*

Extraordinary:

Expenses of the Commission	\$3,700
----------------------------------	---------

Total Appropriation, Miscellaneous Legislative Commissions	\$102,890
--	-----------

080-100. CHIEF EXECUTIVE'S OFFICE

Salaries:

Governor	\$35,000	
Secretary to the Governor	18,000	
Other employees	146,345	
	<hr/>	\$199,345

Materials and Supplies:

Office	\$4,000	
Printing	7,000	
Microfilming	5,050	
Vehicular	3,500	
	<hr/>	19,550

Services Other Than Personal:

Travel	\$3,500	
Telephone	15,000	
Subscriptions and memberships	2,000	
Postage	3,000	
Rent—Other	2,500	
Other	500	
	<hr/>	26,500

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$1,000	
Replacements and Special Maintenance—		
Office equipment	500	
	<hr/>	1,500

Extraordinary:

For expenditure by the Governor of funds not otherwise appropriated, including entertainment on behalf of the State, incidental expenses,

CHAPTER 97, LAWS OF 1963

and operation of an official residence	25,000
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Total Appropriation, Chief Executive's Office	<u>\$271,895</u>
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The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

DEPARTMENT OF LAW AND PUBLIC SAFETY

100-100. *Office of the Attorney General*

Salaries:

Attorney General	\$22,000	
Other employees	75,057	
		<u>\$97,057</u>

Materials and Supplies:

Office	\$700	
Printing	120	
Vehicular	225	
Household and security	30	
		<u>1,075</u>

Services Other Than Personal:

Travel	\$1,000	
Telephone	3,200	
Insurance—Other	49	
Subscriptions and memberships	200	
Postage	300	
Other	25	
		<u>4,774</u>

Maintenance and Replacements:

Maintenance of Property—	
Office equipment	\$125
Vehicular equipment	90

Replacements and Special Maintenance—		
Office equipment	542	
		757
<hr/>		
Total Appropriation, Office of the Attorney General		\$103,663
		<hr/>

The unexpended balance in the account
“Governor’s Committee on Milk
Pricing” as of June 30, 1963 is
hereby appropriated for the same
purpose.

There are hereby appropriated out of
the Veterans’ Guaranteed Loan
Fund such sums as may be neces-
sary to pay for the administration
thereof.

110-100. *Division of Law*

Salaries:

Other employees	\$787,085	
New positions	40,500	
		\$827,585

Materials and Supplies:

Office	\$7,500	
Printing	17,500	
Vehicular	4,500	
Household and security	175	
		29,675

Services Other Than Personal:

Travel	\$21,000
Telephone	16,000
Insurance—Other	545
Household	240
Advertising	150

Subscriptions and memberships	2,200	
Legal and investigative	7,600	
Postage	6,500	
Rent—Other	1,140	
Other	250	
		55,625
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$1,000	
Vehicular equipment	1,200	
Replacements and Special Maintenance—		
Office equipment	1,239	
Vehicular equipment	1,440	
		4,879
Additions and Improvements:		
Office equipment		1,835
Total Appropriation, Division of Law		\$919,599

Expenditures for the cost of securing evidence of violations under Title 19 and assisting in the prosecution of such violations shall be paid from the appropriation hereinabove set forth, provided that such expenditures shall be subject to the approval of the Governor.

The balance as at June 30, 1963 in the revolving fund established to provide for expenses in operating Chapter 357, P. L. 1951, together with all receipts, is hereby appropriated for use during 1963-64; provided, however, that any sums in excess of \$50,000 as at the close of the fiscal year shall lapse into the general treasury.

120-100. *Division of State Police (General)*

Salaries:

Colonel and Superintendent	\$16,000	
Deputy Superintendent	13,477	
Executive Officer	12,959	
Other employees	5,426,582	
New positions	280,058	
Cash in lieu of maintenance	994,921	
Cash in lieu of maintenance—New positions	57,105	
		\$6,801,102

Materials and Supplies:

Food	\$18,225	
Fuel and utilities	72,500	
Office	28,000	
Printing	20,000	
Agricultural and conservation	800	
Vehicular	230,000	
Household and security	38,000	
Clothing	89,950	
Medical	8,500	
Scientific	14,500	
Education and rehabilitation	1,500	
Other	600	
		522,575

Services Other Than Personal:

Travel	\$6,000
Insurance—Fire	4,509
Insurance—Other	20,902
Household	3,500
Subscriptions and memberships	1,000
Legal and investigative	27,000

Postage	10,500	
Rent—Equipment, Data processing	12,060	
Rent—Other	291,000	
Medical	25,000	
Education and rehabili- tation	2,000	
Staff training	1,000	
Other professional	4,000	
Other	1,000	
		<hr/>
		409,471

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$15,000	
Office equipment	2,500	
Vehicular equipment	87,000	
Household and secu- rity equipment	1,000	
Scientific equipment..	500	
Education and reha- bilitation equipment	250	
Other equipment	1,200	
Replacements and Special Maintenance—		
Buildings and grounds	23,100	
Office equipment	10,000	
Agricultural and con- servation equipment	500	
Vehicular equipment	275,500	
Household and secu- rity equipment	9,200	
Scientific equipment..	7,375	
Other equipment	500	
		<hr/>
		433,625

Extraordinary:

Compensation awards	10,190
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Additions and Improvements:

Office equipment	\$13,000
Vehicular equipment ...	59,000

Household and security equipment	2,500	
Scientific equipment ...	14,000	
Education and rehabili- tation equipment	750	
	<hr/>	89,250
		<hr/>
		\$8,266,213
		<hr/>

In addition to the amounts herein-
above specifically appropriated to
the Division of State Police, there
are appropriated such sums as may
be received from the New Jersey
Highway Authority and the New
Jersey Turnpike Authority for the
cost of training State Policemen
and for the cost of State Police serv-
ices furnished to such authorities;
provided, however, that sums re-
ceived from the aforementioned au-
thorities covering the cost of pen-
sions to be paid State Policemen
shall be paid into the State Police
Retirement and Benevolent Fund.

There are also appropriated from the
State Police Retirement and Benev-
olent Fund such sums as may be
necessary to administer the fund
pursuant to the provisions of R. S.
53:5.

121-100. *Bureau of Tenement House Supervision*

Salaries:	
Other employees	\$190,679
Materials and Supplies:	
Office	\$800
Printing	700
Vehicular	1,350
Household and security.	15
Clothing	1,000
	<hr/>
	3,865
Services Other Than Personal:	
Travel	\$9,500
Telephone	1,500
Insurance—Other	145
Household	100
Subscriptions and mem- berships	165
Postage	1,250
Rent—Other	576
	<hr/>
	13,236
Maintenance and Replacements:	
Maintenance of Property—	
Office equipment	\$150
Vehicular equipment .	300
Replacements and Special	
Maintenance—	
Office equipment	762
Vehicular equipment .	1,510
	<hr/>
	2,722
Additions and Improvements:	
Office equipment	430
	<hr/>
	\$210,932
	<hr/>
Total Appropriation, Divi- sion of State Police	<hr/>
	\$8,477,145

125-100. *Police Training Commission*

Salaries:

Other employees	\$21,223	
New positions	8,292	
	<hr/>	\$29,515

Materials and Supplies:

Office	\$300	
Printing	425	
Vehicular	285	
Education and rehabilitation	1,500	
	<hr/>	2,510

Services Other Than Personal:

Travel	\$750	
Telephone	400	
Insurance—Other	565	
Subscriptions and memberships	100	
Postage	600	
Other	100	
	<hr/>	2,515

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$75	
Vehicular equipment .	100	
	<hr/>	175

Additions and Improvements:

Office equipment	536	
	<hr/>	

Total Appropriation, Police Training Commission	<hr/>	\$35,251
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130-100. *Division of Alcoholic Beverage Control*

Salaries:

Director	\$18,000	
Other employees	899,783	
		\$917,783

Materials and Supplies:

Food	\$540	
Fuel and utilities	100	
Office	4,000	
Printing	9,000	
Microfilming	500	
Vehicular	400	
Household and security.	425	
Medical	450	
Scientific	570	
Other	50	
		16,035

Services Other Than Personal:

Travel	\$78,000	
Telephone	6,700	
Insurance—Fire	9	
Insurance—Other	594	
Household	400	
Advertising	1,600	
Subscriptions and mem- berships	3,200	
Legal and investigative.	4,800	
Postage	8,000	
Rent—Other	170	
Other	2,000	
		105,473

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$3,200	
Vehicular equipment .	400	

Replacements and Special Maintenance—		
Office equipment	1,647	
Scientific equipment..	302	
	<hr/>	5,549
Extraordinary:		
Compensation awards		1,199
		<hr/>
		\$1,046,039
		<hr/>
131-100. <i>Office of Amusement Games Control</i> <i>Commissioner</i>		
Salaries:		
Other employees		\$8,700
Materials and Supplies:		
Office	\$400	
Printing	450	
	<hr/>	850
Services Other Than Personal:		
Travel	\$1,500	
Legal and investigative.	250	
Postage	500	
	<hr/>	2,250
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment		100
		<hr/>
		\$11,900
		<hr/>
Total Appropriation, Divi- sion of Alcoholic Beverage Control		\$1,057,939
		<hr/>

140-100. *Division of Motor Vehicles*

Salaries:

Director	\$16,000	
Deputy Director	14,000	
Other employees	7,220,679	
New positions	65,696	
Positions transferred from another division.	43,090	
Motor vehicle examiners' overtime	227,619	
	<hr/>	\$7,587,084

Materials and Supplies:

Fuel and utilities	\$72,500	
Office	26,000	
Printing	274,000	
Microfilming	5,000	
Vehicular	52,500	
License plates	259,765	
Household and security.	11,000	
Clothing	74,850	
Medical	500	
Scientific	2,000	
Education and rehabili- tation	500	
	<hr/>	778,615

Services Other Than Personal:

Travel	\$10,000
Telephone	80,000
Insurance—Fire	12,000
Insurance—Other	12,048
Household	5,000
Subscriptions and mem- berships	4,000
Legal and investigative.	2,500
Postage	500,000
Rent—Equipment, Data processing	186,946

Rent—Other	97,547	
Medical	325	
Education and rehabilitation	30,000	
Staff training	3,000	
Other	17,500	
	<hr/>	960,866
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$29,000	
Office equipment	16,000	
Vehicular equipment .	20,000	
Scientific equipment..	12,000	
Replacements and Special		
Maintenance—		
Buildings and grounds	7,000	
Office equipment	9,810	
Vehicular equipment .	60,900	
Scientific equipment..	15,246	
	<hr/>	169,956
Extraordinary:		
Compensation awards ..	\$5,000	
Computer preparation		
program	40,000	
	<hr/>	45,000
Additions and Improvements:		
Buildings and grounds..	\$6,121	
Office equipment	6,526	
Household and security		
equipment	700	
Scientific equipment ...	715	
	<hr/>	14,062
		<hr/>
		\$9,555,583
		<hr/>

In addition to the amounts herein-
above specifically set forth, there
are appropriated such sums as may

be necessary to defray the cost of registering motor vehicles and licensing drivers pursuant to the provisions of R. S. 39:3-3 and 39:10-25.

So much as may be necessary of the revenues derived from fees charged by the Division of Motor Vehicles for furnishing driver record abstracts under the Safe Driver Insurance Plan filed with the Commissioner of Banking and Insurance under the provisions of P. L. 1944, C. 27, Sec. 14, together with the unexpended balance of such revenues as of June 30, 1963, are hereby appropriated, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

141-100. *Security-Responsibility Bureau*

Salaries:

Other employees	\$654,588	
New positions	16,304	
	<hr/>	\$670,892

Materials and Supplies:

Office	\$6,175	
Printing	16,000	
	<hr/>	22,175

Services Other Than Personal:

Travel	\$150
Telephone	6,000
Insurance—Fire	108

Insurance—Other	150	
Postage	24,000	
Rent — Buildings and grounds	79,235	
Rent—Other	5,200	
Other	100	
	<hr/>	114,943
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$1,500	
Replacements and Special		
Maintenance—		
Office equipment	2,000	
	<hr/>	3,500
Additions and Improvements:		
Office equipment		1,296
	<hr/>	\$812,806
		<hr/>

142-400. *Unsatisfied Claim and Judgment Fund
Bureau (Payable Out of Unsatisfied Claim
and Judgment Fund)*

Salaries:		
Other employees	\$143,847	
New positions	10,877	
	<hr/>	\$154,724
Materials and Supplies:		
Office	\$1,250	
Printing	5,000	
	<hr/>	6,250
Services Other Than Personal:		
Travel	\$750	
Telephone	2,000	
Insurance—Fire	14	
Insurance—Other	17	

Postage	2,375	
Data processing	1,900	
Rent — Buildings and grounds	10,910	
Other professional	1,000	
Other	500	
		19,466
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment		300
Additions and Improvements:		
Office equipment		925
		<u>\$181,665</u>

There are hereby appropriated out of the Unsatisfied Claim and Judgment Fund the amounts hereinabove set forth for administration of the Unsatisfied Claim and Judgment Fund Bureau, together with such sums as may be necessary for the payment of costs pursuant to R. S. 39:6-67 and for payment of claims.

Total Appropriation, Division of Motor Vehicles ... \$10,550,054

150-100. *Division of Weights and Measures*

Salaries:		
State Superintendent.	\$11,000	
Other employees	244,573	
New position	4,309	
		<u>\$259,882</u>

Materials and Supplies:		
Fuel and utilities	\$2,600	
Office	1,000	
Printing	3,000	
Vehicular	5,000	
License plates	1,500	
Household and security	750	
Clothing	150	
Other	200	
		14,200

Services Other Than Personal:		
Travel	\$15,000	
Telephone	3,000	
Insurance—Fire	214	
Insurance—Other	727	
Subscriptions and mem- berships	200	
Legal and investigative	750	
Postage	1,250	
Rent—Other	300	
Other	250	
		21,691

Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$1,000	
Office equipment	100	
Vehicular equipment	2,000	
Scientific equipment	1,500	
Other equipment	150	
Replacements and Special Maintenance—		
Buildings and grounds	5,000	
Office equipment	108	
Vehicular equipment	2,120	
Scientific equipment	2,500	
		14,478

Extraordinary:		
Compensation awards		500

Additions and Improvements:

Buildings and grounds..	\$1,000	
Office equipment	237	
Scientific equipment ...	4,500	
		<hr/> 5,737

Total Appropriation, Division of Weights and Measures.	<hr/> \$316,488
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*Division of Professional Boards*160-100. *Administrative Bureau*

Salaries:

Other employees	\$144,769
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Materials and Supplies:

Office	\$200	
Printing	500	
Vehicular	4,000	
		<hr/> 4,700

Services Other Than Personal:

Travel	\$9,000	
Telephone	2,000	
Insurance—Other	424	
Household	50	
Legal and investigative.	1,500	
Postage	400	
Rent—Buildings and grounds	781	
Rent—Other	225	
Other	50	
		<hr/> 14,430

Maintenance and Replacements:

Maintenance of Property—

Office equipment	\$275	
Vehicular equipment .	1,000	
		<hr/> 1,275

\$165,174

161-100. *State Board of Public Accountants*

Salaries:

Other employees	\$11,652
-----------------------	----------

Materials and Supplies:

Office	\$50	
Printing	500	
		550

Services Other Than Personal:

Telephone	\$250	
Insurance—Other	105	
Advertising	50	
Subscriptions and memberships	355	
Legal and investigative	600	
Postage	350	
Rent — Buildings and grounds	2,200	
Other	14,000	
		17,910
		\$30,112

162-100. *State Board of Architects*

Salaries:

Other employees	\$29,545
-----------------------	----------

Materials and Supplies:

Office	\$1,400	
Printing	2,000	
Household and security	25	
		3,425

Services Other Than Personal:

Travel	\$1,500
Telephone	750

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Insurance—Other	109	
Household	50	
Advertising	50	
Subscriptions and mem- berships	500	
Legal and investigative	100	
Postage	1,500	
Rent—Buildings and grounds	5,560	
Other	1,500	
	<hr/>	11,619
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment		150
		<hr/>
		\$44,739
		<hr/>

163-100. *State Board of Dentistry*

Salaries:		
Other employees		\$25,667
Materials and Supplies:		
Office	\$200	
Printing	1,300	
Education and rehabili- tation	1,100	
	<hr/>	2,600
Services Other Than Personal:		
Travel	\$6,500	
Telephone	400	
Insurance—Fire	8	
Insurance—Other	110	
Advertising	100	
Subscriptions and mem- berships	600	
Postage	1,000	

Rent—Buildings and grounds	2,280	
Rent—Other	500	
Other	200	
		<hr/> 11,698
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment		250
		<hr/> \$40,215

164-100. *State Board of Mortuary Science*

Salaries:		
Other employees		\$21,171
Materials and Supplies:		
Office	\$225	
Printing	400	
Household and security	10	
Education and rehabilitation	25	
		<hr/> 660
Services Other Than Personal:		
Travel	\$1,000	
Telephone	1,000	
Insurance—Fire	4	
Insurance—Other	108	
Household	275	
Subscriptions and memberships	242	
Legal and investigative	150	
Postage	500	
Rent—Buildings and grounds	4,577	
Rent—Other	175	
		<hr/> 8,031

Maintenance and Replacements:

Maintenance of Property—

Office equipment \$215

Replacements and Special

Maintenance—

Office equipment 186

401

\$30,263

165-100. *State Board of Professional Engineers
and Land Surveyors*

Salaries:

Other employees \$25,880

New position 2,910

\$28,790

Materials and Supplies:

Office \$750

Printing 6,800

Household and security 50

7,600

Services Other Than Personal:

Travel \$2,625

Telephone 500

Insurance—Other 89

Subscriptions and mem-
berships 725

Legal and investigative 650

Postage 1,600

Data processing 400

Rent—Buildings and
grounds 6,395

Other 10,000

22,984

Maintenance and Replacements:

Maintenance of Property—

Office equipment 100

Additions and Improvements:	
Office equipment	200
	<hr/>
	\$59,674
	<hr/>

166-100. *State Board of Medical Examiners*

Salaries:	
Other employees	\$33,612

Materials and Supplies:	
Office	\$1,200
Printing	5,000
Education and rehabilitation	200
	<hr/>
	6,400

Services Other Than Personal:	
Travel	\$5,000
Telephone	1,500
Insurance—Fire	20
Insurance—Other	119
Household	90
Subscriptions and memberships	500
Legal and investigative	150
Postage	3,000
Rent—Buildings and grounds	6,170
Rent—Other	300
Other	3,747
	<hr/>
	20,596

Maintenance and Replacements:	
Maintenance of Property—	
Office equipment	300
	<hr/>
	\$60,908
	<hr/>

167-100. *State Board of Nursing*

Salaries:

Other employees	\$85,133	
New position	2,677	
	<hr/>	\$87,810

Materials and Supplies:

Office	\$600	
Printing	3,000	
Household and security	50	
Education and rehabilitation	100	
	<hr/>	3,750

Services Other Than Personal:

Travel	\$3,000	
Telephone	1,600	
Insurance—Other	614	
Subscriptions and memberships	150	
Legal and investigative	150	
Postage	5,500	
Microfilming	200	
Rent—Buildings and grounds	12,081	
Rent—Equipment, Data processing	4,440	
Rent—Other	160	
Other	11,400	
	<hr/>	39,295

Maintenance and Replacements:

Maintenance of Property—		
Office equipment		350
	<hr/>	\$131,205

168-100. *State Board of Optometrists*

Salaries:		
Other employees		\$11,644
Materials and Supplies:		
Office	\$50	
Printing	400	
		450
Services Other Than Personal:		
Travel	\$1,200	
Telephone	450	
Insurance—Fire	3	
Insurance—Other	82	
Subscriptions and mem- berships	300	
Legal and investigative	600	
Postage	450	
Rent—Buildings and grounds	1,200	
		4,285
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment		100
Additions and Improvements:		
Office equipment		525
		<hr/> \$17,004 <hr/>

169-100. *State Board of Pharmacy*

Salaries:		
Other employees		\$35,482
Materials and Supplies:		
Office	\$800	
Printing	1,500	
Household and security	50	

Medical	500	
Education and rehabilitation	100	
		2,950
Services Other Than Personal:		
Travel	\$4,000	
Telephone	765	
Insurance—Other	134	
Household	100	
Subscriptions and memberships	180	
Legal and investigative	1,000	
Postage	2,250	
Rent—Buildings and grounds	4,082	
		12,511
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment		100
		\$51,043

170-100. *State Board of Veterinary Medical
Examiners*

Salaries:		
Other employees	\$2,398	
New position	500	
		\$2,898
Materials and Supplies:		
Office	\$100	
Printing	150	
		250
Services Other Than Personal:		
Travel	\$900	
Telephone	90	

Insurance—Other	18	
Subscriptions and mem- berships	25	
Postage	125	
Other	75	
	<hr/>	1,233
		<hr/>
		\$4,381
		<hr/>

171-100. *State Board of Shorthand Reporting*

Salaries:		
Other employees		\$300
Services Other Than Personal:		
Insurance—Other	\$10	
Other	100	
	<hr/>	110
		<hr/>
		\$410
		<hr/>

172-100. *State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians*

Salaries:		
Other employees		\$6,169
Materials and Supplies:		
Office	\$100	
Printing	250	
Education and rehabili- tation	175	
	<hr/>	525
Services Other Than Personal:		
Travel	\$758	
Telephone	220	

Insurance—Fire	5	
Insurance—Other	47	
Subscriptions and mem- berships	50	
Legal and investigative.	100	
Postage	300	
Rent—Buildings and grounds	950	
	<hr/>	2,430

Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	35	
	<hr/>	\$9,159
		<hr/>

173-100. *State Board of Beauty Culture Control*

Salaries:		
Chairman	\$3,500	
Board members (5 at \$2,500)	12,500	
Other employees	43,111	
	<hr/>	\$59,111

Materials and Supplies:		
Office	\$900	
Printing	5,000	
Education and rehabili- tation	200	
	<hr/>	6,100

Services Other Than Personal:		
Travel	\$3,200	
Telephone	1,400	
Insurance—Other	15	
Subscriptions and mem- berships	25	
Postage	4,500	

Rent—Other	160	
Other	30	
	<hr/>	9,330
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$200	
Replacements and Special		
Maintenance—		
Office equipment	805	
	<hr/>	1,005
Additions and Improvements:		
Office equipment		225
		<hr/>
		\$75,771
		<hr/>

174-100. *State Board of Professional Planners*

Out of the receipts of this board there shall be appropriated such sums as may be necessary for the administration thereof, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

175-100. *State Board of Examiners of Electrical Contractors*

Out of the receipts of this board there shall be appropriated such sums as may be necessary for the administration thereof, the allotment of which shall be subject to the ap-

proval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

Total Appropriation, Division of Professional Boards	\$720,058
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The amounts hereinabove appropriated to each of the several professional boards shall be payable out of the receipts of such boards and any receipts in excess of the amounts specifically appropriated to each of said boards are hereby appropriated, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director; provided, however, that the appropriation of excess receipts shall not apply to the Board of Beauty Culture Control.

Total Appropriation, Department of Law and Public Safety	\$22,180,197
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DEPARTMENT OF THE TREASURY

210-100. *Administrative Division*

Salaries:

State Treasurer	\$20,000	
Other employees	138,035	
		\$158,035

Materials and Supplies:

Office	\$1,400	
Printing	1,100	
Vehicular	500	
Household and security.	170	
Other	500	
	<hr/>	3,670

Services Other Than Personal:

Travel	\$1,300	
Telephone	4,300	
Insurance—Other	761	
Advertising	150	
Subscriptions and mem- berships	500	
Postage	550	
Rent—Other	1,180	
	<hr/>	8,741

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$1,000	
Vehicular equipment .	150	
Replacements and Special Maintenance—		
Office equipment	4,500	
Vehicular equipment .	2,050	
	<hr/>	7,700

Total Appropriation, Admin- istrative Division	<hr/>	\$178,146
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220-100. *Division of Budget and Accounting*

Salaries:

Director	\$19,000	
Other employees	895,478	
New positions	10,793	
	<hr/>	\$925,271

Materials and Supplies:		
Office	\$11,375	
Printing	41,500	
Vehicular	350	
Household and security.	500	
	<hr/>	53,725
Services Other Than Personal:		
Travel	\$10,500	
Telephone	10,300	
Insurance—Other	566	
Household	100	
Subscriptions and mem- berships	650	
Postage	23,500	
Microfilming	1,200	
Rent—Equipment, Data processing	127,628	
Other	150	
	<hr/>	174,594
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$5,100	
Vehicular equipment .	50	
Replacements and Special Maintenance—		
Office equipment	4,384	
	<hr/>	9,534
Additions and Improvements:		
Office equipment		4,000
		<hr/>
Total Appropriation, Divi- sion of Budget and Ac- counting		\$1,167,124
		<hr/>

There are hereby appropriated, out of
revenues derived from escheated
property under the various escheat
acts, such sums as may be necessary

to administer such acts and such sums as may be required for refunds.

Such sums as may be necessary for payment of expenses incurred by issuing officials appointed under the several bond acts of the State are hereby appropriated for the purposes and from the sources defined in said acts.

230-100. *Division of Purchase and Property*

Salaries:

Director	\$18,000	
Other employees	1,446,295	
	<hr/>	\$1,464,295

Materials and Supplies:

Fuel and utilities	\$143,000	
Office	6,325	
Printing	8,350	
Vehicular	4,450	
Household and security.	28,065	
Clothing	300	
Medical	100	
Scientific	575	
Other	100	
	<hr/>	191,265

Services Other Than Personal:

Travel	\$3,100
Telephone	20,000
Insurance—Fire	9,582
Insurance—Other	2,059
Household	3,300
Advertising	10,000
Subscriptions and memberships	2,050

Postage	10,515	
Rent—Other	20,342	
Other	22,000	
	<hr/>	102,948

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$63,250	
Office equipment	1,450	
Vehicular equipment .	2,300	
Replacements and Special		
Maintenance—		
Buildings and grounds	2,400	
Office equipment	6,248	
Vehicular equipment .	2,000	
Household and secu-		
rity equipment	500	
	<hr/>	78,148

Extraordinary:

Maintenance—New		
Education Building ..	\$139,705	
Maintenance—New		
Labor and Industry		
Building	200,000	
	<hr/>	339,705

Additions and Improvements:

Buildings and grounds..	\$35,000	
Office equipment	1,043	
	<hr/>	36,043
		<hr/>
		\$2,212,404

The unexpended balance, not to exceed \$20,000, as of June 30, 1963 in the Account “Maintenance — New Education Building” is hereby appropriated for the same purpose.

230-300. *State Purchase Fund*

The unexpended balance in the State Purchase Fund as of June 30, 1963, together with the reimbursements made to said fund during 1963-64, are hereby appropriated so that a "purchase revolving fund" not to exceed \$750,000 will be maintained for the purpose of making payments for purchases pursuant to the purchase act (Chapter 25 of Title 52 of the Revised Statutes), and for the expenses of handling, storing and transporting purchases so made; provided, however, that the allotment of funds for such expenses shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director. Any sum as of June 30, 1964 in excess of \$750,000 appropriated herein, shall be transferred by the State Treasurer to the General State Fund.

231-100. *Bureau of Construction*

Salaries:

Other employees	\$335,609
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Materials and Supplies:

Office	\$2,000	
Printing	5,000	
Vehicular	1,200	
Household and security.	150	
Scientific	1,200	
	<hr/>	9,550

Services Other Than Personal:		
Travel	\$3,000	
Telephone	6,500	
Insurance—Other	331	
Advertising	10,000	
Subscriptions and mem- berships	200	
Postage	3,000	
		<hr/>
		23,031
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$275	
Vehicular equipment .	300	
Replacements and Special		
Maintenance—		
Office equipment	351	
Vehicular equipment .	3,300	
		<hr/>
		4,226
		<hr/>
		\$372,416
		<hr/>

232-100. *Agricultural Commodity Distribution*

Salaries:		
Other employees		\$49,674
Materials and Supplies:		
Office	\$300	
Printing	2,500	
Household and security.	50	
		<hr/>
		2,850
Services Other Than Personal:		
Travel	\$2,500	
Telephone	1,500	
Insurance—Other	66	
Household	86	
Postage	1,000	
Data processing	7,475	
		<hr/>
		12,627

Maintenance and Replacement:

Maintenance of Property—

Office equipment 55

 \$65,206

Receipts from such distribution charges as may be made to recipient agencies, in accordance with Federal regulations, are hereby appropriated as a revolving fund to be used to defray distribution costs; provided, however, that the allotment of such funds shall be subject to approval by the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

233-400. *Cafeteria—State House**(Payable Out of Cafeteria Receipts)*

Salaries:

Other employees \$41,168

Materials and Supplies:

Food \$45,500

Office 50

Printing 25

Household and security. 4,200

 49,775

Services Other Than Personal:

Household 1,500

Maintenance and Replacements:

Maintenance of Property—

Office equipment \$35

Household and security equipment 300

Replacements and Special Maintenance— Household and secu- rity equipment	500	
		835
		<u>\$93,278</u>

234-400. *Cafeteria—State Highway Department
at Fernwood*

(Payable Out of Cafeteria Receipts)

Salaries:		
Other employees		\$27,188
Materials and Supplies:		
Food	\$23,500	
Office	25	
Printing	10	
Household and secu- rity	1,500	
		25,035
Services Other Than Personal:		
Travel	\$80	
Household	540	
		620
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$20	
Household and secu- rity equipment	500	
Replacements and Special Maintenance—		
Household and secu- rity equipment	500	
		1,020
		<u>\$53,863</u>

The unexpended balances in the accounts of the State-operated cafeterias on June 30, 1963, together with receipts in excess of those anticipated, are hereby appropriated.

Total Appropriation, Division of Purchase and Property	\$2,797,167
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240-100. *Division of Taxation*

Salaries:

Director	\$17,000	
Other employees	3,808,302	
New positions	34,236	
		\$3,859,538

Materials and Supplies:

Food	\$650	
Fuel and utilities	175	
Office	16,900	
Printing	46,975	
Vehicular	31,400	
License plates	650	
Household and security	770	
Clothing	50	
Scientific	650	
Education and rehabilitation	600	
Other	750	
		99,570

Services Other Than Personal:

Travel	\$32,150
Telephone	34,265
Insurance—Fire	287
Insurance—Other	6,681
Household	235
Subscriptions and memberships	9,948

Legal and investigative.	33,000	
Postage	49,600	
Data processing	15,200	
Rent—Equipment, Data processing	33,212	
Rent—Other	2,844	
Staff training	700	
Other	100	
	<hr/>	218,222
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$5,256	
Vehicular equipment .	12,650	
Replacements and Special Maintenance—		
Office equipment	2,438	
Vehicular equipment .	49,138	
	<hr/>	69,482
Extraordinary:		
Emergency Transportation Tax Bu- reau		225,000
Additions and Improvements:		
Office equipment		6,622
	<hr/>	
Total Appropriation, Divi- sion of Taxation		\$4,478,434
	<hr/>	

The unexpended balance in the account for “Emergency Transportation Tax Bureau” as of June 30, 1963 is hereby appropriated.

In addition to the sums hereinabove appropriated for “Emergency Transportation Tax Bureau,” there are hereby appropriated out of receipts from the Emergency Transportation Tax such sums as may be

necessary for expenses of collection and enforcement thereof; provided, however, that the allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

General Tax Refunds:

Upon certification of the Director of the Division of Taxation, the State Treasurer shall pay, upon warrants of the Director of the Division of Budget and Accounting, such claims for refund as may be necessary under the provisions of Title 54 of the Revised Statutes as amended or supplemented.

There are hereby appropriated such sums as may be required under the provisions of R. S. 54:10B-24 to pay over to the various taxing districts and counties the tax receipts derived from the imposition of the Financial Business Tax.

There are hereby appropriated such sums as may be required to carry out the provisions of R. S. 54:17-4.

There are hereby appropriated such sums as may be required under the provisions of R. S. 54:29A-24 to pay over to the local taxing districts the tax receipts derived from the assessment of Class II Railroad Property.

250-100. *Division of Local Government*

Salaries:		
Director	\$17,000	
Board members (3 @ \$5,000)	15,000	
Other employees	205,028	
		\$237,028
Materials and Supplies:		
Office	\$3,000	
Printing	12,600	
Vehicular	1,500	
Household and security	75	
		17,175
Services Other Than Personal:		
Travel	\$18,000	
Telephone	2,200	
Insurance—Fire	36	
Insurance—Other	302	
Subscriptions and memberships	600	
Postage	18,750	
Rent—Other	60	
		39,948
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$1,000	
Vehicular equipment	350	
Replacements and Special Maintenance—		
Office equipment	211	
		1,561
Total Appropriation, Division of Local Government.		\$295,712

260-100. *Division of Tax Appeals*

Salaries:

President	\$11,500	
Board members (6 @ \$10,500)	63,000	
Other employees	80,337	
	<hr/>	\$154,837

Materials and Supplies:

Office	\$800	
Printing	500	
Vehicular	350	
Household and security.	50	
	<hr/>	1,700

Services Other Than Personal:

Travel	\$2,750	
Telephone	1,000	
Insurance—Other	60	
Subscriptions and mem- berships	425	
Legal and investigative.	20,000	
Postage	1,000	
	<hr/>	25,235

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$100	
Vehicular equipment .	100	
Replacements and Special Maintenance—		
Vehicular equipment .	1,650	
	<hr/>	1,850

Total Appropriation, Divi- sion of Tax Appeals	<hr/>	\$183,622
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270-100. *Division of the New Jersey Racing
Commission*

Salaries:

Other employees	\$152,865	
New positions	13,282	
	<hr/>	\$166,147

Materials and Supplies:

Office	\$1,050	
Printing	1,350	
Vehicular	600	
Scientific	1,350	
	<hr/>	4,350

Services Other Than Personal:

Travel	\$15,000	
Telephone	3,900	
Insurance—Fire	15	
Insurance—Other	586	
Subscriptions and mem- berships	1,500	
Legal and investigative.	250	
Postage	750	
Rent—Other	540	
Other professional	64,620	
	<hr/>	87,161

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$100	
Vehicular equipment .	200	
	<hr/>	300

Total Appropriation, Divi- sion of the New Jersey Racing Commission	<hr/>	\$257,958
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290-100. *Division of Investment*

Salaries:		
Director	\$19,000	
Other employees	113,673	
	<hr/>	\$132,673
Materials and Supplies:		
Office	\$1,200	
Printing	800	
Household and security.	60	
	<hr/>	2,060
Services Other Than Personal:		
Travel	\$1,500	
Telephone	2,500	
Insurance—Other	416	
Advertising	500	
Subscriptions and mem- berships	3,000	
Postage	600	
Microfilming	300	
Other professional	10,500	
	<hr/>	19,316
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$450	
Replacements and Special		
Maintenance—		
Office equipment	450	
	<hr/>	900
Total Appropriation, Divi- sion of Investment		<hr/> \$154,949

There are hereby appropriated, out of
receipts derived from the invest-
ment of State funds, such sums as

may be necessary for custodial costs and advertising bank balances as required by Chapter 174, Laws of 1956; provided, however, that the allotment of such sums for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

295-100. *Division of Pensions*

Salaries:

Director	\$16,000	
Other employees	993,695	
	<hr/>	\$1,009,695

Materials and Supplies:

Office	\$7,500	
Printing	18,000	
Vehicular	1,000	
Household and security	50	
	<hr/>	26,550

Services Other Than Personal:

Travel	\$18,000	
Telephone	20,500	
Insurance—Fire	216	
Insurance—Other	363	
Advertising	600	
Subscriptions and memberships	735	
Legal and investigative	1,500	
Postage	33,000	
Microfilming	2,500	
Rent—Equipment, Data processing	72,000	
Medical	10,200	
Other professional	60,000	
	<hr/>	219,614

Maintenance and Replacements:

Maintenance of Property—

Office equipment \$3,500

Vehicular equipment . 500

Replacements and Special Maintenance—

Office equipment 2,220

6,220

Total Appropriation, Division of Pensions

\$1,262,079

Total Appropriation, Department of the Treasury

\$10,775,191

DEPARTMENT OF STATE

300-100. *Office of Secretary*

Salaries:

Secretary of State \$18,000

Other employees 162,758

New positions 32,790

\$213,548

Materials and Supplies:

Office \$2,600

Printing 16,150

Vehicular 200

Household and security . 75

19,025

Services Other Than Personal:

Travel \$1,000

Telephone 4,000

Insurance—Other 45

Subscriptions and memberships 500

Postage 10,500

Microfilming 5,000

Other 20,400

41,445

Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$800	
Replacements and Special Maintenance—		
Office equipment	365	
		<hr/> 1,165
Total Appropriation, Office of Secretary		
		<hr/> \$275,183

302-100. *Office of the Athletic Commissioner*

Salaries:		
Commissioner	\$6,000	
Other employees	26,826	
		<hr/> \$32,826
Materials and Supplies:		
Office	\$75	
Printing	200	
Household and security	25	
		<hr/> 300
Services Other Than Personal:		
Travel	\$1,500	
Telephone	1,200	
Insurance—Other	5	
Subscriptions and memberships	225	
Postage	225	
Medical	2,800	
		<hr/> 5,955
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment		50
		<hr/>
Total Appropriation, Office of the Athletic Commissioner		
		<hr/> \$39,131

304-100. *Legalized Games of Chance
Control Commission*

Salaries:		
Other employees		\$91,306
Materials and Supplies:		
Office	\$1,200	
Printing	1,800	
Vehicular	3,200	
Household and security .	40	
Education and rehabili- tation	50	
		6,290
Services Other Than Personal:		
Travel	\$2,595	
Telephone	2,200	
Insurance—Other	293	
Household	150	
Subscriptions and mem- berships	300	
Legal and investigative	1,100	
Postage	2,000	
Rent—Equipment, Data processing	5,940	
Rent—Other	800	
		15,378
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$550	
Vehicular equipment ...	900	
Replacements and Spe- cial Maintenance—		
Vehicular equipment	4,170	
		5,620
Additions and Improvements:		
Office equipment		300
Total Appropriation, Legal- ized Games of Chance Con- trol Commission		\$118,894

305-100. *Youth Division*

Salaries:		
Director		\$13,000
Extraordinary:		
Expenses of the Division		17,896
Total Appropriation, Youth Division		<u>\$30,896</u>

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

306-100. *Division of the Aging*

Salaries:		
Director	\$13,000	
Other employees	56,355	
		<u>\$69,355</u>
Materials and Supplies:		
Office	\$650	
Printing	7,000	
Vehicular	750	
Education and rehabilitation	600	
		<u>9,000</u>
Services Other Than Personal:		
Travel	\$2,700	
Telephone	2,000	
Insurance—Fire	8	
Insurance—Other	129	
Subscriptions and memberships	300	
Postage	5,000	
Other	4,200	
		<u>14,337</u>

Maintenance and Replacements:

Maintenance of Property—

Office equipment	\$150	
Vehicular equipment .	300	
		<u>450</u>

Extraordinary:

Survey and demonstra- tion projects	\$10,000	
Conference on aging ...	1,600	
		<u>11,600</u>

Total Appropriation, Divi- sion of the Aging	\$104,742
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Total Appropriation, Depart- ment of State	\$568,846
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310-100. DEPARTMENT OF CIVIL SERVICE

Salaries:

President	\$20,000	
Commissioners (4 at \$8,500)	34,000	
Chief Examiner and Sec- retary	18,000	
Other employees	1,211,175	
New positions	44,419	
		<u>\$1,327,594</u>

Materials and Supplies:

Office	\$11,500	
Printing	28,500	
Microfilming	750	
Vehicular	2,700	
Household and security .	350	
Scientific	200	
Education and rehabili- tation	4,000	
		<u>48,000</u>

Services Other Than Personal:

Travel	\$17,000	
Telephone	16,000	
Insurance—Fire	9	
Insurance—Other	1,044	
Advertising	44,000	
Subscriptions and mem- berships	1,250	
Legal and investigative	10,000	
Postage	17,000	
Suggestion awards	1,000	
Rent—Equipment, Data processing	19,950	
Rent—Other	10,000	
Staff training	4,000	
Other	20,000	
		<hr/> 161,253

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$2,500	
Vehicular equipment	1,250	
Replacements and Special Maintenance—		
Buildings and grounds	350	
Office equipment	8,610	
Vehicular equipment	6,080	
		<hr/> 18,790

Extraordinary:

Public Personnel Association Con- ference—Host State	2,000
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Additions and Improvements:

Buildings and grounds	\$3,000	
Office equipment	11,069	
Education and rehabili- tation equipment	1,860	
		<hr/> 15,929

Total Appropriation, De- partment of Civil Service	<hr/> <hr/> \$1,573,566
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DEPARTMENT OF BANKING AND INSURANCE

320-100. *General*

Salaries:

Commissioner	\$20,000	
Other employees	1,904,621	
New positions	9,500	
	<hr/>	\$1,934,121

Materials and Supplies:

Office	\$8,000	
Printing	35,000	
Vehicular	195	
Household and security	165	
	<hr/>	43,360

Services Other Than Personal:

Travel	\$182,000	
Telephone	13,500	
Insurance—Fire	39	
Insurance—Other	476	
Advertising	300	
Subscriptions and memberships	3,400	
Legal and investigative	5,000	
Postage	17,500	
Suggestion awards	100	
Rent—Equipment, Data processing	31,870	
Rent—Other	160	
Other	100	
	<hr/>	254,445

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$2,500	
Vehicular equipment	50	
Replacements and Special Maintenance—		
Office equipment	4,055	
	<hr/>	6,605

Additions and Improvements:	
Office equipment	3,733
Total Appropriation, General	<u>\$2,242,264</u>

There are hereby appropriated the trust funds of the National Association of Insurance Commissioners.

322-100. *Division of New Jersey Real Estate Commission*

Salaries:		
Commissioners (5 @ \$4,000)	\$20,000	
Other employees	126,581	
		<u>\$146,581</u>
Materials and Supplies:		
Office	\$1,400	
Printing	10,000	
Vehicular	1,400	
		<u>12,800</u>
Services Other Than Personal:		
Travel	\$3,300	
Telephone	3,500	
Insurance—Other	177	
Household	200	
Subscriptions and memberships	460	
Legal and investigative	3,000	
Postage	8,500	
Rent—Other	4,480	
Other	2,750	
		<u>26,367</u>
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$225	

Vehicular equipment	250	
Replacements and Special Maintenance—		
Office equipment	348	
	<hr/>	823
Additions and Improvements:		
Office equipment		925
	<hr/>	
Total Appropriation, Division of New Jersey Real Estate Commission		\$187,496
	<hr/>	
Total Appropriation, Department of Banking and Insurance		\$2,429,760
	<hr/> <hr/>	

DEPARTMENT OF AGRICULTURE

330-100. *General*

Salaries:

Secretary	\$20,000	
Other employees	933,467	
New positions	6,192	
	<hr/>	\$959,659

Materials and Supplies:

Fuel and utilities	\$1,200	
Office	4,700	
Printing	19,500	
Vehicular	21,000	
Household and security	400	
Clothing	400	
Medical	4,000	
Scientific	7,500	
Education and rehabilitation	1,250	
Other	1,500	
	<hr/>	61,450

Services Other Than Personal:		
Travel	\$33,000	
Telephone	14,000	
Insurance—Fire	27	
Insurance—Other	4,505	
Household	750	
Subscriptions and mem- berships	1,500	
Legal and investigative	1,000	
Postage	13,500	
Rent—Equipment, Data processing	6,500	
Rent—Other	2,100	
Education and rehabili- tation	68,000	
Staff training	500	
Other professional	87,500	
Other	4,500	
		<hr/> 237,382
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$500	
Office equipment	1,000	
Vehicular equipment	4,200	
Scientific equipment..	400	
Other equipment	100	
Replacements and Special Maintenance—		
Office equipment	5,000	
Vehicular equipment	25,400	
		<hr/> 36,600
Extraordinary:		
Indemnities pursuant to R. S. 4:5..		55,000
Additions and Improvements:		
Office equipment	\$7,500	
Scientific equipment ...	5,000	
		<hr/> 12,500
Total Appropriation, General		<hr/> \$1,362,591

The unexpended balance on June 30, 1963 in the account "Indemnities—pursuant to R. S. 4:5" is hereby appropriated for such indemnities.

The unexpended balances as of June 30, 1963 of receipts derived pursuant to the provisions of Chapter 47, P. L. 1957 (Poultry Products Promotion Council), Chapter 169, P. L. 1957 (White Potato Industry Promotion Council), Chapter 18, P. L. 1959 (Asparagus Industry Promotion Council), and Chapter 80, P. L. 1959 (Apple Industry Promotion Council), together with such receipts received during the fiscal year 1963-64, are hereby appropriated; provided, however, that all receipts derived pursuant to the provisions of Chapter 47, P. L. 1957 during the fiscal year 1963-64 in excess of \$100,000 shall be reimbursed to the General State Fund on account of the appropriation made pursuant to section 17 of said act, to the extent that reimbursement has not been made heretofore.

339-100. *Office of Milk Industry*

Salaries:

Director	\$12,000	
Other employees	187,431	
	<hr/>	\$199,431

Materials and Supplies:

Office	\$500
Printing	3,000
Vehicular	3,000

Household and security	100	
Scientific	250	
		6,850
Services Other Than Personal:		
Travel	\$2,500	
Telephone	4,000	
Insurance—Fire	34	
Insurance—Other	485	
Advertising	250	
Subscriptions and mem- berships	150	
Legal and investigative	3,000	
Postage	5,500	
Rent—Other	1,000	
Other	200	
		17,119
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$600	
Vehicular equipment	700	
Replacements and Special Maintenance—		
Vehicular equipment .	6,570	
		7,870
Total Appropriation, Office of Milk Industry		\$231,270
There are hereby appropriated, out of receipts of this agency in excess of those anticipated, such additional sums not to exceed \$142,219 as may be required for costs of administra- tion in addition to those herein- above specifically set forth, the allot- ment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.		
Total Appropriation, Depart- ment of Agriculture		\$1,593,861

DEPARTMENT OF DEFENSE

340-100. *Administration—General*

Salaries:

Chief of Staff	\$18,000	
Other employees	343,933	
	<hr/>	\$361,933

Materials and Supplies:

Office	\$3,250	
Printing	6,250	
Household and security.	275	
Scientific	350	
	<hr/>	10,125

Services Other Than Personal:

Telephone	\$11,500	
Subscriptions and mem- berships	600	
Postage	1,500	
	<hr/>	13,600

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$1,100	
Replacements and Special Maintenance—		
Office equipment	847	
	<hr/>	1,947

Additions and Improvements:

Office equipment	975	
	<hr/>	

Total Appropriation, Admin- istration—General	<hr/>	\$388,580
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342-100. *National Guard and/or State Guard*

Salaries:

Other employees	\$866,046
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Materials and Supplies:

Fuel and utilities	\$322,000	
Office	605	
Agricultural and con-		
servation	500	
Vehicular	6,300	
Household and security.	29,500	
Clothing	1,500	
Scientific	500	
Other	100	
		361,005

Services Other Than Personal:

Travel	\$6,500	
Telephone	58,000	
Insurance—Fire	49,027	
Insurance—Other	17,825	
Household	10,000	
Advertising	500	
Subscriptions and mem-		
berships	1,900	
Postage	300	
Medical	4,000	
Staff training	15,000	
Other	750	
		163,802

Maintenance and Replacements:

Maintenance of Property—	
Buildings and grounds	\$96,400
Office equipment	650
Agricultural and con-	
servation equipment	1,200
Vehicular equipment .	2,500
Household and secu-	
rity equipment	3,500

Replacements and Special Maintenance—		
Buildings and grounds	127,880	
Office equipment	959	
Agricultural and conservation equipment	2,125	
Vehicular equipment .	17,000	
Household and security equipment	1,240	
	<hr/>	253,454
Extraordinary:		
Organization allowance.	\$8,000	
Compensation awards..	7,000	
	<hr/>	15,000
Additions and Improvements:		
Office equipment	\$1,273	
Agricultural and conservation equipment .	352	
Vehicular equipment ..	2,400	
Household and security equipment	4,705	
	<hr/>	8,730
Total Appropriation, National Guard and/or State Guard		<hr/> \$1,668,037

344-100. *Naval Militia Reserve*

Salaries:		
Other employees		\$8,742
Services Other Than Personal:		
Other		1,000
	<hr/>	
Total Appropriation, Naval Militia Reserve		<hr/> \$9,742

346-100. *Division of Civil Defense*

Salaries:		
Other employees	\$293,436	
New positions	11,901	
	<hr/>	\$305,337
Materials and Supplies:		
Office	\$2,000	
Printing	12,500	
Vehicular	2,300	
Education and rehabilitation	2,000	
Other	100	
	<hr/>	18,900
Services Other Than Personal:		
Travel	\$8,900	
Telephone	7,400	
Insurance—Fire	15	
Insurance—Other	429	
Subscriptions and memberships	800	
Postage	5,500	
Other	5,100	
	<hr/>	28,144
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$400	
Vehicular equipment .	600	
Replacements and Special Maintenance—		
Office equipment	750	
Vehicular equipment .	1,800	
	<hr/>	3,550
Extraordinary:		
Hammonton Training School Program	\$5,000	

Control Center Program	7,500	
Medical and Health Preparedness Program	6,500	
	<hr/>	19,000
Total Appropriation, Division of Civil Defense		<hr/> \$374,931 <hr/>

There are hereby appropriated such sums as may be necessary to carry out the provisions of Chapter 12, Laws of 1952, from the Special Fund for Civil Defense Volunteers.

Any receipts in excess of those anticipated from charges made to local government jurisdictions for handling Federal surplus property are hereby appropriated.

The Governor is hereby empowered to direct the State Treasurer to transfer from any State department to the Division of Civil Defense such sums as may be necessary for the cost of any emergency occasioned by aggression, sabotage or disaster.

Total Appropriation, Department of Defense	<hr/> \$2,441,290 <hr/>
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350-100. DEPARTMENT OF PUBLIC UTILITIES

Salaries:

President	\$20,000	
Board members (2 @ \$17,000)	34,000	
Other employees	675,793	
New positions	16,183	
	<hr/>	\$745,976

Materials and Supplies:		
Office	\$4,500	
Printing	6,000	
Vehicular	1,400	
Household and security.	450	
		<hr/> 12,350
Services Other Than Personal:		
Travel	\$7,500	
Telephone	14,800	
Insurance—Other	258	
Household	250	
Subscriptions and mem- berships	4,500	
Legal and investigative.	16,000	
Postage	4,000	
Rent—Other	1,400	
Staff training	500	
Other	500	
		<hr/> 49,708
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$600	
Vehicular equipment .	450	
Replacements and Special		
Maintenance—		
Office equipment	1,200	
Vehicular equipment .	1,500	
		<hr/> 3,750
Additions and Improvements:		
Office equipment		500
		<hr/>
Total Appropriation, Depart- ment of Public Utilities ..		<hr/> \$812,284 <hr/>

DEPARTMENT OF HEALTH

360-100. *General*

Salaries:

Commissioner	\$20,000	
Other employees	2,394,026	
New positions	83,443	
	<hr/>	\$2,497,469

Materials and Supplies:

Fuel and utilities	\$7,500	
Office	9,300	
Printing	42,600	
Vehicular	19,790	
Household and security.	1,500	
Clothing	200	
Medical	114,000	
Scientific	63,150	
Education and rehabilitation	7,150	
Other	1,075	
	<hr/>	266,265

Services Other Than Personal:

Travel	\$58,110
Telephone	48,500
Insurance—Fire	461
Insurance—Other	4,952
Household	3,775
Advertising	1,700
Subscriptions and memberships	3,656
Legal and investigative.	3,400
Postage	52,650
Microfilming	2,500
Rent—Equipment, Data processing	24,708
Rent—Other	3,200
Medical	29,500
Education and rehabilitation	13,475

Staff Training	1,575	
Other	7,350	
		259,512
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$300	
Office equipment	2,205	
Vehicular equipment .	5,685	
Medical equipment ...	150	
Scientific equipment..	2,550	
Replacements and Special		
Maintenance—		
Office equipment	3,573	
Vehicular equipment .	19,410	
Scientific equipment..	1,921	
		35,794
Extraordinary:		
Public Health services		
by contract	\$300,500	
Arbor Virus transmis-		
sion study project ...	7,500	
Emergency medical and		
hospital service for		
migrant workers	5,000	
		313,000
Additions and Improvements:		
Office equipment	\$23,332	
Vehicular equipment ...	3,430	
Scientific equipment ...	69,200	
		95,962
Total Appropriation, General		\$3,468,002

There are hereby appropriated the unexpended balance of the revolving fund heretofore created for the purpose of printing and reprinting literature, codes and manuals for sale and, in addition thereto, receipts derived from such sales.

360-400. *Rabies Control Program**(Payable Out of Rabies Control Trust Fund)*

Salaries:

Other employees	\$68,566	
New positions	4,750	
	<hr/>	\$73,316

Materials and Supplies:

Office	\$100	
Printing	1,700	
Vehicular	1,600	
Household and security.	50	
Medical	25,000	
	<hr/>	28,450

Services Other Than Personal:

Travel	\$1,700	
Telephone	850	
Insurance—Other	291	
Subscriptions and mem- berships	31	
Postage	500	
Rent—Buildings and grounds	650	
	<hr/>	4,022

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$70	
Vehicular equipment .	350	
Replacements and Special Maintenance—		
Vehicular equipment .	3,605	
	<hr/>	4,025

Total Appropriation, Rabies Control Program	<hr/>	\$109,813
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Funds in excess of the amount hereinabove indicated, but limited to the amount of receipts in the Rabies Control Trust Fund for the fiscal year are hereby appropriated; provided, however, that the allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

374-100. *Board of Barber Examiners*

Salaries:		
Secretary-Treasurer . . .	\$6,500	
Board members (3 @ \$6,000)	18,000	
Other employees	32,969	
	<hr/>	\$57,469
Materials and Supplies:		
Office	\$200	
Printing	1,600	
Vehicular	1,200	
	<hr/>	3,000
Services Other Than Personal:		
Travel	\$4,500	
Telephone	550	
Insurance—Other	165	
Subscriptions and memberships	25	
Postage	1,250	
Other	50	
	<hr/>	6,540
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$75	
Vehicular equipment .	200	

Replacements and Special Maintenance—		
Vehicular equipment .	3,130	
	<hr/>	3,405
Additions and Improvements:		
Office equipment		337
		<hr/>
Total Appropriation, Board of Barber Examiners		\$70,751
		<hr/>

378-100. *Crippled Children's Commission*

Salaries:		
Other employees		\$14,610
Materials and Supplies:		
Office	\$350	
Vehicular	450	
Medical	250	
	<hr/>	1,050
Services Other Than Personal:		
Travel	\$100	
Telephone	900	
Insurance—Other	82	
Postage	350	
Rent—Other	198	
Medical	11,500	
	<hr/>	13,130
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$75	
Vehicular equipment .	50	
	<hr/>	125
		<hr/>

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Total Appropriation, Crip- pled Children's Commis- sion	\$28,915
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Total Appropriation, Depart- ment of Health	\$3,677,481
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DEPARTMENT OF LABOR AND INDUSTRY

380-100. *Division of Labor*

Salaries:	
Commissioner	\$20,000
Director	14,000
Other employees	1,270,897
	<hr/>
	\$1,304,897

Materials and Supplies:	
Office	\$4,165
Printing	31,900
Vehicular	8,300
Household and security.	15
Clothing	60
Scientific	500
Education and rehabili- tation	110
Other	500
	<hr/>
	45,550

Services Other Than Personal:	
Travel	\$48,091
Telephone	18,500
Insurance—Fire	13,038
Insurance—Other	2,189
Subscriptions and mem- berships	2,357
Legal and investigative.	4,750
Postage	31,960
Microfilming	1,000

Data processing	15,900	
Rent—Equipment, Data processing	1,476	
Rent—Other	1,308	
Staff training	1,000	
Other professional	4,200	
Other	16,110	
	<hr/>	161,879
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$50	
Office equipment	810	
Vehicular equipment .	3,025	
Scientific equipment..	120	
Replacements and Special Maintenance—		
Office equipment	1,132	
Vehicular equipment .	9,880	
Scientific equipment .	500	
	<hr/>	15,517
Additions and Improvements:		
Office equipment	\$10,000	
Scientific equipment ...	100	
	<hr/>	10,100
		<hr/>
Total Appropriation, Division of Labor		\$1,537,943
		<hr/>

There are hereby appropriated such sums as may be necessary for payments out of the Wage and Hour Trust Fund.

381-100. *Division of Workmen's Compensation
(General)*

Salaries:

Director	\$16,000	
Other employees	804,526	
New positions	28,258	
	<hr/>	\$848,784

Materials and Supplies:

Office	\$3,200	
Printing	10,000	
Vehicular	300	
Household and security .	200	
Medical	150	
Education and rehabili- tation	550	
	<hr/>	14,400

Services Other Than Personal:

Travel	\$15,000	
Telephone	13,000	
Household	200	
Subscriptions and mem- berships	2,500	
Postage	7,800	
Microfilming	5,000	
Data processing	8,000	
Staff training	500	
Other	150	
	<hr/>	52,150

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$800	
Vehicular equipment .	50	
Scientific equipment .	50	
Replacements and Spe- cial Maintenance—		
Office equipment	1,498	
	<hr/>	2,398

Additions and Improvements:	
Office equipment	2,267
	<hr/>
	\$919,999
	<hr/>

381-400. *1 Per Cent Compensation Tax Fund*

*(Payable Out of the 1 Per Cent Compensation
Tax Fund)*

Salaries:	
Other employees	\$21,710

Materials and Supplies:	
Office	\$100
Scientific	100
	<hr/>
	200

Services Other Than Personal:	
Travel	\$750
Telephone	215
Legal and investigative .	500
Postage	350
Rent—Buildings and grounds	720
Medical	500
Other	50
	<hr/>
	3,085

Extraordinary:	
Beneficiary payments	515,000
	<hr/>
	\$539,995
	<hr/>

The amounts included hereinabove for administrative costs are hereby appropriated from the 1 Per Cent Compensation Tax Fund notwithstanding the limitation contained in R. S. 34:15-95.

There are also appropriated out of the 1 Per Cent Compensation Tax Fund such additional sums as may be necessary to provide beneficiary payments in excess of the amount specifically set forth above, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

The State Treasurer is hereby empowered and directed to transfer to the General State Fund the sum of \$50,000 from the excess in the fund accumulated as of June 30, 1963, pursuant to R. S. 34:15-94, over the sum of \$1,250,000.

Total Appropriation, Division of Workmen's Compensation	\$1,459,994
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Division of Employment Security

391-400. *Disability Insurance Service*

(Payable Out of Temporary Disability Benefits Administration Fund)

Salaries:

Other employees	\$1,446,389	
New positions	33,168	
		\$1,479,557

Materials and Supplies:

Office	\$4,500	
Printing	20,000	
Vehicular	1,000	
Education and rehabilitation	100	
		25,600

Services Other Than Personal:

Travel	\$9,000	
Telephone	9,000	
Insurance—Other	5,067	
Subscriptions and mem- berships	650	
Postage	42,000	
Data processing	8,500	
Rent — Buildings and grounds	127,484	
Rent—Equipment, Data processing	6,600	
Rent—Other	350	
Medical	11,250	
Other	7,200	
	<hr/>	227,101

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$1,000	
Vehicular equipment .	300	
Replacements and Special Maintenance—		
Office equipment ...	18,646	
	<hr/>	19,946

Additions and Improvements:

Office equipment	3,616
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Total Appropriation, Dis- ability Insurance Service .	<hr/> \$1,755,820
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There are hereby appropriated out of the State Disability Benefits Fund such sums as may be necessary to pay disability benefits.

There are also appropriated out of the State Disability Benefits Fund Administration Account, in addition to the amounts specifically set

forth above, such additional sums not to exceed \$100,000 as may be required to administer the Disability Insurance Program, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

394-100. *State Board of Mediation*

Salaries:		
Board members (7)	\$6,000	
Other employees	86,444	
New position	2,494	
	<hr/>	\$94,938
Materials and Supplies:		
Office	\$225	
Printing	300	
Household and security	30	
	<hr/>	555
Services Other Than Personal:		
Travel	\$3,000	
Telephone	3,000	
Subscriptions and mem- berships	1,070	
Postage	375	
Other	750	
	<hr/>	8,195
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment		100
		<hr/>
Total Appropriation, State Board of Mediation		\$103,788
		<hr/>

396-100. *Rehabilitation Commission*

Salaries:

Other employees	\$590,024	
New positions	57,993	
Positions transferred from another division	15,505	
	<hr/>	\$663,522

Materials and Supplies:

Fuel and utilities	\$400	
Office	2,000	
Printing	5,500	
Vehicular	200	
Household and security	200	
	<hr/>	8,300

Services Other Than Personal:

Travel	\$23,500	
Telephone	22,000	
Insurance—Fire	87	
Insurance—Other	135	
Household	800	
Advertising	100	
Subscriptions and mem- berships	250	
Postage	7,500	
Rent—Other	2,700	
Medical	13,500	
Other	1,000	
	<hr/>	71,572

Maintenance and Replacements:

Maintenance of Property—

Buildings and grounds	\$1,000	
Office equipment	900	
Vehicular equipment .	100	

Replacements and Special

Maintenance—

Office equipment ...	1,000	
	<hr/>	3,000

Extraordinary:

Services to clients	\$1,836,824	
Extension and improve- ment projects	125,000	
Expansion of rehabilita- tion services	8,100	
Research and demon- stration projects	100,000	
	<hr/>	2,069,924

Additions and Improvements:

Office equipment	1,000
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Total Appropriation, Reha- bilitation Commission	<hr/> \$2,817,318
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In addition to the appropriation here-
inabove made, recoveries of the
State's share of expenditures made
in the year ending June 30, 1964, to-
gether with those made in prior fis-
cal years, are hereby appropriated.

Total Appropriation, Depart- ment of Labor and Indus- try	<hr/> <hr/> \$7,674,863
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DEPARTMENT OF CONSERVATION AND ECONOMIC
DEVELOPMENT

410-100. *Office of the Commissioner*

Salaries:

Commissioner	\$20,000	
Other employees	239,039	
	<hr/>	\$259,039

Materials and Supplies:

Fuel and utilities	\$50
Office	700

Printing	4,000	
Vehicular	1,800	
Household and security.	600	
Scientific	600	
Education and rehabilitation	1,350	
	<hr/>	9,100
Services Other Than Personal:		
Travel	\$2,500	
Telephone	9,700	
Insurance—Fire	165	
Insurance—Other	149	
Subscriptions and memberships	1,100	
Postage	3,700	
Rent—Other	2,210	
Other	100	
	<hr/>	19,624
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$2,000	
Vehicular equipment .	600	
Scientific equipment..	150	
	<hr/>	2,750
	<hr/>	
Total Appropriation, Office of the Commissioner		\$290,513
		<hr/>

410-101. *Interest on Bonds*

Interest on Water Development Bonds—Chapter 35, P. L. 1958	\$1,484,250	
Interest on State Recreation and Conservation Land Acquisition Bonds—Chapter 46, P. L. 1961	888,000	
	<hr/>	
Total Appropriation, Interest on Bonds		\$2,372,250
		<hr/>

420-100. *Division of Resource Development*

Salaries:

Director	\$15,000	
Other employees	2,174,386	
New positions	19,094	
		<hr/>
		\$2,208,480

Materials and Supplies:

Food	\$3,000	
Fuel and utilities	53,000	
Office	5,625	
Printing	14,950	
Agricultural and con- servation	8,500	
Vehicular	43,350	
Household and security.	26,725	
Clothing	2,750	
Scientific	2,250	
Education and rehabili- tation	3,900	
Other	1,000	
		<hr/>
		165,050

Services Other Than Personal:

Travel	\$14,275	
Telephone	48,000	
Insurance—Fire	34,504	
Insurance—Other	16,819	
Household	6,750	
Advertising	750	
Subscriptions and mem- berships	3,311	
Legal and investigative.	4,700	
Postage	20,000	
Microfilming	2,500	
Rent—Other	5,476	
Staff training	2,850	
Fire fighting costs	50,000	
Other	31,760	
		<hr/>
		241,695

Maintenance and Replacements:

Maintenance of Property—

Buildings and grounds	\$63,900
Office equipment	1,510
Agricultural and con- servation equipment	1,900
Vehicular equipment .	27,475
Household and secu- rity equipment	20,900
Scientific equipment..	650
Education and reha- bilitation equipment	750
Other equipment	7,000

Replacements and Special

Maintenance—

Buildings and grounds	47,500
Office equipment	3,205
Agricultural and con- servation equipment	8,400
Vehicular equipment .	59,600
Household and secu- rity equipment	25,575
Scientific equipment..	500
Education and reha- bilitation equipment	600

 269,465

Extraordinary:

State share of mainte- nance, Old Barracks, Trenton	\$10,000
Operation and mainte- nance of a Helicopter.	50,000
Compensation awards ..	8,000
Promotional expense ...	250,000

 318,000

Additions and Improvements:

Office equipment	\$728
Agricultural and con- servation equipment..	2,700

Vehicular equipment . . .	9,750	
Other equipment	4,000	
	<hr/>	17,178
Total Appropriation, Division of Resource Development		<hr/>
		\$3,219,868

There are hereby appropriated the unexpended receipts in excess of those anticipated from "General Revenue, Licenses, Fees, etc." during the fiscal year ending June 30, 1963, together with receipts in excess of those anticipated from the same sources during the fiscal year ending June 30, 1964, for additional operation and maintenance costs of the Division of Resource Development, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

There are hereby appropriated the unexpended balance of the Revolving Fund created pursuant to Chapter 106, P. L. 1959, for the purpose of printing and reprinting of literature and maps for sale and, in addition thereto, receipts derived from such sales.

There are hereby appropriated the unexpended balance of the Revolving Fund created pursuant to Chapter 113, P. L. 1957, for the purpose of defraying the cost of appraisal fees and advertising incidental to the sale or disposal of Veterans' Emer-

gency Housing and, in addition thereto, all reimbursements received on account thereof, in a total sum not exceeding \$10,000.

In addition to the amounts hereinabove specifically appropriated, the unexpended balance as of June 30, 1963 in the account for fire fighting costs is hereby appropriated for the same purpose.

There are hereby appropriated all fees received pursuant to the "New Jersey Boat Numbering Act of 1962" as a revolving fund to cover all costs thereof; provided, however, that the allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

420-402. *Morris Canal and Banking Company*

(Payable from Morris Canal Fund)

Salaries:

Other employees	\$46,002
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Materials and Supplies:

Fuel and utilities	\$450	
Office	50	
Printing	50	
Agricultural and conservation	300	
Vehicular	200	
Household and security.	400	
Clothing	300	
	<hr/>	1,750

Services Other Than Personal:

Travel	\$40	
Telephone	200	
Household	50	
		<hr/>
		290

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$2,000	
Office equipment	30	
Vehicular equipment .	120	
		<hr/>
		2,150

Additions and Improvements:

Agricultural and conservation equipment		125
		<hr/>

Total Appropriation, Morris Canal and Banking Com- pany		\$50,317
		<hr/>

There shall be refunded to the General State Fund such amounts as have been advanced from said fund to the Morris Canal Fund whenever and to the extent that cash in the Morris Canal Fund exceeds the liabilities thereof.

420-409. *New Jersey Pilot Commissioners*

(Payable from Receipts)

Salaries:		
Board members	\$21,000	

Materials and Supplies:		
Office	60	

Services Other Than Personal:	
Travel	300
	<hr/>
Total Appropriation, New Jersey Pilot Commissioners ..	\$21,360
	<hr/>

The amounts hereinabove appropriated to the New Jersey Pilot Commissioners shall be payable out of the receipts thereof, and any receipts in excess of the amounts specifically set forth above are hereby appropriated, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

430-100. *Division of Water Policy and Supply*

Salaries:		
Director	\$15,000	
Other employees	286,832	
	<hr/>	\$301,832
Materials and Supplies:		
Fuel and utilities	\$2,100	
Office	1,100	
Printing	2,000	
Vehicular	2,750	
Household and security.	200	
Scientific	500	
	<hr/>	8,650
Services Other Than Personal:		
Travel	\$5,500	
Telephone	4,000	
Insurance—Fire	682	

Insurance—Other	711	
Advertising	100	
Subscriptions and mem- berships	175	
Legal and investigative.	700	
Postage	1,000	
Other	50	
	<hr/>	12,918

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$8,000	
Office equipment	200	
Agricultural and con- servation equipment	200	
Vehicular equipment .	1,200	
Scientific equipment . . .	300	
Replacements and Special Maintenance—		
Buildings and grounds	2,500	
Office equipment	380	
Vehicular equipment .	1,750	
	<hr/>	14,530

Extraordinary:

Office of Rivermaster—		
New Jersey's share . .	\$12,500	
Ground Water Investigation—		
Regular program	30,668	
Stream Gaging Stations	48,000	
Flood Plain Zoning and Warning Service	9,000	
	<hr/>	100,168

Total Appropriation, Division of Water Policy and Supply	<hr/>	\$438,098
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The unexpended balance in the account "Flood Plain Control" as of June 30, 1963 is hereby appropriated to carry out the provisions of Chapter 19, P. L. 1962.

440-100. *Division of Shell Fisheries*

Salaries:

Director	\$9,000	
Other employees	219,068	
New positions	2,646	
	<hr/>	230,714

Materials and Supplies:

Fuel and utilities	\$900	
Office	125	
Printing	900	
Vehicular	8,000	
License plates	500	
Household and security.	300	
Clothing	850	
Scientific	200	
Other	1,000	
	<hr/>	12,775

Services Other Than Personal:

Travel	\$2,500	
Telephone	1,100	
Insurance—Fire	78	
Insurance—Other	5,070	
Subscriptions and mem- berships	50	
Postage	200	
Rent—Other	240	
Other	50	
	<hr/>	9,288

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$200	
Office equipment	75	
Vehicular equipment .	12,000	
Replacements and Special Maintenance—		
Vehicular equipment .	2,960	
	<hr/>	15,235

Extraordinary:

Oyster research	\$20,000	
Shelling and planting oyster beds	3,000	
Shelling beds, seeds, drills—Maurice River	12,000	
		<hr/> 35,000

Total Appropriation, Division of Shell Fisheries	<hr/> \$303,012
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450-400. *Division of Fish and Game*

(Payable Out of Hunters' and Anglers'
License Fund)

Salaries:

Director	\$14,000	
Other employees	843,627	
		<hr/> \$857,627

Materials and Supplies:

Fuel and utilities	\$20,000	
Office	2,500	
Printing	55,000	
Agricultural and con- servation	30,000	
Fish and game propaga- tion	190,000	
Vehicular	57,500	
Household and security.	4,000	
Clothing	7,000	
Education and rehabili- tation	3,000	
Other	2,800	
		<hr/> 371,800

Services Other Than Personal:

Travel	\$24,500
Telephone	15,500

Insurance—Fire	3,656	
Insurance—Other	18,022	
Subscriptions and mem- berships	250	
Legal and investigative.	250	
Postage	11,500	
Rent — Buildings and grounds	7,440	
Rent—Other	8,000	
Medical	2,500	
Other	500	
	<hr/>	92,118
Maintenance and Replacements:		
Maintenance of Property—		
Building and grounds	\$12,000	
Office equipment	300	
Vehicular equipment .	21,000	
Household and secu- rity equipment	5,500	
Replacements and Special		
Maintenance—		
Office equipment	1,450	
Vehicular equipment .	49,245	
	<hr/>	89,495
Extraordinary:		
Deer Management	\$8,000	
Water Resources — In- vestigative	1,250	
Compensation Awards .	3,605	
	<hr/>	12,855
Additions and Improvements:		
Buildings and grounds	10,000	
	<hr/>	\$1,433,895
	<hr/>	

There are hereby appropriated the
funds in the Hunters' and Anglers'
License Fund in excess of the

amounts hereinabove specifically set forth for additional costs of operation, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

451-400. *Public Shooting and Fishing Grounds*

(Payable Out of Public Shooting and Fishing Grounds Fund)

Salaries:

Other employees	\$181,655
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Materials and Supplies:

Fuel and utilities	\$3,500	
Office	150	
Printing	1,200	
Agricultural and conservation	28,500	
Fish and game propagation	3,000	
Vehicular	16,000	
Household and security	200	
Clothing	350	
	<hr/>	52,900

Services Other Than Personal:

Travel	\$2,000	
Telephone	2,500	
Insurance—Fire	1,002	
Insurance—Other	1,500	
Rent—Other	2,000	
Medical	100	
Other	200	
	<hr/>	9,302

Maintenance and Replacements:

Maintenance of Property—

Buildings and grounds \$4,500

Agricultural and con-
servation equipment 3,500

Vehicular equipment 4,700

Replacements and Special

Maintenance—

Buildings and grounds 3,500

Office equipment 550

Agricultural and con-
servation equipment 22,700

Vehicular equipment 8,390

47,840

Extraordinary:

Compensation awards 1,260

\$292,957

There are hereby appropriated the funds in the Public Shooting and Fishing Grounds Fund in excess of the amounts hereinabove specifically set forth for additional costs of operation and for 50% of the amounts payable pursuant to R. S. 54:4-2.1, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

Total Appropriation, Division of Fish and Game

\$1,726,852

460-100. *Division of Veterans' Services*

Salaries:

Director	\$10,000	
Other employees	199,020	
		<hr/>
		\$209,020

Materials and Supplies:

Office	\$1,200	
Printing	650	
Vehicular	350	
Household and security	350	
Education and rehabili-		
tation	100	
		<hr/>
		2,650

Services Other Than Personal:

Travel	\$2,450	
Telephone	5,000	
Insurance—Fire	7	
Insurance—Other	283	
Subscriptions and mem-		
berships	165	
Postage	3,200	
Rent—Other	240	
Other	100	
		<hr/>
		11,445

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$150	
Vehicular equipment	100	
Replacements and Special		
Maintenance—		
Office equipment	540	
		<hr/>
		790

Extraordinary:

National Association State Di-		
rectors of Veterans Affairs—		
Convention—Host State		1,500
		<hr/>

Total Appropriation, Divi-		
sion of Veterans' Services		<hr/>
		\$225,405

470-100. *Division of State and Regional Planning*

Salaries:

Director	\$15,000	
Other employees	150,261	
	<hr/>	\$165,261

Materials and Supplies:

Office	\$750	
Printing	7,000	
Vehicular	800	
Household and security	250	
Scientific	1,000	
Education and rehabilitation	250	
	<hr/>	10,050

Services Other Than Personal:

Travel	\$3,000	
Telephone	5,000	
Insurance—Fire	48	
Insurance—Other	220	
Advertising	100	
Subscriptions and memberships	717	
Postage	2,000	
Rent—Other	720	
Other	8,100	
	<hr/>	19,905

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$300	
Vehicular equipment	500	
Replacements and Special		
Maintenance—		
Office equipment	858	
Vehicular equipment	5,100	
	<hr/>	6,758

Extraordinary:

Expanded State and Regional Planning	100,000
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Total Appropriation, Divi- sion of State and Regional Planning	\$301,974
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The unexpended balance as of June 30,
1963 in the account "Expanded
State and Regional Planning" is
hereby appropriated.

Total Appropriation, Depart- ment of Conservation and Economic Development ..	\$8,949,649
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DEPARTMENT OF EDUCATION

500-100. *Commissioner's Office*

Salaries:

Commissioner	\$24,500	
Other employees	1,066,186	
New positions	18,147	
		\$1,108,833

Materials and Supplies:

Office	\$11,000	
Printing	19,000	
Vehicular	4,500	
Household and security	315	
Education and rehabili- tation	1,000	
Other	500	
		36,315

Services Other Than Personal:

Travel	\$30,000
Telephone	18,000

Insurance—Fire	6,003	
Insurance—Other	1,790	
Subscriptions and mem- berships	2,500	
Legal and investigative	7,500	
Postage	21,500	
Medical	2,000	
Education and rehabili- tation	1,500	
Staff training	500	
Other	4,000	
		95,293
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$3,000	
Vehicular equipment	1,250	
Replacements and Special		
Maintenance—		
Office equipment	3,000	
Vehicular equipment	3,490	
		10,740
Extraordinary:		
Migrant School Program		40,000
Additions and Improvements:		
Office equipment		2,995
Total Appropriation, Com- missioner's Office		
		\$1,294,176

There are hereby appropriated the receipts derived from the High School Equivalency Testing Program as a continuing revolving fund.

Any sums appropriated to the several divisions or agencies of the Department of Education for data processing are hereby made available for

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transfer by certificate of debit and credit to the Commissioner's Office, as the Commissioner may determine, for centralized data processing purposes.

500-101. *Interest on Bonds*

Interest on State Teacher Colleges Construction Bonds—Act of 1951	\$94,063	
Interest on State Higher Education Bonds—Act of 1959	2,194,250	
	<hr/>	
Total Appropriation, Inter- est on Bonds		\$2,288,313
		<hr/>

500-115. *Administration of Industrial Education,
Manual Training and Vocational Schools**Smith-Hughes, George-Barden Programs*

Salaries:		
Other employees	\$279,767	
Positions transferred from another division	15,894	
	<hr/>	\$295,661
Materials and Supplies:		
Office	\$2,750	
Printing	10,500	
Household and security	100	
Education and rehabili- tation	425	
Other	75	
	<hr/>	13,850

Services Other Than Personal:		
Travel	\$17,000	
Telephone	2,700	
Insurance—Other	50	
Advertising	100	
Subscriptions and mem- berships	275	
Postage	1,600	
Education and rehabil- itation	13,500	
Other	100	
	<hr/>	35,325
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$1,700	
Replacements and Special		
Maintenance—		
Office equipment ...	900	
	<hr/>	2,600
Extraordinary:		
Home Economics Teacher Training Program		50,000
Additions and Improvements:		
Office equipment	\$2,000	
Other equipment	500	
	<hr/>	2,500
Total Appropriation, Admin- istration of Industrial Education, Manual Train- ing and Vocational Schools		
		<hr/> \$399,936

500-125. *State Competitive Scholarships and
Student Loans*

Salaries:

Other employees	\$62,953	
New positions	2,646	
	<hr/>	\$65,599

Materials and Supplies:

Office	\$1,500	
Printing	3,500	
Household and security	50	
Other	100	
	<hr/>	5,150

Services Other Than Personal:

Travel	\$1,500	
Telephone	850	
Subscriptions and mem- berships	300	
Postage	5,400	
Data processing	2,000	
Rent—Equipment, Data processing	180	
Rent—Other	48	
Other	100	
	<hr/>	10,378

Maintenance and Replacements:

Maintenance of Property— Office equipment		100
--	--	-----

Extraordinary:

Scholarships	\$3,600,000	
Student Loans	250,000	
	<hr/>	3,850,000

Additions and Improvements:

Office equipment		750
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Total Appropriation, State Competitive Scholarships and Student Loans		<hr/> \$3,931,977 <hr/>
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The unexpended balance in this account as of June 30, 1963 is hereby appropriated for "Scholarships" and "Student Loans."

520-100. *Division of the State Library,
Archives and History*

Salaries:

Other employees	\$321,544	
New positions	10,466	
	<hr/>	\$332,010

Materials and Supplies:

Office	\$6,000	
Printing	12,500	
Vehicular	1,000	
Household and security	50	
Education and rehabilitation	56,000	
	<hr/>	75,550

Services Other Than Personal:

Travel	\$2,500	
Telephone	4,000	
Insurance—Fire	65	
Insurance—Other	361	
Subscriptions and memberships	7,000	
Postage	5,000	
Rent—Other	300	
Other	50	
	<hr/>	19,276

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$300	
Vehicular equipment .	300	
	<hr/>	600

Total Appropriation, Division of the State Library, Archives and History	<hr/>	\$427,436
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The unexpended balance in the micro-filming account as of June 30, 1963 is hereby appropriated.

530-100. *Division of the State Museum*

Salaries:

Other employees	\$102,341	
New positions	11,488	
	<hr/>	\$113,829

Materials and Supplies:

Office	\$1,300	
Printing	3,000	
Clothing	300	
Education and rehabilitation	2,000	
Other	800	
	<hr/>	7,400

Services Other Than Personal:

Travel	\$1,000	
Telephone	1,750	
Insurance—Fire	3	
Insurance—Other	911	
Subscriptions and memberships	250	
Postage	3,500	
Rent—Other	145	
Education and rehabilitation	3,800	
	<hr/>	11,359

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$150	
Other equipment	2,000	
Replacements and Special Maintenance—		
Office equipment	413	
Other equipment	450	
	<hr/>	3,013

Extraordinary:
 Archeological Research 2,500

Additions and Improvements:
 Buildings and grounds . \$1,000
 Office equipment 85
 Education and rehabili-
 tation equipment 4,000
 Other equipment 414
 _____ 5,499

Total Appropriation, Divi-
 sion of the State Museum \$143,600

Receipts from the sale of literature
 are hereby appropriated as a re-
 volving fund to be used for the
 purposes of printing and reprinting
 literature for sale.

Not more than one-half of the receipts
 from charges made for mailing and
 handling of films is hereby appro-
 priated as a revolving fund to be
 used to replace damaged or lost
 films.

540-100. *Division on Civil Rights*

Salaries:
 Other employees \$118,925
 New positions 24,866
 _____ 143,791

Materials and Supplies:
 Office \$1,000
 Printing 3,500
 Vehicular 3,600
 Education and rehabili-
 tation 600
 _____ 8,700

Services Other Than Personal:

Travel	\$4,750	
Telephone	3,000	
Insurance—Fire	2	
Insurance—Other	509	
Subscriptions and mem- berships	100	
Legal and investigative .	1,500	
Postage	1,200	
Rent—Other	740	
Other	100	
	<hr/>	11,901

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$150	
Vehicular equipment .	1,350	
Replacements and Special Maintenance—		
Office equipment ...	449	
Vehicular equipment	2,790	
	<hr/>	4,739

Additions and Improvements:

Office equipment	\$1,742	
Vehicular equipment ...	1,860	
	<hr/>	3,602

Total Appropriation, Divi- sion on Civil Rights	<hr/>	\$172,733
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550-100. *Glassboro State College*

Salaries:

Other employees	\$418,854	
New positions	19,367	
Academic employees ...	1,306,820	
New positions	190,559	
Student assistants	141,900	
	<hr/>	\$2,077,500

Materials and Supplies:

Fuel and utilities	\$92,000	
Office	2,500	
Printing	4,500	
Agricultural and con- servation	3,000	
Vehicular	1,000	
Household and security	12,000	
Medical	800	
Education and rehabili- tation	24,000	
College library books ..	35,000	
		<hr/> 174,800

Services Other Than Personal:

Travel	\$5,200	
Telephone	10,000	
Insurance—Fire	8,454	
Insurance—Other	1,150	
Household	13,500	
Subscriptions and mem- berships	900	
Postage	2,500	
Entertainment	4,700	
Data processing	1,100	
Rent—Equipment, Data processing	1,500	
Education and rehabili- tation	500	
Food service by contract	343,672	
Other	100	
		<hr/> 393,276

Maintenance and Replacements:

Maintenance of Property—		
Building and grounds	\$31,340	
Office equipment	1,200	
Vehicular equipment .	1,000	
Household and secu- rity equipment	1,000	
Scientific equipment .	400	
Education and reha- bilitation equipment	750	

Replacements and Special Maintenance—		
Buildings and grounds	6,856	
Office equipment	690	
Agricultural and conservation equipment	4,270	
Household and security equipment	2,000	
Education and rehabilitation equipment	3,000	
	<hr/>	52,506
Extraordinary:		
Part-time, summer and graduate program		211,470
Additions and Improvements:		
Buildings and grounds .	\$11,755	
Office equipment	10,000	
Household and security equipment	3,000	
Education and rehabilitation equipment	20,000	
	<hr/>	44,755
		<hr/>
		\$2,954,307
		<hr/>

551-100. *Jersey City State College*

Salaries:		
Other employees	\$258,812	
New positions	51,056	
Academic employees . . .	1,210,884	
New positions	145,225	
Student assistants	62,000	
	<hr/>	\$1,727,977
Materials and Supplies:		
Fuel and utilities	\$53,500	
Office	3,000	

Printing	4,000	
Agricultural and conser- vation	600	
Vehicular	600	
Household and security	7,700	
Medical	450	
Education and rehabili- tation	20,000	
College library books ..	32,300	
	<hr/>	122,150

Services Other Than Personal:

Travel	\$3,000	
Telephone	6,000	
Insurance—Fire	6,750	
Insurance—Other	785	
Household	2,300	
Subscriptions and mem- berships	500	
Postage	4,000	
Entertainment	4,300	
Data processing	4,500	
Education and rehabili- tation	1,000	
Food service by contract	39,360	
Other	6,000	
	<hr/>	78,495

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$16,300	
Office equipment	700	
Vehicular equipment .	300	
Household and secu- rity equipment	2,200	
Education and reha- bilitation equipment	700	
Replacements and Spe- cial Maintenance—		
Buildings and grounds	18,800	
Office equipment	1,200	

Education and reha- bilitation equipment	1,200	
Other equipment	3,368	
	<hr/>	44,768
Extraordinary:		
Part-time, summer and graduate program		95,181
Additions and Improvements:		
Buildings and grounds .	\$17,050	
Office equipment	9,000	
Household and security equipment	1,300	
Education and rehabili- tation equipment	27,000	
	<hr/>	54,350
		<hr/>
		\$2,122,921
		<hr/>

551-101. *Jersey City State College*
—*A. Harry Moore Laboratory School*

Extraordinary:		
For operating expenses of the A. Harry Moore Laboratory School ...	\$200,000	
For operation and main- tenance of a camp for handicapped children at Voorhees State Park	30,000	
	<hr/>	230,000
		<hr/>

There are hereby appropriated for
additional operating expenses of
this school all tuition and other
receipts derived from the operation
of the Jersey City State College—

A. Harry Moore Laboratory School
in excess of the amount hereinabove
appropriated, the allotment of
which shall be subject to the ap-
proval of the Director of the Divi-
sion of Budget and Accounting and
the Legislative Budget and Finance
Director.

552-100. *Newark State College*

Salaries:

Other employees	\$346,105	
New positions	27,642	
Academic employees ..	1,173,379	
New positions	46,328	
Student assistants	59,320	
	<hr/>	\$1,652,774

Materials and Supplies:

Fuel and utilities	\$72,000	
Office	2,700	
Printing	5,500	
Agricultural and conser- vation	2,700	
Vehicular	1,000	
Household and security	9,000	
Medical	300	
Education and rehabili- tation	36,500	
College library books ..	35,000	
	<hr/>	164,700

Services Other Than Personal:

Travel	\$4,000
Telephone	9,000
Insurance—Fire	7,308
Insurance—Other	1,558
Household	4,300
Subscriptions and mem- berships	600

Postage	4,500	
Entertainment	3,750	
Data processing	3,500	
Education and rehabilitation	6,450	
Food service by contract	56,580	
	<hr/>	101,546

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$17,000	
Office equipment	600	
Vehicular equipment .	300	
Household and security equipment	500	
Scientific equipment .	600	
Other equipment	1,100	
Replacements and Special Maintenance—		
Buildings and grounds	10,750	
Office equipment	675	
	<hr/>	31,525

Extraordinary:

Part-time, summer and graduate program	378,672
--	---------

Additions and Improvements:

Buildings and grounds .	\$963	
Office equipment	3,000	
Household and security equipment	935	
Education and rehabilitation equipment	8,000	
	<hr/>	12,898
		<hr/>
		\$2,342,115
		<hr/>

553-100. *Paterson State College*

Salaries:

Other employees	\$350,875	
New positions	6,432	
Academic employees ...	1,255,354	
New positions	15,548	
Student assistants	65,000	
	<hr/>	\$1,693,209

Materials and Supplies:

Fuel and utilities	\$60,000	
Office	3,000	
Printing	5,000	
Agricultural and conser- vation	2,000	
Vehicular	1,000	
Household and security	11,000	
Medical	350	
Education and rehabili- tation	32,000	
College library books ..	34,000	
	<hr/>	148,350

Services Other Than Personal:

Travel	\$5,000	
Telephone	9,000	
Insurance—Fire	4,387	
Insurance—Other	1,382	
Household	5,500	
Subscriptions and mem- berships	700	
Postage	3,750	
Entertainment	4,200	
Data processing	3,000	
Education and rehabili- tation	7,044	
Food service by contract	60,260	
	<hr/>	104,223

Maintenance and Replacements:

Maintenance of Property—

Buildings and grounds	\$19,000
Office equipment	300
Vehicular equipment .	500
Household and security equipment	600
Education and rehabilitation equipment	600

Replacements and Special

Maintenance—

Buildings and grounds	2,000
Office equipment	1,895
Agricultural and conservation equipment	1,400
Vehicular equipment .	800
Education and rehabilitation equipment	1,769

 28,864

Extraordinary:

Part-time, summer and graduate program	209,452
--	---------

Additions and Improvements:

Buildings and grounds . .	\$7,450
Office equipment	5,000
Agricultural and conservation equipment	275
Vehicular equipment . . .	900
Household and security equipment	5,000
Education and rehabilitation equipment	35,000

 53,625

 \$2,237,723

554-100. *Montclair State College*

Salaries:

Other employees	\$471,378	
New positions	64,472	
Academic employees ...	1,518,062	
New positions	115,905	
Student assistants	122,592	
	<hr/>	\$2,292,409

Materials and Supplies:

Fuel and utilities	\$109,080	
Office	4,000	
Printing	5,000	
Agricultural and conser-		
vation	5,000	
Vehicular	750	
Household and security.	18,000	
Medical	500	
Education and rehabili-		
tation	40,000	
College library books ..	36,000	
Other	500	
	<hr/>	218,830

Services Other Than Personal:

Travel	\$6,500	
Telephone	12,000	
Insurance—Fire	11,894	
Insurance—Other	1,749	
Household	12,000	
Subscriptions and mem-		
berships	650	
Postage	6,000	
Entertainment	4,720	
Data processing	4,000	
Education and rehabili-		
tation	1,300	
Food service by contract	255,840	
Other	1,500	
	<hr/>	318,153

Maintenance and Replacements:

Maintenance of Property—

Buildings and grounds	\$42,000
Office equipment	1,100
Vehicular equipment .	800
Household and security equipment	1,500
Scientific equipment..	800
Other equipment	400

Replacements and Special

Maintenance—

Buildings and grounds	13,000
Office equipment	2,240
Vehicular equipment .	2,500
Education and rehabilitation equipment	16,080
Other equipment	4,200

84,620

Extraordinary:

Part-time, summer and graduate program	178,717
--	---------

Additions and Improvements:

Buildings and grounds..	\$15,000
Office equipment	4,500
Education and rehabilitation equipment	45,000
Other equipment	1,595

66,095

\$3,158,824

555-100. *Trenton State College*

Salaries:

Other employees	\$443,062
New positions	43,892
Academic employees . . .	1,391,275
New positions	183,023
Student assistants	172,120
	<hr/>
	\$2,233,372

Materials and Supplies:

Fuel and utilities	\$125,000	
Office	3,500	
Printing	4,500	
Agricultural and conser- vation	2,000	
Vehicular	800	
Household and security.	13,500	
Medical	800	
Education and rehabili- tation	30,000	
College library books ..	37,500	
		217,600

Services Other Than Personal:

Travel	\$4,500	
Telephone	16,500	
Insurance—Fire	11,342	
Insurance—Other	869	
Household	20,000	
Subscriptions and mem- berships	900	
Postage	4,000	
Entertainment	5,000	
Data processing	4,000	
Education and rehabili- tation	1,500	
Food service by contract	532,200	
Other	1,996	
		602,807

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$40,000	
Office equipment	450	
Agricultural and con- servation equipment	650	
Vehicular equipment .	1,000	
Household and secu- rity equipment	3,000	
Scientific equipment..	2,500	

Replacements and Special
Maintenance—

Buildings and grounds	35,000	
Office equipment	2,340	
Household and security equipment	3,000	
Education and rehabilitation equipment	5,000	
	<hr/>	92,940

Extraordinary:

Part-time, summer and graduate program . . .	\$257,571	
Demonstration school service	155,000	
	<hr/>	412,571

Additions and Improvements:

Buildings and grounds . .	\$4,400	
Office equipment	4,000	
Agricultural and conservation equipment	1,200	
Household and security equipment	10,000	
Education and rehabilitation equipment	40,000	
	<hr/>	59,600

\$3,618,890

Total Appropriation, State

Colleges

\$16,664,780

Receipts at all State colleges from fees for student service charges, supervision of student teaching, clinical service charges, School of Conservation charges, entrance application and registration fees, together with the balances of such funds as of June 30, 1963, are hereby appropriated.

Receipts at all State colleges in excess of those anticipated from the operation of part-time summer, field extension and graduate courses, together with the unexpended balances from such sources as of June 30, 1963, are hereby appropriated.

Receipts at all State colleges in excess of those anticipated from regular tuition and the operation of cafeterias and boarding halls are hereby appropriated.

The amounts appropriated to the various State colleges for student assistants shall constitute the appropriation to carry out the provisions of R. S. 18:16-27.1 and such appropriations may be made available for salaries of other employees in lieu of student assistants.

560-100. *State School for the Deaf*

Salaries:

Other employees	\$470,852	
Academic officers and employees	526,850	
New positions	5,774	
Food in lieu of cash	14,424	
	<hr/>	\$1,017,900

Materials and Supplies:

Food	\$56,500
Fuel and utilities	45,000
Office	500
Agricultural and conser- vation	2,000
Vehicular	1,200

Household and security.	11,500	
Clothing	1,500	
Medical	1,600	
Education and rehabilitation	15,600	
Other	350	
	<hr/>	135,750
Services Other Than Personal:		
Travel	\$750	
Telephone	6,000	
Insurance—Fire	4,802	
Insurance—Other	923	
Household	24,000	
Advertising	100	
Postage	850	
Entertainment	750	
Rent—Other	2,270	
Medical	600	
Other	2,400	
	<hr/>	43,445
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$18,000	
Office equipment	375	
Vehicular equipment .	750	
Replacements and Special		
Maintenance—		
Buildings and grounds	36,600	
Vehicular equipment .	2,325	
Household and security equipment	3,000	
Other equipment	3,500	
	<hr/>	64,550
Additions and Improvements:		
Household and security equipment		565
		<hr/>
Total Appropriation, State		
School for the Deaf	\$1,262,210	
	<hr/>	

562-400. *State School of Conservation,
Lake Wapalanne*

Salaries:

Other employees	\$84,250
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Materials and Supplies:

Food	\$32,000	
Fuel and utilities	10,500	
Office	400	
Printing	600	
Agricultural and con- servation	100	
Vehicular	1,500	
Household and security.	3,000	
Medical	200	
Education and rehabili- tation	1,000	
Other	100	
		49,400

Services Other Than Personal:

Travel	\$1,000	
Telephone	1,000	
Insurance—Other	42	
Household	800	
Subscriptions and mem- berships	150	
Postage	700	
Rent—Other	12,000	
Other	200	
		15,892

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$200	
Office equipment	140	
Vehicular equipment .	500	
Household and secu- rity equipment	130	
Replacements and Special Maintenance—		
Office equipment	429	
		1,399

New Jersey State Library

Additions and Improvements:	
Scientific equipment	500
	<hr/>
Total Appropriation, State	
School of Conservation,	
Lake Wapalanne	\$151,441
	<hr/>

The amount hereinabove appropriated shall be payable out of receipts derived from the operation of this school. There are hereby appropriated receipts in excess of the amount hereinabove specifically set forth, together with the balance of such receipts as of June 30, 1963, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

*Rutgers University, The State University of
New Jersey*

570-100. *General University*

Salaries:

Other employees	\$15,050,297	
New positions	1,462,300	
	<hr/>	\$16,512,597

Materials and Supplies:

Food	\$5,500
Fuel and utilities	550,000
Office	100,000
Printing	275,000
Agricultural and con- servation	11,000
Vehicular	7,500
Household and security.	70,000

Medical	7,000	
Scientific	29,000	
Education and rehabilitation	230,000	
College library books ..	330,000	
	<hr/>	1,615,000

Services Other Than Personal:

Travel	\$150,000	
Telephone	155,000	
Insurance—Fire	75,000	
Insurance—Other	95,544	
Household	57,500	
Subscriptions and memberships	13,000	
Legal and investigative.	30,000	
Postage	92,500	
Securities charges	12,500	
Rent—Buildings and grounds	225,000	
Rent—Equipment, Data processing	155,000	
Rent—Other	150,000	
Education and rehabilitation	40,000	
Taxes and municipal service	190,000	
	<hr/>	1,441,044

Maintenance and Replacements:

Maintenance of Property—	
Buildings and grounds	\$155,000
Office equipment	5,250
Agricultural and conservation equipment	9,500
Vehicular equipment .	12,500
Household and security equipment	22,000
Medical equipment ..	350
Scientific equipment..	7,500
Education and rehabilitation equipment	30,000

Replacements and Special
Maintenance—

Buildings and grounds	485,000	
Office equipment	15,000	
Agricultural and con- servation equipment	11,000	
Vehicular equipment .	12,000	
Household and secu- rity equipment	37,500	
Medical equipment ..	2,700	
Scientific equipment..	18,000	
Education and reha- bilitation equipment	250,000	
	<hr/>	1,073,300

Extraordinary:

Research grants	\$200,000	
Retirement allowances .	255,317	
Interest	140,750	
Contingent fund	50,000	
Graduate and law school fellowships	40,000	
	<hr/>	686,067

Additions and Improvements:

Buildings and grounds .	\$135,000	
Office equipment	4,000	
Agricultural and con- servation equipment..	3,000	
Vehicular equipment ...	15,000	
Education and rehabili- tation equipment	40,000	
	<hr/>	197,000

\$21,525,008

Less Income:

General university income deduc- tions	<hr/> \$7,750,000
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Net amount State University appropriations to be used as follows:

Administration and instruction..	\$13,769,208	
Land grant interest	5,800	
		<hr/>
		\$13,775,008

Of the amount set forth above, not less than \$105,000 shall be used to operate the South Jersey College of Law at Camden as a 3-year law school.

571-100. *Douglass College*

Salaries:

Other employees	\$2,238,440	
New positions	6,655	
		<hr/>
		\$2,245,095

Materials and Supplies:

Food	\$2,800	
Fuel and utilities	80,000	
Office	14,000	
Printing	30,000	
Agricultural and conservation	6,500	
Vehicular	6,000	
Household and security.	15,000	
Medical	7,000	
Education and rehabilitation	28,000	
		<hr/>
		189,300

Services Other Than Personal:

Travel	\$8,000
Telephone	16,500
Insurance—Fire	10,500
Insurance—Other	14,500
Household	1,300

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Subscriptions and memberships	550	
Legal and investigative.	2,000	
Postage	7,900	
Rent—Other	6,500	
Taxes and municipal services	14,000	
Securities charges	5,000	
		86,750
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$210,000	
Office equipment	1,000	
Agricultural and conservation equipment	2,000	
Vehicular equipment .	2,000	
Household and security equipment	4,500	
Medical equipment ...	250	
Education and rehabilitation equipment	5,000	
Replacements and Special Maintenance—		
Office equipment	4,700	
Agricultural and conservation equipment	5,000	
Vehicular equipment .	5,000	
Household and security equipment	11,000	
Medical equipment ...	1,000	
Education and rehabilitation equipment	43,000	
		294,450
Extraordinary:		
Retirement allowances..	\$99,736	
Contingent	10,000	
Interest	6,550	
		116,286
		<u>\$2,931,881</u>

Less income deductions	995,000
	<hr/>
	\$1,936,881
	<hr/>

572-100. *Agricultural Experiment Station*

Salaries:

Director	\$7,200	
Other employees	3,731,912	
New positions	36,701	
	<hr/>	\$3,775,813

Materials and Supplies:

Fuel and utilities	\$145,000	
Office	16,000	
Printing	73,000	
Agricultural and conservation	104,000	
Vehicular	17,500	
Household and security	7,000	
Scientific	120,000	
	<hr/>	482,500

Services Other Than Personal:

Travel	\$66,500	
Telephone	40,000	
Insurance—Fire	2,400	
Insurance—Other	12,300	
Household	4,000	
Subscriptions and memberships	3,500	
Postage	10,500	
Rent—Buildings and grounds	2,690	
Rent—Other	14,000	
	<hr/>	155,890

Maintenance and Replacements:

Maintenance of Property—	
Buildings and grounds	\$25,000

Office equipment	2,500	
Agricultural and con- servational equipment	1,500	
Vehicular equipment .	14,000	
Household and secu- rity equipment	1,600	
Scientific equipment..	20,000	
Replacements and Special Maintenance—		
Buildings and grounds	85,000	
Office equipment	8,000	
Vehicular equipment .	32,000	
Household and secu- rity equipment	2,500	
Scientific equipment..	30,000	
	<hr/>	222,100
Additions and Improvements:		
Buildings and grounds..	\$22,500	
Office equipment	3,000	
Agricultural and conser- vation equipment	7,000	
Scientific equipment . . .	80,000	
	<hr/>	112,500
		<hr/>
		\$4,748,803
Less income deductions		900,000
		<hr/>
		\$3,848,803
		<hr/>
The unexpended balance in the ac- counts of the Agricultural Experi- ment Station as of June 30, 1963 are hereby appropriated for research in 1963-64.		
Total Appropriation, Rutgers Univer- sity, The State University of New Jersey		\$19,560,692
		<hr/>

574-100. *Newark College of Engineering and
Newark Technical School*

Extraordinary:

For the purchase of higher educa- tion at the Newark College of Engineering and Newark Techni- cal School, by contract, pursuant to R. S. 18:2-1	\$1,996,635
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Total Appropriation, Newark College of Engineering and Newark Technical School.	\$1,996,635
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575-100. *Trenton Junior College and School of
Industrial Arts*

Extraordinary:

For the purchase of higher educa- tion at the Trenton Junior Col- lege and School of Industrial Arts, by contract, pursuant to R. S. 18:2-1	\$180,000
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Total Appropriation, Tren- ton Junior College and School of Industrial Arts.	\$180,000
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Total Appropriation, Depart- ment of Education	\$48,473,929
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STATE HIGHWAY DEPARTMENT

610-100. *General*

Salaries:

Commissioner	\$22,000	
State Highway Engineer	18,000	
Other employees	7,356,290	
New positions	83,518	
Wages of labor	6,360,343	
New positions	85,862	
	<hr/>	\$13,926,013

Materials and Supplies:

Fuel and utilities	\$948,600	
Office	26,300	
Printing	35,150	
Microfilming	1,000	
Vehicular	550,000	
Household and security	4,875	
Clothing	4,525	
Medical	2,000	
Scientific	9,700	
Other	3,500	
	<hr/>	1,585,650

Services Other Than Personal:

Travel	\$84,345	
Telephone	59,500	
Insurance—Fire	16,323	
Insurance—Other	74,203	
Household	600	
Advertising	4,000	
Subscriptions and memberships	4,771	
Postage	26,000	
Microfilming	5,000	
Rent—Equipment, Data processing	79,540	
Rent—Other	251,000	
Medical	3,000	

Staff training	2,000	
Other professional	45,000	
	<hr/>	655,282
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$8,500	
State roads	3,125,000	
Office equipment	2,425	
Vehicular equipment .	2,000	
Household and secu-		
rity equipment	5,000	
Scientific equipment..	1,050	
Other equipment	3,100	
Replacements and Special		
Maintenance—		
Buildings and grounds	36,000	
State roads	2,000,000	
Office equipment	8,971	
Vehicular equipment .	500,000	
Household and secu-		
rity equipment	35,000	
Scientific equipment..	4,518	
	<hr/>	5,731,564
Extraordinary:		
Compensation awards		75,000
Additions and Improvements:		
Buildings and grounds..	\$15,500	
Office equipment	10,000	
Vehicular equipment ...	350,000	
Medical equipment	1,000	
Scientific equipment ...	10,480	
	<hr/>	386,980
Total Appropriation, Gen-		
eral		<hr/> \$22,360,489

The unexpended balance in this account as of June 30, 1963 is hereby appropriated for operation and maintenance during 1963-64.

610-101. *Interest on Bonds*

Interest on Highway Improvement Bonds—Act of 1930	\$561,228
<hr/>	
Total Appropriation, Inter- est on Bonds	\$561,228
<hr/>	

630-100. *Division of Railroad Transportation*

Extraordinary:

For expenses of the division	} \$6,000,000
New York-New Jersey Transpor- tation Agency—50% share	
To carry out the provisions of P. L. 1960, c. 66 and P. L. 1962, c. 1 . .	

Total Appropriation, Divi- sion of Railroad Transpor- tation	\$6,000,000
--	-------------

The unexpended balance in this ac-
count as of June 30, 1963 is hereby
appropriated.

Total Appropriation, State Highway Department	\$28,921,717
<hr/>	

DEPARTMENT OF INSTITUTIONS AND AGENCIES

700-100. *Administration—General*

Salaries:

Commissioner	\$20,000	
Other employees	751,940	
New positions	25,806	
<hr/>		\$797,746

Materials and Supplies:

Office	\$3,000	
Printing	9,000	
Vehicular	6,000	
Scientific	250	
	<hr/>	18,250

Services Other Than Personal:

Travel	\$4,100	
Telephone	14,300	
Insurance—Fire	478	
Insurance—Other	5,686	
Advertising	1,200	
Subscriptions and mem- berships	1,200	
Postage	10,000	
Rent—Equipment, Data processing	21,528	
Rent—Other	2,050	
Other professional	3,000	
Other	3,000	
	<hr/>	66,542

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$900	
Vehicular equipment .	1,500	
Replacements and Special Maintenance—		
Office equipment	3,920	
Vehicular equipment .	4,695	
	<hr/>	11,015

Additions and Improvements:

Office equipment	\$4,000	
Scientific equipment ...	225	
	<hr/>	4,225

Total Appropriation, Admin- istration—General	<hr/>	\$897,778
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700-110. *Interest on Bonds*

Interest on Institution Construction Bonds—Act of 1930	\$82,700	
Interest on Institution Construction Bonds—Act of 1949	53,670	
Interest on Institution Construction Bonds—Act of 1952	169,765	
Interest on Institution Construction Bonds—Act of 1960	444,000	
<hr/>		
Total Appropriation, Interest on Bonds		\$750,135
		<hr/>

710-100. *Home for Disabled Soldiers, Menlo Park*

Salaries:

Other employees	\$161,698	
Food in lieu of cash	2,592	
<hr/>		\$164,290

Materials and Supplies:

Food—Cash	\$22,546	
Fuel and utilities	11,000	
Office	200	
Printing	50	
Agricultural and conservation	250	
Vehicular	450	
Household and security.	2,400	
Clothing	250	
Medical	3,000	
Other	50	
<hr/>		40,196

Services Other Than Personal:

Travel	\$450	
Telephone	775	

Insurance—Fire	131	
Insurance—Other	470	
Household	1,360	
Advertising	75	
Subscriptions and mem- berships	50	
Postage	190	
Entertainment	150	
Medical	575	
Education and rehabili- tation	3,175	
Other professional	200	
Other	225	
	<hr/>	7,826

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$2,000	
Office equipment	75	
Agricultural and con- servation equipment	150	
Vehicular equipment .	150	
Household and secu- rity equipment	400	
Replacements and Special Maintenance—		
Office equipment	457	
Household and secu- rity equipment	2,300	
Medical equipment ..	225	
	<hr/>	5,757

Additions and Improvements:

Buildings and grounds..	\$500	
Office equipment	77	
Agricultural and con- servation equipment .	160	
	<hr/>	737

Total Appropriation, Home for Disabled Soldiers, Menlo Park	<hr/>	\$218,806
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711-100. *Home for Disabled Soldiers, Vineland*

Salaries:

Other employees	\$283,316	
New positions	4,563	
Food in lieu of cash	3,240	
		<hr/>
		\$291,119

Materials and Supplies:

Food—Cash	\$64,050	
Fuel and utilities	20,000	
Office	250	
Printing	250	
Agricultural and con- servation	600	
Vehicular	675	
Household and security.	8,000	
Clothing	900	
Medical	8,250	
Other	175	
		<hr/>
		103,150

Services Other Than Personal:

Travel	\$1,500	
Telephone	1,200	
Insurance—Fire	203	
Insurance—Other	447	
Household	2,500	
Advertising	100	
Subscriptions and mem- berships	50	
Postage	250	
Entertainment	500	
Medical	2,900	
Education and rehabili- tation	2,550	
Other professional	640	
Other	60	
		<hr/>
		12,900

Maintenance and Replacements:

Maintenance of Property—

Buildings and grounds \$5,500

Office equipment 75

Agricultural and con-
servation equipment 100

Vehicular equipment . 175

Household and secu-
rity equipment 500

Replacements and Special

Maintenance—

Buildings and grounds 16,500

Office equipment 56

Household and secu-
rity equipment 12,400

35,306

Extraordinary:

Compensation awards 1,820

Additions and Improvements:

Household and secu-
rity equipment \$1,900

Medical equipment 2,275

4,175

Total Appropriation, Home
f o r Disabled Soldiers,
Vineland

\$448,470

715-100. *Division of Welfare—Bureau of
Assistance*

Salaries:

Other employees \$554,559

New positions 32,863

\$587,422

Materials and Supplies:

Office \$5,500

Printing 4,200

Microfilming 500

Vehicular	2,300	
Education and rehabilitation	100	
	<hr/>	12,600
Services Other Than Personal:		
Travel	\$5,000	
Telephone	11,500	
Insurance—Other	450	
Subscriptions and memberships	1,550	
Legal and investigative	750	
Postage	6,000	
Rent—Equipment, Data processing	9,936	
Rent—Other	1,150	
Medical	12,000	
Staff training	15,000	
Other	100	
	<hr/>	63,436
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$700	
Vehicular equipment	650	
Replacements and Special Maintenance—		
Office equipment	5,618	
Vehicular equipment	1,565	
	<hr/>	8,533
Extraordinary:		
Implementation of Medical Assistance to the Aged Program		175,000
Additions and Improvements:		
Buildings and grounds	\$500	
Office equipment	5,010	
	<hr/>	5,510
Total Appropriation, Division of Welfare—Bureau of Assistance		<hr/> \$852,501

716-100. *Commission for the Blind*

Salaries:

Other employees	\$682,160	
New positions	21,903	
	<hr/>	\$704,063

Materials and Supplies:

Fuel and utilities	\$4,735	
Office	2,500	
Printing	2,000	
Vehicular	3,250	
Household and security	400	
Medical	100	
Education and rehabili- tation	38,100	
	<hr/>	51,085

Services Other Than Personal:

Travel	\$36,000	
Telephone	10,500	
Insurance—Fire	3,766	
Insurance—Other	838	
Household	235	
Subscriptions and mem- berships	550	
Funeral	3,000	
Postage	6,250	
Entertainment	100	
Rent—Other	1,210	
Medical	2,800	
Education and rehabili- tation	506,750	
Other professional	27,485	
Other	950	
	<hr/>	600,434

Maintenance and Replacements:

Maintenance of Property—	
Office equipment	\$500
Vehicular equipment	750

Other equipment	200	
Replacements and Special Maintenance—		
Office equipment	2,086	
Vehicular equipment	1,565	
	<hr/>	5,101
Additions and Improvements:		
Office equipment	\$3,473	
Medical equipment	300	
	<hr/>	3,773
		<hr/>
Total Appropriation, Commission for the Blind		\$1,364,456
<hr/>		
The balance to the credit of the Revolving Industrial Fund on June 30, 1963 is hereby appropriated as a Revolving Industrial Fund in a sum not to exceed \$2,000.		

717-100. *State Board of Child Welfare*

Salaries:

Other employees	\$2,234,917	
New positions	58,496	
	<hr/>	\$2,293,413

Materials and Supplies:

Office	\$7,000	
Printing	13,000	
Microfilming	250	
Vehicular	22,250	
Household and security	350	
Education and rehabilitation	800	
	<hr/>	43,650

Services Other Than Personal:

Travel	\$7,900	
Telephone	43,500	

Insurance—Fire	130	
Insurance—Other	4,779	
Household	275	
Advertising	125	
Subscriptions and mem- berships	100	
Legal and investigative	1,000	
Postage	13,750	
Data processing	700	
Rent—Equipment, Data processing	2,400	
Rent—Other	9,500	
Staff training	4,000	
Other	500	
	<hr/>	88,659
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$6,500	
Vehicular equipment	5,900	
Replacements and Special Maintenance—		
Vehicular equipment	37,560	
	<hr/>	49,960
Extraordinary:		
Group Foster Home Administration		20,300
Additions and Improvements:		
Office equipment	\$4,920	
Vehicular equipment...	13,720	
	<hr/>	18,640
<hr/>		
Total Appropriation, State Board of Child Welfare...	\$2,514,622	
	<hr/>	

720-100. *State Parole Board*

Salaries:		
Chairman	\$15,000	
Other employees	47,738	
	<hr/>	\$62,738
Materials and Supplies:		
Office	\$50	
Printing	450	
	<hr/>	500
Services Other Than Personal:		
Travel	\$1,200	
Telephone	1,800	
Insurance—Other	7	
Postage	315	
Other	50	
	<hr/>	3,372
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$75	
Replacements and Special		
Maintenance—		
Office equipment	675	
	<hr/>	750
Additions and Improvements:		
Office equipment		818
		<hr/>
Total Appropriation, State		
Parole Board		\$68,178
		<hr/>

725-300. *Bureau of State Use Industries*

There are hereby appropriated to the Bureau of State Use Industries the unexpended balance as of June 30, 1963 of the fund known as the "State Use Working Capital Fund" and, in addition thereto, all receipts derived from sales, pursuant to the provisions of R. S. 30:4-100; provided, however, that the allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

730-100. *Division of Correction and Parole*

Salaries:

Other employees	\$889,135	
New positions	28,191	
	<hr/>	\$917,326

Materials and Supplies:

Office	\$4,500	
Printing	800	
Vehicle	9,700	
	<hr/>	15,000

Services Other Than Personal:

Travel	\$13,000	
Telephone	13,500	
Insurance—Fire	58	
Insurance—Other	2,062	
Staff training	20,800	
Other	50	
	<hr/>	49,470

Maintenance and Replacements:

Maintenance of Property—

Office equipment \$600

Vehicular equipment 2,600

Replacements and Special

Maintenance—

Office equipment 8,226

Vehicular equipment 23,300

34,726

Additions and Improvements:

Buildings and grounds.. \$8,500

Office equipment 3,461

Vehicular equipment .. 3,500

15,461Total Appropriation, Di-
vision of Correction and
Parole

\$1,031,983731-100. *State Prison, Trenton*

Salaries:

Other employees \$1,660,861

New positions 6,462

Food in lieu of cash 49,488

\$1,716,811

Materials and Supplies:

Food—Cash \$288,115

Fuel and utilities 83,000

Office 3,800

Printing 2,880

Agricultural and con-
servation 250

Vehicular 1,900

Household and security 35,479

Clothing 76,599

Medical 32,500

Scientific	500	
Education and rehabilitation	4,000	
		<hr/> 529,023
Services Other Than Personal:		
Travel	\$1,600	
Telephone	5,500	
Insurance—Fire	6,331	
Insurance—Other	1,460	
Household	3,000	
Subscriptions and memberships	100	
Legal and investigative	300	
Funeral	450	
Postage	1,500	
Rent—Other	72	
Medical	7,275	
Education and rehabilitation	36,235	
Other professional	100	
Other	100	
		<hr/> 64,023
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$19,000	
Office equipment	1,000	
Vehicular equipment	500	
Household and security equipment	1,500	
Replacements and Special Maintenance—		
Buildings and grounds	10,850	
Office equipment	1,652	
Vehicular equipment	6,600	
Household and security equipment	3,362	
Medical equipment	278	
		<hr/> 44,742
Extraordinary:		
Compensation awards		3,159

Additions and Improvements:

Buildings and grounds .	\$1,000	
Office equipment	483	
Household and security equipment	7,591	
Medical equipment	573	
Scientific equipment ...	115	
Education and rehabili- tation equipment	720	
		<hr/> 10,482

Total Appropriation, State Prison, Trenton	<hr/> \$2,368,240
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732-100. *State Prison Farm, Rahway*

Salaries:

Other employees	\$1,104,421	
New positions	7,539	
Food in lieu of cash	38,008	
	<hr/>	\$1,149,968

Materials and Supplies:

Food—Cash	\$208,932	
Fuel and utilities	91,580	
Office	1,750	
Printing	750	
Agricultural and conser- vation	32,000	
Vehicular	1,300	
Household and security	34,390	
Clothing	50,657	
Medical	17,500	
Education and rehabili- tation	2,700	
	<hr/>	441,559

Services Other Than Personal:

Travel	\$450
Telephone	6,500

Insurance—Fire	6,365	
Insurance—Other	1,399	
Household	1,135	
Advertising	150	
Subscriptions and mem- berships	50	
Postage	315	
Rent—Other	72	
Medical	1,400	
Education and rehabili- tation	30,670	
Other professional	2,055	
Other	145	
	<hr/>	50,706
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$22,000	
Office equipment	300	
Agricultural and con- servation equipment	1,300	
Vehicular equipment .	600	
Household and secu- rity equipment	1,500	
Replacements and Spe- cial Maintenance—		
Buildings and grounds	15,580	
Office equipment	362	
Vehicular equipment .	3,845	
Household and secu- rity equipment	19,510	
	<hr/>	64,997
Extraordinary:		
Compensation awards		1,515
Additions and Improvements:		
Buildings and grounds .	\$8,475	
Office equipment	112	
Agricultural and conser- vation equipment	3,300	
Household and security equipment	8,460	

Medical equipment	440	
Scientific equipment . . .	20,177	
Education and rehabilitation equipment	4,108	
	<hr/>	45,072
Total Appropriation, State		
Prison Farm, Rahway . . .	\$1,753,817	<hr/>

733-100. *State Prison Farm, Leesburg*

Salaries:

Other employees	\$303,466	
New position	3,393	
Food in lieu of cash	9,060	
	<hr/>	\$315,919

Materials and Supplies:

Food—Cash	\$33,951	
Fuel and utilities	35,000	
Office	700	
Printing	200	
Agricultural and conservation	17,000	
Vehicular	500	
Household and security	7,617	
Clothing	11,778	
Medical	3,400	
Education and rehabilitation	500	
	<hr/>	110,646

Services Other Than Personal:

Travel	\$175	
Telephone	2,490	
Insurance—Fire	3,695	
Insurance—Other	1,785	
Household	1,825	
Postage	220	

Entertainment	100	
Medical	1,470	
Education and rehabilitation	9,100	
Other professional	1,018	
Other	200	
	<hr/>	22,078
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$7,850	
Office equipment	100	
Agricultural and conservation equipment	100	
Vehicular equipment .	300	
Household and security equipment	400	
Replacements and Special Maintenance—		
Buildings and grounds	3,500	
Office equipment	408	
Vehicular equipment .	2,275	
Household and security equipment	21,630	
Education and rehabilitation equipment	1,100	
	<hr/>	37,663
Additions and Improvements:		
Household and security equipment	\$990	
Education and rehabilitation equipment	500	
	<hr/>	1,490
<hr/>		
Total Appropriation, State Prison Farm, Leesburg ..		\$487,796
		<hr/>

734-100. *State Reformatory, Bordentown*

Salaries:

Other employees	\$1,204,214	
New positions	25,854	
Food in lieu of cash	40,452	
	<hr/>	\$1,270,520

Materials and Supplies:

Food—Cash	\$92,268	
Fuel and utilities	65,000	
Office	1,500	
Printing	1,000	
Agricultural and conser- vation	45,000	
Vehicular	2,000	
Household and security	19,590	
Clothing	45,759	
Medical	12,450	
Scientific	250	
Education and rehabili- tation	4,500	
	<hr/>	289,317

Services Other Than Personal:

Travel	\$1,500	
Telephone	2,900	
Insurance—Fire	5,082	
Insurance—Other	1,749	
Household	2,590	
Advertising	500	
Subscriptions and mem- berships	200	
Postage	1,000	
Rent—Other	72	
Medical	2,500	
Education and rehabili- tation	29,643	
Other	175	
	<hr/>	47,911

Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$17,000	
Office equipment	850	
Agricultural and con-		
servation equipment	1,900	
Vehicular equipment .	700	
Household and secu-		
rity equipment	5,000	
Replacements and Spe-		
cial Maintenance—		
Buildings and grounds	15,300	
Office equipment	3,984	
Vehicular equipment .	4,085	
Household and secu-		
rity equipment	12,725	
	<hr/>	61,544
Additions and Improvements:		
Office equipment	\$384	
Vehicular equipment ..	400	
	<hr/>	784
Total Appropriation, State		
Reformatory, Bordentown	\$1,670,076	
	<hr/>	

735-100. *Youth Reception and Correction Center,
Yardville*

Salaries:		
New positions		\$22,463
Materials and Supplies:		
Office	\$200	
Printing	400	
Vehicular	200	
	<hr/>	800
Services Other Than Personal:		
Travel	\$200	
Postage	100	
	<hr/>	300

Additions and Improvements:

Office equipment	\$1,641	
Vehicular equipment ...	3,760	
		<hr/> 5,401

Total Appropriation, Youth Reception and Correction Center, Yardville		<hr/> \$28,964
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737-100. *State Reformatory for Women, Clinton*

Salaries:

Other employees	\$798,830	
New positions	21,545	
Food in lieu of cash	17,766	
		<hr/> \$838,141

Materials and Supplies:

Food—Cash	\$63,233	
Fuel and utilities	45,000	
Office	475	
Printing	825	
Agricultural and conser- vation	9,900	
Vehicular	2,000	
Household and security.	14,325	
Clothing	18,375	
Medical	11,825	
Scientific	75	
Education and rehabili- tation	3,150	
		<hr/> 169,183

Services Other Than Personal:

Travel	\$2,130	
Telephone	3,860	
Insurance—Fire	4,395	
Insurance—Other	1,651	
Household	1,762	
Subscriptions and mem- berships	150	

Postage	875	
Entertainment	1,274	
Rent—Other	81	
Medical	23,336	
Education and rehabilitation	13,500	
Other professional	345	
Other	175	
	<hr/>	53,534
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$12,000	
Office equipment	725	
Agricultural and conservation equipment	300	
Vehicular equipment .	1,000	
Household and security equipment	1,500	
Medical equipment ...	100	
Replacements and Special Maintenance—		
Buildings and grounds	15,829	
Office equipment	435	
Vehicular equipment .	1,735	
Household and security equipment	9,470	
Education and rehabilitation equipment	588	
	<hr/>	43,682
Additions and Improvements:		
Office equipment	\$432	
Vehicular equipment ...	1,918	
Household and security equipment	852	
Medical equipment	1,600	
	<hr/>	4,802
<hr/>		
Total Appropriation, State Reformatory for Women, Clinton		\$1,109,342
		<hr/>

738-100. *State Reformatory, Annandale*

Salaries:

Other employees	\$1,112,477	
New positions	8,754	
Food in lieu of cash	41,885	
	<hr/>	\$1,163,116

Materials and Supplies:

Food—Cash	\$108,896	
Fuel and utilities	61,000	
Office	1,000	
Printing	1,150	
Agricultural and conservation	35,000	
Vehicular	4,100	
Household and security.	19,700	
Clothing	35,545	
Medical	6,840	
Scientific	150	
Education and rehabilitation	2,425	
	<hr/>	275,806

Services Other Than Personal:

Travel	\$800	
Telephone	2,100	
Insurance—Fire	8,378	
Insurance—Other	2,359	
Household	4,510	
Subscriptions and memberships	100	
Legal and investigative.	90	
Postage	1,000	
Entertainment	600	
Rent—Other	94	
Medical	2,000	
Education and rehabilitation	21,000	
Staff training	72	
Other	165	
	<hr/>	43,268

Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$15,000	
Office equipment	550	
Agricultural and con-		
servation equipment	1,000	
Vehicular equipment .	1,250	
Household and secu-		
rity equipment	1,000	
Replacements and Special		
Maintenance—		
Buildings and grounds	18,988	
Office equipment	642	
Vehicular equipment .	3,815	
Household and secu-		
rity equipment	14,175	
	<hr/>	56,420
Extraordinary:		
Compensation awards . .	\$1,063	
Establishment of work		
camp	14,563	
	<hr/>	15,626
Additions and Improvements:		
Buildings and grounds . .	\$2,382	
Office equipment	198	
Household and security		
equipment	5,650	
	<hr/>	8,230
Total Appropriation, State		
Reformatory, Annandale . .	\$1,562,466	
	<hr/>	

740-100. *State Home for Boys, Jamesburg*

Salaries:		
Other employees	\$1,203,047	
New positions	62,135	
Food in lieu of cash	8,476	
	<hr/>	\$1,273,658

Materials and Supplies:

Food—Cash	\$85,289
Fuel and utilities	70,000
Office	1,350
Printing	1,050
Agricultural and conser- vation	29,000
Vehicular	2,750
Household and security.	21,925
Clothing	33,450
Medical	7,762
Education and rehabili- tation	9,300

261,876

Services Other Than Personal:

Travel	\$1,000
Telephone	5,250
Insurance—Fire	8,657
Insurance—Other	1,859
Household	1,700
Advertising	100
Subscriptions and mem- berships	500
Postage	1,295
Entertainment	800
Rent—Other	72
Medical	7,720
Education and rehabili- tation	1,420
Other professional	1,300
Other	150

31,823

Maintenance and Replacements:

Maintenance of Property—

Buildings and grounds	\$19,800
Office equipment	500
Agricultural and con- servation equipment	1,000
Vehicular equipment .	1,500
Household and secu- rity equipment	2,400

Replacements and Special Maintenance—		
Buildings and grounds	5,000	
Office equipment	384	
Agricultural and conservation equipment	2,500	
Vehicular equipment .	3,780	
Household and security equipment	6,365	
Medical equipment . . .	485	
	<hr/>	43,714
Extraordinary:		
Compensation awards		2,080
Additions and Improvements:		
Buildings and grounds..	\$12,475	
Office equipment	910	
Agricultural and conservation equipment..	800	
Household and security equipment	2,980	
Medical equipment	540	
	<hr/>	17,705
Total Appropriation, State Home for Boys, Jamesburg		<hr/> \$1,630,856

741-100. *State Home for Girls, Trenton*

Salaries:		
Other employees	\$717,845	
New position	4,988	
Food in lieu of cash	6,840	
	<hr/>	\$729,673
Materials and Supplies:		
Food—Cash	\$52,155	
Fuel and utilities	6,425	

Office	400
Printing	500
Agricultural and con- servation	1,400
Vehicular	500
Household and security.	10,000
Clothing	13,500
Medical	3,500
Education and rehabili- tation	3,000

 91,380

Services Other Than Personal:

Travel	\$400
Telephone	5,150
Insurance—Fire	2,925
Insurance—Other	643
Household	1,270
Advertising	25
Subscriptions and mem- berships	140
Postage	1,450
Entertainment	700
Rent—Other	325
Medical	4,500
Education and rehabili- tation	450
Other professional	2,304
Other	525

 20,807

Maintenance and Replacements:

Maintenance of Property—	
Buildings and grounds	\$5,000
Office equipment	225
Vehicular equipment .	350
Household and secu- rity equipment	1,000
Replacements and Special Maintenance—	
Buildings and grounds	5,975
Office equipment	418

Vehicular equipment .	2,150	
Household and security equipment	4,650	
Medical equipment ..	395	
Education and rehabilitation equipment	1,032	
	<hr/>	21,195
Extraordinary:		
Compensation awards		2,028
Additions and Improvements:		
Buildings and grounds..	\$6,225	
Office equipment	112	
Household and security equipment	1,340	
	<hr/>	7,677
		<hr/>
Total Appropriation, State Home for Girls, Trenton..		\$872,760
		<hr/>

743-100. *Residential Group Center, Highfields*

Salaries:		
Other employees	\$38,968	
Food in lieu of cash	504	
	<hr/>	\$39,472
Materials and Supplies:		
Food—Cash	\$6,149	
Fuel and utilities	2,600	
Office	150	
Printing	50	
Agricultural and conservation	100	
Vehicular	700	
Household and security.	800	
Clothing	340	
	<hr/>	10,889

Services Other Than Personal:

Travel	\$250	
Telephone	700	
Insurance—Fire	27	
Insurance—Other	115	
Postage	150	
	<hr/>	1,242

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$900	
Office equipment	30	
Vehicular equipment .	200	
Household and security equipment	200	
Replacements and Special Maintenance—		
Buildings and grounds	5,210	
Office equipment	395	
	<hr/>	6,935

Total Appropriation, Residential Group Center, Highfields	<hr/>	\$58,538
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745-100. *Residential Group Center, Warren*

Salaries:

Other employees	\$32,784	
Food in lieu of cash	972	
	<hr/>	\$33,756

Materials and Supplies:

Food—Cash	\$6,149
Fuel and utilities	3,300
Office	100
Printing	50
Agricultural and conservation	200

Vehicular	425	
Household and security.	700	
Clothing	340	
Medical	50	
Education and rehabilitation	100	
	<hr/>	11,414
Services Other Than Personal:		
Travel	\$150	
Telephone	700	
Insurance—Fire	38	
Insurance—Other	150	
Subscriptions and memberships	50	
Postage	65	
Medical	475	
Other	25	
	<hr/>	1,653
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$900	
Office equipment	30	
Agricultural and conservation equipment	25	
Vehicular equipment .	150	
Household and security equipment	150	
	<hr/>	1,255
Additions and Improvements:		
Office equipment		138
	<hr/>	
Total Appropriation, Residential Group Center, Warren		\$48,216
		<hr/>

746-100. *Residential Group Center, Ocean*

Extraordinary:

Control—General expenses	\$12,000
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Total Appropriation, Residential Group Center, Ocean	\$12,000
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The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

747-100. *Residential Group Center, Turrell*

Salaries:

Other employees	\$32,461	
Food in lieu of cash	864	
		\$33,325

Materials and Supplies:

Food—Cash	\$4,612	
Fuel and utilities	3,200	
Office	125	
Printing	75	
Agricultural and conservation	100	
Vehicular	500	
Household and security	720	
Clothing	100	
Medical	350	
Education and rehabilitation	100	
		9,882

Services Other Than Personal:

Travel	\$250
Telephone	700

Insurance—Fire	17	
Insurance—Other	72	
Household	350	
Subscriptions and memberships	50	
Postage	150	
Medical	1,500	
Education and rehabilitation	1,827	
	<hr/>	4,916
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$500	
Office equipment	30	
Vehicular equipment .	125	
Household and security equipment	100	
Replacements and Special Maintenance—		
Vehicular equipment .	2,120	
	<hr/>	2,875
Additions and Improvements:		
Buildings and grounds..	\$314	
Education and rehabilitation equipment	275	
	<hr/>	589
Total Appropriation, Residential Group Center, Turrell		<hr/>
		\$51,587

760-100. *Division of Mental Retardation*

Salaries:

Other employees	\$238,553	
New positions	13,539	
	<hr/>	\$252,092

Materials and Supplies:		
Office	\$1,800	
Printing	2,650	
Vehicular	2,450	
Scientific	850	
Education and rehabilitation	100	
		<hr/> 7,850
Services Other Than Personal:		
Travel	\$2,200	
Telephone	5,500	
Insurance—Other	652	
Household	730	
Subscriptions and memberships	100	
Postage	2,000	
Rent—Other	1,350	
Staff training	600	
		<hr/> 13,132
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$500	
Vehicular equipment .	325	
Replacements and Special		
Maintenance—		
Office equipment	2,082	
Vehicular equipment .	1,565	
		<hr/> 4,472
Extraordinary:		
Family care		25,000
Additions and Improvements:		
Office equipment		420
		<hr/>
Total Appropriation, Division of Mental Retardation		<hr/> \$302,966

762-100. *Vineland State School*

Salaries:

Other employees	\$2,660,379	
New positions	118,540	
Food in lieu of cash	26,947	
	<hr/>	\$2,805,866

Materials and Supplies:

Food—Cash	\$357,543	
Fuel and utilities	125,000	
Office	1,900	
Printing	900	
Agricultural and conser- vation	9,000	
Vehicular	3,800	
Household and security.	55,250	
Clothing	60,300	
Medical	45,100	
Education and rehabili- tation	12,600	
	<hr/>	671,393

Services Other Than Personal:

Travel	\$1,200	
Telephone	10,600	
Insurance—Fire	8,036	
Insurance—Other	2,796	
Household	10,400	
Advertising	150	
Subscriptions and mem- berships	300	
Funeral	1,000	
Postage	1,625	
Entertainment	1,200	
Rent—Other	150	
Medical	3,300	
Education and rehabili- tation	9,500	
Other professional	1,420	
Other	687	
	<hr/>	52,364

Maintenance and Replacements:

Maintenance of Property—

Buildings and grounds \$27,000

Office equipment 500

Agricultural and conservation equipment 1,300

Vehicular equipment . 2,700

Household and security equipment 5,500

Medical equipment ... 500

Replacements and Special

Maintenance—

Buildings and grounds 6,000

Office equipment 1,911

Vehicular equipment . 2,030

Household and security equipment 12,880

60,321

Extraordinary:

Family care 35,000

Additions and Improvements:

Buildings and grounds.. \$11,800

Office equipment 1,211

Household and security equipment 10,750

Medical equipment 5,100

Education and rehabilitation equipment 2,665

31,526

Total Appropriation, Vine-

land State School \$3,656,470

763-100. *North Jersey Training School, Totowa*

Salaries:

Other employees \$1,565,147

New positions 63,882

Food in lieu of cash 9,390

\$1,638,419

Materials and Supplies:

Food—Cash	\$201,300	
Fuel and utilities	99,000	
Office	900	
Printing	1,400	
Agricultural and conser- vation	1,200	
Vehicular	3,100	
Household and security.	32,000	
Clothing	30,000	
Medical	29,000	
Education and rehabili- tation	4,300	
		<hr/> 402,200

Services Other Than Personal:

Travel	\$2,000	
Telephone	7,800	
Insurance—Fire	4,511	
Insurance—Other	1,875	
Household	4,120	
Advertising	200	
Subscriptions and mem- berships	150	
Postage	1,375	
Entertainment	500	
Rent—Other	83	
Medical	13,740	
Education and rehabili- tation	6,910	
Other professional	300	
		<hr/> 43,564

Maintenance and Replacements:

Maintenance of Property—

Buildings and grounds	\$19,500
Office equipment	600
Agricultural and con- servaion equipment	300
Vehicular equipment .	1,300
Household and secu- rity equipment	3,500

Medical equipment . . .	200	
Scientific equipment . .	200	
Education and reha- bilitation equipment	500	
Replacements and Special Maintenance—		
Buildings and grounds	21,200	
Office equipment	1,719	
Vehicular equipment .	2,140	
Household and secu- rity equipment	6,972	
Medical equipment . . .	535	
	<hr/>	58,666
Extraordinary:		
Compensation awards . .	\$857	
Family care	19,200	
	<hr/>	20,057
Additions and Improvements:		
Buildings and grounds . .	\$15,890	
Office equipment	565	
Household and security equipment	2,350	
Medical equipment	1,892	
	<hr/>	20,697
Total Appropriation, North Jersey Training School, Totowa		<hr/> \$2,183,603

764-100. *State Colony, Woodbine*

Salaries:		
Other employees	\$1,579,316	
New positions	87,486	
Food in lieu of cash	18,168	
	<hr/>	\$1,684,970

Materials and Supplies:

Food—Cash	\$237,305
Fuel and utilities	82,500
Office	900
Printing	600
Agricultural and conser- vation	1,000
Vehicular	2,300
Household and security.	33,875
Clothing	34,580
Medical	28,000
Education and rehabili- tation	4,700

425,760

Services Other Than Personal:

Travel	\$1,000
Telephone	3,700
Insurance—Fire	2,951
Insurance—Other	1,414
Household	2,200
Subscriptions and mem- berships	150
Funeral	450
Postage	1,300
Entertainment	1,000
Rent—Other	72
Medical	8,125
Education and rehabili- tation	7,900
Other professional	1,560
Other	50

31,872

Maintenance and Replacements:

Maintenance of Property—	
Buildings and grounds	\$20,000
Office equipment	350
Agricultural and con- servation equipment	100
Vehicular equipment .	650
Household and secu- rity equipment	3,500

Replacements and Special Maintenance—		
Buildings and grounds	18,341	
Vehicular equipment .	3,875	
Household and security equipment	6,634	
Medical equipment ..	3,000	
Education and rehabilitation equipment	5,020	
	<hr/>	61,470
Extraordinary:		
Family care		4,000
Additions and Improvements:		
Buildings and grounds .	\$8,447	
Office equipment	992	
Household and security equipment	2,340	
Medical equipment	5,627	
	<hr/>	17,406
Total Appropriation, State Colony, Woodbine		<hr/> \$2,225,478

765-100. *State Colony, New Lisbon*

Salaries:		
Other employees	\$1,512,266	
New positions	16,195	
Food in lieu of cash	10,584	
	<hr/>	\$1,539,045
Materials and Supplies:		
Food—Cash	\$203,678	
Fuel and utilities	72,500	
Office	1,000	
Printing	250	
Agricultural and conservation	25,000	

Vehicular	4,400	
Household and security	33,875	
Clothing	32,900	
Medical	22,000	
Education and rehabilitation	10,700	
	<hr/>	406,303

Services Other Than Personal:

Travel	\$700	
Telephone	3,100	
Insurance—Fire	4,633	
Insurance—Other	1,960	
Household	6,500	
Advertising	100	
Subscriptions and memberships	100	
Funeral	750	
Postage	1,415	
Entertainment	2,200	
Rent—Other	96	
Medical	10,490	
Education and rehabilitation	11,137	
Staff training	100	
Other professional	2,235	
Other	175	
	<hr/>	45,691

Maintenance and Replacements:

Maintenance of Property—	
Buildings and grounds	\$20,000
Office equipment	300
Agricultural and conservation equipment	1,000
Vehicular equipment .	1,600
Household and security equipment	3,000
Medical equipment ...	300
Education and rehabilitation equipment	100

Replacements and Special Maintenance—		
Buildings and grounds	2,550	
Office equipment	1,127	
Agricultural and conservation equipment	800	
Vehicular equipment .	6,749	
Household and security equipment	40,104	
Medical equipment ..	750	
Education and rehabilitation equipment	3,170	
	<hr/>	81,550
Extraordinary:		
Family care		31,200
Additions and Improvements:		
Buildings and grounds .	\$16,600	
Office equipment	893	
Vehicular equipment ...	1,800	
Household and security equipment	8,840	
Medical equipment	420	
Education and rehabilitation equipment	480	
	<hr/>	29,033
<hr/>		
Total Appropriation, State Colony, New Lisbon		\$2,132,822
		<hr/>

766-100. *Woodbridge State School*

Salaries:		
Other employees	\$19,603	
New positions	14,272	
	<hr/>	\$33,875
Materials and Supplies:		
Fuel and utilities	\$14,320	
Office	200	

Printing	200	
Vehicular	280	
	<hr/>	15,000
Services Other Than Personal:		
Travel	\$220	
Telephone	600	
Advertising	300	
Postage	125	
	<hr/>	1,245
Additions and Improvements:		
Office equipment	\$2,939	
Vehicular equipment ..	3,615	
	<hr/>	6,554
Total Appropriation, Wood-		
bridge State School		\$56,674
		<hr/>

768-100. *Edward R. Johnstone*
Training and Research Center

Salaries:

Other employees	\$843,417	
New positions	6,705	
Food in lieu of cash	8,433	
	<hr/>	\$858,555

Materials and Supplies:

Food—Cash	\$56,730
Fuel and utilities	39,000
Office	1,500
Printing	1,200
Agricultural and conser-	
vation	1,200
Vehicular	1,200
Household and security	8,450
Clothing	12,500
Medical	4,500
Scientific	100

Education and rehabilitation	7,000	
	<hr/>	133,380
Services Other Than Personal:		
Travel	\$2,500	
Telephone	8,000	
Insurance—Fire	4,624	
Insurance—Other	1,247	
Household	2,500	
Advertising	100	
Subscriptions and memberships	350	
Postage	1,000	
Entertainment	1,500	
Rent—Other	96	
Medical	1,250	
Other professional	1,040	
Other	975	
	<hr/>	25,182
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$10,000	
Office equipment	700	
Agricultural and conservation equipment	200	
Vehicular equipment .	400	
Household and security equipment	1,750	
Medical equipment ...	100	
Scientific equipment .	150	
Education and rehabilitation equipment	300	
Replacements and Special Maintenance—		
Buildings and grounds	14,850	
Office equipment	1,065	
Vehicular equipment .	1,800	
Household and security equipment	6,750	
Scientific equipment .	1,100	
	<hr/>	39,165

Extraordinary:		
Compensation awards .	\$6,494	
Family care	4,000	
	<hr/>	10,494
Additions and Improvements:		
Buildings and grounds .	\$12,500	
Office equipment	889	
Scientific equipment ...	1,000	
Education and rehabili- tation equipment	700	
	<hr/>	15,089
Total Appropriation, Edward R. Johnstone Training and Research Center		
	<hr/>	\$1,081,865

770-100. *Division of Mental Health*

Salaries:		
Other employees	\$217,163	
New positions	17,205	
	<hr/>	\$234,368
Materials and Supplies:		
Office	\$1,000	
Printing	1,750	
Vehicular	300	
Education and rehabili- tation	1,200	
	<hr/>	4,250
Services Other Than Personal:		
Travel	\$4,300	
Telephone	4,700	
Insurance—Other	75	
Subscriptions and mem- berships	450	
Postage	2,000	

Medical	700	
Education and rehabilitation	500	
Staff training	500	
Other professional	100	
Other	1,550	
		14,875
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment	\$200	
Vehicular equipment	50	
Replacements and Special Maintenance—		
Office equipment	500	
		750
Extraordinary:		
Mental health research	375,000	
Total Appropriation, Division of Mental Health...		\$629,243

777-100. *State Hospital, Greystone Park*

Salaries:		
Other employees	\$7,687,822	
New positions	22,890	
Food in lieu of cash	224,855	
		\$7,935,567
Materials and Supplies:		
Food—Cash	\$819,800	
Fuel and utilities	355,000	
Office	5,100	
Printing	8,200	
Agricultural and conservation	120,000	
Vehicular	10,900	

Household and security	149,500	
Clothing	153,000	
Medical	225,000	
Scientific	1,400	
Education and rehabilitation	19,100	
	<hr/>	1,867,000
Services Other Than Personal:		
Travel	\$4,300	
Telephone	20,500	
Insurance—Fire	19,410	
Insurance—Other	8,866	
Household	2,300	
Advertising	3,000	
Subscriptions and memberships	2,300	
Legal and investigative	150	
Funeral	3,500	
Postage	6,250	
Rent—Buildings and grounds	201	
Rent—Other	331	
Medical	6,950	
Education and rehabilitation	8,200	
Staff training	8,068	
Other professional	4,990	
Other	2,060	
	<hr/>	101,376
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$97,000	
Office equipment	4,000	
Agricultural and conservation equipment	4,000	
Vehicular equipment	3,000	
Household and security equipment	18,000	
Medical equipment ..	1,750	
Scientific equipment..	500	

Replacements and Special Maintenance—		
Buildings and grounds	101,755	
Office equipment	8,482	
Vehicular equipment	8,570	
Household and security equipment	36,911	
Medical equipment ...	3,123	
	<hr/>	287,091
Extraordinary:		
Compensation awards..	\$45,000	
Family care	78,000	
	<hr/>	123,000
Additions and Improvements:		
Buildings and grounds	\$47,500	
Office equipment	919	
Agricultural and conservation equipment	9,785	
Household and security equipment	3,200	
Medical equipment	33,254	
	<hr/>	94,658
Total Appropriation, State Hospital, Greystone Park		<hr/> \$10,408,692

779-100. *State Hospital, Trenton*

Salaries:		
Other employees	\$6,410,847	
New positions	42,957	
Food in lieu of cash	83,940	
	<hr/>	\$6,537,744
Materials and Supplies:		
Food—Cash	\$484,355	
Fuel and utilities	277,000	

Office	4,800	
Printing	1,800	
Agricultural and conser-		
vation	82,500	
Vehicular	5,000	
Household and security	108,230	
Clothing	101,500	
Medical	153,880	
Education and rehabili-		
tation	12,800	
	<hr/>	1,231,865
Services Other Than Personal:		
Travel	\$2,500	
Telephone	15,000	
Insurance—Fire	20,283	
Insurance—Other	6,310	
Household	300	
Advertising	200	
Subscriptions and mem-		
berships	1,165	
Legal and investigative	250	
Funeral	4,000	
Postage	3,100	
Rent—Other	1,256	
Medical	5,210	
Education and rehabili-		
tation	16,100	
Staff training	8,000	
Other professional	7,240	
Other	3,256	
	<hr/>	94,170
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$50,000	
Office equipment	1,400	
Agricultural and con-		
servation equipment	2,000	
Vehicular equipment	2,100	
Household and secu-		
rity equipment	9,000	
Medical equipment ..	500	

Replacements and Special
Maintenance—

Buildings and grounds	18,000	
Office equipment	4,301	
Agricultural and con- servation equipment	3,726	
Vehicular equipment	14,885	
Household and secu- rity equipment	19,285	
Medical equipment ..	25,830	
	<hr/>	151,027

Extraordinary:

Compensation awards..	\$1,656	
Family care	144,000	
	<hr/>	145,656

Additions and Improvements:

Buildings and grounds	\$26,000	
Office equipment	5,379	
Household and security equipment	23,225	
Medical equipment	21,080	
	<hr/>	75,684

Total Appropriation, State Hospital, Trenton	<hr/>	\$8,236,146
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781-100. *State Hospital, Marlboro*

Salaries:

Other employees	\$4,897,730	
New positions	84,650	
Food in lieu of cash	86,405	
	<hr/>	\$5,068,785

Materials and Supplies:

Food—Cash	\$362,431	
Fuel and utilities	187,000	

Office	2,500	
Printing	2,500	
Agricultural and conser- vation	60,000	
Vehicular	5,500	
Household and security	89,500	
Clothing	90,650	
Medical	103,500	
Education and rehabili- tation	11,500	
	<hr/>	915,081
Services Other Than Personal:		
Travel	\$2,500	
Telephone	9,000	
Insurance—Fire	15,536	
Insurance—Other	4,896	
Household	2,000	
Advertising	350	
Subscriptions and mem- berships	850	
Funeral	2,500	
Postage	3,000	
Rent—Other	156	
Medical	15,500	
Education and rehabili- tation	10,439	
Staff training	14,180	
Other professional	4,300	
Other	300	
	<hr/>	85,507
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$43,000	
Office equipment	2,100	
Agricultural and con- servation equipment	2,000	
Vehicular equipment .	2,500	
Household and secu- rity equipment	13,000	
Medical equipment ...	1,000	
Education and reha- bilitation equipment	200	

Replacements and Special Maintenance—		
Buildings and grounds	22,700	
Office equipment	6,902	
Vehicular equipment .	12,670	
Household and security equipment	19,565	
Medical equipment . . .	7,850	
	<hr/>	133,487
Extraordinary:		
Compensation awards ..	\$5,420	
Family care	100,000	
	<hr/>	105,420
Additions and Improvements:		
Buildings and grounds..	\$10,250	
Office equipment	673	
Household and security equipment	6,816	
Medical equipment	2,654	
	<hr/>	20,393
Total Appropriation, State Hospital, Marlboro		<hr/>
		\$6,328,673

783-100. *State Hospital, Ancora*

Salaries:		
Other employees	\$3,985,091	
New positions	30,000	
Food in lieu of cash . . .	103,652	
	<hr/>	\$4,118,743
Materials and Supplies:		
Food—Cash	\$432,795	
Fuel and utilities	213,500	
Office	3,000	
Printing	3,000	

Agricultural and conser-		
vation	9,000	
Vehicular	6,000	
Household and security.	63,500	
Clothing	65,500	
Medical	132,500	
Scientific	700	
Education and rehabili-		
tation	13,850	
	<hr/>	943,345

Services Other Than Personal:

Travel	\$2,500	
Telephone	14,200	
Insurance—Fire	10,230	
Insurance—Other	5,135	
Household	500	
Advertising	250	
Subscriptions and mem-		
berships	900	
Legal and investigative.	2,000	
Funeral	1,600	
Postage	3,500	
Rent—Other	1,538	
Medical	10,000	
Education and rehabili-		
tation	15,100	
Staff training	7,500	
Other professional	1,250	
Other	200	
	<hr/>	76,403

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$32,000	
Office equipment	3,000	
Agricultural and con-		
servation equipment	2,000	
Vehicular equipment .	2,000	
Household and secu-		
rity equipment	12,000	
Medical equipment ...	1,500	

Replacements and Special		
Maintenance—		
Buildings and grounds	11,100	
Office equipment	1,792	
Agricultural and con-		
servation equipment	1,095	
Vehicular equipment .	20,185	
Household and secu-		
rity equipment	7,905	
Medical equipment . . .	1,250	
	<hr/>	95,827
Extraordinary:		
Family care		144,000
Additions and Improvements:		
Buildings and grounds..	\$14,308	
Office equipment	2,180	
Household and security		
equipment	17,139	
Medical equipment	5,353	
Education and rehabili-		
tation equipment	754	
	<hr/>	39,734
Total Appropriation, State		
Hospital, Ancora		\$5,418,052
		<hr/>

785-100. *Neuropsychiatric Institute*

Salaries:		
Other employees	\$3,107,664	
New positions	36,282	
Food in lieu of cash	38,050	
	<hr/>	\$3,181,996
Materials and Supplies:		
Food—Cash	\$117,464	
Fuel and utilities	130,356	

Office	3,000	
Printing	1,500	
Agricultural and conser- vation	42,000	
Vehicular	8,000	
Household and security.	31,640	
Clothing	27,500	
Medical	43,920	
Education and rehabili- tation	9,500	
Other	200	
		415,080

Services Other Than Personal:

Travel	\$5,600	
Telephone	15,000	
Insurance—Fire	10,717	
Insurance—Other	4,427	
Household	5,000	
Advertising	350	
Subscriptions and mem- berships	1,000	
Funeral	1,000	
Postage	2,300	
Entertainment	3,000	
Rent—Other	1,229	
Medical	5,900	
Education and rehabili- tation	5,133	
Staff training	6,750	
Other	600	
		68,006

Maintenance and Replacements:

Maintenance of Property—	
Buildings and grounds	\$30,000
Office equipment	2,000
Agricultural and con- servation equipment	300
Vehicular equipment .	2,700
Household and secu- rity equipment	3,000
Medical equipment ...	500

Replacements and Special Maintenance—		
Buildings and grounds	1,300	
Office equipment	1,893	
Vehicular equipment .	12,525	
Household and security equipment	5,835	
Medical equipment . . .	1,143	
Education and rehabilitation equipment	195	
	<hr/>	61,391
Extraordinary:		
Compensation awards . .	\$4,732	
Family care	24,000	
	<hr/>	28,732
Additions and Improvements:		
Buildings and grounds . .	\$4,385	
Office equipment	571	
Vehicular equipment . . .	957	
Household and security equipment	4,250	
Medical equipment	9,200	
Education and rehabilitation equipment	560	
	<hr/>	19,923
Total Appropriation, Neuropsychiatric Institute		<hr/> \$3,775,128

790-100. *Arthur Brisbane Child Treatment Center*

Salaries:		
Other employees	\$341,249	
New position	6,616	
Food in lieu of cash	5,652	
	<hr/>	\$353,517

Materials and Supplies:

Food—Cash	\$24,705
Fuel and utilities	12,000
Office	250
Printing	100
Agricultural and conser- vation	250
Vehicular	750
Household and security.	3,240
Clothing	5,850
Medical	1,500
Education and rehabili- tation	1,750

 50,395

Services Other Than Personal:

Travel	\$600
Telephone	1,600
Insurance—Fire	219
Insurance—Other	715
Household	1,750
Subscriptions and mem- berships	100
Postage	315
Entertainment	800
Medical	75
Education and rehabili- tation	522
Other	2,000

 8,696

Maintenance and Replacements:

Maintenance of Property—	
Buildings and grounds	\$2,000
Office equipment	175
Vehicular equipment .	350
Household and secu- rity equipment	1,000
Replacements and Special Maintenance—	
Buildings and grounds	6,000
Vehicular equipment .	2,310

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Household and security equipment	2,000	
		13,835
Additions and Improvements:		
Buildings and grounds..	\$6,000	
Office equipment	212	
Household and security equipment	500	
Education and rehabilitation equipment	1,350	
		8,062
Total Appropriation, Arthur Brisbane Child Treatment Center		\$434,505

792-100. *Diagnostic Center*

Salaries:		
Other employees	\$640,786	
New position	3,546	
Food in lieu of cash	7,032	
		\$651,364
Materials and Supplies:		
Food—Cash	\$25,181	
Fuel and utilities	16,000	
Office	2,900	
Printing	200	
Agricultural and conservation	250	
Vehicular	550	
Household and security.	6,022	
Clothing	3,000	
Medical	4,000	
Education and rehabilitation	1,700	
		59,803

Services Other Than Personal:

Travel	\$1,200	
Telephone	5,500	
Insurance—Fire	828	
Insurance—Other	526	
Household	2,050	
Advertising	100	
Subscriptions and mem- berships	300	
Postage	935	
Entertainment	750	
Rent—Other	72	
Medical	3,600	
Education and rehabili- tation	450	
Other professional	2,340	
Other	1,360	
		<hr/>
		20,011

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$5,000	
Office equipment	1,000	
Vehicular equipment .	125	
Household and secu- rity equipment	1,000	
Replacements and Special Maintenance—		
Office equipment	1,318	
Household and secu- rity equipment	2,400	
		<hr/>
		10,843

Additions and Improvements:

Office equipment	320	
		<hr/>
Total Appropriation, Diag- nostic Center	\$742,341	
		<hr/>

794-100. *State Sanatorium for Chest Diseases,
Glen Gardner*

Salaries:

Other employees	\$1,097,097	
New positions	31,251	
Food in lieu of cash	33,192	
	<hr/>	\$1,161,540

Materials and Supplies:

Food—Cash	\$98,055	
Fuel and utilities	60,000	
Office	800	
Printing	1,700	
Agricultural and con- servation	3,400	
Vehicular	1,400	
Household and security.	18,600	
Clothing	1,500	
Medical	42,000	
Education and rehabili- tation	600	
	<hr/>	228,055

Services Other Than Personal:

Travel	\$700	
Telephone	4,500	
Insurance—Fire	4,031	
Insurance—Other	1,389	
Household	1,400	
Advertising	75	
Subscriptions and mem- berships	400	
Postage	1,250	
Entertainment	1,200	
Rent—Other	72	
Medical	6,000	
Education and rehabili- tation	1,000	
Other professional	5,200	
Other	250	
	<hr/>	27,467

Maintenance and Replacements:

Maintenance of Property—

Buildings and grounds	\$11,400
Office equipment	800
Vehicular equipment .	500
Household and secu-	
rity equipment	2,100
Medical equipment ..	500

Replacements and Special

Maintenance—

Buildings and grounds	21,739
Office equipment	438
Vehicular equipment .	1,775
Household and secu-	
rity equipment	3,000
Medical equipment ..	992
Other equipment	7,717

 50,961

Extraordinary:

Compensation awards	1,820
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Additions and Improvements:

Buildings and grounds..	\$9,245
Medical equipment	1,545

 10,790

 Total Appropriation, State
 Sanatorium for Chest Dis-
 eases, Glen Gardner

 \$1,480,633

 Total Appropriation, Depart-
 ment of Institutions and
 Agencies

 \$68,894,878

Out of the amount hereinabove appro-
 priated to the Department of In-
 stitutions and Agencies, there shall
 be available the sum of \$606.43, as
 the second of ten payments, to the
 City of Vineland for the cost of

water main construction totaling \$6,064.32 incurred by the City of Vineland contiguous to the lands of the Vineland State School.

In addition to the amounts hereinabove specifically appropriated for the various institutions, all funds derived from the sale of farm products to any State agency or political subdivision of the State are hereby appropriated.

The balances on hand as of June 30, 1963 of funds held for the benefit of patients and inmates in the several institutions, together with such funds as may be received, are hereby appropriated for the use of such patients and inmates.

Funds received from the sale of articles made in occupational therapy departments of the several institutions are hereby appropriated for the purchase of additional material and other expenses incident to such sale or manufacture.

Unexpended balances as of June 30, 1963 of funds received by the several institutions representing rental of garages, together with such funds as may be received, are hereby appropriated for the repair and maintenance of existing garages and for the construction of additional garages by such institutions.

MISCELLANEOUS EXECUTIVE COMMISSIONS

810-100. *South Jersey Port Commission*

Salaries:

Other employees	\$36,879
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Materials and Supplies:

Office	\$200	
Printing	450	
Vehicular	150	
Scientific	50	
Education and rehabilitation	125	
	<hr/>	975

Services Other Than Personal:

Travel	\$1,200	
Telephone	188	
Insurance—Other	40	
Household	30	
Advertising	125	
Subscriptions and memberships	455	
Postage	125	
Rent—Other	10	
Other	150	
	<hr/>	2,323

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$65	
Vehicular equipment	50	
	<hr/>	115

Extraordinary:

Dredging	60,000
	<hr/>
	\$100,292
	<hr/>

811-100. *Palisades Interstate Park Commission*

Salaries:

Other employees	\$435,824	
New positions	12,927	
		\$448,751

Materials and Supplies:

Fuel and utilities	\$12,400	
Office	500	
Printing	150	
Agricultural and con- servation	8,000	
Vehicular	7,000	
Household and security.	850	
Clothing	3,190	
Medical	60	
Scientific	100	
Other	200	
		32,450

Services Other Than Personal:

Travel	\$50	
Telephone	1,600	
Insurance—Fire	4,763	
Insurance—Other	13,131	
Postage	350	
Rent—Other	1,000	
		20,894

Maintenance and Replacements:

Maintenance of Property—		
Buildings and grounds	\$14,410	
State roads	10,650	
Vehicular equipment .	5,000	
Other equipment	2,500	
Replacements and Spe- cial Maintenance—		
Buildings and grounds	33,600	
State roads	5,500	

Agricultural and conservation equipment	500	
Vehicular equipment .	10,875	
Household and security equipment	500	
Other equipment	1,060	
	<hr/>	84,595
Additions and Improvements:		
Vehicular equipment ...	\$2,750	
Other equipment	1,500	
	<hr/>	4,250
		<hr/>
		\$590,940
		<hr/>

The net share of revenues derived from the operation of gasoline stations on the New Jersey section of the Palisades Interstate Parkway, together with unexpended balances from such revenues as of June 30, 1963, are hereby appropriated for maintenance of such stations, for capital projects and plans including an historic park in Fort Lee and for extraordinary maintenance.

The unexpended balances as of June 30, 1963 from stands, concessions and self-sustaining activities operated or supervised by this Commission, together with receipts from such activities, are hereby appropriated.

812-100. *Delaware River Joint Toll Bridge Commission*

Salaries:

Other employees	\$245,916	
New positions	19,545	
	<hr/>	\$265,461

Materials and Supplies:		
Fuel and utilities	\$17,000	
Office	200	
Printing	500	
Agricultural and conser- vation	300	
Vehicular	1,400	
Household and security	300	
Clothing	500	
Medical	100	
Scientific	100	
	<hr/>	20,400
Services Other Than Personal:		
Telephone	\$1,900	
Insurance—Fire	250	
Insurance—Other	4,342	
Postage	350	
	<hr/>	6,842
Maintenance and Replacements:		
Maintenance of Property—		
Buildings and grounds	\$5,700	
Office equipment	50	
Vehicular equipment .	800	
Replacements and Spe- cial Maintenance—		
Buildings and grounds	27,000	
Vehicular equipment .	1,050	
Scientific equipment .	600	
	<hr/>	35,200
		<hr/>
		\$327,903
		<hr/>

813-100. *New Jersey Tercentenary Commission*

Extraordinary:

Expenses of the Commission	\$200,000
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The unexpended balance in this ac-
count as of June 30, 1963 is hereby
appropriated.

The receipts derived from the sale of articles and literature in connection with the New Jersey Tercentenary Commemoration are hereby appropriated as a revolving fund to be used, firstly, for the purpose of purchasing or printing said articles and literature for sale and, secondly, for operating purposes.

Any private funds which may be received to subsidize the New Jersey Tercentenary Commemoration are hereby appropriated.

Out of the sum hereinabove appropriated for expenses of the New Jersey Tercentenary Commission, there shall be available the sum of \$10,000 for preservation of the Woodrow Wilson papers, with particular emphasis on the gubernatorial period.

814-100. *Interstate Sanitation Commission*

Extraordinary:		
New Jersey's Share of		
Administrative		
Costs—		
Water pollution (45%)	\$49,500	
Air pollution (50%)	16,000	
	<hr/>	\$65,500
		<hr/>

815-100. *Civil War Centennial Commission*

Salaries:		
Other employees		\$15,258
Materials and Supplies:		
Office	\$600	
Printing	5,000	
		<hr/> 5,600
Services Other Than Personal:		
Travel	\$2,500	
Telephone	800	
Subscriptions and mem- berships	175	
Postage	850	
Education and rehabili- tation	1,500	
Other	1,500	
		<hr/> 7,325
Maintenance and Replacements:		
Maintenance of Property—		
Office equipment		60
		<hr/> \$28,243

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

816-100. *Delaware River Basin Commission*

Extraordinary:	
Expenses of the commission	\$117,000

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

Total Appropriation, Miscellaneous Executive Commissions	\$1,429,878
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INTER AND NON-DEPARTMENTAL ITEMS

840-100. *Rent—Buildings and Grounds*

Services Other Than Personal:

Rent—Buildings and grounds	\$3,234,249
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Notwithstanding any other provision of law, no lease for the rent of any office or building shall be executed which has an expiration date subsequent to June 30, 1964 without the prior approval of the State Treasurer, the Director of the Division of Budget and Accounting, the Legislative Budget and Finance Director, the President of the Senate and the Speaker of the General Assembly.

In addition to any amounts which may be appropriated or available for rent for the several State agencies which may occupy the Labor and Industry Building, there are hereby appropriated out of the General State Fund, or such other sources of funds as may be applicable, the amounts to be charged for rent to the several State agencies which may occupy said building. Charges for rent shall be computed at the generally prevailing rental rates for first-class privately-owned space in the Trenton area, and all amounts so appropriated for rent in said

building shall be credited to the General State Fund; provided, however, that the portion of such amounts that may relate to the amortization of the investment in the said building which was provided from the Unemployment Trust Fund shall be credited to said fund.

In addition hereto, the Director of the Division of Budget and Accounting is hereby empowered to allocate to any State agency occupying space in a State-owned building other than the Labor and Industry Building such reasonably comparable charges as may be required for the payment of rent for such building, and the funds required therefor are hereby appropriated out of the General State Fund, or such other sources of funds as may be applicable; provided, however, that all amounts so appropriated for the payment of rent for such building shall be credited to the General State Fund.

841-100. *Pensions, Contributions to State Pension Funds, Group Life Insurance and Social Security Tax*

Extraordinary:

Heath Act	\$100,000
Veterans' Act	270,000
Miscellaneous Special Acts	6,000
Governors' Widows An- nuity	7,500

Judicial	325,000	
Prison Officers	135,000	
Public Employees' Retirement System	9,623,744	
Premium for Non-Contributory Insurance .	1,972,116	
State's Share of Social Security Tax	5,270,000	
Pension Increase Act ..	1,120,000	
State's Share of State Police Retirement and Benevolent Fund, subject to enactment of legislation establishing the fund on an actuarially-sound basis	3,211,753	
	<hr/>	\$22,041,113

The unexpended balance as of June 30, 1963 of the sum appropriated for the State's share of Social Security Tax is hereby appropriated.

The sum appropriated for the State's share of the Social Security Tax is hereby made available for the payment of such tax applicable to the prior fiscal year.

Out of the sum hereinabove appropriated, upon application to the Director of the Division of Budget and Accounting, an annuity of \$2,500.00 shall be paid to the widow of any person, now deceased, who was elected and served as Governor of this State, provided such widow was the wife of such person for part or all of the period during which he served as Governor and, provided further, that this shall not apply to

any widow receiving a pension granted under R. S. 43:8-2, and continued by L. 1955, C. 190.

Any adjustment which may be required for the payment of premium for noncontributory insurance shall have a contra-adjustment in the payment of the normal contribution for the Public Employees' Retirement System.

There are hereby appropriated to the Public Employees' Retirement System, for credit to the Contingent Reserve Fund, any sums payable to the State Treasurer pursuant to the provisions of Section 6 of Chapter 79 of the Laws of 1960.

843-100. *State Emergency Fund*

Extraordinary:

For allotment to the various departments or agencies, to meet any condition of emergency until legislation appropriate therefor shall be enacted; provided, however, that a sum not in excess of \$5,000 shall be available for the expense of entertaining dignitaries and incidental expenses including lunches for nonsalaried board members and others whose en-

tertainment shall be beneficial to the State. Allotments from this appropriation shall be made only upon au- thorization of the Gov- ernor	\$100,000	
For allotment to the va- rious departments or agencies to pay com- pensation a w a r d s allowed State employ- ees, upon approval of the Director of the Di- vision of Budget and Accounting	150,000	\$250,000
	<hr/>	<hr/>

844-100. *Salary Adjustments and Increments*

To the Director of the Division of Budget and Accounting for transfer, as required, to the various agencies to cover the cost of salary adjustments and increments for State employees which may be required by an increase of one range grade for all class titles for which salary ranges and funds may have been provided as of June 30, 1963, in order to allocate the salary rate as of June 30, 1963 of each State employee to the corresponding step

in the next higher salary
range in effect on July 1,
1963 and to provide rea-
sonably comparable per-
centage increases for
State employees in cer-
tain no-range or single-
rate positions \$8,450,000

To the Director of the Di-
vision of Budget and
Accounting for transfer,
as required, to the vari-
ous agencies to cover the
cost of salary adjust-
ments to State employ-
ees resulting from selec-
tive increase of range
grade for class title for
which salary ranges and
funds may have been
provided as of June 30,
1963, as the various ex-
igencies of the State
service may require 700,000

To the Director of the Di-
vision of Budget and
Accounting for transfer,
as required, to the vari-
ous agencies to permit
payment of an annual
salary rate of no less
than \$3,000 to all full-
time State employees
whose class titles are
allocated to salary
ranges 350,000

\$9,500,000

The aforesaid salary adjustments and increments shall require the prior approval of the President of the Civil Service Commission, the State Treasurer and the Director of the Division of Budget and Accounting.

Any other sums appropriated to the several departments for salaries may be made available for salary adjustments therein arising from various exigencies of the State service and for normal merit salary increments as the President of the Civil Service Commission, the State Treasurer and the Director of the Division of Budget and Accounting shall determine.

Any sums appropriated for salaries shall be made available for any person holding State office, position or employment, whose compensation is paid directly or indirectly, in whole or in part from State funds, including any person holding office, position or employment in any educational institution for which appropriations are made to the State University or to the State Board of Education for the Newark College of Engineering, or holding office, position or employment under the Delaware River Joint Toll Bridge Commission, the Palisades Interstate Park Commission and the Interstate Sanitation Commission.

Each person holding such office, position or employment, whose compensation from State funds is derived in whole or in part from Federal or

other than General Fund sources, shall be entitled to the same salary adjustments and increments provided hereinabove which he would receive if his compensation were paid wholly from State funds; provided, however, that the Federal Government or other than General Fund source consents thereto and pays the costs thereof.

Should any State officer for whom a salary is specifically appropriated be replaced in office during the fiscal year ending June 30, 1964, the salary to be paid the successor of such officer may be such lesser sum as the appointing authority shall determine.

844-102. *State Employees' Health Benefits*

Extraordinary:

To the Director of the Division of Budget and Accounting for allotment to, or payable on behalf of, the various agencies to cover the employer's share of the cost of premiums for hospitalization, medical-surgical and major medical insurance benefits for State employees, pursuant to P. L. 1961, Chapter 49	\$2,150,000
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Each person holding State office, position or employment, whose compensation from State funds is derived in whole or in part from Federal or other than General

Fund sources, or whose compensation is received from instrumentalities of the State, shall be entitled to the same health benefits provided hereinabove which he would receive if his compensation were paid wholly from State funds; provided, however, that the Federal Government or other than General Fund source or instrumentality of the State consents thereto and pays the cost thereof.

Total Appropriation, Inter and Non-Departmental Items	\$37,175,362
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870-100. THE JUDICIARY

Salaries:

Chief Justice	\$27,000	
Associate Justices (6 @ \$26,000)	156,000	
Judges (44 @ \$22,000) ..	968,000	
Administrative director.	17,500	
Other employees	1,215,905	
New positions	44,674	
		\$2,429,079

Materials and Supplies:

Office	\$9,000	
Printing	58,000	
Microfilming	20,000	
Vehicular	1,000	
Household and security.	400	
Library books	50,000	
		138,400

Services Other Than Personal:

Travel	\$33,000	
Telephone	35,000	
Insurance—Fire	164	
Insurance—Other	1,210	
Household	100	
Advertising	1,000	
Legal and investigative.	4,000	
Postage	43,000	
Rent—Other	3,000	
Medical	4,000	
Staff training	6,500	
Other	2,000	
		<hr/>
		132,974

Maintenance and Replacements:

Maintenance of Property—		
Office equipment	\$5,000	
Vehicular equipment .	250	
Household and secu-		
rity equipment	500	
Replacements and Special		
Maintenance—		
Office equipment	2,605	
		<hr/>
		8,355

Additions and Improvements:

Office equipment	\$8,989	
Household and security		
equipment	3,000	
		<hr/>
		11,989

Total Appropriation, T h e	
Judiciary	<hr/> \$2,720,797 <hr/>

Total Appropriation, Gen-	
eral State Operations	<hr/> \$252,426,857 <hr/>

STATE AID

DEPARTMENT OF LAW AND PUBLIC SAFETY

150-100. *Division of Weights and Measures—
State Aid*

For payment of fees to counties and municipal- ities from the sale of Solid Fuel licenses, in ac- cordance with the provi- sions of R. S. 51:8-13, approximating	\$6,000
For payment of fees to counties and municipal- ities from the sale of Poultry licenses, in ac- cordance with the provi- sions of R. S. 4:11-8, approximating	1,000
Total Appropriation, Depart- ment of Law and Public Safety	<u>\$7,000</u>

DEPARTMENT OF THE TREASURY

240-100. *Payments to Counties (Five Per Centum
Inheritance Taxes)—State Aid*

Extraordinary:

Upon certification of the Director
of Taxation, the State Treasurer
is hereby authorized and it shall
be his duty to withdraw from the

State fund such amounts as shall be required to carry out the provisions of R. S. 54:33-10, and to refund and pay such claims as may be necessary and such claims shall be paid upon the warrants of the Director of the Division of Budget and Accounting, and there is hereby appropriated the amount necessary therefor, approximating \$1,500,000

241-100. *County Boards of Taxation—State Aid*

Salaries:
Members \$410,625

842-100. *Consolidated Police and Firemen's Pension Fund—State Aid*

State's contribution to the Consolidated Police and Firemen's Pension Fund pursuant to the provisions of Chapter 358, Laws of 1952 \$4,474,081

845-100. *Storm Relief Fund—State Aid*

The unexpended balance in this account as of June 30, 1963 is hereby appropriated to carry out the provisions of Chapter 16, P. L. 1962.

Total Appropriation, Department of the Treasury \$6,384,706

DEPARTMENT OF HEALTH

360-100. *General—State Aid*

Extraordinary:

Local and Dental Health Services..	\$102,496
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378-100. *Crippled Children's Commission—
State Aid*

Extraordinary:

Hospitalization and convalescent care	\$200,000	
Appliances	25,000	
Cardiac surgery	10,000	
Health purposes	10,000	
		<hr/>
		\$245,000

Total Appropriation, Department of Health	<hr/>	\$347,496
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DEPARTMENT OF CONSERVATION AND ECONOMIC
DEVELOPMENT*Division of Resource Development*420-101, 401, 403. *Inland Waterways and Shore
Protection—State Aid*

Inland Waterways—Construction, reconstruction, maintenance, improvements and dredging of inland waterways, in-

cluding bulkheading and dredging at State-operated marinas and the Fortescue Marina at the discretion of the commissioner; provided, however, that the funds herein appropriated shall be available for the replacement of motor vehicles, transportation supplies and other equipment used in the Inland Waterways Program; provided further, however, that a sum not exceeding \$25,000 shall be available for the control of obnoxious, aquatic vegetation in State-controlled lakes; provided further, however, that a sum not exceeding \$20,000 shall be available for a hydrographic and topographic survey to determine the mean high-water line of the Hackensack River and tributary tidal streams by establishment of horizontal and vertical control; and provided further, however, that out of this appropriation a sum not exceeding \$25,000 representing the third of 3 annual appropriations of such amount shall be available for rehabilitation of the yacht basin or anchorage on Raritan

bay in the city of Perth Amboy upon certification to the department that not less than 20% of the capacity of said yacht basin or anchorage shall be open to the public at large as a harbor of refuge to the extent of the need therefor. All projects shall be con- structed under contract with and under supervi- sion of the Department of Conservation and Economic Development.			\$225,000	
Harbor of Refuge at Atlantic City Marina ..			100,000	
			<hr/>	\$325,000

The unexpended balance in the Inland Waterway account as of June 30, 1963 is hereby appropriated.

The unexpended balance in the Shore Protection account as outlined in R. S. 12:6A-1 and R. S. 12:6A-4 is hereby appropriated.

The unexpended balance as of June 30, 1963 of the appropriation made pursuant to Chapter 194, P. L. 1962 for State aid for shore protection to municipalities and counties participating in the Federal program under the Public Works Acceleration Act (Public Law 87-658) is hereby appropriated for the same purpose.

The unexpended balance as of June 30, 1963 in the "Special Beach Erosion Fund" is hereby appropriated for the purposes defined in Chapter 18, P. L. 1962.

460-100. *Division of Veterans' Services—State Aid*

Veterans orphan fund—	
Educational	\$180,000
Payments to blind veterans	25,000
Payments to paraplegics, hemiplegic veterans....	120,000
	<hr/>
	\$325,000

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

470-100. *Division of State and Regional Planning
—State Aid*

Community Renewal Program:	}	
To provide $\frac{1}{9}$ of the total cost to qualifying municipalities as the State's share for programming long-range urban renewal needs toward which the Federal Government contributes $\frac{2}{3}$ of the total cost.		
Continuing Planning Assistance Program:	}	
To assist municipalities with master plans to establish planning as a continuing process; provided, however, that the State's share to a municipality with a population of less than 50,000 according to the 1960 census shall not exceed		\$200,000

\$3,000 in any given year; and that the State's share to a municipality with a population of 50,000 or more according to the 1960 census shall not exceed \$5,000 in any given year; and that the State's share to a county or Regional Planning agency shall not exceed \$5,000 in any given year; and that each of these shall be adjusted over a 6-year period from a maximum of 50% of the cost in the first year to 0% in the sixth year.

\$200,000

472-100. *State Mosquito Control Commission—
State Aid*

For transfer to the Agricultural Experiment Station for airplane spraying in counties bordering on the Atlantic Ocean and Delaware Bay and in such other counties as the State Mosquito Control Commission may designate	\$100,000	
For transfer to the Agricultural Experiment Station for mosquito control and extermination pursuant to R. S. 26:9-12.6	200,000	
	<hr/>	\$300,000

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

Total Appropriation, Department of Conservation and Economic Development...	\$1,150,000
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DEPARTMENT OF EDUCATION

580-100. *School Districts—State Aid*

Salaries:

County superintendents	\$297,063	
Other employees	762,454	
		\$1,059,517

Materials and Supplies:

Office	\$2,500	
Printing	50,000	
Other	30,000	
		82,500

Services Other Than Personal:

Travel	\$53,000	
Data processing	750	
Rent—Equipment, Data processing	2,000	
Education and rehabilitation	3,000	
		58,750

Additions and Improvements:

Education and rehabilitation equipment	1,250
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Grants-in-Aid—

For payment to districts for vocational schools pursuant to R. S. 18:5	\$347,200
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For payment to districts for industrial schools pursuant to R. S. 18:15-24	71,000	
Chapter 85, Laws of 1954—		
Formula	77,560,145	
Transportation	10,612,862	
Emergency fund	175,000	
Atypical Pupils	3,996,781	
School building aid, Chapters 8 and 9, P. L. 1956	16,616,895	
Evening Schools for foreign-born residents	82,118	
National Defense Edu- cation Act (State share)	94,000	
State Aid for certain libraries	600,000	
County audio-visual aid centers	50,000	
Technical Education ...	100,000	
Emotionally and Socially Maladjusted Pupils— Chapter 104, P. L. 1959	1,200,000	
Children resident in in- stitutions	58,966	
County colleges	200,000	
	<hr/>	111,764,967
		<hr/>
		\$112,966,984
		<hr/>

The unexpended balances, not to ex-
ceed \$250,000 in the accounts for
Grants-in-Aid, as of June 30, 1963
are hereby appropriated.

595-100. *Teachers' Pension and Annuity Fund,
Group Life Insurance and Social Security Tax—
State Aid*

State's Contribution to Teachers'	
Pension and Annuity Fund:	
Normal contribution . . .	\$30,763,230
Class B liability and de-	
ficiency contribution..	7,292,476
Veterans' liability for	
Department of Edu-	
cation personnel . . .	75,829
Payment on behalf of	
local employee veter-	
ans appointed after	
January 1, 1955	161,364
Chapter 108, Public	
Laws—1962 Liability	
Contribution	3,194,000
Premium for Non-Con-	
tributory Insurance . .	2,500,000
State's share of social	
security tax	11,500,000
	<hr/>
	\$55,486,899
Total Appropriation, Depart-	
ment of Education	\$168,453,883
	<hr/> <hr/>

The unexpended balance as of June 30, 1963 of the sum appropriated for the State's Share of Social Security Tax is hereby appropriated.

The sum appropriated for State's share of Social Security Tax shall be available for the payment of such tax applicable to the prior fiscal year.

Any sums payable to the State Treasurer pursuant to the provision of Section 6 of Chapter 80 of the Laws of 1960 are hereby appropriated to the Teachers' Pension and Annuity Fund for credit to the Contingent Reserve Fund.

Any adjustment in the Premium for Non-Contributory Insurance shall be reflected in the appropriation for "Normal Contribution."

620-100. STATE HIGHWAY DEPARTMENT—STATE AID

Operating Costs—Projects Division

Salaries:

Other employees	\$676,956
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Materials and Supplies:

Office	\$2,500	
Printing	750	
Microfilming	200	
Scientific	200	
		3,650

Services Other Than Personal:

Travel	\$22,000	
Telephone	3,500	
Insurance—Fire	168	
Insurance—Other	101	
Subscriptions and mem- berships	40	
Postage	7,000	
Other	25	
		32,834

Maintenance and Replacements:

Maintenance of Property—	
State roads	\$150
Office equipment	150

Other equipment	100	
Replacements and Special Maintenance—		
Office equipment	614	
	<hr/>	1,014
Extraordinary:		
Compensation awards . .	\$200	
Inter - Departmental Equipment Rentals and Supplies	39,000	
	<hr/>	39,200
Additions and Improvements:		
Office equipment		75
		<hr/>
		\$753,729
		<hr/>

Counties and Municipalities—Grants

Construction, reconstruction, maintenance, et cetera, of county roads pursuant to R. S. 52:27B-20	\$8,000,000
Construction, reconstruction, maintenance and repairs of county roads on the basis of \$55,000 per county pursuant to R. S. 27:14-1	1,155,000
Construction, grading and maintenance of municipal roads pursuant to R. S. 27:15-1	4,390,000
Construction or reconstruction of municipal roads on the basis of	

\$100,000 per county pursuant to R. S. 27:1-14...	2,100,000	
	<hr/>	\$15,645,000
County and municipal aid for lighting		<hr/> \$411,000

The total appropriation for Counties and Municipalities—Grants shall be for the calendar year 1964 and shall be due and payable on January 2, 1964.

Total Appropriation, State Highway Department	<hr/> <hr/> \$16,809,729
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The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

DEPARTMENT OF INSTITUTIONS AND AGENCIES

715-101. *Old Age Assistance—State Aid*

For the purpose of making payments for the State's share of Old Age Assistance pursuant to Chapter 7 of Title 44 of the Revised Statutes ...	<hr/> \$1,450,000
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The unexpended balance remaining in this account as of June 30, 1963, including the State's net share of reimbursement together with the net balance remaining, after full payment of sums due the Federal Government of all funds recovered under R. S. 44:7-14 during the fiscal year ending June 30, 1963, are hereby appropriated and, in addi-

tion thereto, all such funds recovered under R. S. 44:7-14 during the fiscal year ending June 30, 1964 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-103. *General Assistance—State Aid*

For relief subsidies to municipalities and relief administrative costs in State administered towns	\$6,225,000
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Receipts from State administered towns during 1963-64 and the unexpended balance in this account as of June 30, 1963 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-104. *Disability Assistance—State Aid*

For the purpose of making payments for the State's Share of Cost of Assistance to the Permanently and Totally Disabled, pursuant to Chap- ter 139, P. L. 1951	\$1,800,000
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The unexpended balance remaining in this account as of June 30, 1963, including the State's net share of re-

imbursement together with the net balance remaining, after full payment of sums due the Federal Government of all funds recovered under R. S. 44:7-14 during the fiscal year ending June 30, 1963, are hereby appropriated and, in addition thereto, all such funds recovered under R. S. 44:7-14 during the fiscal year ending June 30, 1964, are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-105. *Dependent Children Assistance—
State Aid*

For the purpose of making payments for the State's Share of Cost of As- sistance for Dependent Children (Chapter 86, P. L. 1959)	\$13,215,000
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The unexpended balance in this account as of June 30, 1963, including the State's net share of reimbursement together with the net balance remaining, after full payment of sums due the Federal Government of all funds recovered under section 4 of Chapter 86, P. L. 1959 during the fiscal year ending June 30, 1963, are hereby appropriated and, in addition thereto, all such funds recovered under section 4 of Chapter 86, P. L. 1959 during the fiscal year ending June 30, 1964 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-106. *Medical Assistance to the Aged—
State Aid*

For the purpose of making payments for the State's Share of Medical Assistance to the Aged, pursuant to Chapter 222, P. L. 1962	\$5,000,000
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All funds repaid or credited under Chapter 222, P. L. 1962 during the fiscal year ending June 30, 1964 are hereby appropriated.

715-107. *Blind Assistance—State Aid*

For the purpose of making payments for the State's Share of Blind Assistance, pursuant to Chapter 197, Laws of 1962	\$318,500
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All funds repaid or credited under Chapter 197, P. L. 1962 during the fiscal year ending June 30, 1964 are hereby appropriated.

717-101. *Child Care—State Aid*

For the purpose of making payments for the State's Share of Child Care Costs of Children under the Care of the Board of Child Welfare (Chapter 5 of Title 30 of the Revised Statutes)	\$2,990,200
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The unexpended balance remaining in this account as of June 30, 1963 is hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

770-101. *County Mental Hospitals—State Aid*

For the support of Patients in County Mental Hospitals Pursuant to Revised Statutes, Section 30:4-78:

Atlantic	\$205,000	
Burlington	170,000	
Camden	580,000	
Cumberland	100,000	
Essex	3,400,000	
Hudson	1,400,000	
	<hr/>	\$5,855,000

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

770-110. *County Tuberculosis Hospitals—State Aid*

For the Support of Patients in County Tuberculosis Hospitals Pursuant to Subdivision C, Article 4, Chapter 9 of Title 30 of the Revised Statutes:

Atlantic	\$14,000	
Bergen	19,000	
Camden	22,000	
Essex	102,000	
Hudson	20,000	
Mercer	4,000	
Middlesex	19,000	
Monmouth	15,000	
Ocean	800	
Passaic	25,000	
Union	35,000	
		<hr/>
		\$275,800

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

770-140. *Community Mental Health Services—
State Aid*

For the establishment, development, improvement and expansion of
Community Mental Health services \$1,350,000

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

The sums hereinabove appropriated shall be available for training stipends, training programs and the support of demonstration projects in mental health to the extent that the appropriation exceeds the funds required for the aid program; provided, however, that the allotment of such excess funds shall be subject to the approval of the Director of

the Division of Budget and Accounting and the Legislative Budget and Finance Director.

Total Appropriation, Department of Institutions and Agencies	\$38,479,500
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871-100. THE JUDICIARY—STATE AID

For amounts to be refunded to various counties for the State's share of salaries of court reporters appointed by the Supreme Court, pursuant to N. J. S. 2A:11 et seq.	\$765,000
For the amount to be refunded to counties for the State's share of court reporter pensions pursuant to R. S. 43:6-13.1	834
For amounts to be paid to various counties representing 40% of the salaries of county judges, pursuant to N. J. S. 2A:3-19	493,000
Reimbursement to counties for the cost of County Court judges temporarily assigned to the Superior Court outside their counties, pursuant to N. J. S. 2A:3-19.1 ...	16,340
Total Appropriation, the Judiciary	\$1,275,174

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

The amount appropriated hereinabove to the Judiciary shall be available for any deficiency in this account as of June 30, 1963.

Total Appropriation, State	
Aid	\$232,907,488

CAPITAL CONSTRUCTION

DEPARTMENT OF LAW AND PUBLIC SAFETY

120-100. *Division of State Police*

Capital Construction:	
Barracks at New Brunswick	\$200,000
Roads and approaches ..	25,000
	<hr/>
	\$225,000

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

140-100. *Division of Motor Vehicles*

Capital Construction:
For purchase of land adjacent to the motor vehicle inspection station at Newton, demolition of structures

thereon and paving of the site as a stacking area for vehicles awaiting inspection ..	\$35,000	
For improved ventila- tion of existing motor vehicle testing stations	90,000	
For the establishment of a drive-in inspection lane in Burlington County	16,000	
	<hr/>	\$141,000
The unexpended balance in this ac- count as of June 30, 1963 is hereby appropriated.		
Total Appropriation, Depart- ment of Law and Public Safety		\$366,000
		<hr/>

DEPARTMENT OF THE TREASURY

210-100. *Administrative Division*

The unexpended balance in this ac-
count as of June 30, 1963 is hereby
appropriated for the respective pur-
poses of appropriations heretofore
made.

230-100. *Division of Purchase and Property*

Electrical distribution—		
State House	\$500,000	
Air conditioning improve- ments—Highway Build- ing	35,000	
	<hr/>	
Total Appropriation, Depart- ment of the Treasury		\$535,000
		<hr/>

The unexpended balance in this account as of June 30, 1963 is hereby appropriated for the respective purposes of appropriations heretofore made.

DEPARTMENT OF DEFENSE

342-100. *National Guard and/or State Guard*

Capital Construction:

New hangar—M e r c e r		
Field	\$112,000	
Installation of new roof		
—N e w a r k Cavalry		
Armory	30,000	
Roads and approaches..	84,150	
		<hr/>
		\$226,150

The unexpended balance in this account as of June 30, 1963 is hereby appropriated and any additional Federal Aid made available by the Congress for capital construction purposes is hereby appropriated for use by the Department of Defense.

Funds derived from the sale of any buildings or lands held by the Department of Defense are hereby appropriated for the acquisition of other lands, for rehabilitation or improvement of existing installations and for the construction of new buildings for use by the State Military or Naval Services; provided, however, that allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

346-100. *Division of Civil Defense*

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

Total Appropriation, Department of Defense	\$226,150
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DEPARTMENT OF PUBLIC UTILITIES

350-100. *Grade Crossing Elimination*

Capital Construction:

For the public share of the cost to eliminate grade crossings and for other projects, pursuant to Chapter 153, P. L. 1960	\$2,000,000
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Total Appropriation, Department of Public Utilities ...	\$2,000,000
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The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

410-101. *Redemption of Bonds*

Redemption of Water Development Bonds—Chapter 35, P. L. 1958	\$300,000
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420-100. *Division of Resource Development*

Capital Construction:

Forest, parks and recreational area development	\$250,000	
Roads and approaches..	100,000	
		<hr/>
		\$350,000

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

The proceeds derived since July 1, 1962 from the sale or exchange, based upon fair market value, of State-owned land heretofore acquired under Title 13 are hereby appropriated for the purposes described in Title 13 and particularly as set forth in Title 13:1-18, including completion of Spicer Creek Canal, subject to allotment by the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

420-402. *Morris Canal and Banking Company*

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

450-400. *Division of Fish and Game**(Hunters' and Anglers' License Fund)*

Capital Construction:

Pequest Hatchery	\$80,000
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The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

DEPARTMENT OF CONSERVATION AND ECONOMIC
DEVELOPMENT

451-400. *Division of Fish and Game—Public
Shooting and Fishing Grounds*

(Public Shooting and Fishing Grounds Fund)

Capital Construction—

Land	\$75,000
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The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

Total Appropriation, Department of Conservation and Economic Development ..	\$805,000
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DEPARTMENT OF EDUCATION

500-100, 102. *Redemption of Bonds*

State Teachers College

Construction Bonds—

Act of 1951	\$1,075,000
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State Higher Education

Bonds—Act of 1959 ...	2,000,000
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	\$3,075,000
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512-900. *State Higher Education Fund*

The earnings derived from the investment or reinvestment of the proceeds of the sale of bonds received in the State Higher Education Fund as provided under Section 2 of Chapter 176 of the Laws of 1959, not to exceed so much thereof as may be necessary for architectural inspection and supervising services, are hereby appropriated in connection with the State Higher Education Construction Program, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

The unexpended balance in the State Higher Education Fund is hereby appropriated for the purposes defined in Chapter 176, P. L. 1959.

520, 530-100. *Divisions of State Library, Archives and History, and Museum*

Capital Construction—

Cultural Center:

Site work and parking facilities	\$350,000	
Stacks—Library and archives	105,660	
Exhibit design and fabrication — Museum	300,000	
	<hr/>	\$755,660

560-100. *State School for the Deaf*

Capital Construction—	
Vocational shops	\$60,000

570-100, 571-100, 572-100. *Rutgers University,
The State University of New Jersey*

Redemption of Mortgage .	\$250,000	
Capital Construction:		
Engineering building		
conversion	140,000	
Douglass College Science		
Building Conversion .	133,200	
Ceramics building con-		
version	272,000	
Roads and approaches .	25,000	
		\$820,200

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

594-100. *State College Construction*

Roads and approaches	\$215,000
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The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

Total Appropriation, Department of Education ...	\$4,925,860
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STATE HIGHWAY DEPARTMENT

611-100. *Roads and Approaches*

Highways Department installations .	\$87,000
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The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

612-100. *Construction of State Highway System*

*Construction and Right-of-Way Division
Operating Costs*

Salaries:

Other employees	\$6,627,177	
New positions	544,945	
Wages of labor	50,000	
		<hr/>
		\$7,222,122

Materials and Supplies:

Fuel and utilities	\$8,500	
Office	25,325	
Printing	82,095	
Vehicular	600	
Household and security	650	
Clothing	400	
Scientific	18,300	
Other	200	
		<hr/>
		136,070

Services Other Than Personal:

Travel	\$225,000
Telephone	76,000
Insurance—Fire	696
Insurance—Other	1,100
Household	3,200
Advertising	15,500

Subscriptions and memberships	1,230	
Postage	16,800	
Rent—Equipment, Data processing	40,000	
Rent—Other	1,000	
Other	1,000	
		<hr/> 381,526
Maintenance and Replacements:		
Maintenance of Property—		
State roads	\$6,900	
Office equipment	2,700	
Scientific equipment .	2,100	
Replacements and Special Maintenance—		
Office equipment	3,500	
Scientific equipment .	3,400	
		<hr/> 18,600
Extraordinary:		
Compensation awards .	\$5,500	
I n t e r - Departmental equipment rentals and supplies	230,000	
		<hr/> 235,500
Additions and Improvements:		
Office equipment	\$14,500	
Scientific equipment ...	7,500	
		<hr/> 22,000
		<hr/> \$8,015,818
Less: Portion of Federal aid receivable which is applicable to engineering costs	—2,000,000	
		<hr/> \$6,015,818
State Highway Projects—		
Federal aid participation	\$23,663,958	

Non-Federal aid partici- pation	12,000,000	
		<hr/> 35,663,958
Total Appropriation, Con- struction of State Highway System		<hr/> \$41,679,776

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

In addition to the amounts hereinabove appropriated for the construction of the State highway system, there are hereby appropriated such sums as may be received or receivable from, or authorized or allocated by the Federal Government, the New Jersey Turnpike Authority, the New Jersey Highway Authority, the Delaware River Joint Toll Bridge Commission, the Delaware River Authority, the Port of New York Authority and local government jurisdictions, for construction purposes.

The amount provided herein for construction of the State highway system and the purchase of rights-of-way shall be set forth in a construction program, by route numbers, by the State Highway Commissioner and shall not be expended or contracted for without the approval of the Governor.

612-101. *Redemption of Bonds*

Redemption of Highway Improvement Bonds, Act of 1930	\$2,325,000
	<hr/>

612-120. *Other Capital Construction*

New Buildings and Lands— Merchantville area garage	\$130,000	
For acquisition of land for maintenance yards	50,000	
	<hr/>	\$180,000
		<hr/>

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

615-100. *Flood Damage—Free Bridges*

The unexpended balance as of June 30, 1963 in the account appropriated by Chapter 228, Laws of 1955 to the Highway Department for construction, reconstruction and repair of the flood-damaged free bridges under the control of the Delaware River Joint Toll Bridge Commission is hereby appropriated for the construction and reconstruction of free bridges and approaches under the control of said commission.

630-101. *Grade Crossing Elimination Project*

The unexpended balance in the account for grade crossing elimination on the Camden-Kirkwood line as of June 30, 1963 is hereby appropriated.

Total Appropriation, State Highway Department	\$44,271,776
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DEPARTMENT OF INSTITUTIONS AND AGENCIES

700-100. *Extraordinary Capital*

Extraordinary Capital Construction.	\$1,250,000
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700-109. *Roads and Approaches*

Roads and Approaches	\$75,000
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700-110. *Redemption of Bonds*

Redemption of Institution	
Construction B o n d s—	
Act of 1930	\$450,000
Redemption of Institution	
Construction B o n d s—	
Act of 1949	1,785,000
Redemption of Institution	
Construction B o n d s—	
Act of 1952	1,785,000
	<hr/>
	\$4,020,000

Total Appropriation, Department of Institutions and Agencies	\$5,345,000
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The unexpended balances remaining in the capital construction accounts of this Department as of June 30, 1963 are hereby appropriated.

The unexpended balances in the State Institution Construction Funds as of June 30, 1963 are hereby appropriated.

813-100. NEW JERSEY TRICENTENARY COMMISSION

The unexpended balance in this account as of June 30, 1963 is hereby appropriated.

Any private funds which may be received to subsidize construction of the World's Fair Exhibit are hereby appropriated.

Total Appropriation, Capital Construction	\$58,474,786
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Grand Total Appropriation.	<u>\$543,809,131</u>
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2. In addition to the amounts hereinabove specifically appropriated, there are appropriated the following: sums required to refund amounts credited to the State Treasury which do not represent State revenues; Federal funds for the use of the State or its agencies in excess of those anticipated; funds donated to the Crippled Children's Commission; moneys received representing insurance to cover losses by fire and other casualties; moneys received by any State department or agency from the sale of equipment, when such funds are received in lieu of trade-in value in the replacement of such equipment; private funds subsidizing the State; sums received in the State Treasury representing refunds of payments made from appropriations provided in this act.

Additional
appropriations.

Transfers.

3. In order that there be flexibility in the handling of appropriations, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the Director of the Division of Budget and Accounting for permission to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall be made only during the current year for which the appropriation was made, and if the Director of the Division of Budget and Accounting shall consent thereto, he shall, subject to the approval of the Legislative Budget and Finance Director, place the amount so transferred to the credit of the item so designated; provided, however, that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose except temporary motor vehicle inspection lanes, health and sanitary improvements in motor vehicle inspection stations, extraordinary snow removal and extraordinary highway maintenance; and provided further, that any item for capital improvement may be transferred to any other item of capital improvement on the approval of the Director of the Division of Budget and Accounting.

Transfers to
other
departments
or branches;
new accounts.

4. The Director of the Division of Budget and Accounting, subject to the approval of the Legislative Budget and Finance Director, is hereby empowered, and it shall be his duty in the disbursement of funds appropriated for the maintenance and operation of any department or branch thereof, the duties or responsibilities of which are or may hereafter be transferred to any other department or branch, to transfer such appropriations to such department or branch as shall be charged with the responsibility of administering the functions of such department or branch so transferred. The Director of the Division of Budget and Accounting shall also have the authority to create such new accounts as may be necessary to carry out the intent of the Legislature.

5. The Director of the Division of Budget and Accounting is hereby empowered, and it shall be his duty in the disbursement of funds for payment of pensions, contributions to pension funds, debt service, charges for rents, telephone, insurance and postage to credit or transfer to the Department of the Treasury such funds as may be appropriated for such purposes in any other department or branch from such other department or branch, as the Director of the Division of Budget and Accounting shall determine.

Treasury
department
to be credited
for certain
payments.

6. The Director of the Division of Budget and Accounting shall make such correction of the title, text or account number of an appropriation, necessary to make such appropriation available for the purpose or purposes intended. Such correction shall be by written ruling, reciting in appropriate details the facts thereof, and the reasons therefor, attested by the signature of said Director of the Division of Budget and Accounting and filed in the Division of Budget and Accounting of the Department of the Treasury as an official record thereof, and any action thereunder, including disbursements and the audit thereof, shall be legally binding and of full force and virtue.

Corrections
made to
comply with
intent.

7. The Director of the Division of Budget and Accounting is hereby empowered, notwithstanding any other provision of the law, to transfer or credit from the various appropriations for construction, reconstruction, additions to and betterments of State buildings and appurtenances thereto, herein contained, to the appropriation for the Bureau of Construction of the Department of the Treasury a sufficient sum to pay for the cost of all architectural work, superintendence and other expert services in connection with such work.

Authorizes
payment for
construction,
architectural,
etc. work.

8. The Director of the Division of Budget and Accounting may, upon application therefor, allot from appropriations made to any official, department, commission or board a sum to establish a petty cash fund, for the payment of expenses under rules and regulations established by said Director.

Petty cash
fund.

The allotments thus made by the Director of the Division of Budget and Accounting shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board making a request therefor, and the money thus allotted shall be disbursed by such custodian who shall require from all persons obtaining money from said fund a receipt therefor. Such receipts shall by such custodian be forwarded monthly to the Director of the Division of Budget and Accounting for audit, and said Director shall likewise make regulations governing disbursements from petty cash funds.

Transfers
from special
and dedicated
funds.

9. The Director of the Division of Budget and Accounting is hereby empowered, notwithstanding any other provision of law, to transfer to the General State Fund out of any special, dedicated or trust fund such proportionate share of any appropriation made herein, which may be chargeable against such special, dedicated or trust fund. Any receipts in any special, dedicated or trust fund are hereby appropriated for the purpose of such transfer.

Payment of
claims;
limitations.

10. The State Treasurer, upon warrant of the Director of the Division of Budget and Accounting, shall pay claim not exceeding \$250 out of any appropriations made to the several departments, provided such claim is recommended for payment by the Attorney General and approved by the Legislative Budget and Finance Director.

Certain
unexpended
balances
appropriated.

11. There are hereby appropriated the unexpended balances as of June 30, 1963 in the accounts of the several departments and agencies heretofore appropriated or established in the categories of Maintenance of Property—Special and Additions and Improvements with the exception of office and vehicular equipment, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

Act
effective.

12. This act shall take effect July 1, 1963.

Approved June 13, 1963.

CHAPTER 98

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1963, and regulating the disbursement thereof," approved June 12, 1962 (P. L. 1962, C. 79).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The following sums are hereby appropriated out of the General State Fund, or such other sources of funds specifically indicated or as may be applicable, for the respective public officers and for the several purposes herein specified:

Supplemental
appropriations.

GENERAL STATE OPERATIONS

EXECUTIVE

DEPARTMENT OF CONSERVATION AND ECONOMIC
DEVELOPMENT420-100. *Division of Resource Development*

Supplemental requirement for fire fighting costs for fiscal year 1962-63	\$151,000
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DEPARTMENT OF INSTITUTIONS AND AGENCIES

715-100. *Bureau of Assistance—Division of
Welfare*

Supplemental requirement for fiscal year 1962-63 to administer medical assistance to the aged	\$52,560
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STATE AID

DEPARTMENT OF CONSERVATION AND ECONOMIC
DEVELOPMENT460-100. *Division of Veterans' Services—
State Aid*

Supplemental requirement for fiscal year 1962-63	\$120,000
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DEPARTMENT OF INSTITUTIONS AND AGENCIES

715-103. *General Assistance—State Aid*

Supplemental requirement for fiscal year 1961-62	\$312,642
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770-106. *County Mental Hospitals—State Aid*

Supplemental requirement for fiscal year 1961-62	\$208,000
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CAPITAL CONSTRUCTION

350-100. DEPARTMENT OF PUBLIC UTILITIES

Supplemental requirement for fiscal year 1962-63	\$235,800
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DEPARTMENT OF CONSERVATION AND ECONOMIC
DEVELOPMENT420-100. *Division of Resource Development*

The proceeds derived since July 1, 1962 from the sale or exchange, based upon fair market value, of State-owned land heretofore acquired under Title 13 are hereby appropriated for the purposes described in Title 13 and particularly as set forth in Title 13:1-18, subject to allotment by the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

DEPARTMENT OF EDUCATION

530-100. *Division of the State Museum***Cultural Center:**

Supplemental requirement for exhibit design and fabrication—	
Museum, for fiscal year 1962-63..	\$56,000

CLAIMS

DEPARTMENT OF THE TREASURY

240-100. *Division of Taxation*

Helmsley-Spear, c/o Dimon, Haines and Benting, Esqs., Mount Holly, New Jersey, for ap-

praisal services in connection with contract therefor dated December 2, 1957, to be paid from funds presently appropriated to the Department of the Treasury, \$1,891.

DEPARTMENT OF LABOR AND INDUSTRY

381-400. *Division of Workmen's Compensation*

1 Per Cent Compensation Tax Fund

American Mutual Liability
Insurance Company,
Wakefield, Massachusetts, for refund of payments in excess of those required pursuant to R. S. 34:15-94, to be paid out of the 1 Per Cent Compensation Tax Fund, \$10,529.

DEPARTMENT OF CONSERVATION AND ECONOMIC
DEVELOPMENT

420-100. *Division of Resource Development*

Mercer County, Court House, Trenton, New Jersey, for use and occu- pancy of office space by the State Bureau of Aeronautics at Mercer County Airport	\$1,200
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451-400. *Division of Fish and Game—Public
Shooting and Fishing Grounds*

Corbin City, for loss of tax revenue from lands acquired by the Division of Fish and Game, to be paid from the Public Shooting and Fishing Grounds Fund, \$186.

Maurice River Township, for loss of tax revenue from lands acquired by the Division of Fish and Game, to be paid from the Public Shooting and Fishing Grounds Fund, \$3,387.

Hardyston Township, for loss of tax revenue from lands acquired by the Division of Fish and Game, to be paid from the Public Shooting and Fishing Grounds Fund, \$105.

Lower Alloways Creek Township, for loss of tax revenue from lands acquired by the Division of Fish and Game, to be paid from the Public Shooting and Fishing Grounds Fund, \$1,875.

Sandyston Township, for loss of tax revenue from lands acquired by the Division of Fish and Game, to be paid from the Public Shooting and Fishing Grounds Fund, \$1,500.

STATE HIGHWAY DEPARTMENT

612-100. *Construction of State Highway System*

Harry C. Davis, Pomona, New Jersey, for damages to property in connection with the widening of the White Horse Pike, to be paid from funds presently appropriated for construction of the State Highway System, \$3,200.

Construction Service Company, c/o Wharton, Stewart and Davis, Esqs., Somerville, New Jersey, in payment of all claims for work performed in connection with Federal Project U-125 (5), to be paid from funds presently appropriated for construction of the State Highway System, \$2,750.

John Connell Electric Company, Jersey City, New Jersey, for damages to property as the result of faulty drainage facilities constructed by the department, to be paid from funds presently appropriated for construction of the State Highway System, \$1,500.

Villa Contracting Company, c/o Kostler and Kostler, Esqs., Eliza-

beth, New Jersey, for additional costs in connection with work performed under its contract for construction of Interstate Highway 78, to be paid from funds presently appropriated for construction of the State Highway System, \$32,410.

DEPARTMENT OF INSTITUTIONS AND AGENCIES

725-300. *Bureau of State Use Industries*

Phillip Ciccarelli and Montis and Litowitz, Esqs., Trenton, New Jersey, for injuries received while on work detail at State Prison, including the sum of \$50 to be paid to counsel and balance to claimant, to be paid from the State Use Working Capital Fund, \$300.

768-100. *Edward R. Johnstone Training and Research Center*

Albert Ferry, Vincentown, New Jersey, for all losses sustained as the result of suspension from his position as institutional charge attendant at this institution	\$400
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811-100. PALISADES INTERSTATE PARK COMMISSION

For loss of tax revenue for
local purposes from
lands owned by Palisades
Interstate Park
Commission:

Borough of	
Alpine	\$9,450
Borough of	
Englewood	
Cliffs	15,500
Borough of	
Fort Lee . .	13,125

Total, Palisades Interstate Park Commission . . .	\$38,075
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Total Claims	\$39,675
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Grand Total, Supplemental Appropriations	\$1,175,677
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The appropriations hereinabove made for claims shall fully settle and extinguish all claims, demands and liens of every character. The acceptance of said sums shall constitute a full and complete release and acquittance to the State of New Jersey, its agencies, instrumentalities and employees.

2. This act shall take effect immediately.
Approved June 13, 1963.

CHAPTER 99

AN ACT concerning the lien for services of hospitals, physicians and dentists, and amending section 2A:44-41 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 2A:44-41 of the New Jersey Statutes is amended to read as follows:

Section
amended.

2A:44-41. No hospital, physician or dentist shall be entitled to a lien under this article, unless a notice in writing containing the name and address of the injured person, the date and location of the accident, the date of the first treatment, care or maintenance, the name and address of the hospital, physician or dentist, and, if ascertainable by reasonable diligence, the names and addresses of the persons alleged to be liable for damages sustained by such injured person, shall be filed in the office of the county clerk of the county in which such injuries shall have occurred, prior to the payment of any moneys to such injured person or his legal representatives as damages for such injuries, but in no event later than 90 days after the date of such first treatment, care or maintenance.

Notice of lien;
filing;
contents; fees.

Every county clerk shall, at the expense of the county, provide a suitable, well-bound book, to be called the hospital lien docket and a similar book to be called the physician and dentist lien docket and shall enter therein respectively any liens claimed under this article.

As to each claim filed there shall be entered in the proper book the name of the injured person, the date of the accident, the name of the hospital, physician or dentist making the claim, as the case may be, and the name of the person alleged to be responsible for the injury.

The county clerk shall make a proper index for each book in the name of the injured person. The

county clerk shall for filing each notice of a lien claim, and for each search in his office, receive the fees fixed by law.

2. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 100

AN ACT concerning alcoholic beverages, and amending section 33:1-2 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 33:1-2 of the Revised Statutes is amended to read as follows:

Unlawful
manufacture,
sale, trans-
porting, etc.,
personal
consumption;
special
permit; fee.

33:1-2. It shall be unlawful to manufacture, sell, possess with intent to sell, transport, warehouse, rectify, blend, treat, fortify, mix, process, bottle or distribute alcoholic beverages in this State, except pursuant to and within the terms of a license, or as otherwise expressly authorized, under this chapter; but any drink actually intended for immediate personal consumption may be mixed by any person; and alcoholic beverages intended in good faith to be used solely for personal consumption may be transported in any vehicle from a point within this State to the extent of, not exceeding $\frac{1}{2}$ barrel, or 2 cases containing not in excess of 24 quarts in all, of beer, ale or porter, and 5 gallons of wine and 12 quarts of other alcoholic beverages within any consecutive period of 24 hours, and from a point outside this State to the extent of, not exceeding $\frac{1}{4}$ barrel or one case containing not in excess of 12 quarts in all, of beer, ale or porter, and one gallon of wine and one gallon of other alcoholic beverages within any consecutive period of 24 hours; provided, however, that except pursuant to and within the terms of a license or permit issued by the direc-

tor, no person shall transport into this State or receive from without this State into this State, alcoholic beverages where the said alcoholic beverages are transported or received from a State which prohibits the transportation into that State of alcoholic beverages purchased or otherwise obtained in the State of New Jersey. If any person or persons desire to transport alcoholic beverages intended only for personal consumption in quantities in excess of those above-mentioned, an application may be made to the commissioner who may, upon being satisfied of the good faith of the applicant, and upon payment of a fee of \$5.00 issue a special permit limited by such conditions as the commissioner may impose, authorizing such transportation of alcoholic beverages in quantities in excess of those above-mentioned.

2. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 101

AN ACT concerning county bridge commissions heretofore or hereafter created by counties of this State and the powers and duties of such counties with respect thereto, and amending sections 27:19-26, 27:19-28, 27:19-31, 27:19-32 and 27:19-36 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 27:19-26 of the Revised Statutes is amended to read as follows:

27:19-26. Every county through its board of chosen freeholders may, if it determines so to do, create a bridge commission. Each bridge commission so created shall have power from time to time and be authorized to:

Section
amended.

County
bridge
commission;
powers;
terms
defined.

a. Prepare the necessary and proper plans and specifications for the construction, acquisition, improvement or replacement of such bridge or bridges as may be approved by said board of chosen freeholders;

b. Select the location for same, determine the size, type and method of construction thereof;

c. Plan and fix their boundaries and approaches;

d. Make any necessary estimates of the probable costs of construction, acquisition or improvement thereof including the said approaches and the acquisition of the land and rights for the sites of the abutments and approaches to the bridge or bridges;

e. Enter into the necessary contract to construct, acquire, improve, equip or demolish such bridge or bridges and approaches thereto, or any part thereof;

f. Build or acquire the superstructures and substructures and all parts thereof;

g. Obtain and exercise such consents or approvals as may be necessary from officials or agencies of the government of the United States or the State of New Jersey;

h. Borrow money and incur indebtedness, and issue its negotiable bonds or notes for any of the purposes provided for in this article and for the purpose of funding or refunding its bonds, notes or other indebtedness, and provide for the rights and security of the holders of such bonds, notes or other indebtedness;

i. Maintain, improve, reconstruct, manage, control and operate such bridge or bridges and approaches, and with the consent of said board of chosen freeholders, by resolution, but subject to and in compliance with every contract or agreement of the commission, demolish or dispose of any such bridges other than a bridge or bridges extending within the limits of any other State; and

j. Acquire, hold and dispose of any and all property, real or personal, make, and carry out and perform any and all contracts and agreements, execute any and all instruments, and do and perform

any and all acts and things, necessary or convenient in the exercise of the powers expressly given in this article or in the performance of the duties required in or undertaken pursuant to this article.

As used in this article, the term "bridge" shall mean and include a bridge, trestle, viaduct, tunnel, cut or any other structure or device for the passage of persons or vehicles over, under or around an obstacle, and the term "approach" shall mean and include an approach to a bridge of a commission or any road or highway connecting therewith or contributing vehicular traffic thereto or connecting 2 or more such bridges.

2. Section 27:19-28 of the Revised Statutes is amended to read as follows:

Section
amended.

27:19-28. The commission may acquire or construct approaches to any such bridge, and may acquire or construct any such bridge or bridges over any channel or channels, thoroughfare or thoroughfares, small streams, creeks or rivers, or bodies of water, within the limits of the county or counties for which such commission is created and also within the limits of any other contiguous county which may, by resolution of its board of chosen freeholders, consent thereto. When any such commission shall have adopted a resolution authorizing the construction or acquisition of a bridge over, under or around any obstacle other than a bridge extending within the limits of any other State, neither the State or any agency or subdivision thereof nor any other person, partnership or corporation shall thereafter construct or acquire any bridge over, under or around such obstacle unless, (1) such bridge and every part thereof is not less than 10 miles distant from every part of the bridge so authorized by such commission, or (2) such commission shall, by resolution adopted subject to and in compliance with every contract or agreement of the commission, undertake or permit and consent to the construction or acquisition of such bridge.

Power to
construct
approaches
and bridges.

3. Section 27:19-31 of the Revised Statutes is amended to read as follows:

Section
amended.

Bond issue;
provisions
for payment;
county
credit
not pledged;
exception.

27:19-31. (A) To finance any of the purposes or powers provided for in this article, the bridge commission shall from time to time first determine which bridge or bridges are to be constructed, acquired, improved or replaced and seek approval or consent of the board or boards of chosen freeholders for such projects, and upon receiving such approval or consent, or whenever deemed by it necessary or desirable for the purpose of funding or refunding its bonds, notes or other indebtedness or providing funds or reserves for payment or security of any indebtedness including interest or redemption premiums thereon due or to accrue, such commission shall be authorized to issue its bonds, notes or other evidences of indebtedness which may be secured by a lien or mortgage upon any one or more of its bridges, approaches or other properties, or upon the tolls to be received in the operation of any one or more of such bridges, approaches or other properties or any other income or receipts of the commission, or upon any combination of any of the foregoing. Except as may be otherwise provided by or pursuant to paragraph (B) of this section 27:19-31, the principal and interest of such bonds, notes or other evidences of indebtedness shall be payable only from the tolls or other income from such bridge or bridges and other assets of such commission provided therefor; and in connection therewith no county other than a county which in accordance with said paragraph (B) shall have guaranteed payment of the principal of and interest on any such bonds shall incur any indebtedness of any kind or nature or pledge credit, taxes or taxing power, or any part thereof, in support of such principal and interest.

(B) For the purpose of aiding a commission in the accomplishment of any of the purposes or powers provided for in this article and in marketing any of its bonds, refunding or other, the county which created it may, pursuant to resolution duly adopted by its board of chosen freeholders in the manner provided for adoption of a bond ordinance

as provided in the Local Bond Law (N. J. S., Title 40A, chapter 2) and with or without consideration and upon such terms and conditions as may be agreed to by and between the county and the commission, unconditionally guarantee the punctual payment of the principal of and interest on any bonds of the commission. Any guarantee of bonds of a commission made pursuant to this section shall be evidenced by endorsement thereof on such bonds, executed in the name of the county and on its behalf by such officer thereof as may be designated in the resolution authorizing such guaranty, and such county shall thereupon and thereafter be obligated to pay the principal of and interest on said bonds in the same manner and to the same extent as in the case of bonds issued by it. Any such guaranty of bonds of a commission may be made, and any resolution authorizing such guaranty may be adopted, notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to said Local Bond Law, but the principal amount of bonds so guaranteed, shall, after their issuance, be included in the gross debt of such county for the purpose of determining the indebtedness of such county under or pursuant to said Local Bond Law. The principal amount of said bonds so guaranteed and included in gross debt shall be deducted and is hereby declared to be and to constitute a deduction from such gross debt under and for all the purposes of said Local Bond Law (a) from and after the time of issuance of said bonds until the end of the third fiscal year beginning next after such time of issuance and (b) in any annual debt statement filed pursuant to said Local Bond Law as of the end of said fiscal year or any subsequent fiscal year if the revenues or other receipts or moneys of the commission in such year are sufficient to pay its expenses of operation and maintenance in such year and all amounts payable in such year on account of the principal and interest on all such guaranteed bonds and any other bonds of the commission issued under this article.

Section
amended.

Issuing
details;
use of
proceeds;
toll rate;
bond
resolution.

4. Section 27:19-32 of the Revised Statutes is amended to read as follows:

27:19-32. The bonds, notes or other evidences of indebtedness (hereinafter in this section called "bonds") issued by such bridge commissions shall bear interest at not more than 6% per annum, payable semiannually, and may be sold at either private or public sale, to any person, to the United States Government or to any governmental agency. Such commissions shall provide the form of such bonds and shall fix the denominations, place or places of payment of principal and interest, the terms and conditions and do all other things that may be necessary for the proper execution and delivery of said bonds.

The proceeds from the sale of any such bonds of a commission shall be deposited and used as provided in any contract or agreement of the commission relative thereto or in the resolution authorizing such bonds, or if not so provided, then as the commission shall direct and solely for the purposes for which such bonds were issued, to be drawn over the signatures of the chairman or vice-chairman, the secretary and the treasurer of the commission, with the surplus, if any, to be paid into the fund hereinafter provided for the payment of the principal and interest of such bonds.

The rates of tolls to be charged for the use of any bridge or bridges operated by a bridge commission under the provisions of this article shall be so fixed and adjusted as to comply with any contract or agreement of the commission relative thereto and, in any event, to provide a fund sufficient to pay the interest on and principal of all bonds issued under this article by the commission, refunding or other and whether or not issued to finance such bridge or bridges, provide funds to pay the cost of maintaining, repairing and operating the bridge or bridges operated by the commission, and maintain such reserves for the foregoing or other expenses as the commission may deem necessary. This article authorizes any commission, subject to the terms

of any contract or agreement of the commission, to charge tolls for the use of any one or more of the bridges operated by it or of less than all of such bridges, to charge any such tolls in order to make or secure the payment of any bonds issued by it whether or not the bridge or bridges financed by the issuance of such bonds are subject to tolls imposed by the commission or are still operated by the commission, and to charge any such tolls in order to accumulate reserves for application in future to payment of principal of or interest on bonds issued by it or of costs of undertaking or accomplishing any of the purposes or powers provided in this article.

All bonds of a bridge commission shall be authorized by resolution of the commission. Any such resolution may contain provisions, and the commission, in order to secure the payment of such bonds and in addition to its other powers, shall have power to agree by provision in such resolution with the several holders of such bonds, and to make, enter into and perform covenants and agreements, as to

a. the custody, security, use, expenditure or application of the proceeds of any bonds;

b. the construction and completion, or improvement or replacement, of all or any part of any bridge or bridges or approaches thereto;

c. the use, regulation, operation, maintenance, insurance or disposition of all or any part of any bridge or bridges or approaches thereto, or restrictions on the exercise of the powers of the commission to dispose, or to limit or regulate the use, of all or any part of the same;

d. payment of the principal of or interest on any bonds, and the sources and methods thereof, the rank or priority of any bonds as to any lien or security, or the acceleration of the maturity of any bonds;

e. the use and disposition of any moneys of the commission, including revenues (hereinafter in this section sometimes called "bridge revenues") derived or to be derived from the operation of all or

any part of any bridge or bridges or approaches thereto, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired;

f. pledging, setting aside, depositing or trusteeing all or any part of any bridge revenues or other moneys of the commission to secure the payment of the principal of or interest on any bonds, or the payment of expenses of operation or maintenance of any bridge or bridges or approaches thereto;

g. the setting aside out of any bridge revenues or other moneys of the commission of reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;

h. determination or definition of the bridge revenues or of the expenses of operation and maintenance of any bridge or bridges or approaches thereto;

i. the rates of tolls for passage over or through or the use of any bridge or bridges or approaches thereto, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired, and the fixing, establishment, collection and enforcement of the same, the amount or amounts of bridge revenues to be produced thereby, and the disposition and application of the amounts charged or collected;

j. the assumption or payment or discharge of any indebtedness, liens or other claims relating to any part of any bridge or bridges or approaches thereto or any obligations constituting or which may constitute a lien on any part of the bridge revenues;

k. limitations on the issuance of additional bonds, notes or other evidences of indebtedness or on the incurrence of indebtedness of the commission;

l. limitations on the powers of the commission to construct, acquire or operate, or permit the construction, acquisition or operation of, any structures, facilities or properties which may compete

or tend to compete with any bridge or bridges or approaches thereto;

m. payment of costs or expenses incident to the enforcement of any bonds or of the provisions of such resolution or of any covenant or agreement with the holders of any bonds;

n. the procedure, if any, by which the terms of any covenant or agreement with, or duty to, the holders of bonds may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given or evidenced; or

o. any other matter or course of conduct which, by recital in such resolution, is declared to further secure the payment of the principal of or interest on the bonds.

All such provisions of said resolution and all such covenants and agreements shall constitute valid and legally binding contracts between the commission and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforceable by any such holder or holders by appropriate action or proceeding, including a proceeding in lieu of prerogative writ, in any court of competent jurisdiction.

5. Section 27:19-36 of the Revised Statutes is amended to read as follows:

Section
amended.

27:19-36. The commission shall operate, manage and control the bridges under its charge in their entirety, fix the rate of tolls, establish rules and regulations for the use of such bridges, provide for the lighting and policing thereof, select such employees as are deemed necessary and fix their compensation, make necessary repairs and provide maintenance, and insure the bridges and all property connected therewith against every manner of loss or injury.

Operation
of bridges;
tolls;
agreement
for county
maintenance;
covenants
with
county.

By or pursuant to resolution of its board of chosen freeholders, (a) any county may covenant and agree with any bridge commission as to the laying out or continuance of use and maintenance of any road or highway connecting with or contrib-

uting vehicular traffic to any bridge or approach of the commission or connecting 2 or more such bridges, and any county which created such commission or consented to the acquisition or construction of any such bridge or approach may covenant and agree with such commission for the maintenance and operation by such county of any such road or highway or any such approach or any part thereof, or for the payment by such county of all or any part of the expense of such maintenance and operation, and (b) any county which created a commission (i) may appropriate moneys for the purposes of the commission and loan or donate, or agree to loan or donate, such moneys to the commission in such installments and upon such terms as may be agreed upon with the commission, (ii) may, without any referendum or public or competitive bidding, sell, lease, lend, grant or convey to the commission any county bridge or bridge constituting part of a county road, with the approaches thereto and lands or rights in land necessary for the operation or replacement thereof which may be necessary or useful and convenient for the purposes of the commission and accepted by the commission, and (iii) may accept, or agree to accept, from the commission, as a county bridge or bridge constituting part of a county road, any bridge constructed or acquired by the commission, with the approaches thereto and lands and rights in land necessary for the maintenance thereof, which may be offered to the county by the commission, and such commission, subject to and in compliance with every contract or agreement of the commission, may convey such property to the county for maintenance by such county as a county bridge or bridge constituting part of a county road. Any such sale, lease, loan, grant, conveyance or acceptance may be made or given with or without consideration and for a specified or an unlimited period of time and under any agreement and on any terms and conditions which may be approved by such county and which may be agreed to by the commission in conformity with its

contracts with the holders of any of its bonds. Any such covenant or agreement by a county shall be and constitute a valid and legally binding obligation of the county and shall be deemed to be made with or for the benefit of, and shall be enforceable by, the holder or holders of any bonds, notes or other evidences of indebtedness of the commission, as well as by the commission.

6. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 102

A SUPPLEMENT to "An act concerning hospital service corporations and regulating the establishment, maintenance and operation of hospital service plans and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'Hospital Service Corporations,' " approved June 14, 1938 (P. L. 1938, c. 366).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Any contract made by a corporation subject to the provisions of the act to which this act is a supplement, may provide for the furnishing of health care services elsewhere than in a hospital by voluntary nonprofit visiting nurse organizations.

C. 17:48-1.5.
Provision for
health care
outside of
hospital.

2. The provisions of this act shall be applicable to contracts heretofore made under the authority of the act to which this act is a supplement, as well as to such contracts as may be hereafter made and, in the case of existing contracts, supplementary contracts may be made to include provisions authorized by this act.

C. 17:48-1.6.
Application
of provisions
to previously
made
contracts.

3. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 103

AN ACT concerning insurance on the lives of certain borrowers from banks, and supplementing "An act concerning banking and banking institutions (Revision of 1948)," approved April 29, 1948 (P. L. 1948, c. 67).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 17:9A-70.1.
"Bank"
defined.

1. As used in this act, "bank" means a bank organized under the laws of this State, and a national bank organized under the laws of the United States.

C. 17:9A-70.2.
Insurance on
life of
borrower.

2. When a bank makes a loan upon which it takes interest in advance and which is payable in installments pursuant to article 12 (sections 53 through 59) of the act to which this act is a supplement, the bank may, subject to the provisions of this act, obtain or provide insurance on the life of the borrower pursuant to the provisions of "An act to provide for the regulation of credit life insurance and credit accident and health insurance, as defined, and supplementing Title 17 of the Revised Statutes" (P. L. 1958, c. 169); and, if the borrower consents thereto in writing, the bank may deduct and retain from the proceeds of any such loan an amount equal to the premium lawfully charged by the insurer issuing such insurance. If such premium charge is so deducted and retained, (a) such deduction and retention shall not be deemed a further interest or other charge or demand prohibited by section 54A (5) of the act to which this act is a supplement; (b) the bank shall deliver or cause to be delivered to the insured borrower at the time when a loan is made a copy of the insurance policy, or a certificate therefore, or a copy of the application for such policy, or a notice of proposed insurance as required by law; and (c), if there is more than one person who is liable for the payment of any such loan,

whether as borrower or otherwise, insurance may be obtained or provided as authorized herein on the life of only one such person. Nothing in the act to which this act is a supplement or in any other law of this State shall prohibit a bank, or any employee of a bank, from collecting the premium or identifiable charge for life insurance obtained or provided as authorized by this act, or prevent a bank from receiving or retaining any dividend or any other gain or advantage resulting from such insurance.

3. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 104

AN ACT to amend the "Banking Act of 1948," approved April 29, 1948 (P. L. 1948, c. 67).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 182 of the act of which this act is amendatory is amended to read as follows:

182. Loans on collateral security

A. In addition to loans elsewhere in this act authorized, a savings bank may make loans

(1) to a depositor, in a sum or sums not greater than the amount of his deposit, upon the promissory note of the depositor, secured by the pledge of his deposit;

(2) to any person, in an amount or amounts aggregating not more than \$10,000.00, upon the pledge of a life insurance policy or policies issued by a company which has been authorized to transact business in this State for not less than 5 years next preceding the making of such loan; but no such loan shall exceed 90% of the cash surrender value of such policy or policies; and

(3) to any person, (i) in an amount or amounts aggregating not more than \$10,000.00, upon the pledge of securities which (a) have a value not less

Section
amended.

C. 17:9A-182.

Loans on
collateral
security;
limitations.

than twice the amount of such loan, and (b) are of the kind in which a savings bank may by law invest, or (c) if not eligible for such investment, have a readily ascertainable market value or are listed upon a registered stock or securities exchange, or (ii) in an amount or amounts aggregating not more than \$20,000.00 upon the pledge of stocks, bonds, and notes or obligations of or guaranteed by the United States, or those for which the credit of the United States is pledged for the payment of the principal and interest or dividends thereof, which have a value not less than 110% of such loan.

B. No savings bank shall make any loan of the character described in paragraphs (2) or (3) of subsection A of this section at any time when the total of all such loans made pursuant to both of such paragraphs exceed, or if the making of such a loan would cause such total to exceed, 10% of its deposits.

2. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 105

AN ACT to amend "An act to supplement 'An act concerning banking and banking institutions (Revision of 1948),' approved April 29, 1948 (P. L. 1948, c. 67)" approved April 9, 1953 (P. L. 1953, c. 78).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 3 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-180.7.
Limitation
on amount of
investment.

3. No savings bank shall make an investment pursuant to this act at any time when the total of all such investments exceeds, or if the making of such investment would cause such total to exceed 50% of its surplus (as hereinafter defined).

2. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 106

AN ACT concerning corporations, and amending
section 14:9-6 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 14:9-6 of the Revised Statutes is
amended to read as follows:

Section
amended.

14:9-6. Any corporation organized under the laws of this or any other State, which has heretofore adopted, or may hereafter adopt, a plan for the payment to or for the benefit of the employees of the corporation or of any corporation a subsidiary thereof or affiliated therewith, of pensions during old age, disability or unemployment, or other similar aids for the relief or general welfare of any or all such employees, in carrying out or effectuating any such plan, may create and maintain, or cause to be created and maintained, one or more separate trust funds of the moneys, securities or other property now or hereafter contributed or held by any such corporation or by any corporation a subsidiary thereof or affiliated therewith for the purposes of any such plan. Any such trust fund may be held by any corporation adopting any such plan or be transferred to and administered by any trustee or trustees appointed by the corporation for that purpose.

Trust funds
for employees;
creation;
maintenance
and
administration.

2. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 107

AN ACT to amend "An act concerning railroads in relation to the division of certain expenses and supplementing chapter 12 of Title 48 of the Revised Statutes," approved December 27, 1960 (P. L. 1960, c. 152).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 48:12-49.1.
Division of
expenses in
construction,
reconstruction,
etc. of bridges,
safety devices
and other
protective
devices.

1. The railroad company or companies involved shall pay 15% and the board, out of funds to be provided for that purpose, shall pay 85% of the entire expense of: (a) constructing, enlarging, changing, reconstructing, relocating or modifying any bridge or passage over or under the railroad or right-of-way pursuant to order of the board under section 48:12-49 of the Revised Statutes; or (b) the installation, change, reconstruction, relocation or modification of protective devices or other provision for the protection of the traveling public at grade crossings of a railroad which operates passenger service within this State, pursuant to order of the board under sections 48:2-29, 48:12-54 or 48:12-55 of the Revised Statutes, provided, however, that if the board orders the installation of protective devices or other provision for the protection of the traveling public at grade crossings of any other railroad under said sections 48:2-29, 48:12-54 or 48:12-55 and finds that such installation is necessary due to increased vehicular or pedestrian traffic it may pay, out of such funds, a percentage of the entire expense, not to exceed 85%, and the railroad company or companies involved shall pay the remaining percentage of the entire expense. Such expense shall include, without limitation thereto, damages to adjacent property and the

cost of removing, relaying or relocating any municipal pipes, conduits or subways.

The protective devices or other provision for the protection of the traveling public at grade crossings installed under (b) above shall be maintained by the railroad at its own cost and expense.

In lieu of the apportionment of expenses as set forth above, if the board finds that such construction, installation, enlargement, change, reconstruction, relocation or modification is necessary due to increased vehicular or pedestrian traffic within the limits of the municipality or county having jurisdiction over the road, street or avenue involved, the board may order the entire expense to be paid as follows: 15% by the railroad company or companies involved, 15% by the municipality (or municipalities) or county (or counties) having jurisdiction over the roads, streets or avenues involved and 70% by the board.

The municipalities and counties involved are hereby authorized and empowered to make such payments.

2. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 108

AN ACT concerning the distribution of moneys received from the tax upon sale of motor fuels, and amending section 54:39-72 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 54:39-72 of the Revised Statutes is amended to read as follows:

54:39-72. There shall be paid to the board of public utility commissioners \$2,000,000.00 per an-

Section
amended.

Funds for
eliminating
grade
crossings;
bridges and
passages.

num, to be used by it to defray the public share of the cost of eliminating grade crossings under the provisions of sections 48:12-61 to 48:12-67 of the Revised Statutes and the public share of the expense of (a) the installation, change, reconstruction, relocation or modification of protective devices or other provision for the protection of the traveling public at grade crossings or (b) constructing, enlarging, changing, reconstructing, relocating or modifying any bridge or passage, pursuant to order of the board, under the provisions of chapters 2 or 12 of Title 48 of the Revised Statutes, and any moneys so appropriated shall not lapse into the treasury at the end of the fiscal year, but shall be available for the purposes for which they were appropriated until expended.

The board, where it has directed a railroad to perform acts pursuant to R. S. 48:12-61 to 48:12-67 or any of the acts enumerated above and the amount of money remaining in the grade crossing fund is inadequate, may request the Legislature to appropriate up to \$2,000,000.00 for the purpose set forth.

2. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 109

AN Act establishing Title 38A, Military and Veterans Law of the New Jersey Statutes, revising parts of the statute law relating to the Armed Forces of the State and repealing certain statutes relating thereto.

Not printed in the Pamphlet Laws of 1963 under the provisions of 38A:19-3.

CHAPTER 110

AN ACT to amend "An act concerning employees of certain park commissions in first-class counties, supplementing subtitle 3 of Title 11 of the Revised Statutes and repealing section 2 of 'An act regulating the employment, tenure and discharge of employees of county park commissioners appointed under the provisions of sections 40:37-96 to 40:37-174 of the Revised Statutes, amending section 11:22-2, and supplementing article 3 of chapter 22 of Title 11, of the Revised Statutes,' approved February 27, 1957 (P. L. 1956, c. 232)," approved June 21, 1957 (P. L. 1957, c. 98).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

1. All offices, positions or employments held with any county park commission in a county of the first class created or existing pursuant to sections 40:37-96 to 40:37-174 of the Revised Statutes, other than the office of secretary and the position of chief engineer, by persons employed by such park commission on January 16, 1957, and all such offices, positions or employments held with any county park commission in a county of the first class having a population of less than 700,000, other than the office of secretary and the position of chief engineer, by persons employed by such park commission on July 16, 1959, which can be allocated to the classified service in accordance with the provisions of Title 11 of the Revised Statutes, shall be so allocated under appropriate titles by the Civil Service Commission and such persons shall be recorded, without examination, as having been permanently appointed thereto as of the dates of their respective original

Section
amended.

C. 40:37-148.1.
Allocation
of positions,
etc. to classi-
fied civil
service;
exceptions.

appointments by the park commission under said titles and shall thereafter be under and subject to all provisions of Title 11 relating to the classified service of the civil service.

2. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 111

AN ACT to amend "An act concerning banking and banking institutions (Revision of 1948)," approved April 29, 1948 (P. L. 1948, c. 67).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 37 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-37.
Participations
in common
trust fund.

37. Participations in common trust fund.

A. Subject to the limitations of this article, a bank may create and maintain one or more common trust funds, and may, without order or judgment of any court or officer, invest in cash all or any part of the funds of any one or more trust estates in any one or more such common trust funds.

B. Where there is a cofiduciary, the bank shall acquire no participation in a common trust fund without the prior written consent of the cofiduciary, who is hereby authorized to give such consent. Such participation shall be withdrawn within 3 months after the written request of a cofiduciary for such withdrawal.

C. Investment of funds of a trust estate in a common trust fund or funds may be made as provided in this article, notwithstanding that the trust instrument became operative before the effective date of this act, and notwithstanding that the trust instrument, regardless of the date of its effectiveness,

does not specifically authorize such an investment; but no investment shall be made in a common trust fund contrary to the express provisions of the trust instrument.

D. No bank shall invest any of its own funds in a common trust fund.

E. Each common trust fund shall be established and maintained in accordance with a written plan, so as to qualify as a common trust fund under Federal revenue laws, and, to that end, each bank in establishing and maintaining a common trust fund shall conform with and be subject to the rules and regulations, prevailing from time to time, of the Board of Governors of the Federal Reserve System or the Comptroller of the Currency pertaining to the collective investment of trust funds by national banks.

F. No investment of the funds of a common trust fund shall be made except pursuant to the prior authorization of the trust investment committee noted on the bank's records.

2. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 112

AN ACT relating to motor vehicle driver's licenses, and supplementing chapter 3 of Title 39 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Every motor vehicle driver's license, and every renewal or replacement of a driver's license, hereafter issued to a person who is under the age of 21 on the date of issuance shall be of a distinct color different from other driver licenses. Upon attaining 21 years of age the holder of any such

C. 39:3-10.2.
Drivers
licenses of
persons under
21 years of
age to be
colored;
fee.

driver's license may, upon payment of a fee of \$1.00, obtain a replacement for such license which shall be issued for the remainder of the license period for which the former license was issued.

C. 39:3-10.3.
Construing.

2. Nothing in this act shall affect the validity of licenses heretofore issued.

NOTE:
Act effective.

3. This act shall take effect 90 days after enactment.

Approved June 13, 1963.

CHAPTER 113

AN ACT to amend "An act establishing Title 12A Commercial Transactions of the New Jersey Statutes, enacting the Uniform Commercial Code, repealing certain statutes and revising parts of the statutory law," approved November 30, 1961 (P. L. 1961, c. 120).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 12A:4-204 of the act of which this act is amendatory is amended to read as follows:

Methods of
sending and
presenting;
sending
direct to
payor bank.

12A:4-204. Methods of Sending and Presenting; Sending Direct to Payor Bank.

(1) A collecting bank must send items by reasonably prompt method taking into consideration any relevant instructions, the nature of the item, the number of such items on hand, and the cost of collection involved and the method generally used by it or others to present such items.

(2) A collecting bank may send

(a) any item direct to the payor bank;

(b) any item to any non-bank payor if authorized by its transferor; and

(c) any item other than documentary drafts to any non-bank payor, if authorized by Federal Re-

serve regulation or operating letter, clearing house rule or the like.

(3) Presentment may be made by a presenting bank at a place where the payor bank has requested that presentment be made.

2. Section 12A:10-101 of the act of which this act is amendatory is amended to read as follows:

12A:10-101. Transactions Previously Entered into Saved; Procedure thereon.

Transactions
previously
entered into
saved;
procedure.

(1) Transactions validly entered into before the effective date of this act and the rights, duties and interests flowing from them remain valid thereafter and may be terminated, completed, consummated or enforced as required or permitted by any statute or other law amended or repealed by this act as though such repeal or amendment had not occurred.

(2) When a security interest is evidenced by a conditional sale contract or a trust receipt transaction entered into before January 1, 1963, and such interest was perfected by a filing made pursuant to a law repealed by this act, and the period of effectiveness of such filing, as limited by the law so repealed, expired or expires on or after January 1, 1963, the effectiveness of such filing and the perfection of such security interest shall be continued from the date of the original filing or refiling under such repealed law without lapse, and shall expire on a lapsing date, which is hereby defined as January 1, 1964, or the date upon which the effectiveness of such filing would have expired under the law so repealed, whichever is later. The effectiveness of the original filing or refiling may be continued beyond the lapsing date by the filing of a financing statement before such lapsing date. The proper place to file such statement shall be as set forth in 12A:9-401 and such statement (a) shall conform with 12A:9-402 except that it shall be sufficient if signed only by the secured party; (b) shall state that it is based upon a conditional sale contract or a trust receipt transaction, as the case may be, entered into prior to January 1, 1963; (c) shall state the office where the filing of the conditional

sale contract or trust receipt transaction was made, the date of such filing, and the filing number, if any; and (d) shall state that the conditional sale contract or trust receipt transaction is still effective. A financing statement filed pursuant to this section shall have the effect provided in 12A:9-403 and shall be a financing statement for all purposes of chapter 9 of this act.

(3) This act applies to transactions entered into and events occurring after its effective date.

3. This act shall take effect immediately.

Approved June 13, 1963.

CHAPTER 114

AN ACT to empower certain corporations of this State to construct, purchase, lease, or otherwise acquire, own, maintain, improve, repair and operate dams in any of the rivers or streams within this State or between this State and another State for the purpose of developing, generating, transmitting, distributing and selling electricity for light, heat or power; and supplementing Title 48 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 48:7-7.

Empowered
to construct,
purchase, etc.,
operate, etc.,
dams.

1. Any corporation now or hereafter organized under any law of this State for the purpose of constructing, maintaining and operating works for the generation, transmission, supply and distribution of electricity for light, heat or power in or outside of this State and which is a public utility as defined in section 48:2-13 of the Revised Statutes, may construct, purchase, lease, or otherwise acquire, own, maintain, improve, repair and operate dams in any of the rivers or streams within this State or

between this State and another State for the purposes of developing, generating, transmitting, distributing and selling electricity for light, heat or power, or for any one or more of such purposes, and such corporation, to effectuate any such purpose or purposes, may:

(a) construct, purchase, lease, or otherwise acquire, own, maintain, improve, repair and operate dams in any of the rivers or streams within this State or between this State and another State at such points and at such heights as it may deem necessary or desirable, and flow back and raise the water in the rivers or streams above the dam to a height not exceeding 10 feet above common low water of the rivers and streams; provided, however, that the Department of Conservation and Economic Development may authorize such corporation to flow back and raise the water in the rivers or streams above such dams to heights exceeding 10 feet above the common low water of the rivers and streams if in the judgment of said department the interests of the economical development of electric power may so require, which authorization shall not be granted until said department is first satisfied that the dam is of sufficient strength to make the same safe and that due compensation shall be made to the owners of any land or rights in land and water which may be affected thereby;

(b) construct, purchase, lease, or otherwise acquire, own, maintain, improve, repair and operate all such embankments, reservoirs, aqueducts, culverts, locks, bridges, main canals or raceways, lateral or branch raceways, locks, weirs, gates, reservoirs at the same or different levels with connecting water passages, turbines, pumps, pump-turbine devices, generators, motors, outlet works, channels, shafts, tunnels, penstocks, facilities for pumping, storing, releasing, recapturing, circulating or recirculating water, buildings, structures, machinery, apparatus, and other instrumentalities, facilities, devices and works, as it may deem necessary or desirable; and

(c) exercise all other powers necessary to effectuate the purposes of this act.

C. 48:7-8.
Acquisition
of property by
condemnation.

2. Such corporation may acquire by condemnation in the manner prescribed by chapter 1 of Title 20, Eminent Domain, of the Revised Statutes (sections 20:1-1 et seq.), subject to the provisions of section 4 hereof, any waters, streams, lands or interests therein, property, materials or franchises, which may be required for the construction of such dams, canals, raceways, reservoirs, structures, buildings, apparatus and other instrumentalities, facilities, devices and works as may be necessary to carry out the purposes of this act.

C. 48:7-9.
Approval
of plans
and
construction.

3. The plans and construction of all such dams shall be approved by the Department of Conservation and Economic Development. For dams on navigable streams, said department may require the construction of such canals, locks, gates, shoots or other openings as, after public hearing, it may determine that the interests of navigation require. Where judged necessary by it, said department may require all dams constructed under this act to be provided with a fishway for the passage of fish.

C. 48:7-10.
Regulates
the use of
the power
of condemna-
tion;
regulations;
rights of
action not
impaired.

4. The power of condemnation hereinabove granted shall not be used or enforced until and unless such corporation shall have applied to the Board of Public Utility Commissioners upon the petition of such corporation, and said board, after due notice, including notice to the owner or owners of the land or other property or interest therein to be condemned, and to any other parties having an interest of record therein, if known and resident of this State, and if unknown or not resident of this State, then by such publication as said board shall prescribe, and after public hearing, shall have found that the land or other property or interest therein desired is reasonably necessary for the service, accommodation, convenience or safety of the public, and that the taking of such land or other property or interest therein is not incompatible with the public interest, and would not unduly injure the owners of private property.

Said board is hereby authorized and empowered to determine the necessity as aforesaid for the use of such land or other property or interests therein so sought to be condemned and to make and establish such reasonable rules and regulations governing the form and method of such application and the time and manner of the notice of such public hearing as it may deem proper, and said board shall have full power and authority to enforce the provisions of this section.

Nothing in this act shall impair the rights of any person to an action against such corporation for any damage done to his real estate by the construction of the dams, canals, raceways and works where he has not agreed with such corporation or where his damages have not been paid and satisfied by such corporation.

5. Such corporation may exercise any or all of the powers granted by this act either solely or together with any other corporation or corporations similarly empowered.

C. 48:7-11.
Exercise of
powers.

6. The rights, powers and privileges conferred by this act shall be in addition to, and not in substitution for, or in derogation of, whatever other rights, powers, privileges, franchises and authority any such corporation may have.

C. 48:7-12.
Rights, powers,
etc. deemed
additional.

7. If any clause, sentence, subdivision, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be ineffective, such determination shall not affect or impair the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which said determination shall have been rendered.

C. 48:7-13.
Severability.

8. This act shall take effect immediately.

Approved June 14, 1963.

CHAPTER 115

AN ACT relating to county park commissions in counties of the first class governed by the provisions of sections 40:37-96 to 40:37-174, and supplementing subdivision C of article 5 of chapter 37 of Title 40 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 40:37-131.1.
Additional
bonds
authorized;
use of
proceeds.

1. To meet the further expenses to be incurred by counties of the first class under the provisions of sections 40:37-96 to 40:37-174 of the Revised Statutes, to which this act is a supplement, for the acquisition, development and improvement of parks and parkways, in counties of the first class in this State, in which said sections of the Revised Statutes are, or shall hereafter be, operative, the board of chosen freeholders in any such county may, from time to time, in addition to any bonds theretofore authorized by law, on the request of the board of park commissioners in any such county, in the name and on the credit of the said county, borrow money by issuing the bonds of said county to a sum not exceeding in the aggregate \$500,000.00 over and above the total amount theretofore authorized by law. Such bonds shall be issued in accordance with the provisions of chapter 2 of Title 40A of the New Jersey Statutes (sections 40A:2-1 et seq.). The proceeds of the sale of the said bonds after deducting expenses for negotiating the same and for engraving, and all other expenses connected with their issue and sale, shall be paid over to the said park commission.

2. This act shall take effect immediately.

Approved June 25, 1963.

CHAPTER 116

AN ACT concerning the marketing of open or closed packages containing potatoes, providing penalties and making an appropriation.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The following words and phrases, when used in the act, shall have the meanings respectively ascribed to them. Words used in the singular shall be construed to also mean the plural and words used in the plural shall be construed to also mean the singular.

C. 4:10-34.
Terms
defined.

(a) "Potatoes" means all varieties of the tuber (*Solanum Tuberosum* L.) commonly known as Irish Potatoes.

(b) "Secretary" means the Secretary of Agriculture of the State of New Jersey.

(c) "Board" means the New Jersey State Board of Agriculture.

(d) "Person" means a natural person, firm, partnership, association, corporation or any other business enterprise.

(e) "Closed packages" means all containers of any description, containing potatoes, which are enclosed on all sides and includes hampers, baskets, boxes, crates, cartons and bags of any size or material.

(f) "Open packages" means all containers of any description, containing potatoes, which are open on at least one side or end and includes hampers, baskets, boxes, crates, cartons and bags of any size or material; but does not include storage or display bins of potatoes in bulk.

(g) "Used packages" means all containers of any description which have been previously used for packing potatoes or other commodities.

(h) "Grades" means the official grades as promulgated from time to time by the Secretary of

Agriculture of the United States as United States Standards for Potatoes, commonly known as U. S. Grades.

(i) "Unclassified"—as applied to potatoes for the purpose of this act means any lot of potatoes which fails to meet the requirements of U. S. No. 2 Grade but contains an aggregate of not more than 15 per cent, by weight, of potatoes which are seriously damaged, including therein not more than 5 per cent which are frozen, or affected by southern bacteria wilt, ring rot, late blight, soft rot or wet breakdown, and further including not more than 3 per cent which are frozen, or affected by soft rot or wet breakdown.

(j) "Culls"—as applied to potatoes for the purpose of this act means any lot of potatoes which contains:

(1) More than 3 per cent of potatoes which are frozen, or affected by soft rot or wet breakdown, or

(2) More than an aggregate of 5 per cent which are frozen, or affected by southern bacterial wilt, ring rot, late blight, soft rot or wet breakdown, or

(3) More than 15 per cent, by weight, of potatoes which are seriously damaged by any cause.

2. No person shall sell, expose or offer for sale, or transport for sale, potatoes in open or closed packages, except for delivery to processing plants, packing houses, or to a storage for packing, unless:

(a) Each such package bears conspicuously in plain words and figures, on the outside, or on a durable insert, or stuffer within, which is readily readable from the outside, or on a tag firmly affixed to the package—(1) the word "potatoes," (2) the grade, (3) the net quantity in weight, measure or numerical count, and (4) the name and address of the person under whose authority the potatoes were packed.

(b) The potatoes in each such package conform to the markings on or within such package in every particular.

(c) The shown face or shown surface reasonably represents the entire contents of the package.

Potatoes in open or closed packages not graded in conformity with any of the U. S. Standard grades may be exposed, offered or transported for sale or sold as "Unclassified" or "Culls" if so marked in a conspicuous manner.

3. When potatoes are packed in used packages, any markings pertaining to previous contents of such packages, that do not apply, shall be removed or obliterated before any potatoes are placed into the package, or in the case of bags or sacks turned inside out; and the markings required under this act shall be substituted.

C. 4:10-36.
Using
used
packages.

4. When open or closed packages of potatoes are placed in transit for sale or delivery or moved to market in any medium of transportation, such transit, delivery or movement shall be prima facie evidence that the potatoes are offered or transported for sale.

C. 4:10-37.
Prima facie
evidence as
offer of sale.

5. In order to provide for the orderly marketing of potatoes, the board shall have the power to adopt rules and regulations not inconsistent with this act, for the enforcement thereof.

C. 4:10-38.
Rules and
regulations.

6. The secretary is charged with the enforcement of this act and for that purpose the secretary or his authorized agents shall have power:

C. 4:10-39.
Powers of
secretary.

(a) To enter and inspect all premises and places within the State where potatoes are produced, packed or stored for sale, shipped, delivered for shipment, offered or exposed for sale, or sold, and to inspect such places and all potatoes, potato containers and equipment found in any such places.

(b) To prohibit the movement of any packages of potatoes found improperly marked in violation of any provisions of this act, or rule or regulation adopted hereunder, until such packages of potatoes have been properly marked under this act, or rule or regulation adopted hereunder, and released by the secretary or his authorized agent.

7. Any person, except a contract or common carrier, acting in good faith and without knowledge of the violation, the burden of proof of which shall be with the contract or common carrier, who violates

C. 4:10-40.
Penalty;
collection;
injunction.

any provision of this act, or the rules and regulations issued pursuant thereto shall be liable to a penalty of not less than \$50 nor more than \$100 for the first offense and not less than \$100 nor more than \$200 for the second and each subsequent offense.

Penalties set forth in this act shall be sued for by and in the name of the secretary and shall be recoverable with costs. County district courts and municipal courts shall have jurisdiction to enforce the provisions of this act and of any rule or regulation issued pursuant thereto. Any proceeding for a violation of this act may be brought in the county or municipality where the violator resides, has a place of business or principal office or where the act or omission or part thereof complained of occurred. The proceeding shall be summary in nature and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58-1 et seq.).

The secretary may institute an action in the Superior Court for injunctive relief to prevent and restrain any violation of this act or any rules or regulations issued pursuant thereto.

C. 4:10-41.
Appropriation.

8. There is hereby appropriated to the State Department of Agriculture the sum of \$15,000.00 to carry out the requirements of this act for the first year of its enforcement and such sums as may thereafter be included in any annual or supplemental appropriation act.

C. 4:10-42.
Provisions
severable.

9. Should any section or provision of this act be held to be invalid by any court of competent jurisdiction, the validity of the act as a whole or any other part thereof shall not be affected.

NOTE:
Act effective.

10. This act shall take effect immediately but shall remain inoperative for 60 days thereafter.

Approved June 25, 1963.

CHAPTER 117

AN ACT to provide, in the event of attack upon the United States, for the continuity of the Executive functions of the government of the State by providing for additional officers who can act as Governor and for emergency interim succession to other executive offices of the State.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Short title: This act shall be known and may be cited as the "Emergency Interim Executive Succession Act."

C. 52:14A-1.
Short title.

2. Declaration of policy: Because of the existing possibility of attack upon the United States of unprecedented size and destructiveness, and in order, in the event of such an attack to assure continuity of government through legally constituted leadership, authority and responsibility in offices of the Government of the State; to provide for the effective operation of governments during an emergency; and to facilitate the early resumption of functions temporarily suspended, it is found and declared to be necessary to provide for additional officers who can exercise the powers and discharge the duties of Governor and for emergency interim succession to governmental offices of this State in the event the incumbents thereof (and their deputies, assistants or other subordinate officers authorized, pursuant to law, to exercise all of the powers and discharge the duties of such offices) are unavailable to perform the duties and functions of such offices.

C. 52:14A-2.
Declaration
of policy.

3. Definitions: Unless otherwise clearly required by the context, as used in this act:

C. 52:14A-3.
Terms defined.

(a) "Attack" means any attack or series of actions by an enemy of the United States causing, or which may cause, substantial damage or injury

to property or persons in the United States in any manner by sabotage, bombs, missiles, shellfire, atomic, radiological, chemical, bacteriological, biological means or other weapons or methods.

(b) "Emergency interim successor" means a person designated pursuant to this act, in the event the officer is unavailable, to exercise the powers and discharge the duties of an office until a successor is appointed or elected and qualified as may be provided by the Constitution and Statutes, or until the lawful incumbent is able to resume the exercise of the powers and discharge the duties of the office.

(c) "Office" includes all State offices, the power and duties of which are defined by the Constitution and Statutes, except the office of Governor, and except those in the Legislature and the Judiciary.

(d) "Unavailable" means either that a vacancy in office exists and there is no deputy authorized to exercise all of the power and discharge the duties of the office, or that the lawful incumbent of the office (including any deputy exercising the powers and discharging the duties of an office because of a vacancy) and his duly authorized deputy are absent or unable, for physical, mental, legal or other reasons, to exercise the powers and discharge the duties of the office.

C. 52:14A-4.
Additional
successors
to office
of Governor.

4. Additional successors to office of Governor: In the event that the Governor, for any reason, is not able to exercise and discharge the functions, powers and duties of his office, or is unavailable, the functions, powers and duties of such office shall devolve in the manner provided in Article V, Section 1 of the Constitution of the State of New Jersey. In the event that the persons upon whom such functions, powers and duties devolve, under such provisions of the Constitution, are not able to exercise the same or are unavailable, then such functions, powers and duties shall devolve upon the Attorney General, for the time being; and in the event that he is unable to exercise the powers and duties of such office or is unavailable, then upon the State Highway Commissioner, for the time being;

and in the event that he is unable to exercise the powers and duties of such office or is unavailable, then upon such person as the Legislature by majority vote of the total number of available legislators and emergency interim successors, exercising the powers and discharging the duties of legislators not available, in both Houses may designate. Any such official or other person upon whom the powers and duties of the Governor have devolved shall exercise the same until a new Governor is elected and qualified. No deputy or emergency interim successor to the aforementioned offices, including such successor to any Senator or Assemblyman may serve as Governor.

5. Emergency interim successors for State officers: All State officers, subject to such regulations as the Governor may issue, shall in addition to any deputy authorized pursuant to law to exercise all of the powers and discharge the duties of the office, designate by title emergency interim successors, specify their order of succession and file such designations with the Secretary of State. All such data shall be opened to public inspection. The officer shall review and revise, as necessary, such designations to insure their current status. The Secretary of State shall inform the Governor and the State officer affected of the failure of any such officer to file such designations. The officer will designate a sufficient number of such emergency interim successors so that there will be not less than 3, nor more than 7, such deputies or emergency interim successors or any combination thereof, at any time. In the event that any State officer is unavailable following an attack, and in the event his deputy, if any, is also unavailable, the said powers of his office shall be exercised and the said duties of his office shall be discharged by his designated emergency interim successors in the order specified. Such emergency interim successors shall exercise said powers and discharge said duties only until such time as the Governor under the Constitution or authority other than this act (or other official

C. 52:14A-5.
Emergency
interim
successors
for State
officers.

authorized under the Constitution or this act to exercise the powers and discharge the duties of the office of Governor) may, where a vacancy exists, appoint a successor to fill the vacancy or until a successor is otherwise appointed, or elected and qualified as provided by law; or an officer (or his deputy or a preceding named emergency interim successor) becomes available to exercise, or resume the exercise of, the powers and discharge the duties of his office.

C. 52:14A-6.
Formalities
of taking
office.

6. Formalities of taking office: At the time of their designation, emergency interim successors shall take such oath as may be required for them to exercise the powers and discharge the duties of the office to which they may succeed. Notwithstanding any other provision of law, no person, as a prerequisite to the exercise of the powers or discharge of the duties of an office to which he succeeds, shall be required to comply with any other provision of law relative to taking office.

C. 52:14A-7.
Period in
which
authority may
be exercised.

7. Period in which authority may be exercised: Officials and other persons authorized to act as Governor pursuant to this act and emergency interim successors are empowered to exercise the powers and discharge the duties of an office as herein authorized only after an attack has occurred and until a successor is appointed or elected and qualified according to law, or until the lawful incumbent is able to resume the exercise of the powers and discharge the duties of the office. The Legislature, by concurrent resolution, may at any time terminate the authority of any emergency interim successors to exercise the powers and discharge the duties of any office.

C. 52:14A-8.
Removal
of designee.

8. Removal of designees: Until such time as the persons designated as emergency interim successors are authorized to exercise the powers and discharge the duties of an office in accordance with this act, including section 7 hereof, said persons shall serve in their designated capacities at the pleasure of the designating authority and may be removed or replaced by said designating authority at any time, with or without cause.

9. Disputes: Any dispute, after an attack, arising under this act with respect to an office in the Executive Branch of the State Government (except a dispute of fact relative to the office of Governor) shall be adjudicated by the Governor (or other official exercising the powers and discharging the duties of the office of Governor) and his decision shall be final.

C. 52:14A-9.
Disputes.

10. Separability clause: If a part of this act is invalid, all valid parts that are separable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are separable from the invalid applications.

C. 52:14A-10.
Provisions
severable.

11. Effective date: This act shall take effect immediately.

Approved June 28, 1963.

CHAPTER 118

AN ACT to authorize the establishment of an emergency temporary location, or locations, for the seat of Government for the State and to authorize the exercise of governmental powers and functions thereat.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Whenever, due to an emergency resulting from the effects of enemy attack, or the anticipated effects of threatened enemy attack, it becomes imprudent, inexpedient or impossible to conduct the affairs of State Government at the normal location of the seat thereof in the city of Trenton in the county of Mercer, the Governor shall, as often as

C. 52:1-1.1.
Governor to
proclaim
emergency
location for
seat of
government;
duration.

the exigencies of the situation require, by proclamation, declare an emergency temporary location, or locations, for the seat of Government at such place, or places, within or without this State as he may deem advisable under the circumstances, and shall take such action and issue such orders as may be necessary for an orderly transition of the affairs of State Government to such emergency temporary location, or locations. Such emergency temporary location, or locations, shall remain as the seat of Government until the Legislature shall by law establish a new location, or locations, or until the emergency is declared to be ended by the Governor and the seat of Government is returned to its normal location.

C. 52:1-1.2.
Official actions
to be valid.

2. During such time as the seat of Government remains at such emergency temporary location, or locations, all official acts now or hereafter required by law to be performed at the seat of Government by any officer, agency, department or authority of this State, including the convening and meeting of the Legislature in regular, extraordinary, or emergency session, shall be as valid and binding when performed at such emergency temporary location, or locations, as if performed at the normal location of the seat of Government.

C. 52:1-1.3.
Provisions to
control and
be supreme.

3. The provisions of this act shall control and be supreme in the event it shall be employed notwithstanding the provisions of any other law to the contrary or in conflict herewith.

4. This act shall take effect immediately.

Approved June 28, 1963.

CHAPTER 119

AN ACT concerning the oath, title and signature of Acting Governor and amending sections 52:15-4 and 52:15-5 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 52:15-4 of the Revised Statutes is amended to read as follows:

Section amended.

52:15-4. Whenever the functions, powers, duties and emoluments of the office of Governor shall devolve upon the President of the Senate, the Speaker of the House of Assembly or any other person, in accordance with Article V, Section I, or Article IV, Section VI, paragraph 4 of the Constitution of this State, or laws adopted pursuant thereto, he shall, before assuming the duties of such office, take and subscribe the following oath, to wit: "I, President of the Senate (or Speaker of the House of Assembly, or as the case may be), upon whom has devolved the functions, powers, duties and emoluments of the office of Governor of the State of New Jersey, do solemnly promise and swear, that I will diligently, faithfully and to the best of my knowledge, administer the Government of the State in conformity with the powers delegated to me; and that I will, to the utmost of my skill and ability, promote the peace and prosperity and maintain the lawful rights of the State. So help me God."

Oath of Acting Governor.

2. Section 52:15-5 of the Revised Statutes is amended to read as follows:

Section amended.

52:15-5. Whenever the functions, powers, duties and emoluments of the office of Governor shall have devolved upon the President of the Senate, the Speaker of the House of Assembly, for the time being, or any other person, in accordance with Article V, Section I, or Article IV, Section VI, paragraph 4, of the Constitution of this State, or laws

Title and signature of Acting Governor.

adopted pursuant thereto, the official title of the person administering the Government of the State, for the time being, shall be "President of the Senate (or Speaker of the House of Assembly, or as the case may be), Acting Governor of the State of New Jersey." Said title shall be used in all legislative, executive and judicial proceedings or documents in which it is necessary to describe by his title the person administering the Government for the time being. The signature of the person administering the Government for the time being shall be in the following form: "A. B., President of the Senate (or Speaker of the House of Assembly, or as the case may be), Acting Governor," and the attestation to said signature shall be in the following form: "By A. B., President of the Senate (or Speaker of the House of Assembly, or as the case may be), Acting Governor."

3. This act shall take effect immediately.

Approved June 28, 1963.

CHAPTER 120

AN ACT to define the Korean conflict in the Civil Service law and amending section 11:27-1 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 11:27-1 of the Revised Statutes is amended to read as follows:

Terms defined.

11:27-1. As used in this subtitle: "Commission" means the Civil Service Commission of this State.

"Appointing authority" means a commission, board, person or group of persons having the power authorized by law or by reason, of a lawfully delegated authority, to make appointments.

"War service" means service by a veteran, as hereinafter defined, in any war, uprising, insurrec-

tion or expedition mentioned in this section during the periods specified.

“Veteran with a record of disability incurred in line of duty” means any veteran as hereinafter defined who is eligible under the United States veterans’ bureau qualifications for compensation for service-connected disability from World War service or who is receiving or who is entitled to receive equivalent compensation for service-connected disability arising out of such other military or naval service hereinafter defined, and has presented to the Civil Service Commission of New Jersey full and convincing evidence of such record of disability incurred in line of duty on or before the announced closing date for filing applications for a particular examination.

“Veteran” means any honorably discharged soldier, sailor, marine or nurse who served in any army or navy of the allies of the United States in World War I, between July 14, 1914, and November 11, 1918, or who served in any army or navy of the allies of the United States in World War II, between September 1, 1939, and September 2, 1945, and who was inducted into such service through voluntary enlistment, and was citizen of the United States at the time of such enlistment, and who did not, during or by reason of such service, renounce or lose his United States citizenship, and any soldier, sailor, marine, airman, nurse or army field clerk, who has served in the active military or naval service of the United States and has or shall be discharged or released therefrom under conditions other than dishonorable, in any of the following wars, uprisings, insurrections or expeditions, and who has presented to the Civil Service Commission of New Jersey full and convincing evidence of such record of service on or before the announced closing date for filing applications for a particular examination:

(1) The Indian wars and uprisings during any of the periods recognized by the War Department of the United States as periods of active hostility;

(2) The Spanish-American War between April 20, 1898, and April 11, 1899;

(3) The Philippine insurrections and expeditions during the periods recognized by the War Department of the United States as of active hostility from February 4, 1899, to the end of 1913;

(4) The Peking relief expedition between June 20, 1900, and May 27, 1902;

(5) The army of Cuban occupation between July 18, 1898, and May 20, 1902;

(6) The army of Cuban pacification between October 6, 1906, and April 1, 1909;

(7) The Mexican punitive expedition between March 14, 1916, and February 7, 1917;

(8) The Mexican border patrol, having actually participated in engagements against Mexicans between April 12, 1911, and June 16, 1919;

(9) World War I between April 6, 1917, and November 11, 1918;

(10) World War II, after September 16, 1940, who shall have served at least 90 days commencing on or before September 2, 1945, in such active service, exclusive of any period he was assigned (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program, which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not he has completed the 90-day service as herein provided.

(11) Korean conflict, after June 23, 1950, who shall have served at least 90 days commencing on or before July 27, 1953, in such active service, exclusive of any period he was assigned (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the serv-

ice academies, any part of which 90 days was served between said dates; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not he has completed the 90-day service as herein provided.

2. This act shall take effect immediately.

Approved July 1, 1963.

CHAPTER 121

AN ACT concerning pensions, amending the “Public Employees’ Retirement-Social Security Integration Act,” approved June 28, 1954 (P. L. 1954, c. 84); amending “An act supplementing ‘An act to provide coverage for certain State, county, municipal, school district and public employees, under the provisions of Title II of the Federal Social Security Act, as amended, repealing chapters 14 and 15 of Title 43 of the Revised Statutes including acts amendatory thereof and supplementary thereto; granting refund of accumulated deductions paid thereunder or membership in the Public Employees’ Retirement System created hereunder, specifying contributions to be paid and benefit rights therein,’ approved June 30, 1954 (P. L. 1954, c. 84), and providing for benefits and rates of contribution of State law enforcement officers,” approved January 6, 1956 (P. L. 1956, c. 257); and amending “An act amending and supplementing the ‘Public Employees’ Retirement-Social Security Integration Act,’ approved June 28, 1954 (P. L. 1954, c. 84),” approved January 11, 1956 (P. L. 1955, c. 261).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

C. 43:15A-57.
Additional
death benefit
coverage.

1. Section 57 of chapter 84 of the laws of 1954 is amended to read as follows:

57. a. Each member who is a member on December 1, 1956 and each person who thereafter becomes a member prior to the effective date of this amendatory act, will be eligible to purchase the additional death benefit coverage hereinafter described, provided he selects such coverage within 1 year after December 1, 1956 or after the effective date of membership, whichever date is later, or makes an election pursuant to subsection b of this section.

b. Each member who, on the effective date of this amendatory act, shall not have elected such additional death benefit coverage or who had elected coverage, but for whom there is not in effect such additional death benefit coverage shall also be eligible to elect such additional death benefit coverage, provided he furnishes satisfactory evidence of insurability and on the date of such election is actively at work and performing all his regular duties at his customary place of employment. Applications under this subsection shall be filed within 1 year following the effective date of this amendatory act.

c. Each person becoming a member on or after the effective date of this amendatory act who on the date he becomes a member is less than 60 years of age shall automatically be covered for such additional death benefit coverage from the first day of his membership on which he is actively at work and performing all his regular duties at his customary place of employment. Such automatic coverage shall continue during the member's first year of membership and during such year he shall make contributions as fixed by the board of trustees. Additional death benefit coverage for such member shall continue in effect after the first year of membership on the continuance of payment of the required contributions therefor.

d. Each person becoming a member on or after the effective date of this amendatory act who on

the date he becomes a member is 60 or more years of age may, within 1 year from the date of membership, elect to purchase such additional death benefit coverage, provided that the member furnishes satisfactory evidence of insurability and on the date of such election is actively at work and performing all his regular duties at his customary place of employment.

e. Notwithstanding other provisions of this section relating to the amount of death benefit any member who has acquired or shall acquire additional death benefit coverage, the death benefit payable in the event of death occurring on or after the effective date of this amendatory act and during the first year of membership shall be based upon the member's annual base salary. The effective date of coverage of any person electing to purchase additional death benefit coverage, pursuant to the provisions of subsections "a," "b" and "d" of this section shall be the first day of the month immediately following the date of such election unless evidence of insurability is required as a condition of such election in which event the effective date of coverage shall be the first day of the month which immediately follows the later of (a) the date of such election and (b) the date such evidence is determined to be satisfactory.

f. The board of trustees shall establish schedules of contributions to be made by the members who elect to purchase the additional death benefit coverage. Such contributions shall be so computed that the contributions made by or on behalf of all covered members in the aggregate shall be sufficient to provide for the cost of the benefits established by this section. Such schedules of contributions shall be subject to adjustment from time to time, by the board of trustees, as the need may appear.

g. Upon the receipt of proper proofs of the death in service of any such member while covered for the additional death benefit coverage there shall be paid to such person, if living, as the member shall have nominated by written designation duly exe-

cuted and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount equal to $1\frac{1}{2}$ times the compensation received by the member in the last year of creditable service or some lesser amount as may be provided by the board of trustees and elected to purchase by the member; provided, however, that if such death in service shall occur on or after July 1, 1956, and after the member has attained age 70, the amount payable shall equal $\frac{3}{16}$ of the compensation received by the member in the last year of creditable service.

h. The contributions of a member for the additional death benefit coverage shall be deducted from his compensation, but if there is no compensation from which such contributions may be deducted it shall be the obligation of the member to make such contributions directly to the board of trustees or as directed by the board; provided, however, that no contributions shall be required after June 30, 1956, while a member remains in service after attaining age 70, but that his employer shall be required to pay into the fund on his behalf in such case an amount equal to the contribution otherwise required by the board of trustees in accordance with this section.

i. Any other provision of this act notwithstanding, the contributions of a member for the additional death benefit coverage under this section shall not be returnable to the member or his beneficiary in any manner, or for any reason whatsoever, nor shall any contributions made for the additional death benefit coverage be included in any annuity payable to any such member or to his beneficiary.

j. A member who has elected to purchase the additional death benefit coverage provided by this section may file with the board of trustees, and alter from time to time during his lifetime, as desired, a duly attested, written, new nomination of the payee of the death benefit provided under this section. Such member may also file and alter from

time to time during his lifetime, as desired, a request with the board of trustees directing payment of said benefit in one sum or in equal annual installments over a period of years or as a life annuity. Upon the death of such member, a beneficiary to whom a benefit is payable in one sum may elect to receive the amount payable in equal annual installments over a period of years or as a life annuity.

k. All other provisions of this section notwithstanding, this section and the benefits provided under this section shall not come into effect until a required percentage of the members shall have applied for the additional death benefit coverage under this section. This required percentage shall be fixed by the board of trustees. Any such percentage may be made applicable to male members only or to other groupings as determined by the board of trustees of the Public Employees' Retirement System. Applications for such additional death benefit coverage shall be submitted to the secretary of the board of trustees in such manner and upon such forms as the board of trustees shall provide.

2. Section 4 of chapter 257 of the laws of 1955 is amended to read as follows:

Section
amended.

4. Subject to the provisions of section 59 of the act to which this act is a supplement, upon service retirement as a law enforcement officer a member shall receive a service retirement allowance consisting of:

C. 43:15A-100.
Service
retirement
allowance.

a. An annuity which shall be the actuarial equivalent of his accumulated deductions together with regular interest at the time of his retirement; and

b. A pension which, when added to the annuity, will produce a retirement allowance equal to 2% of his final compensation multiplied by his number of years of service credit as a law enforcement officer for which he has made contributions up to 25, plus $1\frac{2}{3}\%$ of his final compensation multiplied by his number of years of service credit other than service as a law enforcement officer, for which he has made contributions, plus 1% of his final com-

pensation multiplied by his number of years of service credit as a law enforcement officer for which he has made contributions over 25 or for which he has made no contributions to the retirement system for the period while he was a law enforcement officer or, in the case of a veteran, while he was in office, position or employment of this State, or of any county, municipality or school district; provided, however, that in the case of any member electing to receive benefits under section 38(b) of the act to which this act is a supplement, such benefits shall be payable at age 60.

The death benefit provided in section 48(d) of the act to which this act is a supplement shall apply in the case of any member retiring under the provisions of this section.

Section
amended.

3. Section 1 of chapter 261 of the laws of 1955 is amended to read as follows:

C. 43:15A-108.
Official leave
of absence
without pay
due to illness;
not due to
illness;
contributions.

1. a. For the purpose of section 41(c) and section 57 of chapter 84 of the public laws of 1954, a member of the Public Employees' Retirement System shall be deemed to be in service for a period of no more than 2 years while on official leave of absence without pay; provided, that satisfactory evidence is presented to the board that such leave of absence without pay is due to illness.

b. For the purposes of section 41(c) and section 57 of chapter 84 of the public laws of 1954, a member of the Public Employees' Retirement System shall be deemed to be in service for a period of no more than 93 days while on official leave of absence without pay when such leave of absence is due to any reason other than illness.

c. In order for a member of the Public Employees' Retirement System to be covered hereunder for the optional death benefits provided by section 57 of chapter 84 of the public laws of 1954, he shall continue to make contributions for same during the period such member is on official leave of absence without pay, except that when such official leave of absence without pay is due to illness, no contribution shall be required of the member during the

period he is deemed to be in service while on such leave of absence.

4. Section 2 of chapter 261 of the laws of 1955 is hereby repealed. C. 43:15A-109
Repealed.

5. This act shall take effect immediately.

Approved July 1, 1963.

CHAPTER 122

AN ACT concerning municipal courts and amending section 2A:8-33 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 2A:8-33 of the New Jersey Statutes is amended to read as follows: Section
amended.

2A:8-33. The costs and fees charged against defendants in criminal causes, when collected, shall become municipal funds and shall be turned over to the custodian or custodians of the funds of the municipality or municipalities wherein the municipal court is located. The amount of any such fees and costs shall be as provided in Title 22A, Fees and Costs, of the New Jersey Statutes. The fines and penalties imposed by any municipal court and moneys received as forfeitures of bail in causes within the jurisdiction of the municipal court, shall be turned over to the custodian or custodians of the funds of the municipality or municipalities, unless otherwise provided by law. Costs, fees,
fines and
forfeitures in
bail causes;
disposition.

In the case of any intermunicipal court, the said costs, fees and forfeitures of bail shall be apportioned to the several municipalities to which the court's jurisdiction extends, according to the ratio of the said municipalities' contributions to the total expense of maintaining such court.

2. This act shall take effect immediately.

Approved July 1, 1963.

CHAPTER 123

AN ACT concerning retirement and establishing a Supplemental Annuity Collective Trust in the Department of the Treasury.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 52:18A-107.
Purpose.

1. The purpose of this act is to enable active members of the several State administered retirement systems to make voluntary additional contributions to provide annuities to supplement their retirement allowances provided by such systems.

C. 52:18A-108.
Terms defined.

2. As used in this act:

a. "Fiscal year" means any year commencing on July 1 and ending on June 30 next following.

b. "Participant" means any member of a State administered retirement system, who has elected to make voluntary additional contributions thereunder as hereinafter provided.

c. "State administered retirement system" means any of the following retirement plans: Public Employees' Retirement System of New Jersey established pursuant to c. 84, P. L. 1954; Teachers' Pension and Annuity Fund established pursuant to c. 37, P. L. 1955; Police and Firemen's Retirement System of New Jersey established pursuant to c. 255, P. L. 1944; Consolidated Police and Firemen's Pension Fund established pursuant to c. 358, P. L. 1952; Prison Officers' Pension Fund established pursuant to c. 220, P. L. 1941; and State Police Retirement and Benevolent Fund established pursuant to c. 188, P. L. 1925.

C. 52:18A-109.
Supplementary annuity program; disposition of contributions.

3. Each State administered retirement system shall establish, as a part thereof, a supplementary annuity program under which it will receive voluntary contributions from its members, which shall be in addition to any contributions required of them by that retirement system, for the purpose of providing annuities to supplement their retirement

allowances. Each such State administered retirement system shall, upon receipt of such contributions, place the same in the Supplemental Annuity Collective Trust, hereinafter described.

4. There is hereby established in the Department of the Treasury the Supplemental Annuity Collective Trust of New Jersey, which shall accept amounts received for supplemental annuities from the State administered retirement systems and combine the same for purposes of this act. The Supplemental Annuity Collective Trust hereby established shall consist of a Variable Division and a Fixed Division.

C. 52:18A-110.
Establishes
supplemental
annuity
collective
trust of N. J.;
divisions.

5. In order to facilitate the administration of the supplemental annuity programs of the State administered retirement systems, the State administered retirement systems shall vest the general responsibility for control and management of their supplemental annuity programs in the Supplemental Annuity Collective Trust under the direction of a council consisting of the State Treasurer, who shall be the chairman, the Commissioner of the Department of Banking and Insurance, and the State Budget Director. In the event of a vacancy in one of the above enumerated offices, the official assuming the responsibility of that office shall act as a member of the council.

C. 52:18A-111.
Control and
management
of programs;
officers;
council;
rules and
regulations;
report.

The Director of the Division of Pensions shall be the secretary of the council. The administration of the programs shall be performed by the personnel of the Division of Pensions and the costs of administration shall be borne by the State.

The Attorney General shall be the legal advisor of the council.

The council shall retain the services of an actuary. The actuary shall make an actuarial review of the Supplemental Annuity Collective Trust at least once in every 3-year period and at such other times as the council, in its discretion, shall deem advisable.

The council shall promulgate such rules and regulations, not inconsistent with the provisions of this

act, as it shall deem necessary for the effective operation of the trust.

The council shall publish annually a report of its operations and the financial condition of the Supplemental Annuity Collective Trust. It shall also give each participant who has not commenced to receive annuity payments an annual statement of his account.

The council shall not commingle the assets of the Variable Division and the assets of the Fixed Division.

The records of the Supplemental Annuity Collective Trust shall be subject to audit by the State Auditor and to examination by the State Department of Banking and Insurance.

C. 52:18A-112.
Application
to become a
participant.

6. A member of a State administered retirement system may become a participant by filing an application for enrollment in either the Variable Division or the Fixed Division, or both, in accordance with rules and regulations established by the council.

C. 52:18A-113.
Contributions;
rate;
limitation.

7. Contributions shall be made by a participant through payroll deductions of integral dollar amounts not in excess of 5% of the participant's salary. Participants who are making contributions through payroll deductions may also make lump-sum contributions by direct payments in integral dollar amounts of not less than \$50.00, provided, however, that the total contributions for any 1 year may not exceed 10% of the participant's annual salary.

Contributions by a participant shall cease upon retirement, death, or upon termination of membership in a State administered retirement system.

C. 52:18A-114.
Investment
of assets.

8. The assets of the Variable Division and the Fixed Division may be invested through the same agency as other State funds are invested; provided, however, that the council is hereby authorized to use other funding media, including group annuity contracts containing such provisions as the council determines to comply substantially with the applicable statutory requirements, which are made avail-

able by life insurance companies authorized to issue such contracts in this State and having assets in excess of \$1,000,000,000.00.

9. The assets of the Variable Division shall be invested and reinvested principally in common stocks and securities which are convertible into common stocks. Such common stocks and securities shall be restricted to those listed on a securities exchange in the United States.

C. 52:18A-115.
Investment
of assets of
variable
division.

10. The Variable Division shall consist of the following accounts:

C. 52:18A-116.
Variable
division
accounts.

a. The Variable Accumulation Account shall be the account to which the contributions of participants in the Variable Division are credited. An individual account shall be maintained in the Variable Accumulation Account for each participant in the Variable Division.

b. The Variable Benefit Account shall be the account from which variable benefits are paid. Upon retirement of a participant in the Variable Division, his account in the Variable Accumulation Account shall be transferred to the Variable Benefit Account.

c. The Variable Reserve Account shall be the account to which all investment earnings or losses of the Variable Division shall be credited or charged. Such investment earnings or losses shall be determined at least quarter-annually in accordance with accepted accounting practices and shall reflect appreciation and depreciation in the market value of investments. Mortality adjustments of the Variable Benefit Account, determined in accordance with rules and regulations adopted by the council with the advice of the actuary, shall be charged or credited to this Variable Reserve Account. The balance in this account shall then be distributed to the Variable Benefit Account and to the individual accounts in the Variable Accumulation Account in accordance with rules and regulations of the council.

11. Upon retirement under a State administered retirement system, a participant in the Variable Division shall receive a variable benefit under which

C. 52:18A-117.
Participant
to receive
variable
benefit upon
retirement.

the amount of the initial payment is determined by (1) appropriate actuarial factors as adopted from time to time by the council with the advice of the actuary, and by (2) the value of his account as of the close of the calendar month in which the retirement becomes effective; and the amount of each subsequent payment shall be determined so as to reflect the amounts distributed to the Variable Benefit Account in accordance with the provisions of section 10, pursuant to rules and regulations adopted by the council. The benefit payable to a retired participant shall be in the form of a life annuity, unless the participant requests, upon written application filed with the council prior to retirement, that the value of such benefit be paid as a single cash payment or under such other optional method of settlement as the council may establish by rules and regulations on the advice of the actuary. In the event the value of a participant's account at retirement results in an annuity with initial monthly payments of less than \$10.00, the benefit shall be paid in a single cash payment.

C. 52:18A-118.
Investment of
assets of fixed
division.

12. The assets of the Fixed Division shall be invested and reinvested principally in fixed income securities which are legal investments for life insurance companies organized under the laws of this State.

C. 52:18A-119.
Fixed division
accounts.

13. The Fixed Division shall consist of the following accounts:

a. The Fixed Accumulation Account shall be the account to which contributions of participants in the Fixed Division are credited. An individual account shall be maintained in the Fixed Accumulation Account for each participant in the Fixed Division.

b. The Fixed Benefit Account shall be the account from which fixed benefits are paid. Upon retirement of a participant in the Fixed Division, his account in the Fixed Accumulation Account shall be transferred to the Fixed Benefit Account.

c. The Fixed Reserve Account shall be the count to which all investment earnings or losses of

the Fixed Division shall be credited or charged. Such investment earnings or losses shall be determined as of the end of each fiscal year in accordance with accepted accounting practices. Interest bearing investments shall be valued so that the yield to maturity will remain uniform. Earnings shall include profits or losses on the sale of investments, but no adjustment in the book value of investments shall be made by reason of fluctuations in current market prices. Mortality adjustments of the Fixed Benefit Account, determined in accordance with rules and regulations adopted by the council with the advice of the actuary, shall be charged or credited to this Fixed Reserve Account. This account shall also be charged with the amount of interest required to be credited to the Fixed Benefit Account and with the interest to be credited to the individual accounts in the Fixed Accumulation Account. The interest to be credited to the individual accounts in the Fixed Accumulation Account shall be at rates established by the council from time to time and shall be credited on the basis of balances in such accounts at the beginning of the fiscal year.

14. Upon retirement under a State administered retirement system, a participant in the Fixed Division shall receive a fixed benefit under which the initial payment is determined by (1) appropriate actuarial factors, as adopted from time to time by the council with the advice of the actuary, and by (2) the value of his account as of the close of the calendar month in which the retirement becomes effective; and each subsequent payment shall be in the same amount, for the term of the benefit. The benefit payable to a retired participant shall be in the form of a life annuity, unless the participant requests, upon written application filed with the council prior to retirement, that the value of such benefit be paid as a single cash payment or under such other optional method of settlement as the council may establish by rules and regulations on the advice of the actuary. In the event the value of a participant's account at retirement results in

C. 52:18A-120.
Participant to
receive fixed
benefit upon
retirement.

an annuity with initial monthly payments of less than \$10.00, the benefit shall be paid in a single cash payment.

C. 52:18A-121.
Single cash
payment.

15. Any participant who ceases to be a member of a State administered retirement system and who does not qualify and apply for benefits under another provision of this act shall be paid a single cash payment. The amount of such payment shall be an amount equal to the value of his account as of the last day of the calendar month in which he ceases to be a member of a State administered retirement system.

C. 52:18A-122.
Payment to
beneficiary
upon death of
participant.

16. In the event of the death of a participant prior to retirement, an amount equal to the value of his account as of the last day of the month in which the death occurs shall be paid to the designated beneficiary in a single cash payment or in the event that no beneficiary was designated or if the designated beneficiary predeceased the participant such amount shall be paid to the estate of the participant. If, however, the designated beneficiary is a natural person, he may elect to receive, in lieu of a single cash payment, the actuarial equivalent thereof, under any method of settlement which would have been available to the participants pursuant to the provisions of sections 11 or 14 of this act.

C. 52:18A-123.
Termination
of inactive
accounts.

17. The council may terminate any inactive account in either division if the value of such account is less than \$100.00 and, in such event, shall refund the value of the account in a single cash payment.

C. 52:18A-124.
Act to be
inoperative.

18. All other provisions of this act notwithstanding, neither division shall become operative until the required number of participants shall have filed applications. The required number of participants shall be established by the council. Any such number may be made applicable to either the Variable Division or the Fixed Division separately or may be made applicable to both divisions combined.

19. This act shall take effect immediately.

Approved July 1, 1963.

CHAPTER 124

AN ACT concerning corporations and amending sections 14:6-2, 14:15-5, and 14:16-1 of the Revised Statutes and repealing section 14:4-6 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 14:6-2 of the Revised Statutes is amended to read as follows:

Section amended.

14:6-2. Every domestic and every foreign corporation doing business in this State shall file in the office of the Secretary of State, within 30 days after the first election of directors and officers, or within 60 days, whichever comes first, after date of incorporation or registering to do business, and annually thereafter, within 30 days after the time appointed for holding the annual election of directors and officers or the anniversary date of filing in previous year, whichever comes first, a report authenticated by the signatures of the president and one other officer, or by any 2 directors, stating:

Annual reports to Secretary of State; contents; penalty for failure to file; blanks to be furnished.

- a. The name of the corporation;
- b. The name of the municipality, street and number, if number there be, of its registered office in this State, and the name of the agent upon whom process against the corporation may be served;
- c. The character of its business;
- d. The amount of its authorized capital stock, if any, and the amount actually issued and outstanding;
- e. The names and addresses of the directors and officers of the company and when the term of office of each expires;
- f. The date appointed for the next annual meeting of the stockholders for the election of directors; and
- g. Whether the name of the corporation has been at all times displayed at the entrance of its regis-

tered office, and whether such corporation has kept at this office, open at all times to the examination of the stockholders as required by law, a transfer book in which the transfers of stock are made, and a stock book containing the names and addresses of the stockholders and the number of shares held by each. This paragraph shall not apply to foreign corporations or to railroad or canal corporations, and no part of this section shall apply to corporations under the supervision of the Department of Banking and Insurance.

If the report is not so made and filed the corporation shall forfeit to the State \$200.00, to be recovered with costs in a civil action, to be prosecuted by the Attorney General, who shall prosecute such actions whenever it shall appear that this section has been violated. All of the directors of any such domestic corporation who shall willfully refuse to comply with the provisions hereof, and who shall be in office during the default, shall at the time appointed for the next election and for a period of 1 year thereafter, be ineligible for election or appointment to any office in the corporation as directors or otherwise. No director shall be so disqualified for failure to make and file the report if he shall file with the Secretary of State, before the time appointed for holding the next election of directors after such default, a verified certificate stating that he has endeavored to have such report made and filed, but that the officers have neglected to make and file the same, and reporting the items required to be stated in the annual report so far as they are within his knowledge, information and belief.

The Secretary of State shall furnish blanks in proper form upon application, shall keep in his office all such reports and shall prepare an alphabetical index thereof, which reports and index shall be open to public inspection at proper hours.

Section
amended.

2. Section 14:15-5 of the Revised Statutes is amended to read as follows:

Powers and
obligations
imposed on
foreign
corporations.

14:15-5. Powers of and Obligations Imposed on Foreign Corporations.

A foreign corporation which shall have received a certificate of authority under this chapter shall, until revocation of its certificate of authority or until a certificate of withdrawal shall have been issued as provided in this chapter, enjoy the same, but no greater rights and privileges than a domestic corporation organized for the purposes set forth in the statement pursuant to which such certificate of authority is issued; and, except as in this Title otherwise provided, shall be subject to the same duties, restrictions, penalties and liabilities now or hereafter imposed upon a domestic corporation of like character.

3. Section 14:16-1 of the Revised Statutes is amended to read as follows: Section amended.

14:16-1. On filing any certificate or other papers relative to corporations in the office of the Secretary of State, there shall be paid to the Secretary of State for the use of the State, fees and taxes as follows: Fees of Secretary of State.

Certificate of incorporation, for each \$1,000.00 of the total amount of the capital stock authorized, but in no case less than \$25.00, \$0.20.

Increase of capital stock, for each \$1,000.00 of the total increase authorized, but in no case less than \$20.00, \$0.20.

Consolidation and merger of corporations, for each \$1,000.00 of capital beyond the total authorized capital of the corporations merged or consolidated, but in no case less than \$20.00, \$0.20.

Extension or renewal of corporate existence, for each \$1,000.00 of capital authorized at the time of filing such certificate of extension of corporate existence, but allowing a credit for the fees paid upon filing the original certificate of incorporation of the corporation and upon all increases of capital stock subsequent thereto, but in no case less than \$25.00, \$0.20.

Dissolution of corporation, change of name, change of nature of business, amended certificate of incorporation, decrease of capital stock, increase or decrease of par value or number of shares, \$20.00.

Except as provided in section 14:2-5 of this Title, where several amendments are contained in one certificate, for each amendment, \$20.00.

Annual Report: List of officers and directors, \$10.00.

Copy of charter and statement of foreign corporation and issuing certificate of authority to transact business, \$125.00.

Certificate of change of principal office, \$2.00 filing and \$2.00 recording.

Certificate of change of agent, \$2.00 filing and \$2.00 recording.

All certificates filed, but not hereby provided for, \$2.00.

Section
repealed.

4. Section 14:4-6 of the Revised Statutes is repealed.

5. This act shall take effect immediately.

Approved July 1, 1963.

CHAPTER 125

AN ACT to amend the "Absentee Voting Law (1953)," approved July 1, 1953 (P. L. 1953, c. 211).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 11 of the act of which this act is amendatory is amended to read as follows:

C. 19:57-11.
Forwarding
of ballots by
mail to voters.

11. Each county clerk shall forward a military service ballot or a civilian absentee ballot, as the case may be, for use under this act by first-class mail to each military service voter who applies therefor or on whose behalf application is made therefor, and to each civilian absentee voter whose request therefor has been approved, and to whom

a ballot has not been delivered by said clerk or his deputy in person, addressed to the absentee voter at the forwarding address given in the application or request, and all ballots to be forwarded to persons at an address located within the limits of the States of Alaska and Hawaii or anywhere else without the limits of the other 48 States and the District of Columbia shall be forwarded by air mail.

Such ballots shall be so forwarded as soon as practicable after the twenty-fifth day preceding the day upon which any election is to be held.

2. This act shall take effect immediately.

Approved July 3, 1963.

CHAPTER 126

AN ACT concerning highways and authorizing certain agreements between the State Highway Commissioner and municipal housing authorities or redevelopment agencies.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. In addition to the powers now vested in the State Highway Commissioner for the acquisition of lands by virtue of any statute, he shall have power to enter into a co-operative agreement with any municipal housing authority or redevelopment agency relating to the acquisition and clearance, and the equitable sharing of the costs of such acquisition and clearance, of property deemed necessary for the effectuation of any of the purposes of this act which lies within the municipality in which such authority or agency was created and within or immediately adjacent to a blighted or urban redevelopment area, as defined in the Local Housing Authorities Law being chapter 14A of Title 55

C. 27:5D-1.
Commissioner
empowered
to enter into
co-operative
agreements;
provisions.

added to the Revised Statutes by P. L. 1938, c. 19 or in the Redevelopment Agencies Law, P. L. 1949, c. 306, C. 40:55C-1 etc. When the acquisition of such property as is deemed necessary for highway purposes would result in consequential damages to the owners remaining property and all or a portion of such remaining property lies within a blighted or urban redevelopment area in a municipality, the commissioner may acquire such remaining property and transfer the same to the municipal housing authority or redevelopment agency upon payment by the municipality to the State, pursuant to the terms of a co-operative agreement as herein authorized, of an equitable share of the cost of the acquisition of such property and the clearance thereof where such clearance is deemed necessary or appropriate by the commissioner. Such co-operative agreements may also provide for the acquisition and clearance of such property, necessary for highway purposes, by the municipal housing authority or redevelopment agency and the transfer thereof to the State upon payment by the State to the municipality of an equitable share of the cost of such acquisition, and clearance, if any.

C. 27:5D-2.
Municipal
housing
authority or
redevelopment
agency
empowered to
enter into
co-operative
agreements.

2. Any municipal housing authority or redevelopment agency of the State, notwithstanding any contrary provision of law, is hereby authorized and empowered to enter into any such co-operative agreement and grant and convey real estate to the State to effectuate the purposes of this act and without the necessity for any advertisement, order of court, or other action or formality, other than the authorizing resolution of the governing body of the municipal housing authority or redevelopment agency concerned, provided however, that no such co-operation agreement shall take effect until and unless the same is approved by resolution of the municipality in which the lands affected are located.

3. This act shall take effect immediately.

Approved July 3, 1963.

CHAPTER 127

AN ACT concerning municipalities in relation to
burying grounds, in certain cases.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Whenever a municipality owns lands which have been used for the burial of indigents but have not been used for such purposes for 20 or more years, the governing body of the municipality may, by resolution, determine that it is for the best interests of the municipality to cause the removal and reinterment of the bodies interred therein to a more suitable place. In the event of any such determination, the governing body of the municipality may, by resolution, provide for the disinterment and reinterment of the said bodies and after the removal of the said bodies if the governing body of the municipality shall, by resolution, determine that the lands from which the bodies have been so removed are not needed for public use may sell the same as in the case of other lands not needed for public use.

C. 40:60-51.8.
Sale of
unused burial
grounds;
procedure.

Prior to the adoption of the resolution a public hearing thereon shall be held before the governing body which shall be noticed by advertisement published once each week for 2 weeks in a newspaper published or circulating in the municipality. The notice shall contain a description of the lands involved and of the action proposed by the resolution.

2. The cost of the removal of the bodies and of the acquisition of the lands wherein the bodies shall be reinterred shall be deemed to be a municipal expense and municipal funds may be appropriated to provide for the payment of the said expense, or the necessary funds may be provided for by requiring the purchaser of said lands to assume such expense as a condition of the purchase.

C. 40:60-51.9.
Cost of the
removal
of bodies.

C. 40:60-51.10.
Application
of act.

3. The provisions of this act shall be applicable to sales of such lands heretofore made as well as to those hereafter made and the governing body of the municipality may, by resolution, supplement the previous sale by providing for the removal and reinterment of the bodies at the expense of either the municipality or the purchaser as shall be agreed upon and in any such case after the removal and reinterment has been accomplished the governing body of the municipality, by resolution, may provide for the execution and delivery to the purchaser of an appropriate release of the easement for burial purposes.

4. This act shall take effect immediately.

Approved July 3, 1963.

CHAPTER 128

AN ACT concerning certain motor vehicles and amending sections 39:3-24 and 39:8-1 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 39:3-24 of the Revised Statutes is amended to read as follows:

Farm tractors
and traction
equipment
license;
fee; required
equipment.

39:3-24. (a) The director shall register farm tractors and traction equipment used for farm operation to travel upon the public highways. The fee for such registration shall be \$3.00 per annum, whether the registration is issued for the yearly period or only a portion thereof. Such traction equipment or farm tractors may draw farm machinery and implements while in transit from one farm to another without additional registration therefor.

(b) The director may register motor vehicles, not for hire, used exclusively as farm machinery or farm implements, to travel upon the public highways, from one farm, or portion thereof, to another farm, or portion thereof, both owned or managed by the registered owner of the vehicle or vehicles. The fee for such registration shall be \$1.00 per annum, whether the registration is issued for a yearly period or only a portion thereof. Any vehicle so registered and any truck registered pursuant to the provisions of 39:3-25 of this Title may draw not more than one vehicle used exclusively on the farm and a vehicle so drawn need not be registered.

(c) No vehicle registered pursuant to this section shall be operated on a public highway at any time from sunset to sunrise. Every such vehicle when operated on a public highway shall have means adequate to control the movement of and to stop and hold such vehicle on any up or down grade and shall be operated in accordance with uniform rules and regulations prescribed by the Director of the Division of Motor Vehicles. Such rules and regulations shall specify the coverings that may be used on the wheels of such vehicles, the days, hours and conditions under which such vehicles can be operated, the circumstance under which escort vehicles shall be required, the distance that may be traveled upon the public highways and such vehicle equipment or other requirements or restrictions as may be necessary to protect the safety of the users of the public highways.

2. Section 39:8-1 of the Revised Statutes is amended to read as follows:

39:8-1. The commissioner shall require every motor vehicle registered in this State which is used over the highways of this State, except motorcycles and bicycles with motor attached, vehicles and traction equipment registered pursuant to section 39:3-24 of this Title, and motor vehicles used for the transportation of passengers for hire which are subject to the jurisdiction of the board of public

Section
amended.

Inspection
of registered
vehicles
required;
exceptions;
inspectors;
inspection
stations.

utility commissioners, to have such motor vehicles inspected with respect to mechanism, brakes and equipment by designated inspectors or at official inspection stations to be designated by the commissioner.

3. This act shall take effect immediately.

Approved July 8, 1963.

CHAPTER 129

A SUPPLEMENT to "An act concerning natural gas pipeline utilities and authorizing the Board of Public Utility Commissioners of New Jersey to promulgate reasonable rules, regulations, and orders for the safe construction, operation, and maintenance of pipelines for the transmission of natural gas within and through the State, providing for enforcement of orders, and supplementing Title 48 of the Revised Statutes," approved May 9, 1952 (P. L. 1952, c. 166).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 48:10-10.
Report and
map to be
filed; proof
of filing
in each
municipality;
notice of
objections.

1. At least 30 days prior to the construction or major reconstruction of any gas pipeline intended to be subjected to pressure in excess of 125 pounds per square inch in the State of New Jersey, the natural gas pipeline utility, as defined in the act to which this act is a supplement, involved shall file with the Board of Public Utility Commissioners of New Jersey a report setting forth the specifications for such pipeline and for the information of the Board of Public Utility Commissioners shall also file a map showing the general location of the pro-

posed route thereof together with proof that a notice of the filing of such report and map has been sent to the clerk of each municipality through which such pipeline is to be constructed or reconstructed. If the governing body of any municipality in which such work is proposed to be done has objection to any portion of the plans or specifications it shall, within 10 days of receipt of the notice, notify the natural gas pipeline utility, as defined in the act to which this act is a supplement, of its objections and file a copy thereof with the Board of Public Utility Commissioners.

2. This act shall take effect immediately.

Approved July 8, 1963.

CHAPTER 130

AN ACT concerning education, and supplementing chapter 14 of Title 18 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. In addition to the provision of transportation for children living remote from any schoolhouse, and for mentally retarded and physically handicapped children, the board of education of any school district may provide, by contract or otherwise, in accordance with law and the rules and regulations of the State Board of Education, for the transportation of other children to and from public school.

C. 18:14-8.1.
Transportation
school
children; cost
not included
as part of
State aid.

The cost of transporting children pursuant to this act shall not be included in calculating the amount of State aid for transportation of pupils.

2. This act shall take effect immediately.

Approved July 8, 1963.

CHAPTER 131

AN Act to amend the "Amusement Games Licensing Law," approved June 16, 1959 (P. L. 1959, c. 109).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

C. 5:8-102.
Application
for license;
contents;
license
inoperative;
issuance; fee.

1. Section 3 of the act of which this act is amendatory is amended to read as follows:

3. Each applicant for such a license shall file with the clerk of the municipality a written application therefor in the form prescribed in said rules and regulations, duly executed and verified, in which shall be stated the name and address of the applicant, together with sufficient facts relating to its incorporation and organization if the applicant be a corporation or organization; the specific kind of amusement games intended to be held, operated and conducted by the applicant, and the place or places where, the period, term, date or dates and the time or times when, such amusement games are intended to be conducted by the applicant, under the license applied for; and that no prize or prizes will be offered and given under said license except of merchandise only and same shall be of a value not in excess of the sum or value authorized to be offered and given by this act and such other information as shall be prescribed by such rules and regulations.

Every such municipal license so issued shall be inoperative unless the licensee named therein shall also, within 90 days from the issuance thereof and prior to the conduct or operation of amusement games thereunder, procure a State license authorizing the licensee holding the municipal license to operate and conduct certain games according to the terms of such municipal license. The said State license shall be issued by the State Amusement Games Control Commissioner, if he finds that all of the conditions, terms and requirements of this

act and of said rules and regulations have been fully met and complied with. As a condition of granting any such State license the applicant therefor shall pay to the said commissioner an annual fee of \$100.00. If any such municipal license authorizes the licensee to conduct and operate games at more than one place or of more than one specific kind the applicant for the State license shall pay the said annual fee of \$100.00 for each such place and for each such specific kind.

2. This act shall take effect immediately.

Approved July 8, 1963.

CHAPTER 132

AN ACT concerning certain county vocational school districts and amending sections 18:15-41, 18:15-43, 18:15-51, 18:15-55, 18:15-56 and 18:15-57 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 18:15-41 of the Revised Statutes is amended to read as follows:

18:15-41. (A) County vocational school districts organized after July 1, 1931, shall not include the territory within the school district boundaries of any city having a resident public school enrollment of 15,000 or more, if such city is maintaining a system of vocational education approved for the purposes of Federal or State allotment of vocational funds by the Commissioner of Education under the regulations of the State Board of Education.

(B) Notwithstanding the provisions of paragraph (A) of this section, any county vocational

Section
amended.

Vocational
school
districts;
boundaries;
teachers,
employees,
etc., trans-
ferred.

school district created or organized subsequent to July 1, 1962 in a county of the second class having a population of not less than 375,000 nor more than 425,000 inhabitants, shall include the territory within the boundaries of any city referred to in said paragraph (A) after the date of filing in the office of the State Commissioner of Education of a certified copy of a resolution adopted by the board of chosen freeholders of such county subsequent to the organization of such county vocational school district and of a resolution adopted by the board of education of such city (with the concurrence expressed by resolution of the board of school estimate of such city and of the board or body having charge of the finances of such city), setting forth the finding and determination that it is in the best interests of such county vocational school district and of such city and its school district, that such county vocational school district shall include the territory within the school district boundaries of such city.

(C) The board of education of each county vocational school district and the board of education of each city referred to above in paragraph (B) of this section, are each hereby authorized and empowered to undertake and to enter into agreements of any nature whatsoever necessary, desirable, useful or convenient for and with respect to the assumption, operation, or administration by the county vocational school district of any system of vocational education then being maintained in such city, including, but not limited to, the transfer of principals, teachers, employees, pupils or classes, the purchase, grant, transfer or lease to the county vocational school district of any lands, schools, buildings, furnishings, equipment, apparatus or supplies constituting part of or used in connection with such city system, and the making of or provision for payments, costs or expenses in connection with any of the aforesaid, and copy of any such agreement shall be filed in the office of the State Commissioner of Education.

(D) All principals, teachers and employees of the school district in any city referred to above in paragraph (B) of this section and who are employed in or assigned to the system of vocational education in any such city shall be transferred to and continue their respective employments in the employ of the county vocational school district from and after the date of transfer provided for in any agreement entered into pursuant to paragraph (C) of this section, and their rights to tenure, pension and accumulated leave of absence accorded under the laws of the State shall not be affected by the transfer to the county vocational school district.

2. Section 18:15-43 of the Revised Statutes is amended to read as follows:

18:15-43. (A) The boards of education of schools established under the provisions of section 18:15-40 of this Title, shall receive pupils from other districts so far as their facilities will permit, provided a rate of tuition not exceeding the cost of such education is paid by the sending districts.

(B) The board of education of any county vocational school district referred to in paragraph (B) of section 18:15-41 of this article and the board of education of any other school district within the county thereof are each hereby authorized and empowered to undertake and to enter into agreements with respect to the attendance at schools of the county vocational school district, of residents or pupils of such other school district who are students attending the schools of the county vocational school district and as to the payments to be made or the rate of tuition to be charged on account of such students. The payment or rate of tuition per student shall be 50% of the pro rata annual cost of the operation and maintenance of the county vocational school district remaining after deduction from such cost of all amounts of aid received by the county vocational school district or the county thereof on account of such district or credited thereto from the State of New Jersey or the United States of America or agencies thereof, but exclud-

Section amended.

Receiving pupils from other districts; agreements for attendance at vocational schools; payment of tuition.

ing from such cost any amounts on account of required payments of interest on or principal of bonds or notes of the county issued for the purposes of such district. The annual aggregate amount of all of such payments or tuition may be anticipated by the board of education of the county vocational school district and by the board of chosen freeholders of the county with respect to the annual budget of the county vocational school district. The amounts of all annual payments or tuition to be paid by any such other school district shall be raised in each year in the annual budget of such other school district and paid to the county vocational school district.

Section
amended.

3. Section 18:15-51 of the Revised Statutes is amended to read as follows:

Powers of
board.

18:15-51. The board of education of a county vocational school district may:

a. Purchase, sell, and improve school grounds, erect, purchase, lease, enlarge, improve, and repair school buildings, including any building or buildings for school purposes owned by any municipality or school district in such county, with or without furnishings and equipment, and purchase school furniture and other necessary equipment;

b. Take and condemn land and other property for school purposes in the manner provided by law regulating the ascertainment and payment of compensation for property condemned and taken for public use. If either party shall feel aggrieved by any proceedings and award thereunder, he may appeal in the manner provided by law for appeals from such proceedings and award;

c. Insure school buildings, furniture, and other school property, and receive, lease, and hold in trust any and all real and personal property for the benefit of the school district;

d. Employ and dismiss principals, teachers, janitors, mechanics, and laborers; fix, alter, and order paid their salaries and compensation, and prescribe the course of study to be pursued;

e. Appoint a treasurer, who shall not be a member of the board of education and fix his salary and

term of office. The treasurer shall give bonds in such amounts and with such securities as the board shall determine;

f. Make, amend, and repeal rules, regulations, and by-laws not inconsistent with this Title, or with the rules and regulations of the State board, for its own government, for the transaction of business, and for the government and management of the school and school property under its control;

g. Suspend and expel pupils from school;

h. Provide textbooks and other necessary supplies and apparatus;

i. Adopt an official seal by which all its official acts may be authenticated;

j. Make an annual report to the commissioner on or before August 1 in the manner and form prescribed by him;

k. Appoint a secretary and fix his salary and term of office; and

l. Borrow by temporary loan such sum as may be necessary to meet the current expenses of such school district, not exceeding 80% of the anticipated receipts of money which may be distributed to such county for the purpose of carrying out the provisions of this article. Such temporary obligation, if any, shall be paid first out of the moneys received under this article.

4. Section 18:15-55 of the Revised Statutes is amended to read as follows:

Section
amended.

18:15-55. On or before February 1 in each year the board of education of a county vocational school district shall prepare and deliver to each member of the board of school estimate an itemized statement of the amount of money estimated to be necessary for the current expenses of and for repairing and furnishing schools or buildings of the county vocational school district for the ensuing school year.

Annual
estimate of
expenses.

5. Section 18:15-56 of the Revised Statutes is amended to read as follows:

Section
amended.
Determination,
certification
and appropriation
of amount
necessary;
basis of
apportionment
in second
class counties.

18:15-56. (A) Between February 1 and February 15 in each year the board of school estimate shall fix and determine the amount of money neces-

sary to be appropriated for the use of the county vocational school district for the ensuing school year exclusive of the amount to be received from the State as provided in section 18:15-58 of this Title.

(B) The board of school estimate shall, on or before the last named date, make 2 certificates of the amount, signed by at least 3 of its members, one of which certificates shall be delivered to the board of education of the county vocational school district and the other to the board of chosen freeholders of the county.

(C) The board of chosen freeholders shall, upon receipt of the certificate, appropriate, in the same manner as other appropriations are made by it, the amount so certified, and the amount shall be assessed, levied, and collected in the same manner as moneys appropriated for other purposes in the county are assessed, levied, and collected, unless such amount is to be raised as otherwise hereinafter provided in this section.

(D) The board of chosen freeholders of any county of the second class having a population of not less than 375,000 nor more than 425,000 inhabitants and which has created a county vocational school district subsequent to July 1, 1962, may provide that the amounts (other than amounts to be raised for interest and redemption of bonds or notes issued by the county for purposes of such county vocational school district) to be raised for annual or special appropriations for such county vocational school district are to be apportioned on the basis of (1) the apportionment valuations, as defined in section 54:4-49 of the Revised Statutes, of the municipalities in such county, or (2) the average daily enrollment of pupils from municipalities within such county during the preceding school year, or (3) any combination or percentage of either of the aforesaid, as shall be determined by said board of chosen freeholders prior to October 1 for and with respect to the school year commencing on July 1 next succeeding said date. Determination

as to any basis as aforesaid shall be made by resolution of such board of chosen freeholders, if such board, after consideration of the vocational school needs of such county and of the municipalities therein and of the costs and expenses of such county vocational school district and of the financial resources and abilities of such county and of the municipalities therein, shall find that such basis is in the best interests of the county and of such county vocational school district and the municipalities therein. Any basis so established shall continue without change for a period of 5 school years, unless prior to the end of such period the State Commissioner of Education, upon the request of the board of chosen freeholders or the board of education of the county vocational school district, shall determine that some other or different basis, as herein permitted or provided for, shall be in the best interests of such county, such county vocational school district and the municipalities therein, and is a basis which could have been established by the board of chosen freeholders of such county. Until any other basis shall have been established, the basis referred to in clause (1) above shall be applicable to such county vocational school district. Where average daily enrollment of the preceding school year is to be used as the whole or any part of a basis for apportionment of amounts to be raised for annual or special appropriations, the State Commissioner of Education shall certify to the county vocational school district and to the county board of taxation, from the latest official statistics then available or estimates thereof, the average daily enrollment to be used until such time as actual average daily enrollment statistics shall be available and certified by the State Commissioner of Education as aforesaid. No amount to be raised for annual or special appropriations for the county vocational school district shall be appropriated as in this paragraph provided except with the concurrence and consent of the board of chosen freeholders if the basis for raising such annual or

special appropriations of the county vocational school district shall require that more than 50% of such basis shall be apportionment valuations as referred to in clause (1) above.

Section amended.

6. Section 18:15-57 of the Revised Statutes is amended to read as follows:

Raising money for land, buildings and other school purposes; bond issues; disposition of proceeds.

18:15-57. Whenever a board of education of a county vocational school district shall decide that it is necessary to raise money for the purchase of lands or buildings for school purposes, or for erecting, enlarging, improving, repairing, or furnishing a building or buildings for the use of the school district, it shall prepare and deliver to each member of the board of school estimate a statement of the amount of money estimated to be necessary for such purpose or purposes.

The board of school estimate shall fix and determine the necessary amount and shall make 2 certificates thereof, one of which certificates shall be delivered to the board of education and the other of which to the board of chosen freeholders of the county in which the school district is situated.

The board of chosen freeholders may appropriate such amount as other appropriations are made by it, and the amount shall be raised, assessed, levied, and collected at the same time and in the same manner as moneys appropriated for other purposes in the county are raised, assessed, levied, and collected; or the board of chosen freeholders may appropriate and borrow such amount for the purpose or purposes aforesaid by issuance of bonds or notes of the county pursuant to the Local Bond Law, notwithstanding any debt or limitation or requirement for down payment therein provided for. The proceeds of the sale of such obligations shall be paid to the treasurer of the county vocational school district and shall be paid out by him only on the warrants or orders of the board of education of the school district. The treasurer shall in no event disburse such proceeds, except to pay the expenses of issuing and selling such obligations and for the purpose or purposes for which such obli-

gations were issued. If for any reason any part of such proceeds are not applied to or necessary for such purpose or purposes, the board of education of the county vocational school district may transfer the balance remaining unapplied to the capital outlay account of the school district.

7. This act shall take effect immediately.

Approved July 10, 1962.

CHAPTER 133

AN ACT relating to the recovery by attorneys and counsellors of their fees, charges and disbursements from their clients, and amending section 2A:13-6 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 2A:13-6 of the New Jersey Statutes is amended to read as follows:

Section
amended.

2A:13-6. Every attorney and counsellor may commence and maintain an action for the recovery of reasonable fees, charges or disbursements against his client or his legal representative, provided he shall have first delivered to the client or his legal representative or left for him at his dwelling house or usual place of abode with some competent member of his family of the age of 14 years or over then residing therein, a copy of his bill of fees, charges and disbursements or shall forward a copy of same, by certified or registered mail, in a sealed envelope with proper postage prepaid and return receipt requested, to the client or his legal representative at his last known address.

Recovery of
fees, charges
and dis-
bursements.

2. This act shall take effect immediately.

Approved July 22, 1963.

CHAPTER 134

AN ACT concerning the guaranty or indemnity by the Sisters of Charity of Saint Elizabeth of the payment of indebtedness heretofore or hereinafter incurred by corporations incorporated by members of said Sisters of Charity of Saint Elizabeth and the ratification of such guarantees heretofore made and amending "An act to incorporate the Sisters of Charity of Saint Elizabeth," approved March 11, 1873 (P. L. 1873, c. 183).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 4 of the act of which this act is amendatory is amended to read as follows:

May have
and hold
real and
personal
estate;
guaranty for
payment of
indebtedness.

4. And be it enacted, that the said corporation may receive by gift or devise, and may hold and purchase real and personal estate for their use and benefit, and may unconditionally guarantee or give indemnification for the payment, in accordance with the terms thereof, of the principal of and interest on any indebtedness heretofore or hereafter incurred by any other corporation, domestic or foreign, which was heretofore or which hereafter shall have been caused to be incorporated by members of the Sisters of Charity of Saint Elizabeth for the purpose of maintaining a hospital, college, academy or other educational or non-educational institution within or without the State or by any other corporation to which said Sisters of Charity of Saint Elizabeth shall furnish or supply its members for the management or operation of any hospital, college, academy or other educational or non-educational institution owned by such other corporation, and said Sisters of Charity of Saint Elizabeth may also ratify and confirm any such

guaranty or indemnification heretofore made by it. Any such guaranty or indemnification or any such ratification and confirmation may be made with or without consideration and shall be upon such terms and evidenced in such manner as may be determined by resolution of the Board of Trustees of said Sisters of Charity of Saint Elizabeth.

2. This act shall take effect immediately.

Approved July 22, 1963.

CHAPTER 135

AN ACT to amend "An act to provide for exemption from taxation in certain cases, and supplementing chapter 4 of Title 54 of the Revised Statutes," approved July 18, 1955 (P. L. 1955, c. 148).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

1. The dwelling house and the lot or curtilage whereon the same is erected, together with the accessory buildings located on the same premises, belonging to any religious association or corporation actually occupied as a residence by a clergyman of such association or corporation who is a district superintendent of such religious association or corporation who is acting as such, shall be exempt from taxation on proper claim made therefor to an amount not exceeding \$25,000.00.

2. This act shall take effect immediately.

Approved July 24, 1963.

Section
amended.

C. 54:4-3.35.
Exempt from
taxation;
limitation.

CHAPTER 136

AN ACT authorizing boards of education to accept gifts for higher education scholarship awards, providing for the management of property so received and supplementing chapter 5 of Title 18 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 18:5-109.
Acceptance of
gifts for
higher
education
scholarship
awards;
management.

1. Any board of education may accept, receive, add to and hold in trust real or personal property, heretofore or hereafter acquired by inter vivos or testamentary gift, for the purpose of awarding scholarships to students for higher education in colleges, universities and graduate schools, whether located within or without this State, upon such terms and conditions, not inconsistent with this act, as may be imposed by the donor of said property. The board shall, by resolution, provide for the acceptance, application, custody and management of property donated to it for higher education scholarship purposes.

2. This act shall take effect immediately.

Approved July 24, 1963.

CHAPTER 137

AN ACT concerning assignments for benefit of creditors and amending section 2A:19-43 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 2A:19-43 of the New Jersey Statutes is amended to read as follows:

2A:19-43. Such commissions shall be made to the assignee or to the personal representatives of a deceased assignee, or to a person who has been removed by the court from his office as assignee for any cause other than his misconduct, on any intermediate or final account, as the court shall consider just, but not in excess of 20% on all sums received by the said assignee, except that this limitation shall be inapplicable where the amount of the estate is less than \$500.00.

Compensation of assignee.

2. This act shall take effect immediately.

Approved July 24, 1963.

CHAPTER 138

AN ACT concerning elections, and amending sections 19:31-2 and 19:32-2 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 19:31-2 of the Revised Statutes is amended to read as follows:

Section amended.

19:31-2. In all counties having a superintendent of elections, the superintendent of elections is hereby constituted the commissioner of registration and in all other counties the secretary of the county board is hereby constituted the commissioner of registration.

Commissioner of registration; employees; civil service; expenses; powers and duties.

The commissioner of registration in all counties having a superintendent of elections, and the county board in all other counties, shall have complete charge of the permanent registration of all eligible voters within their respective counties.

The commissioner of registration in counties of the first class having a superintendent of elections and having less than 800,000 inhabitants, and the county board in all other counties, shall have power to appoint temporarily, and the commissioner of

registration in counties of the first class having more than 800,000 inhabitants shall have power to appoint on a permanent, or temporary basis, such number of persons, as in his or its judgment may be necessary in order to carry out the provisions of this Title. All persons appointed by the commissioner of registration in counties of the first class having more than 800,000 inhabitants to serve for terms of more than 6 months in any 1 year shall be in the classified service of the civil service and shall be appointed, and hold their positions, in accordance with the provisions of Title 11, Civil Service. Persons appointed by the commissioner of registration in such counties to serve for terms of 6 months or less in any 1 year and persons appointed by the commissioner of registration, or by the county board of elections, in other counties shall not be subject to any of the provisions of Title 11, Civil Service, but shall be in the unclassified service.

The commissioner of registration in counties having a superintendent of elections, and the county board in all other counties, shall provide such printed forms, blanks, supplies and office telephone and transportation equipment and shall prescribe such reasonable rules and regulations as are necessary in the opinion of the commissioner or county board to carry out the provisions of this Title and any amendments or supplements thereto.

Subject to the limitations set forth in chapter 32 of this Title as hereby amended all necessary expenses incurred, as and when certified and approved by the commissioner of registration in counties having a superintendent of elections, and by the county board in all other counties, shall be paid by the county treasurer of the county.

Nothing in the provisions of subtitle 2 of the Title, Municipalities and Counties (40:16-1 et seq.), shall in anywise be construed to affect, restrict or abridge the powers herein conferred on the commissioners in counties having a superintendent of elections, and upon the county boards in all other counties.

All powers granted to the commissioner in all counties not having superintendents of elections by the provisions of this Title are hereby conferred on the county board in such counties, and any and all duties conferred upon the commissioner in all counties not having a superintendent of elections by the provisions of this Title shall only be exercised and performed by such commissioner under the instructions and directions of and subject to the approval of the county board of such counties.

2. Section 19:32-2 of the Revised Statutes is amended to read as follows:

19:32-2. Each superintendent may appoint a chief deputy, a chief clerk, a secretary, such personnel as is authorized under section 19:48-6 of this Title, and any other assistants he considers necessary to carry out the provisions of this Title, and, except as hereinafter provided, may remove the same whenever he deems it necessary and all persons so appointed, by superintendents of elections in counties of the first class having more than 800,000 inhabitants, to serve for terms of more than 6 months in any 1 year, shall be in the classified service of the civil service and shall be appointed in accordance with and shall be subject to the provisions of Title 11, Civil Service, but all other persons so appointed shall not be subject to any of the provisions of Title 11, Civil Service, but shall be in the unclassified service. Each superintendent shall fix the salaries of the persons so appointed and such salaries certified to and approved under his hand shall be paid semimonthly by the county treasurer of the county in which such persons are so engaged. All other necessary expenses incurred in carrying out the provisions of this Title when certified to and approved by the superintendent shall be paid by the county treasurer of the county in which the superintendent shall maintain his office, provided, however, that all necessary expenses incurred by the commissioner of registration, the superintendent of elections, and the custodian of voting machines in the counties of the first class for the

Section
amended.

Deputy; chief
clerk; other
assistants;
civil service;
expenses;
limitation.

proper performance of all of his duties of all his offices as set forth in Title 19, shall not exceed, in the aggregate, the sum of \$655,000.00 per annum.

3. This act shall take effect immediately.

Approved August 5, 1963.

CHAPTER 139

AN ACT concerning education in relation to the transfer of real estate no longer used for school purposes in certain cases, and amending section 18:5-27 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 18:5-27 of the Revised Statutes is amended to read as follows:

Section
amended.

Transfer of
real estate not
needed for
school
purposes.

18:5-27. Whenever the board of education of a municipality shall determine that all or any part of a tract of land with or without a school building or buildings erected thereon is no longer desirable or necessary, or required for school purposes, such board may transfer and convey such land or any portion thereof, with or without improvements thereon, to such municipality, board, body, commission, volunteer fire company or rescue squad, actively engaged in the protection of life and property and duly incorporated under the laws of the State of New Jersey, or may transfer or convey such land to any American Legion Post, Veterans of Foreign Wars, or other recognized veterans organization of the United States of America, located in such county or municipality, for a nominal consideration as a meeting place for any such American Legion Post, Veterans of Foreign Wars or other recognized veterans organization of the United States of America located in such municipality or county.

2. This act shall take effect immediately.

Approved August 9, 1963.

CHAPTER 140

AN ACT relating to liability of persons rendering or attempting to render aid at the scene of an accident or emergency to injured persons.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Any person licensed to practice any method of treatment of human ailments, disease, pain, injury, deformity, mental or physical condition, or licensed to render services ancillary thereto, who in good faith renders emergency care at the scene of an accident or emergency to the victim or victims thereof, shall not be liable for any civil damages as a result of any acts or omissions by such person in rendering the emergency care.

C. 2A:62A-1.
Not liable for
civil damages.

2. This act shall be known and may be cited as the "Good Samaritan Act."

C. 2A:62A-2.
Short title.

3. This act shall take effect immediately.
Approved August 13, 1963.

CHAPTER 141

AN ACT concerning limited partnership associations and supplementing chapter 3 of Title 42 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Any such limited partnership association whose term is about to expire by limitation under the chapter to which this act is a supplement, may at any time within 5 years next preceding the expiration of such term, by a vote of a majority in

C. 42:3-13.1.
Continuing
existence of
limited
partnership;
procedure;
filing; fee.

number and value of interest of its members at any annual or special meeting of its members called for that purpose, renew or continue the existence of such limited partnership association for such further term, not exceeding 20 years from the expiration of its former term, as may be expressed in a resolution for that purpose. Upon the adoption of such resolution, the chairman and secretary of the association shall make, sign and acknowledge a statement of renewal or continuance of the association which shall include the resolution authorizing such renewal or continuance certified by the secretary, which statement shall be recorded in the office of the clerk of the county where the original statement of the limited partnership association is recorded, and the record thereof or a certified copy of such record shall be prima facie evidence of the facts therein recited; provided that such limited partnership association shall at the time of filing such renewal statement pay the same fee as would be required in the case of an original formation of such association.

C. 42:3-13.2.
Beginning of
renewal
term; rights,
powers, etc.,
continued.

2. Upon the recording of such statement of renewal in the office of the clerk of the proper county, such association shall be renewed; provided, however, that the renewed term of such limited partnership association shall begin from the expiration of its former term whether original or renewed, and an association whose term has thus been renewed shall be the same association with all the rights, powers, duties and obligations as theretofore.

C. 42:3-13.3.
May be
renewed for
successive
periods.

3. The term of a limited partnership association which has once been renewed or continued may, as provided herein, be further renewed or continued for successive periods, each of which shall not exceed 20 years.

C. 42:3-13.4.
Dissatisfied
member of
partnership
entitled to
his interests;
procedure.

4. If any member of any such limited partnership association shall be dissatisfied with or object to any such renewal or continuance, then the member shall be entitled only to his interest in the associa-

tion at a price and upon terms to be mutually agreed upon, and in default of such agreement, the price and terms shall be fixed by an appraiser appointed by the County Court of the proper county, subject to the approval of the said court, and upon the payment of the interest as aforesaid, the said member shall transfer his interest to said association, to be disposed of by the managers, or be retained by them for the benefit of the remaining members.

5. This act shall take effect immediately.

Approved August 26, 1963.

CHAPTER 142

AN ACT concerning jail time in default of payment of fines and amending sections 2A:8-30, 2A:166-16 and 2A:169-5 of the New Jersey Statutes and section 39:5-36 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 2A:8-30 of the New Jersey Statutes is amended to read as follows:

2A:8-30. Any magistrate of a municipal court by whom judgment or sentence of imprisonment shall be given may issue his warrant under his hand and seal to any peace officer or other person authorized by law, commanding him to take and convey the defendant to the county jail or workhouse, there to remain until the term of imprisonment shall have expired, and from thence until the costs of the

Section
amended.

Warrant of
commitment;
execution
against goods
or body.

prosecution be paid. In case the judgment is for the payment of a penalty or a fine, then such magistrate may either order the defendant to be committed to the county jail or workhouse for a period not exceeding one day for each \$5.00 of the penalty or fine and costs not paid, unless the period of imprisonment shall otherwise be expressly provided by law, or issue an execution to any officer or person as aforesaid, commanding him to levy and make such penalty or fine and costs of the goods and chattels of the defendant and, for want of goods and chattels, to take and convey such defendant to the county jail or workhouse, there to remain for a period not exceeding one day for each \$5.00 of the penalty or fine and costs not paid, unless the period of imprisonment shall be otherwise expressly provided by law.

Section
amended.

2. Section 2A:166-16 of the New Jersey Statutes is amended to read as follows:

Defendant
confined for
failure to
pay fines and
cost; credits;
discharge.

2A:166-16. Whenever it shall appear that a person is confined in a State penal or correctional institution by reason of default in the payment of fines and costs of prosecution and wherein the committing court, as part of the sentence of imprisonment, ordered that the prisoner stand committed until such fine and costs are paid, such prisoner shall be given credit against the amount of such fines and costs at the rate of \$5.00 for each day of confinement. When the prisoner shall have been confined for a sufficient number of days to establish credits equal to the total aggregate amount of such fines and costs, and is not held by reason of any other sentence or commitment, he shall be discharged from imprisonment by the chief executive officer of the State penal or correctional institution wherein he is so confined.

Section
amended.

3. Section 2A:169-5 of the New Jersey Statutes is amended to read as follows:

Imprisonment
on failure to
pay fine;
credits.

2A:169-5. Any person adjudged a disorderly person who defaults in the payment of a fine duly imposed upon him may be committed by the court to

the county workhouse, penitentiary or jail until the fine has been paid. The person so committed shall be credited with \$5.00 of fine paid for each day he serves in such custody.

4. Section 39:5-36 of the Revised Statutes is amended to read as follows:

Section
amended.

39:5-36. Unless otherwise expressly provided in this subtitle, any person who shall be convicted of a violation of any of the provisions of this subtitle, and upon whom a fine shall be imposed, shall, in default of payment thereof, be imprisoned in the county jail or workhouse of the county where the offense was committed, but in no case shall such imprisonment exceed one day for each \$5.00 of the fine so imposed, nor shall such imprisonment exceed, in any case, a period of 3 months.

Imprisonment
on failure to
pay fine;
limitation on
imprisonment;
credits;
discharge.

Whenever a person is imprisoned by reason of default in the payment of a fine or fines and costs imposed and assessed upon conviction of any violation of this subtitle wherein the committing court, as a part of the sentence, ordered that such person stand committed to the county jail or workhouse until such fine and costs are paid, he shall be given credit against the amount of such fines and costs at the rate of \$5.00 for each day of such confinement. When such person shall have been confined for a sufficient number of days to establish credits equal to the aggregate amount of such fines and costs, and is not held by reason of any other sentence or commitment, he shall be discharged from such imprisonment by the officer in charge of the county jail or workhouse.

5. This act shall take effect immediately.

Approved August 26, 1963.

CHAPTER 143

AN ACT concerning the filing of notices of Federal tax liens, and amending section 46:16-13 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 46:16-13 of the Revised Statutes is amended to read as follows:

Federal tax
liens, certifi-
cates of
discharge;
indexing;
fees; failure
to record.

46:16-13. Notices of Federal tax liens and certificates discharging such liens, which, by the provisions of Title 26 of the Code of Laws of the United States, are made a lien upon all the property and rights to property belonging to the persons against whom Federal taxes are or may be assessed, may be filed in the office of the county recording officer of the county or counties wherein the property subject to such liens is situate, and shall be forthwith recorded in a book to be kept for that purpose entitled "Federal liens," and shall, immediately upon such filing, be indexed in an index book entitled "index of Federal liens," which index shall indicate the date of filing, the place of record and the names of the parties thereto. Each county recording officer shall be authorized to charge for the filing and recording of notices of Federal tax liens or certificates of discharge therefrom the same fees as may be charged at the time of such filing and recording for the docketing of judgments from the lower courts in the County Court.

No Federal tax shall be a valid lien as against any mortgagee, pledgee, purchaser or judgment creditor until the notice thereof shall be filed as provided by this section.

2. This act shall take effect immediately.

Approved August 30, 1963.

CHAPTER 144

AN ACT concerning savings and loan associations and building and loan associations, and revising chapter 12 of Title 17 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

ARTICLE I

CONSTRUCTION AND DEFINITIONS

1. Construction as revision of prior laws. This act shall be construed as a revision of, and shall supersede, all provisions of chapter 12 of Title 17 of the Revised Statutes, including all amendments thereof and supplements thereto. C. 17:12B-1. Construed as revision of prior laws.
2. Citation. This act shall be known and may be cited as the "Savings and Loan Act (1963)." C. 17:12B-2. Short title.
3. Application of act. No State association shall hereafter be incorporated for the purposes stated in this act, except pursuant to the provisions of this act. The provisions of this act shall apply to all associations in existence and operating under the provisions of chapter 12 of Title 17 of the Revised Statutes at the date of the enactment of this act and where specifically set forth to all Federal associations having their principal offices in this State. C. 17:12B-3. Application of act.
4. Determination of members' rights and liabilities. The rights and liabilities of each member of an association, shall be determined by and shall be subject to the provisions of this act and all amendments thereof and supplements thereto, and to the provisions of the association's by-laws, and all changes which shall be made in such by-laws from time to time. C. 17:12B-4. Rights and liabilities.
5. Definitions. The following words and phrases as used in this act, unless a different meaning is C. 17:12B-5. Terms defined.

plainly required by the context, shall have the following meaning:

(1) "State association" shall mean any savings and loan association, building and loan association or any corporation, however named, now or hereafter operating pursuant to the provisions of this act.

(2) "Federal association" shall mean a savings and loan association organized pursuant to an Act of Congress approved June 30, 1933, entitled "Home Owners' Loan Act of 1933" or any subsequent Act of Congress.

(3) "Association" shall mean a State association and a Federal association having its principal office in this State.

(4) "Insured association" shall mean an association whose members' accounts are insured by the Federal Savings and Loan Insurance Corporation.

(5) "Board" shall mean the board of directors of any association.

(6) "Commissioner" shall mean the Commissioner of Banking and Insurance of the State of New Jersey, or such other official as may hereafter be charged by State law with the supervision of State associations.

(7) "Member" shall mean a person who holds an account in an association as a savings member or as a borrowing member.

(8) "Savings member" shall mean a person who holds an account representing savings in an association.

(9) "Borrowing member" shall mean a person to whom money of the association is loaned or one who is the owner of property upon which the association holds a mortgage.

(10) "Account" shall mean the record of the financial transactions of a savings member or a borrowing member as shown on the books of the association.

(11) "Direct reduction loan" shall mean a loan the principal of which is repayable in periodical installments.

(12) "Sinking fund loan" shall mean a loan, the principal of which is contracted to be repaid with the participation value of an installment account pledged as collateral security for the payment of the loan.

(13) "Straight mortgage loan" shall mean a loan, the principal of which is repayable upon a fixed day and upon which no interim amortization is required.

(14) "Account loan" shall mean a loan secured by the pledge of a member's account and the shares, if any, issued in connection therewith.

(15) "Capital" of a State association shall mean the aggregate participation value of all savings members' accounts. It shall not be limited and shall be accumulated only by payments by savings members, plus dividends credited to their accounts.

(16) "Participation value" of an account shall mean the amount paid by a savings member on such account, plus dividends credited thereto, less payments of withdrawals and retirements therefrom and any other amounts lawfully deductible therefrom.

(17) "Withdrawal value" of an account shall mean the participation value of such an account, at the time application for withdrawal of the account is filed, less such part, if any, of the dividends then credited to such account as the association is authorized to retain upon withdrawal.

(18) "Gross income" shall have the meaning ascribed to it in section 6 of this act.

(19) "Net income" shall have the meaning ascribed to it in section 7 of this act.

(20) "Federal Savings and Loan Insurance Corporation" shall mean the corporation so named, organized pursuant to an Act of Congress, or any Federal corporation, instrumentality or agency which succeeds to the powers and functions of the Federal Savings and Loan Insurance Corporation

or undertakes to discharge the purposes for which said corporation was created.

(21) "Federal Home Loan Bank Board" shall mean the board so named, organized pursuant to an Act of Congress, or any Federal corporation, instrumentality or agency which succeeds to the powers and functions of the Federal Home Loan Bank Board, or which is formed to carry out the purposes for which such board was created.

(22) "Change in the by-laws" includes new by-laws and revisions, amendments, supplements and repealers of existing by-laws.

(23) "Principal office," "branch office" and "auxiliary office" shall have the meanings ascribed to them in section 8 of this act.

(24) "Agency" shall have the meaning ascribed to it in section 9 of this act.

(25) "Per capita assets" shall have the meaning ascribed to it in section 10 of this act.

(26) "Population." Where in this act the population of a municipality, a county, or the State is mentioned, the population figure shall be the last current population estimate as furnished to the commissioner by any official agency of the State or Federal Government.

(27) "Municipality." The word municipality shall include cities, towns, townships, villages and boroughs.

(28) "First lien" shall have the meaning ascribed to it in section 11 of this act.

(29) "Foreign association" shall mean any association or corporation conducting the business of a savings and loan association, however designated, not incorporated under the provisions of this act, except a Federal association.

(30) "Department" shall mean the Department of Banking and Insurance of New Jersey.

C. 17:12B-6.
Gross income.

6. "Gross income" shall mean the sum, for an accounting period, of the following:

- (a) Operating income.
- (b) Real estate income.

(c) All profits actually received during such accounting period from the sale or transfer of securities, real estate or other property unless credited directly to reserve accounts.

(d) Any nonrecurring income unless credited directly to reserve accounts.

7. "Net income" shall mean gross income, for an accounting period, less the aggregate of the following: C. 17:12B-7.
Net income.

(a) Operating expenses.

(b) Real estate expenses.

(c) All losses actually sustained during such accounting period from the sale of securities, real estate or other property as shall not have been charged to reserves.

(d) All interest paid, or due but unpaid, on borrowed money.

(e) Any nonrecurring charges.

8. (a) "Principal office" shall mean the legally established office of an association for the transaction of its business, other than a branch office, auxiliary office or an agency of the association. C. 17:12B-8.
Terms defined.

(b) "Branch office" shall mean a legally established office of an association other than the principal office, auxiliary office, or an agency of the association, at which such operations as may be authorized by the board not inconsistent with the limitations of this act may be conducted.

(c) "Auxiliary office" shall mean a place of business other than the principal office, branch office, or agency of an association wherein operations of an association may be conducted within the limitations set forth in this act relating to auxiliary offices.

9. "Agency" shall mean a place of business other than the principal office, branch office or auxiliary office of an association, at which an agent or agents of the association may receive payments on savings accounts, payments on loans or any obligations to the association for the purpose of transmission thereof to the principal office or to a branch office of the association. At such agency, an agent or agents C. 17:12B-9.
Agency.

may perform such other duties not inconsistent with the limitations of this act as may be authorized from time to time by the board.

C. 17:12B-10.
Per capita
assets.

10. "Per capita assets" shall mean the total savings and loan assets divided by the population.

(a) Per capita assets for the State shall be the total assets of the associations having their principal offices in the State as of the last preceding December 31, divided by the population of the State.

(b) Per capita assets for a county shall be the total assets of the associations and their branch offices operating within such county as of the last preceding December 31, divided by the population of the county.

(c) Per capita assets for a municipality shall be the total assets of the associations and their branch offices operating within such municipality as of the last preceding December 31, divided by the population of the municipality.

C. 17:12B-11.
First lien.

11. "First lien." A mortgage upon real property or a mortgage upon a lease of the fee of real property shall be deemed a first lien as follows:

(a) A mortgage upon real property shall be deemed a first lien notwithstanding the existence of a prior mortgage or mortgages held by the association, or liens of taxes or assessments which are not delinquent, building restrictions or other restrictive covenants or conditions, leases or tenancies whereby rents or profits are reserved to the owner, joint driveways, sewer rights, rights in walls, rights-of-way or other easements, or encroachments which in the opinion of an officer of the association, designated for that purpose by the board, do not materially affect the security for the mortgage loan.

(b) A mortgage upon a lease of the fee of real property shall be deemed a first lien notwithstanding the existence of liens of taxes or assessments which are not delinquent, building restrictions or other restrictive covenants or conditions, joint driveways, sewer rights, rights in walls, rights-of-

way or other easements, or encroachments which, in the opinion of an officer of the association, designated for that purpose by the board, do not materially affect the security for the mortgage loan.

ARTICLE II

PURPOSES

12. Purposes. Associations operating under the provisions of this act shall be mutual associations for the purpose of promoting thrift, home ownership and housing.

C. 17:12B-12.
Purposes.

ARTICLE III

INCORPORATION AND ORGANIZATION

13. Persons who may form corporation. Any 9 or more persons, domiciled in this State, and citizens of the United States, hereinafter referred to as incorporators, may associate to form a corporation for the purposes specified in this act, by complying with the terms, conditions and procedure herein stated.

C. 17:12B-13.
Persons who
may form
corporation.

14. Contents of certificate of incorporation. The incorporators shall personally sign and prove or acknowledge as required for deeds of real estate, a certificate of incorporation, which shall state:

C. 17:12B-14.
Contents of
certificate.

(1) The name of the State association, which shall contain the words "savings and loan association." The name shall not be one already in use by another association in this State, nor one so similar thereto as to deceive the public or lead to uncertainty or confusion and this provision shall be subject to any law restricting or prohibiting the use of the word "bank" or "banker" or "banking"; provided, however, that any association organized under this act may make representations describing its powers, services or functions provided for in this act.

(2) The street, street number, if any, and the municipality in this State in which the State association is to be located.

(3) That it is incorporated to operate as a State association pursuant to this act for the purposes herein stated.

(4) The name, residence (including street and number, if any) post-office address and occupation of each incorporator.

(5) The amount which each incorporator agrees to subscribe for and pay into the guaranty account of the State association.

C. 17:12B-15.
Original
by-laws.

15. Original by-laws. The incorporators shall adopt the original by-laws of the association.

C. 17:12B-16.
Application
for approval.

16. Application to commissioner for approval. The certificate of incorporation and the by-laws shall be submitted to the commissioner for his approval. Within 10 days thereafter, the commissioner shall give written notice to each incorporator, of the time and place designated by him for a hearing, by mailing the same to each incorporator at the post-office address stated in the certificate of incorporation. The time designated for such hearing shall be not less than 6 weeks nor more than 8 weeks after the date upon which the commissioner mails such notice.

C. 17:12B-17.
Notice of
application;
hearing.

17. Notice of application and hearing thereon. The incorporators shall give public notice of such application and of the time and place designated by the commissioner for the hearing thereon, by publishing the same prior to the time of hearing at least once a week for 4 weeks in at least 1 newspaper published and circulating in the municipality where the principal office of the State association will be located. If there is no newspaper published in such municipality, the notice shall be published in a newspaper, to be designated by the commissioner, circulating in said municipality.

Said notice shall also state the proposed name of the State association, the name of the municipality where the principal office of the State association will be located, the names and addresses, both residence and post office, of the incorporators, and the aggregate amount which they have agreed to

invest in the State association before it commences business.

The incorporators shall also mail or cause to be mailed, at least 3 weeks prior to the time designated for said hearing, a copy of such notice to all associations, having principal or branch offices within the county where the principal office of the proposed State association is to be located.

Upon the request of the incorporators, the commissioner shall furnish a written list showing the names and street addresses of all State associations to which such notice must be sent.

18. Guaranty account. As a condition precedent to the approval of any such application, the incorporators shall execute an agreement to subscribe to, and upon the commencement of business pay into, an account of the State association to be known as the "guaranty account" the aggregate sum of \$50,000.00. The form of such agreement shall be approved by the commissioner. Such guaranty account shall be subordinate to the accounts of savings members. It shall be used as a guaranty against the impairment of the capital of the State association and to the extent that it may be necessary for that purpose, losses and expenses of the State association shall be charged to it. The account shall not be released to the owners thereof, in less than 3 years from the date upon which payment was made into the account. If, thereafter, the commissioner finds that the reserves established to absorb losses and the undivided profits account of the State association plus the amount remaining in the guaranty account exceeds \$50,000.00, or an amount equal to 5% of the capital of the State association, whichever is greater, he shall permit the excess to be released to the owners thereof, as hereinafter provided, proportionate to their respective interests in said guaranty account.

C. 17:12B-18.
Guaranty
account.

The amount paid in by each subscriber to the guaranty account, shall be recorded on the books of the State association in his name, and shall be evidenced by a certificate in a form approved by

the commissioner. The amount standing to the credit of any person in such account, may be transferred to another person subject to the conditions of the account. Dividends may be declared upon the amounts standing to the credit of each owner of a proportionate interest in such account in accordance with the terms of the aforementioned agreement, but not in excess of the maximum rate of dividends declared to savings accounts in the State association for the same period. Each owner of a proportionate interest in such guaranty account shall have the same voting rights, restrictions and limitations as set forth in the by-laws of the association in accordance with section 126 of this act, at any annual or special meeting of the State association. Upon release, the amount released shall be transferred to a savings account in the State association, in the name of the owner, who shall thereupon be entitled to all of the right and privileges and shall be subject to all of the duties and liabilities of membership.

C. 17:12B-19.
Hearing.

19. Hearing. At such hearing or at any adjournment thereof which may be granted by the commissioner, there shall be afforded an opportunity to be heard to anyone desiring it. The commissioner shall also make such independent examination or investigation of such application as the circumstances shall require.

C. 17:12B-20.
Commissioner's
findings.

20. Commissioner's findings. If the commissioner shall find that:

- (a) the establishment of such State association is in the public interest, and
- (b) will be of benefit to the area proposed to be served, and
- (c) may be established without undue injury to any other association in the area in which it is proposed to locate such State association, and
- (d) the State association will have a reasonable prospect of success, and

(e) the character, responsibility and general fitness of the incorporators are such as to command confidence and warrant belief that the business of the State association will be honestly and efficiently conducted, and

(f) the agreement with respect to the guaranty account has been executed in accordance with law, and that compliance therewith is guaranteed to his satisfaction, and

(g) the name proposed for the State association conforms with the requirements of this act and that the proposed by-laws are proper, and

(h) the State association has filed proofs as to the mailing of notice and publication required by the act;

he shall approve such application and issue a certificate of approval which shall be endorsed upon or annexed to such certificate of incorporation.

21. Commissioner's decision. Within 30 days after the close of the hearing, the commissioner shall announce his decision upon such application and file in his office, a written memorandum stating the reasons therefor which shall be open to public inspection; and he shall forthwith thereafter give written notice thereof to the incorporators.

C. 17:12B-21.
Commissioner's
decision.

22. Certificate to be filed. The certificate of incorporation with the commissioner's approval endorsed thereon or annexed thereto, shall be recorded within 30 days after such approval, in the office of the clerk of the county where the office of the State association is to be located and after being so recorded shall be filed in the Department of Banking and Insurance of the State of New Jersey. Said certificate or a copy thereof duly certified by the commissioner or by the clerk of the county where the same is recorded shall be evidence in all courts and places. Upon the recording and filing of such certificate, the person so associated, their successors and assigns shall from the date of the filings be a corporation by the name set forth in the

C. 17:12B-22.
Certificate
filed and
recorded.

certificate with all of the powers mentioned in this act.

C. 17:12B-23.
Time limit
for commencing
business.

23. Time limit for commencing business. If the incorporators fail to complete the organization of a State association and to cause it to commence business within 6 months from the date when authority is granted to them to do so, the said certificate of incorporation shall ipso facto become null and void; except that, for good cause shown, the commissioner may, in his discretion, on application of the State association extend for additional periods, not in excess of 6 months each, the time within which such State association may complete its organization and commence business provided that the initial application shall be made before the expiration of 6 months from the date authority is granted to commence business and any subsequent application shall be made before the expiration of any subsequent period for which permission to extend has been granted by the commissioner.

C. 17:12B-24.
Branch
offices.

24. Branch offices. No State association shall hereafter establish or operate a branch office or offices, other than as provided by the conditions and limitations of sections 24 through 27 of this act; provided, however, that any association operating an authorized branch office at the effective date of this act may continue to do so.

The provisions of section 25 of this act shall apply only to branch offices authorized as the result of an association meeting the capital, reserve, and other requirements set forth in such section. Such branch offices shall be designated as section 25 branch offices.

The provisions of section 27 of this act shall apply only to branch offices authorized as the result of a merger of 2 or more associations or the purchase or acquisition of all or a substantial portion of the assets of one association by another association as set forth in Article XIII of this act. Such branch offices shall be designated as section 27 branch offices.

25. (1) Any State association may make written application to the commissioner for authority to operate one section 25 branch office when the total of its reserve accounts, established under the provisions of section 128 of this act, and undivided profits are at least equal to 5% of its capital or \$100,000.00, whichever is less.

C. 17:12B-25.
Application
for section 25
branch office;
additional
branch offices.

(2) Any State association operating one or more section 25 or 27 branch offices, may apply to the commissioner for authority to operate additional section 25 branch offices, when the total of its reserve accounts, established under the provisions of section 128 of this act, and undivided profits are at least equal to 5% of its capital, plus an amount equal to \$50,000.00 for each existing section 25 branch office the association is operating at the date of its application.

If the applying association's reserves do not equal or exceed the requirements for reserves and undivided profits hereinabove set forth, the State association may nevertheless make such application, provided the State association agrees to establish a "guaranty account," under the same conditions as set forth in section 18 except as modified by the following:

(a) The amount of such guaranty account shall equal the difference between the reserves and undivided profits the applying State association requires under the provisions of subsection 2 of this section, and the amount of reserves and undivided profits held by the applying State association at the date of such application.

(b) A separate guaranty account may be established for each section 25 branch office applied for.

(c) The agreement for the guaranty account shall contain a provision providing for its release to the owners thereof at such time as the reserves, established under section 128 of this act, and undivided profits of the State association are equal to 5% of capital, plus \$50,000.00 for each section 25 branch office in operation; or at such earlier time as the commissioner may upon application of the

association approve, irrespective of the provisions of section 18. Upon release, the amount released shall be transferred to a savings account in the State association, in the name of the owner. In the event a State association simultaneously applies for authority to operate more than one section 25 branch office, or other applications for section 25 branch offices are pending by such association, the State association must comply with the reserve and undivided profits or guaranty account requirements as hereinabove set forth for each section 25 branch office applied for in excess of the first application.

C. 17:12B-26.
Operation
one or more
section 25
branch offices;
limitations.

26. 1. Subject to the other limitations of this act, an association may establish and operate one or more section 25 branch offices as follows:

(a) in the same municipality in which it operates its principal office, or

(b) in any other municipality in the same county in which it operates its principal office where there is no principal office or branch office of any other association in operation at the time it is proposed to establish such branch office, or

(c) In any other municipality in the same county where, at date of application, there is located a principal or branch office or offices of an association or associations, but where the per capita savings and loan assets in the municipality in which it is proposed to locate the branch office are less than the State or county per capita assets, whichever is less, and the total area of the municipality in which it is proposed to locate such branch office is in excess of 5 square miles. Such branch office must be more than 2,500 feet from the location of an existing principal or branch office of an association, unless the association operating such principal or branch office in the municipality consents in writing to a closer location, or

(d) in a municipality in which the association is operating a section 25 or 27 branch office where there is no principal office or branch office of another association.

In all cases in this section per capita assets shall be determined by the commissioner who shall furnish the per capita assets of the State, county and municipality to the applying association.

2. No association shall establish a section 25 branch office unless the association shall first file written application with the commissioner for his approval. Before approving such application, the commissioner shall determine that:

(a) the association and the proposed branch meet all of the requirements of sections 25 and 26 of this act, and

(b) the establishment and operation of such branch office is in the public interest and will be of benefit to the area served by such branch office, and that

(c) such branch office may be established without undue injury to any other association in the area in which it is proposed to locate such branch office, and that

(d) conditions in the area to be served, afford reasonable promise of successful operation.

Within 10 days after the submission of any such application to the commissioner, the applying State association shall give notice by mail of such application to all associations having principal or branch offices within the municipality in which it is proposed to locate the branch office and outside of such municipality if within 2 miles of the place where it is proposed to locate such branch office. The notice shall be in a form approved by the commissioner, and shall include the name of the applying association and the street address and municipality where such branch office is to be located. Upon the request of the applying association, the commissioner shall furnish a written list showing the names and street addresses of all State associations to which such notice must be sent. The commissioner shall conduct such investigation or hearing or both, as he may deem to be advisable.

Not less than 30 days after mailing of the aforementioned notice and within 90 days thereafter, the

commissioner shall announce his decision upon such application and file in his office, a written memorandum stating the reasons therefor, which shall be open to public inspection; and he shall forthwith thereafter give written notice thereof to the applicant.

C. 17:12B-27.
Application
to operate
existing
branches upon
merger;
change of
location.

27. Any State association, into which another association has been merged or which has acquired by purchase, reorganization or in any other manner, all or a substantial portion of the assets of another association, may make application to the commissioner for authority to operate the office previously operated by such other association, or a suitable substitute therefor, as a section 27 branch office. The commissioner may grant authority for the operation of such section 27 branch office under such terms and conditions as he shall prescribe, and such authority may be inclusive of authorized branch offices operated by the selling or merging association; provided, however, that no branch office or offices shall be established under this section, unless the offices of the associations are in the same or contiguous counties and that the commissioner shall first determine that the operation of such branch office or offices is in the public interest and will be of benefit to the area served by such branch office or offices and to the members of the association.

Within 30 days after the filing of the merger or asset sale agreement with the commissioner or the holding of a hearing, whichever last occurs, the commissioner shall announce his decision upon such application and file in his office, a written memorandum stating the reasons therefor, which shall be open to public inspection; and he shall forthwith thereafter give written notice thereof to the applicant.

A. A State association may change the location of a branch office to a location, in the same municipality, which is 1,500 feet or less in distance from the existing location of the branch office to be relocated, provided it files a certificate of such change

of location with the commissioner within one week from the date such change is made. Otherwise a State association may change the location of a branch office upon written application to and approval by the commissioner.

(1) If the distance between the proposed new location is more than 1,500 feet, but is in the same municipality as the existing branch office, the applying State association shall, within 10 days after the submission of any such application to the commissioner, give notice by mail of such application to all associations having principal or branch offices located within 2 miles of the place where it is proposed to locate such branch office. Notice shall be in the form approved by the commissioner, and shall include the name of the applying association, street address and municipality where such branch office is to be located. Upon the request of the applying association, the commissioner shall furnish a written list showing the names and street addresses of all State associations to which such notice must be sent.

(2) If the proposed new location is in another municipality than that in which the existing branch office is located, the State association shall comply with the notice requirements set forth in subsection 2 of section 26 of this act and the commissioner, before approving the application, shall determine that the establishment and operation of such proposed branch office is in the public interest, will be of benefit to the area served by such branch office and that such branch office may be established without undue injury to any other association in the area in which it is proposed to locate such branch office, and that conditions in the area to be served, afford reasonable promise of successful operation.

(3) For the purposes of this section, distances shall be measured in a straight line drawn from the center point of the main entrance of the present location of the branch office to the center point of the main entrance of the proposed location.

(4) Upon receipt of a written application to change the location of a branch office as provided in subdivisions (1) and (2), the commissioner shall conduct such investigation or hearing, or both, as he may deem to be advisable. Not less than 30 days after mailing of the aforementioned notice by the applying association and within 90 days thereafter, the commissioner shall announce his decision upon such application and file in his office a written memorandum stating the reasons therefor which shall be open to public inspection; and he shall forthwith thereafter give written notice thereof to the applicant.

B. The failure of a State association to open and operate a branch office within 6 months after the commissioner approves the application therefor, shall automatically terminate the right of the State association to open the branch office, except that, for good cause shown, the commissioner may, in his discretion, on application of the State association extend for additional periods, not in excess of 6 months each, the time within which such branch office may be opened, provided the initial application shall be made before the expiration of 6 months from the date that the commissioner approves the application and any subsequent application for extension shall be made before the expiration of any subsequent period for which permission to extend is granted by the commissioner. A State association may discontinue a branch office upon resolution of its board. Upon adoption of such a resolution, the State association shall file a certificate with the commissioner specifying the location of the branch office to be discontinued, and the date upon which the discontinuance shall be effective.

C. 17:12B-28.
Interchange of
principal and
branch offices.

28. Interchange of principal and branch offices. A State association may change the location of its principal office to a location then occupied by a branch office operated by it, subject to the requirements herein set forth:

(1) If the interchange results in the new location of the principal office remaining in the same municipality as the previous location, the State association shall file a certificate of such change with the commissioner within one week from the date such change is made.

The State association may, in such case, operate its principal office at the location previously occupied by its branch office and may operate a branch office at the location previously occupied by its principal office without further requirement.

(2) If the interchange results in the principal office being removed from one municipality to another, the State association shall apply to the commissioner for written approval of such change of location in accordance with the provisions of section 40 of this act. Upon approval of the commissioner, in accordance with section 40 of this act, the association may operate its principal office at the previous location of its branch office and may operate a branch office at the previous location of its principal office without further requirement.

The failure of a State association to complete such interchange within 6 months after filing the certificate or after approval by the commissioner, as the case may be, shall automatically terminate the right of the State association to effect such interchange, except that, for good cause shown, the commissioner may in his discretion on application of the State association, extend for additional periods, not in excess of 6 months each, the time within which such interchange may be effected, provided the initial application shall be made before the expiration of 6 months from the date that the commissioner approves the application and any subsequent application for extension shall be made before the expiration of any subsequent period for which permission to extend is granted by the commissioner.

29. A State association may, pursuant to resolution of its board, establish and operate not more

C. 17:12B-29.
Auxiliary
office.

than one auxiliary office, as defined in section 8 of this act, as an adjunct to its principal office, and not more than one auxiliary office as an adjunct to each branch office now operated by it, or hereafter established and operated by it.

C. 17:12B-30.
Location of
auxiliary
office.

30. Each auxiliary office shall be located in the same municipality as that in which the State association operates the office to which such auxiliary office is an adjunct. No auxiliary office shall be established or operated at a location which is more than 1,500 feet from the office of the State association to which such auxiliary office is an adjunct; nor shall any such auxiliary office be established within 1,500 feet of the principal office or a branch office of another association, without the written consent of such association. Such consent, once given, shall thereafter be irrevocable, regardless whether it was given gratuitously or for a valuable consideration. No State association shall be required to discontinue an auxiliary office for the reason that, after its establishment pursuant to this act, another association has established its principal office or a branch office within 1,500 feet of such auxiliary office.

C. 17:12B-31.
Limitation
on business
transacted
at auxiliary
offices.

31. No business shall be transacted at an auxiliary office other than

- (a) the receipt of payments;
- (b) the payment of withdrawals;
- (c) the cashing of checks, drafts and other items;
- (d) the issuance of money orders or travelers' checks.

C. 17:12B-32.
Method of
transacting
business.

32. The business authorized by section 31 of this act shall be transacted only with persons who, while such business is being transacted, remain outside the structure which houses an auxiliary office.

C. 17:12B-33.
Establishing
auxiliary
office.

33. An association may, for the purpose of establishing an auxiliary office or offices, purchase or lease real property, or it may use real property heretofore purchased or leased by it; provided, that the cost of establishing an auxiliary office, including construction and alteration costs, and including the purchase price or the rental of the real prop-

erty, shall not exceed such sum as the Commissioner of Banking and Insurance shall approve, taking into consideration reserve accounts and undivided profits of the association. As an incident to the conduct of its business at an auxiliary office, an association may provide motor vehicle parking facilities for its customers.

34. An auxiliary office shall not be deemed a branch office within the meaning of section 24 of this act. Each auxiliary office shall be deemed to be an integral part of the office to which it is an adjunct, and all business transacted at such auxiliary office shall be deemed to be transacted at the office to which it is an adjunct.

C. 17:12B-34.
Auxiliary
office not
deemed a
branch
office.

35. Nothing in sections 29 through 34 of this act shall impair the powers of an association to purchase, hold, lease or convey real property or any interest therein pursuant to sections 48 and 166 of this act nor shall anything in sections 29 through 34 of this act apply to or impair any other power which an association may exercise under this act, including the power to provide facilities commonly known as drive-in or walk-up offices which are physically attached to the principal office or a branch office of an association, and which are accessible to such principal office or branch office by a means which is within the sole control of the association.

C. 17:12B-35.
Construing
sections
29 through 34.

36. For the purposes of this act, distances shall be measured along a straight line drawn between the center point of the main entrance of the principal office or branch office of an association and the center point of the main entrance of the auxiliary office.

C. 17:12B-36.
Measuring
distance.

37. Agencies. Any State association shall have the right to make written application to the commissioner for permission to establish and operate an agency or agencies as defined in section 9 of this act subject to the following requirements:

C. 17:12B-37.
Agencies.

(1) The State association may, pursuant to resolution of its board, establish and operate an agency or agencies in the same county in which its principal

office is located on written application to the commissioner.

(2) The commissioner shall determine the conditions under which he shall permit the establishment of the agency or agencies.

(3) No agency shall be established in a municipality whose population at the time of the establishment of such agency exceeds 3,500.

(4) No agency shall be established in a municipality wherein there is located the principal or branch office of an insured association.

(5) No business shall be transacted at an agency other than the following:

(a) The receipt of payments on savings accounts,

(b) The receipt of payments on loans, and

(c) The receipt of payments on other obligations to the State association.

(6) An agency shall not be deemed a branch office or an auxiliary office within the meaning of sections 24 and 29 of this act.

C. 17:12B-38.
By-laws.

38. By-laws. Each State association shall adopt such by-laws as may be required by the provisions of this act and as it may deem necessary or desirable for the regulation of its business and affairs and for the attainment of its purposes, consistent with the provisions of this act, and may change the same from time to time. Copies of the by-laws and changes therein shall be made available to each member. The original by-laws of any State association hereafter incorporated shall be adopted by the incorporators. Changes in the by-laws may be adopted by the board or by the members as may be provided in the by-laws. The term "constitution" as used by any State association heretofore incorporated, shall be construed to be synonymous with the term "by-laws" as used in this act.

C. 17:12B-39.
Commissioner's
approval
required.

39. Commissioner's approval required. No by-law nor any change in the by-laws shall become effective until it shall have been submitted in writing to the commissioner and he shall either have approved it in writing, or have failed to take any action thereon for a period of 30 days after it shall

have been submitted to him. Approval shall not be withheld by the commissioner unless a proposed by-law or any change in the by-laws is in conflict with the provisions of this act.

40. Change of office location. A State association may change the location of its principal office to a new location subject to the following requirements:

C. 17:12B-40.
Change of
office
location.

(1) If the new location of its principal office is in the same municipality, the State association shall file a certificate of such change with the commissioner within one week from the date such change is made.

(2) Where the principal office is to be removed from one municipality to another, such change or removal shall take place only after application to and the written approval of the commissioner of such change of location. Within 10 days after the submission of any such application, the commissioner shall give written notice by mail to the State association of a time and place designated by him for a hearing on such application. The time designated for such hearing shall be not less than 6 weeks nor more than 8 weeks after the date upon which the commissioner mails such notice. The State association shall thereupon give notice by mail of such application and of the time and place designated by the commissioner for a hearing thereon at least 3 weeks prior to the date of such hearing to all associations located within the municipality in which it is proposed to locate the office of the State association.

41. Upon the request of the State association, the commissioner shall furnish a written list showing the names and street addresses of all State associations to which such notice must be sent.

C. 17:12B-41.
Commissioner
to furnish
list to which
notice is to be
sent.

42. The notice shall set forth the name of the State association, the street address and municipality from which its location is to be changed and the street address and municipality to which its location is to be changed. Within 30 days after the close of the hearing, the commissioner shall announce his decision upon such application and file

C. 17:12B-42.
Contents of
notice;
notice of
decision.

in his office a written memorandum stating the reasons therefor, which shall be open to public inspection, and he shall forthwith furnish a copy thereof to the applicant.

C. 17:12B-43.
Commissioner's
findings.

43. If the commissioner shall find that—

(a) the proposed change of location is in the public interest, and

(b) will be of benefit to the area to which it is proposed to remove such office, and

(c) that the removal of such office will not result in undue injury to any other association in the area to which it is proposed to remove such office, and

(d) the State association will have a reasonable prospect of success in the proposed new location;

he shall approve such application.

C. 17:12B-44.
May dispense
with hearing.

44. The commissioner may, in his discretion, dispense with such hearing in the event that (a) there is no association located in the municipality in which the applying State association intends to locate its principal office, or (b) all associations in such municipality consent thereto in writing.

C. 17:12B-45.
Failure to
operate
relocated
principal
office to
terminate
right.

45. The failure of a State association to open and operate a relocated principal office within 6 months after the commissioner approves the application therefor, shall automatically terminate the right of the State association to open such relocated principal office, except that, for good cause shown, the commissioner may, in his discretion, on application of the State association, extend for additional periods, not in excess of 6 months each, the time within which such relocated principal office may be opened, provided that the initial application shall be made before the expiration of 6 months from the date authority is granted to relocate such principal office and any subsequent application shall be made before the expiration of any subsequent period for which permission to extend has been granted by the commissioner.

46. Change of name. A State association may with the approval of the commissioner, change its name by a $\frac{2}{3}$ vote of its board present and voting at a duly convened regular or special meeting. A certificate, signed by the president and secretary setting forth the former name and the new name and that it was so adopted, specifying the date of the meeting, bearing the endorsement of such approval by the commissioner, shall be recorded in the office of the clerk of the county wherein the State association is located, and thereafter the same shall be filed with the commissioner. The name so certified shall from the time of such filing with the commissioner be the corporate title of the State association.

C. 17:12B-46.
Change of
name;
procedure.

ARTICLE IV

POWERS

47. General powers. Every association shall have all of the powers conferred by this act, both expressed and implied, and such others as are incidental thereto, and incidental or necessary to the operation of its business and the attainment of its purpose. Such powers shall be exercised in conformity with the provisions contained in this act.

C. 17:12B-47.
General
powers.

48. Specific powers. Without limiting the generality of the foregoing, every association shall have power to:

C. 17:12B-48.
Specific
powers.

(1) Have succession by its corporate name for the period limited in its charter or certificate of incorporation, and when no period is limited, perpetually.

(2) Sue and be sued in any court.

(3) Adopt and use a corporate seal and alter the same.

(4) Purchase and otherwise acquire, hold, mortgage, pledge, lease, exchange, sell, convey and otherwise dispose of, any real and personal property, necessary or incidental to its operations and consistent with its powers and purposes.

(5) Insure its members' accounts with the Federal Savings and Loan Insurance Corporation,

and comply with conditions necessary to obtain and maintain such insurance.

(6) Become a member of or stockholder in a Federal Home Loan Bank and to that end to comply with all conditions of membership therein.

(7) Act as agent for the United States or the State of New Jersey or any instrumentality of either of them, when designated for that purpose, and perform such reasonable duties as such agent as may be required of it.

(8) Join any co-operative league organized for the purpose of protecting and promoting the welfare of associations and their members and comply with all conditions of membership therein.

(9) Borrow money from any source in or out of the State, on the note, bond and mortgage or other obligation of the association upon such terms and conditions as the board may from time to time prescribe by resolution adopted by at least a majority of all the members of the board and duly recorded on the minutes and to pledge, assign or transfer mortgages, owned by the association and the obligations secured by such mortgages, together with the shares, if any, pledged as collateral security therefor, or any real or other personal property, as security for the repayment of money so borrowed. No association shall borrow money if by doing so the aggregate of its indebtedness for borrowed money other than to the Federal Home Loan Bank will exceed 20% of its capital, except with the approval of the commissioner.

(10) Take from its members, a premium for priority or privilege of loan or acquisition of real estate and no premium so taken shall be deemed usurious. The rate of premium may be agreed upon or be determined by auction.

(11) Require an advance payment of interest for a period of one month on any loan; and accept advance payments of interest, if made at the option of the debtor, for any period on any loan. None of such payments shall be deemed usurious.

(12) Where shares are issued, charge an admission fee, not to exceed \$0.25 per share, which shall include the cost of membership or share certificate and account book.

(13) Impose charges upon a member for failure to make any payment to the association when due, but only as provided in this paragraph. Where the association issues installment share accounts it may impose such charge upon any member holding such an account or any borrower upon a sinking fund mortgage not in excess of 1% a month upon the amount in arrears, except for the first month's arrearage or the amount by such first month's arrearage may be increased by subsequent arrearage in which case a charge not in excess of 5% may be imposed. Such charges shall be subject to the further limitations that no such charge shall be deducted from any amount actually paid by a member upon an account nor shall the total of any such charges against any account in any fiscal year exceed the amount that may be charged for failure to make any payments for a 6-month period nor shall any charge for default be made on a charge for default. Otherwise an association may impose a charge for failure to make any required payment to it when due upon any loan or contract for the resale of real estate to a member not to exceed 4% of the amount of each payment in arrears but no more than one such charge may be made with respect to any one payment in arrears. An association may impose a reasonable service charge against any member who tenders to such association, for collection or as payment, a check or other instrument of any type which subsequently is not honored by the institution or person upon which such check or other instrument is drawn. None of such charges shall be deemed usurious.

(14) Compute interest upon any direct reduction loan, on designated payment dates, and add the same to the unpaid balance of such loan.

(15) Act as agent for any person where such agency will further the interests of the association

and its members, subject to such limitations as may be prescribed by the commissioner.

C. 17:12B-49.
Safe deposit
boxes.

49. An insured association shall have power to keep, maintain and rent out for hire, at the location occupied by its principal office or any branch office, safe deposit boxes or other receptacles for the safe keeping of personal property. In exercising the powers authorized by this paragraph, the insured association shall have, but shall not be confined to, the same rights and remedies conferred upon safe deposit companies.

C. 17:12B-50.
Payment of
pensions.

50. Adopt, alter, contract for or rescind a plan or plans providing for the payment of pensions to its officers and employees and for the payment to them for life or for a period certain of such pension payments within the limits prescribed by this section as may be set forth in a plan or plans adopted by the board. If such a plan provides for the payment of such benefits for a period certain, it may also provide that if such officer or employee shall die before the expiration of such period, the benefits shall be paid for the remainder of such period to the beneficiary designated by such officer or employee in the manner provided by such plan or plans. Any pension plan or plans adopted shall provide that upon the termination of employment for any cause or the commencement of pension payments pursuant to such plan or plans or upon death prior to such commencement of pension payments the officer or employee or the beneficiary designated by him shall be entitled to receive so much of the incidents of ownership thereof as shall have been purchased by his contributions, and in addition thereto, so much of the incidents of ownership thereof as shall have been purchased by the State association for his benefit as shall be provided in such plan or plans.

C. 17:12B-51.
Provisions
of pension
plan.

51. Without limiting the generality of the type of pension plan or plans a State association may adopt, a pension plan adopted may provide for:

(a) a fund accumulated from income of the State association or set aside from the undivided profits

account of the State association, out of which pension payments may be paid directly or which may be used in whole or in part for the purchase of annuity or insurance contracts, or both; and to which officers and employees may make contributions; or

(b) the purchase of group annuity or group insurance contracts, or both, the premiums upon which may be paid in full by the State association, or in part by the State association and in part by its officers and employees, as the board may from time to time determine; or

(c) a trust fund or funds accumulated or set aside and administered by trustees designated by the State association out of which pension payments may be paid directly or which may be used to purchase annuity or insurance contracts in whole or in part. A plan providing for such a trust fund or funds may also provide for the purchase of life insurance contracts providing death benefits for participants in the plan subject to the limitations of this act; or

(d) such other plan or plans as may be approved by the commissioner, subject to the limitations and conditions set forth in this act. Such plan or plans must provide that the total obligation or liability of the State association as to each participant:

(1) is stated in said plan, or is determinable from said plan,

(2) is fully funded at the commencement of said plan or plans, or is funded as it accrues, or

(3) is limited to the amount funded.

In the case of an insured association, that portion of the total obligation or liability of such association to each participant, which has not been fully funded, shall automatically terminate in the event of default as defined in Title IV of the National Housing Act.

52. No officer or employee of any State association shall be eligible to receive pension payments unless:

C. 17:12B-52.
Eligibility
to receive
pension
payments.

(a) such officer or employee has attained the age of at least 60 years and has served the State association as an officer or employee or both for not less than 15 years, or

(b) such officer or employee has attained the age of at least 50 years, has served the State association as an officer or employee or both for not less than 10 years, and has become incapacitated from any cause from continuing his duties as such officer or employee, or

(c) such officer or employee has served the State association as an officer or employee or both, for not less than 15 years, and has become incapacitated from any cause from continuing his duties as such officer or employee.

C. 17:12B-53.
Limitation
on pension
plan.

53. No State association shall pay or contract for the payment or adopt a plan providing for the payment of any annual pension payment which shall exceed:

(a) 60% of the average annual salary paid during the last 36 months of service preceding the commencement of pension payments, or

(b) $\frac{1}{6}$ of 1% of such annual salary multiplied by the number of months of service, or

(c) 60% of the average annual salary received during the period commencing with the eligibility to participate in such pension plan as set forth in the plan or plans and the date pension payments commence, or in lieu thereof, $\frac{1}{6}$ of 1% of such average annual salary multiplied by the number of months of service; whichever is greater.

C. 17:12B-54.
Not to bar
greater
benefits.

54. Nothing in this act shall prevent the payment of greater benefits if the officer or employee contributes the premium or other charges for the purchase or return of benefits in excess of the maximum limited by this act.

C. 17:12B-55.
Death benefits
limitation.

55. Where a plan or plans provide for death benefits, said death benefits shall not exceed an amount equal to 100 times the monthly pension benefit provided under the plan or plans, or the cash surrender value of any insurance or annuity contracts as provided for under the plan or plans, whichever is

greater. The provision for death benefits or for a period certain shall not serve to reduce the maximum pension amount as set forth in this act.

56. Any payments required to establish a pension fund out of which benefits may be paid directly or to provide for prior service credits under the pension plan or for any proper purpose in connection with the establishment or maintenance of a pension plan, may with the approval of the commissioner be appropriated from the undivided profits account and shall not be subject to the provisions of section 72 of this act. In the event of a merger of 2 or more associations, any pension plan in effect in a merging association may with the approval of the commissioner and the board of the receiving State association be assumed by the receiving State association, and for purposes of the pension, persons serving under the merging association shall be considered to have served such employment under the receiving State association.

C. 17:12B-56.
Source of
pension fund;
effect of
merger.

57. Every pension plan adopted or altered for a State association shall before it is placed in operation, be submitted to the commissioner for his approval. The commissioner shall approve such plan or alterations thereof unless he shall find:

C. 17:12B-57.
Pension plan
submitted to
commissioner
for approval.

- (a) it does not conform to law, or
- (b) its adoption or alteration would be hazardous to the State association, or
- (c) its provisions are unfair or inequitable.

58. Notwithstanding any other provisions of this act, a State association, with the approval of the commissioner, may adopt any plan for retirement or disability benefits for its officers or employees in accordance with any plan sponsored by any Federal Home Loan Bank of which it is a member.

C. 17:12B-58.
Adoption of
plan sponsored
by Federal
Home Loan
Bank.

59. In addition to the powers to adopt pension plans as set forth in this act, a State association may subject to the approval of the commissioner, contract to make pension payments to retired officers and employees; provided, however, that said officers or employees have been employed by the State association for the minimum time periods as

C. 17:12B-59.
Pension for
retired
officers and
employees.

set forth in this act for eligibility to receive pension payments.

Without limiting the generality of the type of contract, every such contract adopted by a State association shall contain the following provisions:

(a) that in no event shall payments provided for under a contract exceed the maximum payments as limited by this act for officers or employees covered under a pension plan or plans.

(b) that the amount of the payments, provided for under said contract, shall be subject to reduction in the event said payments exceed that portion of the net income of the State association, which said payments bore to the average net income of the State association for the 3 years immediately preceding the commencement of said payments; such reduction in said payments shall be proportionate to the decrease in net income. Net income for this purpose shall mean net income as defined in section 7 of this act, less any amounts required to be placed in reserve accounts under the provisions of this act.

(c) that the board may terminate such payments at any time.

(d) that where the contracting State association is an insured association such payments shall automatically terminate in the event of a default as defined in Title IV of the National Housing Act.

C. 17:12B-60.
Termination
of pension
plan.

60. Any State association may at any time discontinue its participation in a pension plan and terminate any and all prospective liability in connection therewith, by giving at least 30 days' written notice of its intention so to do to the officers and employees who will be affected thereby.

C. 17:12B-61.
Transmission
of money;
money orders;
travelers
checks.

61. Any association may receive money for transmission and may transmit such money through the Federal Home Loan Bank of New York, or through any bank or trust company, and may sell money orders and travel checks as agent for any person empowered to sell such instruments through an agent within the State of New Jersey.

ARTICLE V

MANAGEMENT

62. Directors, number, powers. The business and affairs of every State association shall be managed and directed by a board of directors. The board shall consist of such number as the by-laws provide, but not less than 6. Each director shall be a citizen of the United States and shall be a member of the State association. He shall have such other qualifications and meet such eligibility requirements, as this act and the by-laws provide. The board may exercise any and all powers of a State association not expressly reserved to the members of the State association by the provisions of this act and the by-laws. All checks, notes and drafts of the State association shall be executed in a manner and form determined by resolution of the board of the State association. If the by-laws so provide, the board may delegate any of its powers to any committee composed of members of the board.

C. 17:12B-62.
Directors;
number;
qualifications;
powers.

63. Directors' election, vacancies. The directors shall be elected by the members of the association by ballot at the annual meeting, for such term, not exceeding 3 years, as the by-laws provide. Where the term is more than 1 year, the by-laws shall establish terms of office so that an equal number of directors, so far as possible, shall be elected each year. A vacancy in the board may be filled by the board until the next annual meeting of the association, when it shall be filled by the members of the association for the remainder of the unexpired term. Each director shall hold office for the term for which he is elected and until his successor shall be chosen and qualified.

C. 17:12B-63.
Election of
directors;
terms;
vacancies.

64. Attorneys, employees. The board may retain or employ one or more attorneys-at-law or firm of attorneys-at-law of this State for a term not longer than 1 year. The board may employ, or authorize any officer to employ, any persons necessary for the conduct of the business of the State association.

C. 17:12B-64.
Attorneys;
employees.

C. 17:12B-65.
Officers.

65. Officers. The officers of every State association shall be a president, one or more vice-presidents, a secretary and a treasurer and such other officers as the by-laws may provide, all of whom shall be savings members of the State association. They shall be elected by the board unless the by-laws provide for their election by the members of the State association. Each officer shall be elected for a term of not more than 1 year, but shall continue in office until the election and qualification of his successor. Any 2 offices, except the offices of president and vice-president, may be held by one person. No officer shall act as attorney or conveyancer of his State association. A vacancy in any office may be filled by the board for the unexpired term. The board may appoint or employ or authorize any officer to appoint or employ assistant officers or assistants to officers subject to the confirmation of the board; provided, however, that assistants to officers shall not be considered as officers, but as employees.

C. 17:12B-66.
Powers of
officers.

66. Officers' powers. Each officer in addition to such powers and duties as usually pertain to his office shall have such powers and duties as the by-laws may provide and as may be delegated to him by the board.

C. 17:12B-67.
Oath of
office;
filing.

67. Oath of office of directors and officers. Each officer and director shall, before entering upon the duties of his office, take and subscribe to the following oath or affirmation of office:

Oath or Affirmation of Office

State of New Jersey }
County of } ss:

of full age, being duly sworn
on his oath or affirmation according to law, deposes
and says:

1. I reside at ; am a member of the
office of Association; hereby accept the
, to which I have been

elected or appointed; will diligently and honestly administer the affairs of said association within the scope of my powers and duties; and not knowingly violate, or permit to be violated, the provisions of the Savings and Loan Act of New Jersey, and the association's by-laws.

Subscribed and sworn to or affirmed before me
this day of , 19 .

.....

All oaths or affirmations of office shall be filed with the secretary. If any officer or director shall fail within a reasonable time after his election to take and subscribe the oath or affirmation required by this section, the board may declare his office vacant. If any officer or director shall violate the provisions of his oath, or affirmation the board, after affording him an opportunity to be heard, may declare his office vacant by a vote of $\frac{2}{3}$ of the directors present at any meeting of the board, of which meeting notice shall have been given to each director.

68. Minimum account requirements for directors. Each director shall at all times own, in his own name, an account in his State association having an unencumbered balance as hereinafter set forth:

C. 17:12B-68.
Minimum
account
requirements
for directors.

(a) In a State association having assets of less than \$500,000.00, an unencumbered balance of at least \$200.00;

(b) In a State association having assets of \$500,000.00 or more, but less than \$5,000,000.00, an unencumbered balance of at least \$500.00;

(c) In a State association having assets of \$5,000,000.00 or more, an unencumbered balance of at least \$1,000.00.

A director may pledge his account as security for a loan, but the term "unencumbered balance," as used herein, shall mean the withdrawal value of the account, less the amount of any loan secured by said account, plus accrued interest, and the account shall not otherwise be pledged or encumbered.

In lieu of these requirements a director may hold an account upon which he shall pay at least \$5.00 per month, without default, until the minimum unencumbered balance is attained, which minimum shall thereafter be maintained; provided, however, that this section shall not disqualify any director of a State association which issues installment shares exclusively and where the unencumbered balance of his account is reduced to less than the required minimum due to the maturity of shares; provided, however, that he resubscribes to an account upon which payments of at least \$5.00 per month are made, without default, until the minimum required unencumbered balance is again attained. If any director shall fail for more than 3 months to maintain the minimum requirements of his account, his office shall thereupon automatically become vacated and he shall not become eligible to such office again until after the expiration of his then existing term of office.

C. 17:12B-69.
Loans to
officers,
directors,
attorneys or
employees.

69. Loans to officers, directors, attorneys or employees. No loan shall be made by any State association to any officer, director, attorney or employee of such State association, nor upon the security of any real estate which is owned by a corporation or partnership of which he is a stockholder or member, or in the ownership of which he has any direct or indirect legal or equitable interest, except a mortgage loan made for the financing of the home of such officer, director, attorney or employee, or an account loan, or a loan the proceeds of which are used to pay the cost in whole or in part of repairing, altering, improving or rehabilitating the home of such officer, director, attorney or employee, which may be made under the provisions of sections 154, 156 or 157 of this act.

C. 17:12B-70.
Default by
directors and
officers.

70. Default by directors and officers. No person who is in default for a period of more than 3 months in the payment of any obligation to an association, shall be elected as an officer or director of such association. If any officer or director defaults for a period of more than 3 months in the payment of

any obligation to his association, his office shall thereupon automatically become vacant and he shall not become eligible to any office again until after the expiration of his then existing term of such office.

71. Restriction upon purchase of accounts. No officer, director, attorney or firm of attorneys or employee of any State association shall purchase any savings account or shares in such State association from any other person, directly or indirectly, for less than the withdrawal value thereof.

C. 17:12B-71.
Restriction on
purchase of
accounts.

72. Limitation of expenses. The aggregate amount of an association's expenses in any fiscal year for the compensation of officers, employees and directors and for premiums, contributions, or other expenditures made in connection with retirement, life insurance, disability, hospitalization or other like benefits for officers and employees and rent for the association's office, shall not exceed 2% of the association's assets at the end of its last preceding fiscal year. This section shall not apply to an association whose assets were less than \$100,000.00 at the end of its last preceding fiscal year.

C. 17:12B-72.
Limitations
on expenses.

73. Bonds required. The board shall require the secretary, treasurer, attorney, conveyancer and every other officer, director, employee, or agent handling or having the custody or charge of money, securities, books or records belonging to the association, before entering upon his duties, to be bonded in adequate amount and with good and sufficient surety, which shall be a surety company authorized to transact business in this State, and such bonds shall be approved by the board. The board shall examine annually all the bonds and pass on their sufficiency, and, if insufficient, immediately require new or additional bonds. The failure of any person to furnish, or qualify for, such bond shall be ground for his summary removal by the board. The commissioner may at any time order the bond of any such person to be increased. In lieu of such individual bonds, the board may procure a blanket bond

C. 17:12B-73.
Bonds
required.

providing the same protection to the association. The association may pay the premiums on any and all such bonds. No bond shall be deemed to comply with the requirements of this section unless such bond contains a provision that it shall not be cancellable for any cause unless notice of intention to cancel is filed in the Department of Banking and Insurance at least 5 days before the day upon which cancellation shall take effect.

Article VI. Membership, Accounts, Shares

C. 17:12B-74.
Membership.

74. Membership generally. The members of a State association shall be those in whose names accounts are established either as savings members or as borrowing members. Except as limited by the provisions of this act, or the by-laws of a State association, or its board, any person may become a member of a State association.

C. 17:12B-75.
Membership
plans.

75. Membership plan. Each State association shall operate upon one of the following membership plans:

Plan 1. The nonshare plan described in section 76.

Plan 2. The share plan described in section 77.

Plan 3. The plan upon which it was operating on April 4, 1946, providing it has been continually operating on that plan.

Any State association may, at any time hereafter, change from the plan upon which it shall then be operating to Plan 1 or 2, and may make such change in plan applicable only to those memberships established after such change, continuing, concurrently, to operate upon the plan upon which it previously operated with respect to those memberships established prior to such change. The by-laws of each State association shall designate which of said plans it elects to operate under.

C. 17:12B-76.
Nonshare
plan.

76. Nonshare plan. A State association operating pursuant to the nonshare plan shall issue to each savings member an account book or, in lieu thereof, any other evidence of the account which may be approved by the commissioner. Any such State as-

sociation may also issue to each member, at its option, a membership certificate. Payments by savings members may be made at their option subject to the by-laws of the State association, or to any regulations of the State association adopted in accordance with the provisions of this act. The same rate of dividend shall be declared to all savings members' accounts; except as may otherwise be provided by this act. No such State association shall impose any charge against any savings member, nor retain any of the dividends credited to any member's account in the event of withdrawal of such account, except as may be permitted by regulations issued by the commissioner.

77. Share plan. Membership in a State association operating pursuant to the share plan shall be evidenced by a share certificate, account book, or, in lieu thereof any other evidence of the account which may be approved by the commissioner, provided, however, the membership of a borrowing member may be evidenced only by a membership certificate.

C. 17:12B-77.
Share plan.

Such State associations may issue the following types of shares, all of which shall be common shares:

(1) Installment shares, which shall be issued in connection with accounts upon which payments are made periodically in regular amounts as required by the by-laws. The by-laws shall specify the maturity value of such accounts. All such accounts shall have the same maturity value, but the by-laws may be amended to provide that accounts thereafter issued shall have a different maturity value from those theretofore issued.

Upon the maturity of an installment share account so much of its participation value as remains after payment of any obligation for which it may have been pledged, shall be disposed of in one of the following ways:

(a) The State association may pay the same to the member under the same terms and con-

ditions which apply to the payment of withdrawals.

(b) The State association may transfer the same to any other type of account in said State association to the credit of the member, giving him immediate written notice thereof, personally or by mail.

(c) The member may withdraw the same in accordance with the same terms and conditions which apply to other withdrawals.

(2) Savings shares, which shall be issued in connection with accounts upon which payments may be made at the option of the member.

(3) Income shares, which shall be issued in connection with accounts requiring the investment of fixed amounts in units of \$100.00 or multiples thereof, upon which dividends are paid in cash.

C. 17:12B-78.
Limitation
upon accounts;
exceptions.

78. Limitation upon accounts. No savings member shall hold an account or accounts in any one State association with an aggregate participation value exceeding \$15,000.00 or 1% of the capital of the State association, whichever is greater; but in no case in excess of \$50,000.00; provided, however, that such limitation shall not apply to—

(a) An account held as provided in section 80 or section 241 of this act; or

(b) An account which is pledged as security for the repayment of money due such State association; or

(c) An installment share account; or

(d) An account, other than an installment share account, which exceeds the aforesaid limitation at the time of the enactment of this statute, but no additions other than dividends shall be made thereto; or

(e) Where such excess results from the addition of dividends to any such account, or from the acquisition of an account by gift, will or inheritance; or from the acquisition of an account previously held as collateral security for the payment of an obliga-

tion; or from the acquisition by one State association of the assets of another association; or

(f) Where such excess results from a reduction in the capital of the association.

The board may provide for any lesser limitation than set forth in this section, and any person or persons authorized by it, may refuse to accept any account and may limit the amount of payments which may be received on any account.

79. Forms of certificate. The following form of MEMBERSHIP certificate is hereby prescribed.

C. 17:12B-79.
Form of
membership
certificate.

This certifies that is a savings borrowing member of the undersigned and holds a membership account therein subject to the Savings and Loan Act of New Jersey and the by-laws of the undersigned.

Date Association

Association's Seal By
(Title of Officer or Officers)

The following form of SHARE certificate is hereby prescribed.

This certifies that is a member of the undersigned and holds (insert number and type of shares) shares therein subject to the Savings and Loan Act of New Jersey and the by-laws of the undersigned.

Date Association

Association's Seal By
(Title of Officer or Officers)

Participation Value \$.
(To be added if account book is not issued)

Said membership certificates and share certificates shall be signed by such officer or officers as the board of each association shall direct.

80. Governmental agencies may be members. The United States of America, the State of New Jersey, or any agency or instrumentality of either of them, or any corporation incorporated under the laws

C. 17:12B-80.
Governmental
agencies as
members.

of the United States, in the stock of which the Secretary of the Treasury of the United States may be authorized by an Act of Congress to invest, may be a member of any association and hold one or more accounts therein without limit as to amount. Any association may make an agreement with any such member, deferring or postponing the right to withdraw all or any part of such member's account, but such member shall not be entitled to any withdrawal preferences or priorities as against any other member, and shall otherwise be entitled to all rights and privileges and subject to all obligations and limitations of membership in such association.

C. 17:12B-81.
Membership
by minors.

81. Minors. Minors may be members and shall be entitled to all of the rights and privileges and subject to all of the duties and liabilities of membership to the same extent as persons over the age of 21 years.

A minor may endorse for credit to his account with an association checks and other instruments for the payment of money which are payable to him or to his order. The association shall pay any moneys to the credit of such an account, from time to time to, or pursuant to the order of, such minor. In all transactions with respect to such an account the minor shall, as between himself and the association, be deemed to be the absolute owner and to be of full age and legal capacity. A minor shall also be permitted to obtain a loan from an association secured by a pledge of his account. In all transactions with respect to such an account loan, as defined in section 5 of this act, the minor shall, as between himself and the association, be deemed to be the absolute owner and to be of full age and legal capacity.

No minor shall be entitled to vote until he shall have attained the age of 16 years. This section shall also apply to all Federal associations having their principal offices in this State to the extent that the section is not in conflict with Federal laws, rules and regulation.

82. For the purposes of sections 82 through 86 of this act the words "beneficiary" and "fiduciary" shall be intended to mean one or more such persons unless restricted by the context to a single individual.

C. 17:12B-82.
Use of
wards;
membership
trust accounts.

Membership trust accounts.

Whenever an account is opened by any person or persons, describing himself or themselves, in opening such account as trustee or fiduciary for any other person or persons, and no other or further evidence of the existence or terms of a legal and valid trust, than such description, shall have been given in writing to the association, the association shall pay any moneys to the credit of such account from time to time to, or pursuant to the order of, such fiduciary during his lifetime. When the fiduciary makes a payment or payments to such account, or causes a payment or payments to be made to such account, the fiduciary shall conclusively be presumed to intend to declare and create a trust of the moneys at any time to the credit of such account, for the named beneficiary, with the fiduciary as trustee, upon the following terms:

(1) The trust shall be revocable at will by the fiduciary, and the withdrawal value of any such account, and dividends thereon, or other rights relating thereto, less all proper set-offs and charges, may be paid, or delivered, in whole or in part, to such fiduciary without regard to any notice to the contrary so long as such fiduciary is living;

(2) If the fiduciary survives the named beneficiary, the named beneficiary's death shall terminate the trust and title to the moneys to the credit of the trust, less all proper set-offs and charges, shall vest in the fiduciary, free and clear of the trust; provided, however, where such an account names more than one beneficiary, the death of one of the beneficiaries so named shall not terminate the trust and the trust shall continue as to the surviving beneficiary or beneficiaries subject to the provisions of this section;

(3) If the named beneficiary survives the fiduciary, such fiduciary's death shall terminate the trust and any moneys to the credit of the trust, less all proper set-offs and charges, shall vest solely and indefeasibly in the named beneficiary, notwithstanding any action by the fiduciary, or any evidence, contrary to or negating the fiduciary's conclusively presumed intention in declaring, creating and maintaining the trust; provided, however, where such an account is opened or subsequently held by more than one fiduciary, the death of one of such fiduciaries shall not terminate the trust and the trust shall continue as to the surviving fiduciary or fiduciaries and named beneficiary or beneficiaries subject to the provisions of this section;

(4) Where a fiduciary's death terminates the trust under the provisions of subsection (3) of this section and where the named beneficiary or all of the beneficiaries so named are 16 years of age or over at the time of termination of such trust, the association shall pay the moneys to the credit of the trust, less all proper set-offs and charges, to the named beneficiary or beneficiaries or upon his or their order, and such payment by the association shall be valid, notwithstanding any lack of legal age of the named beneficiary or beneficiaries;

(5) If the named beneficiary or all of the beneficiaries so named are under 16 years of age at the time of termination of such trust, the association shall pay the moneys to the credit of the trust, less all proper set-offs and charges,

(a) When or after the named beneficiary becomes 16 years of age, to the named beneficiary or upon his order, or

(b) When more than one beneficiary is named, the association shall pay to the beneficiary so named his proportionate interest in such account as he becomes 16 years of age, or

(c) to the legal guardian of the named beneficiary wherever appointed, or where more than one beneficiary is named, the association shall

pay such beneficiary's proportionate interest in such account to his legal guardian wherever and whenever appointed, or

(d) if a certificate of appointment of a legal guardian is not filed with the association to a person authorized to receive such moneys or proportionate interest thereof pursuant to sections 3A:6-31 and 3A:6-32 of the New Jersey Statutes.

(6) Where a fiduciary's death terminates the trust under the provisions of subsection (3) of this section and where one or more of the named beneficiaries are under 16 years of age and the remainder of the named beneficiaries are 16 years of age or over, the association shall pay the moneys to the credit of the trust, less all proper set-offs and charges to:

(a) The named beneficiaries 16 years of age or over at the time of termination of said trust pursuant to subsection (4) of this section, and

(b) The named beneficiaries under 16 years of age at the time of termination of said trust pursuant to subsection (5) of this section.

(7) Where such an account is opened or subsequently held by more than one fiduciary the association, in the absence of any written instructions to the contrary, consented to by the association, shall accept payments made to such account and may pay any moneys to the credit of such account from time to time to, or pursuant to the order of, either or any of said persons during their life or lives, in the same manner as if the account were in the sole name of either or any of such fiduciaries.

83. Section 82 of this act shall not apply to the moneys paid to an account by a trustee acting under a will, other fiduciary instrument, court order or decree.

C. 17:12B-83.
Application
of section 82.

84. An association which makes any payment pursuant to section 82 of this act prior to service upon the association of an order of court restrain-

C. 17:12B-84.
Association
released from
claims of
fiduciary, etc.

ing such payment shall, to the extent of each payment so made, be released from all claims of the fiduciary, the named beneficiary, their legal representatives, and all others claiming under or through them.

C. 17:12B-85.
Beneficiary's
rights in
account not
to be abridged.

85. When an account is maintained in a form described in section 82 of this act the right of the named beneficiary to be vested with sole and indefeasible title to the moneys, to the credit of the account on the death of the fiduciary, shall not be denied, abridged, or in anywise affected because such right has not been created by a writing executed in accordance with the laws of this State prescribing the requirements to effect a valid testamentary disposition of property.

C. 17:12B-86.
Provisions
applicable to
Federal
associations.

86. The provisions of section 82 of this act shall also apply to all Federal associations having their principal offices in this State, where such procedures are not in conflict with any Federal laws, rules and regulations.

C. 17:12B-87.
Payments to
attorneys.

87. An association may continue to recognize the authority of any attorney authorized in writing to manage or to make withdrawals either in whole or in part from the savings account of a member until it receives written notice or is on actual notice of the revocation of his authority. For the purposes of this section, written notice of the death or adjudication of incompetency of such member shall constitute written notice of revocation of the authority of his attorney. No association shall be liable for damages, penalties or tax by reason of any payment made pursuant to this section.

C. 17:12B-88.
Membership
accounts
payable at
death.

88. Membership accounts payable at death. An account in an association may be opened by any person or persons with directions to make such an account payable on the death of the person or persons opening such an account to a named beneficiary or beneficiaries. When an account is so opened the association shall pay any moneys to the credit of the account from time to time to, or pursuant to the order of, the person or persons opening such an account during his or their lifetime, in the same

manner as if the account were in the sole name or names of such person or persons.

89. If the named beneficiary or one of the beneficiaries so named survive the death of the person opening such an account and the beneficiary or all of the beneficiaries so named are 16 years of age or over at the death of the person opening such an account, the association shall pay the moneys to the credit of the account, less all proper set-offs and charges, to the named beneficiary or beneficiaries or upon his or their order, as hereinafter provided, and such payment by the association shall be valid, notwithstanding any lack of legal age of the named beneficiary or beneficiaries; provided, however, where such an account is opened or subsequently held by more than one person, the death of one of such persons shall not terminate the account and the account shall continue as to the surviving person or persons and the named beneficiary or beneficiaries subject to the provisions of sections 90 through 97 of this act.

C. 17:12B-89.
Payment to
surviving
beneficiary or
beneficiaries;
validity.

90. If the named beneficiary or all of the beneficiaries so named survive the death of the person or persons opening such an account and are under 16 years of age at such time, the association shall pay the moneys to the credit of the account, less all proper set-offs and charges,

C. 17:12B-90.
Payment to
surviving
beneficiary or
beneficiaries
under 16
years.

(a) When or after the named beneficiary becomes 16 years of age, to the named beneficiary or upon his order, or

(b) When more than one beneficiary is named, the association shall pay to the beneficiary so named his proportionate interest in such account as he becomes 16 years of age, or

(c) To the legal guardian of the named beneficiary, wherever appointed, or where more than one beneficiary is named, the association shall pay such beneficiary's proportionate interest in such account to his legal guardian wherever and whenever appointed, or

(d) If a certificate of appointment of a legal guardian is not filed with the association, to a per-

son authorized to receive such moneys, or proportionate interest thereof, pursuant to sections 3A:6-31 and 3A:6-32 of the New Jersey Statutes.

C. 17:12B-91.
Payments
to the credit
of the trust.

91. Where the death of the person or persons opening such an account terminates the account under the provisions of sections 89 or 90 of this act and where one or more of the named beneficiaries are under 16 years of age and the remainder of the named beneficiaries are 16 years of age or over, the association shall pay the moneys to the credit of the trust, less all proper set-offs and charges to:

(a) The named beneficiaries 16 years of age or over at the time of termination of said account shall be paid pursuant to section 89 of this act, and

(b) The named beneficiaries under 16 years of age at the time of termination of said account shall be paid pursuant to section 90 of this act.

C. 17:12B-92.
Joint
accounts.

92. Where such an account is opened or subsequently held by more than one person the association, in the absence of any written instructions to the contrary, consented to by the association, shall accept payments made to such account and may pay any moneys to the credit of such account from time to time to, or pursuant to the order of, either or any of said persons during their life or lives, in the same manner as if the account were in the sole name of either or any of such persons.

C. 17:12B-93.
Presumed to
vest beneficial
interest in
beneficiary.

93. When a person or persons opens an account in an association, in the form set forth in section 88 of this act, and makes a payment or payments to such account, or causes a payment or payments to be made to such account, such person or persons shall be conclusively presumed to intend to vest in the named beneficiary or beneficiaries, a present beneficial interest in each payment so made, and in the moneys to the credit of the account from time to time, to the end that, if the named beneficiary or beneficiaries survive the person or persons opening such an account, all the right and title of the person or persons opening such an account in and to the moneys to the credit of the account at the death of such person or persons, less all proper set-offs and

charges, shall, at such death, vest solely and indefeasibly in the named beneficiary or beneficiaries subject to the conditions and limitations of sections 90 through 97 of this act.

94. If the named beneficiary predeceases the person opening such an account, the present beneficial interest presumed to be vested in the named beneficiary pursuant to section 93 of this act shall terminate at the death of the named beneficiary. In such case, the personal representatives of the named beneficiary, and all others claiming through or under the named beneficiary, shall have no right in or title to the moneys to the credit of the account, and the association shall pay such moneys, less all proper set-offs and charges, to the person opening such an account, or pursuant to his order, in the same manner as if the account were in the sole name of the person opening such an account; provided, however, where such an account names more than one beneficiary, the death of one of the beneficiaries so named shall not terminate the account and the account shall continue as to the surviving beneficiary or beneficiaries subject to the provisions of sections 90 through 97 of this act.

C. 17:12B-94.
Beneficial
interest to
terminate
upon death
of named
beneficiary.

95. An association which makes any payment pursuant to sections 89 through 94 of this act prior to service upon the association of an order of court restraining such payment shall, to the extent of each payment so made, be released from all claims of the person or persons opening such an account, the named beneficiary or beneficiaries, their legal representatives, and all others claiming through or under them.

C. 17:12B-95.
Association
released from
claims.

96. When an account is opened in a form described in section 88 of this act, the right of the named beneficiary or beneficiaries to be vested with sole and indefeasible title to the moneys to the credit of the account on the death of the person or persons opening such an account shall not be denied, abridged, or in anywise affected because such right has not been created by a writing executed in accordance with the law of this State

C. 17:12B-96.
Rights of
beneficiary
not abridged
or affected.

prescribing the requirements to effect a valid testamentary disposition of property.

C. 17:12B-97.
Provisions to
apply to
Federal
associations.

97. The provisions of sections 88 through 96 of this act shall also apply to all Federal savings and loan associations having their principal offices in this State, where such procedures are not in conflict with any Federal laws, rules and regulations.

C. 17:12B-98.
Joint
membership
accounts.

98. Joint membership accounts. An account in an association may be opened in the names of 2 or more persons, payable to either, or to any, or to the survivor or survivors. In the absence of written instructions to the contrary, consented to by the association, when an account is so opened the association shall pay any moneys to the credit of the account from time to time to, or pursuant to the order of, either or any of said persons during their life or lives, in the same manner as if the account were in the sole name of either or any such of the 2 or more persons to whom, or pursuant to whose order, the moneys are paid. Upon the death of any such person or persons, the association shall pay the moneys to the credit of the account, less all proper set-offs and charges, to, or pursuant to the order of, the survivor or survivors.

C. 17:12B-99.
Presumption
of vesting
beneficial
interest.

99. When either, or both, or one or more of the 2 or more persons in whose names such an account is opened in any form described in section 98 of this act, makes a payment or payments to such an account, or causes a payment or payments to be made to such account, such person or persons shall be conclusively presumed to intend to vest in the other or others a present beneficial interest in each payment so made, and in the moneys to the credit of the account from time to time, to the end that, upon the death of any such person or persons, all the right and title of the person so dying in and to the moneys to the credit of the account on his death, less all proper set-offs and charges, shall, at such death, vest solely and indefeasibly in the survivor or survivors.

100. Sections 98 and 99 of this act shall apply to all accounts opened in an association in the names of 2 or more persons, payable to either, or to any, or to the survivor or survivors, regardless of whether the names of the 2 or more persons are stated in the conjunctive or the disjunctive, or otherwise and regardless of whether the account is expressed to be payable to either or any of such persons or to the survivor or survivors, or is expressed to be payable to either or any of such persons and to the survivor or survivors of them.

C. 17:12B-100.
Applications
of sections
98 and 99.

101. An association which makes any payment pursuant to sections 98 through 100 of this act prior to service upon the association of an order of court restraining such payment, shall, to the extent of each payment so made, be released from all claims of each of the 2 or more persons, their legal representatives, and all others claiming by, from, through or under them, or any of them.

C. 17:12B-101.
Association
released from
all claims.

102. When an account is opened in the names of 2 or more persons in any form described in sections 98 and 99 of this act the right of the survivor or survivors of the 2 or more persons to be vested with sole and indefeasible title to the moneys to the credit of the account on the death of any of such person or persons, shall not be denied, abridged, or in anywise affected because such right has not been created by a writing executed in accordance with the law of this State prescribing the requirements to effect a valid testamentary disposition of property.

C. 17:12B-102.
Survivor or
survivors
vested with
sole and
indefeasible
title.

103. The pledge to any association of such an account, signed by that person or those persons who are authorized in writing to make withdrawals from the account shall be a valid pledge and transfer to the association of the account, and shall not operate to sever or terminate the joint and survivorship ownership of the account.

C. 17:12B-103.
Pledge to
association
valid; effect.

104. The provisions of sections 98 through 103 of this act shall also apply to all Federal savings and loan associations having their principal offices in this State, where such procedures are not in conflict with any Federal laws, rules and regulations.

C. 17:12B-104.
Provisions of
sections 98
through 103
applicable.

C. 17:12B-105.
Not to
validate trust
created in
fraud; duty
of association.

105. Nothing in this act shall validate any trust created in fraud of creditors of the fiduciary nor affect any law of this State governing transfer inheritance or estate taxes, nor shall anything herein relieve an association of its duty to conform with the provisions of the law imposing transfer inheritance taxes with respect to decedents' estates.

C. 17:12B-106.
Accounts in
administrators,
custodians,
etc.

106. Any association may accept accounts in the name of one or more administrators, custodians, executors, guardians, trustees, or other fiduciaries in trust for a named beneficiary or beneficiaries.

(1) Any such fiduciary shall have such voting rights as are provided in section 126 of this act.

(2) Any such fiduciary shall have power to open such an account and to make a payment or payments to, and to withdraw from any such account in whole or in part.

(3) Unless the will or other instrument, or the court order or decree under which such fiduciary is acting, provides otherwise, the withdrawal value of any such account, and dividends thereon, or other rights relating thereto may be paid or delivered, in whole or in part, to such fiduciary so long as such fiduciary is living. The payment or delivery to any such fiduciary or a receipt or acquittance signed by any such fiduciary to whom any such payment or any such delivery or rights is made shall be a valid and sufficient release and discharge of an association for the payment or delivery so made.

(4) Whenever a person holding an account in such a fiduciary capacity dies and no written notice of the revocation or termination of the fiduciary relationship shall have been given to an association and the association has no notice of any other disposition of the beneficial estate, the withdrawal value of such account, and dividends thereon, or other rights relating thereto may, at the option of the association, be paid or delivered, in whole or in part, to the beneficiary or beneficiaries.

(5) Where such an account is opened or subsequently held by more than one fiduciary the association may accept payments made to such account and

may pay any moneys to the credit of such account from time to time to, or pursuant to the order of any one or more of such cofiduciaries who shall be authorized in writing by all the cofiduciaries to make such payments or withdrawals, unless the will or other instrument or the court order or decree under which such cofiduciaries are acting otherwise provides.

107. When an account is opened in an association in the names of 2 or more persons, payable to either or any or to the survivor or survivors, the right of the survivors to be vested with sole and indefeasible title to the moneys to the credit of the account on the death of the first of such persons to die, shall not be denied, abridged, or in anywise affected because such right has not been created by a writing executed in accordance with the laws of this State prescribing the requirements to effect a valid testamentary disposition of property. This section shall apply regardless whether the names of the 2 or more persons are stated in the conjunctive or in the disjunctive, or otherwise.

C. 17:12B-107.
Rights of
survivors
not abridged.

108. When an account is opened in an association in the name of

(a) one or more persons as trustee for a named beneficiary or beneficiaries; or

(b) one or more persons in trust for a named beneficiary or beneficiaries; or

(c) one or more persons payable on the death of such person or persons to a named beneficiary or beneficiaries, and the person or persons opening such an account, predecease the named beneficiary or beneficiaries the right of the named beneficiary or beneficiaries, to be vested with sole and indefeasible title to the moneys to the credit of the account at the death of the person or persons opening such an account, shall not be denied, abridged or in anywise affected because such right has not been created by a writing executed in accordance with the law of this State prescribing the requirements to effect a valid testamentary disposition of property.

C. 17:12B-108.
Rights of
beneficiary
not affected.

C. 17:12B-109.
Payment of
request
authorized
in writing.

109. In the absence of actual notice of death or incompetency of a savings member received by an association at the office at which the member's account is maintained, the association may, notwithstanding such death or incompetency, pay any requests for payment authorized in writing.

C. 17:12B-110.
Transfer of
membership.

110. Transfer of membership. A member may transfer, absolutely or conditionally, his membership to any other person, subject to the provisions of this act, by a written assignment accompanied by delivery of the evidence of the account. The evidence of the account shall mean the membership certificate, share certificate, account book or any other evidence of the account which may have been issued in connection with such membership. Every such transfer of membership shall be deemed to include the account and the evidence of the account issued in connection therewith. The provisions of chapter 8 of Title 14 of the Revised Statutes and the provisions of the Uniform Commercial Code and the amendments thereof and supplements thereto shall not apply to such transfers. No such absolute transfer shall be effective against an association until such written assignment and the accompanying evidence of the account shall be delivered to the association with a request that it complete such transfer upon its records. No such conditional transfer shall be effective against an association unless and until it actually receives notice thereof in writing.

C. 17:12B-111.
Lost
certificate
and account
books.

111. Lost certificates and account books. Upon filing with an association by a member of record, or his legal representative, of an affidavit showing that his account book has been lost, stolen or destroyed, and whether, and to whom the same has been pledged or assigned in whole or in part, such association may issue a duplicate account book marked on the face thereof "A Duplicate;" provided, however, that the board of such association may, in its discretion, require such member or his legal representative to furnish a bond to the associa-

tion in such amount, and with such security as it may deem necessary, to indemnify such association against any loss which might result from the issuance of such duplicate account book. Payment made by an association to the owner of record of a duplicate account book issued in accordance with this section shall release the association from all liability to any person claiming any interest in the original account book and the duplicate thereof. The term "account book" as used in this section shall be deemed to include any evidence of the account which may have been issued in lieu of an account book.

112. Termination of membership. The membership of a savings member shall terminate when the amount of his account has been paid to him in full or when the transfer of his membership to another person has been recorded on the books of the association, or when his account has been retired as provided in this act. The membership of a borrowing member shall terminate when his status as a borrower from the association terminates or when his membership is transferred to another person and such transfer is recorded on the books of the association.

C. 17:12B-112.
Termination
of membership.

ARTICLE VII

MEMBERS' MEETINGS, NOTICES

113. Notice to members. Except where this act expressly provides otherwise, all notices, statements, reports or other documents required to be given to any member, shall be given to him either personally or by mail, postage prepaid, addressed to him at his last address which appears on the records of the association. Service by mail shall be complete upon posting.

C. 17:12B-113.
Notices to
members.

114. Meeting place. Members' meetings shall be held at the State association's principal office or at such other place within a radius of 5 miles thereof as the board shall designate.

C. 17:12B-114.
Meeting
place.

C. 17:12B-115.
Meetings.

115. Meetings.

(1) Annual. The members shall meet at least once in each year, as the by-laws shall provide, upon not less than 10 days' written notice which shall be given by mail or publication in a newspaper published or circulating in the municipality in which the principal office of the State association is located, for the election of directors and the transaction of any other business which may properly be brought before such meeting. The polls at every such election shall be open for such period of time, not less than $\frac{1}{2}$ hour, between the hours of 9 ante meridian and 9 post meridian at the time the by-laws shall designate.

(2) Special. Special meetings of the members may be called as provided in the by-laws, but upon not less than 10 days' written notice by mail or publication in a newspaper published or circulating in the municipality in which the State association is located and the notice of such meeting shall state the purposes for which it is called.

C. 17:12B-116.
Quorum.

116. Quorum. The by-laws may prescribe the number of members which shall constitute a quorum at a meeting. In the absence of any provision in the by-laws, any number of members present at any meeting shall constitute a quorum.

C. 17:12B-117.
Confidential
relationship
of a State
association
to its
members.

117. Confidential relationship of a State association to its members. The relationship of a State association to each of its members constitutes a confidential relationship and no State association or any of its directors, officers or employees shall disclose or be required to disclose a list of the members of the State association, in whole or in part to any person; provided, however, every member of a State association shall have the right to inspect the records of such State association which pertain solely to his own accounts.

C. 17:12B-118.
Application
by member
for
information,
etc.

118. Procedure to obtain information or communicate with members.

(1) Any member desiring information from his State association or desiring to communicate with other members of his State association may file

with such State association an application therefor, in writing, which shall state:

- (a) His full name and address.
- (b) The amount of the participation value of his accounts in the State association at the time such application is made.
- (c) A statement specifying in detail the information he requests; or that he desires to communicate with the other members of the State association. If the application is to enable the member to communicate with other members, such application shall be accompanied by a complete copy of the proposed communication or communications.
- (d) The reasons for and the purposes of his requests.

119. If the application is for information, and if the State association grants the application, the State association may require the applicant to pay the costs and expenses, if any, involved in compiling such information before the same is delivered to the applicant.

C. 17:12B-119.
Applicant
to pay costs.

120. If the application is to enable the member to communicate with other members of the State association, and if the State association grants the application, the State association shall prepare and mail copies of the communication or communications, submitted with such application, to all of its members as soon as the applicant has paid to the State association all of the costs and expenses involved in such preparation and mailing.

C. 17:12B-120.
Transmission
of communica-
tion to other
members.

121. (1) If the State association fails to grant any application submitted pursuant to the provisions of section 118 of this act within 10 days after receipt by it of said application, the applicant may, within an additional 10-day period, apply to the commissioner for an order requiring the State association to do so.

C. 17:12B-121.
Action upon
failure to
grant
application.

(2) The application to the commissioner shall be in writing. It shall contain, or have attached thereto, a true copy of the application which was

filed with the State association and shall state the date of such filing. Within 5 days after presenting said application to the commissioner, the applicant shall serve a true copy thereof upon the State association.

C. 17:12B-122.
Hearing by
commissioner.

122. The commissioner shall, within 30 days from the date such application is presented to him, designate a time and place for a hearing upon such application, and give at least 10 days' written notice thereof, which may be sent by certified mail, to the State association and the applicant. The commissioner may grant reasonable adjournments of such hearing.

C. 17:12B-123.
Findings
of
commissioner.

123. If, from the evidence produced at such hearing, or such independent examination or investigation as the commissioner may make, the commissioner finds that the application is made in good faith and to grant the application would be in the best interest of the State association and its members, the commissioner shall:

(a) If the application is for information, grant the application in whole or in part, and impose such terms and conditions as he shall deem necessary or proper to protect the best interest of the State association and its members, or

(b) If the application is to enable the applicant to communicate with other members of the State association, order the State association to prepare and mail the communication or communications, in whole or in part, on the condition that the applicant shall first pay to the State association all of the costs and expenses of such preparation and mailing.

Nothing herein shall be construed to give the commissioner the power to order a State association to disclose a list of its members to any applicant.

C. 17:12B-124.
Decision
of
commissioner.

124. Within 30 days after the close of the hearing, the commissioner shall announce his decision upon such application and file in his office a written memorandum stating the reasons therefor which shall be open to public inspection; and he shall

forthwith thereafter give written notice thereof to the State association and the applicant.

125. The procedure, set forth in sections 118 through 124 of this act, for obtaining information by a member or enabling a member to communicate with other members of a State association shall be exclusive; but the action of the commissioner shall be subject to review in the Superior Court in a proceeding in lieu of prerogative writ. The commissioner's failure to act within the periods limited by this section shall be deemed to be a final order denying the application.

C. 17:12B-125.
Procedure
exclusive
review of
commissioner's
action.

126. Voting rights. Each member 16 years of age, or over, shall be entitled to vote at any meeting of the State association.

C. 17:12B-126.
Voting
rights.

Each State association shall set forth in its by-laws the voting rights of its members, which shall be in accordance with subsection (a) or subsection (b) of this section:

(a) Each member entitled to vote shall have 1 vote at any meeting of the State association regardless of the number of shares or accounts standing in his name; or

(b) Each savings member entitled to vote shall have 1 vote for each \$100.00, or fraction thereof, of the participation value of his savings account; each borrowing member entitled to vote under this subsection shall be entitled to have 1 vote; but in no event shall the maximum number of votes permitted to any member under this subsection be greater than 50 votes regardless of the number or types of shares or accounts or the value of such shares or accounts held by such member.

Under either subsection (a) or subsection (b) of this section members may vote by written proxy if the by-laws so provide and the by-laws may prohibit voting by persons who have become members within 60 days of the date when the vote is cast.

Under either subsection (a) or subsection (b) of this section the trustee or fiduciary of a fiduciary account shall be entitled to cast the vote or votes permitted under said subsections.

Under subsection (a) of this section only 1 vote shall be allowed in connection with any account held by 2 or more persons, jointly; under subsection (b) of this section no more than the maximum number of 50 votes, provided for in said subsection shall be allowed in connection with an account held by 2 or more persons, jointly.

Under subsection (a) or subsection (b) of this section when accounts or shares are pledged, the pledgor may vote thereon.

ARTICLE VIII

RESERVES, UNDIVIDED PROFITS, DIVIDENDS

C. 17:12B-127.
Determining
net income.

127. Determination of net income. At the end of each accounting period and at least annually the board of each State association shall determine the amount of net income, if any, earned during the accounting period. To aid the board in making such determination there shall be submitted to it, a financial statement including a statement of gross income and net income and a statement of its operations during such accounting period and such additional data, if any, as the board may require, certified to be correct by an officer or by a competent accountant designated by the board.

C. 17:12B-128.
Reserve
accounts.

128. General Reserve, Bad Debt Reserves and Federal Insurance Reserve Accounts.

(a) A general reserve account shall mean a reserve account established and maintained for the purpose of absorbing losses. Each State association shall establish such a general reserve account.

(b) A bad debt reserve account shall mean a reserve account established for the purpose of absorbing losses due to bad debts, which may be established by each State association in addition to the general reserve account defined in subsection (a) of this section, but the establishment of such bad debt reserve account shall not prohibit a State association from charging losses due to bad debts to the general reserve account or any other avail-

able reserve account or the undivided profits account.

(c) "Federal insurance reserve account" shall mean a reserve account established and maintained by an insured association in accordance with the requirements of the Federal Savings and Loan Insurance Corporation. Any insured association may maintain such reserve account separately or may designate its general reserve account or the bad debt reserve account, or both, as its Federal insurance reserve account.

(d) At the end of each accounting period and before the declaration of any dividends, each State association shall transfer to the general reserve account an amount equal to 5% of the State association's net income for such accounting period, less any amounts transferred for such period to the bad debt reserve account; provided, however, that the provisions of this subsection shall not apply to any insured association, as defined in section 5 of this act.

(e) Any State association may at any time, in the discretion of its board, transfer additional amounts beyond those required by the provisions of this section, to any of the reserve accounts hereinbefore mentioned, provided, that any amount transferred to the general reserve account in excess of the minimum amount set forth in this section may be used for the purposes of meeting the requirements of paragraph (d) of this section in subsequent accounting periods within 5 calendar years from the year such excess amount was transferred to the State association's reserve accounts; provided, however, if the State association is an insured association, as defined in section 5 of this act, the time within which such excess amounts may be used to meet the requirements of subsection (d) of this section shall be the time permitted for such purposes under the regulations promulgated by the Federal Savings and Loan Insurance Corporation.

(f) Additions to any of the reserve accounts hereinbefore mentioned, whether required or discre-

tionary, may be made by transfer from the net income of the period for which such transfer is made, from the undivided profits account or from any other unapportioned profits.

(g) No transfer to the general reserve account, required by subsection (d) of this section, shall be required to be made so long as either;

(1) the amount held in all reserve accounts of the State association plus the undivided profits account, equals or exceeds an amount equal to 6% of the State association's capital, or

(2) the State association is an insured association, as defined in section 5 of this act, and has complied with the reserve requirements promulgated by the Federal Savings and Loan Insurance Corporation for such accounting period.

(h) The board of a State association may, in its discretion, authorize transfers, in whole or in part, from the bad debt reserve account to the general reserve account or to the Federal insurance reserve account and in addition the board may from time to time, in its discretion, authorize the transfer of all or a part of the general reserve account to the Federal insurance reserve account.

C. 17:12B-129.
Special
reserve
accounts.

129. Special reserve accounts. Each State association shall establish and maintain such special reserve accounts as are required by the provisions of this act and may establish and maintain such other reserve accounts as in the judgment of its board are necessary or desirable. Such reserve accounts may be established and maintained by transfers thereto from net income, the undivided profits account or any other unapportioned profits. Any amount remaining in any reserve account established in accordance with this section which is no longer needed for the purpose for which such reserve account was established may be transferred to the undivided profits account or to the reserve accounts established under the provisions of section 128 of this act.

130. Dividend participation—exceptions.

C. 17:12B-130.
Dividend
participation;
exceptions.

(a) At least annually and after determination of the net income for the accounting period and the establishment of reserves required or permitted by this act, the board of each State association shall determine by resolution, the rate or rates of dividend, if any, which shall be declared for each class of account. Such dividends shall be taken only from the net income or from the undivided profits account. Dividends shall be apportioned to members' accounts upon a compound interest plan. Dividends shall be made available to members by adding the same to their accounts, except where otherwise provided by this act, but in no event shall dividends be made available to the members earlier than the eighth calendar day prior to the closing of the period for which said dividends are paid.

Notwithstanding any other provision of this act, the board of any State association, may by resolution, authorize the payment of dividends on amounts withdrawn from savings accounts between the dates as of which such association regularly distributes earnings on savings accounts; provided that, the savings account from which an amount is withdrawn upon which such earnings are to be distributed, shall have been outstanding for a period of not less than 6 months; and provided further, that dividends paid on any amount so withdrawn, shall not be paid for any greater portion of the dividend period than that during which such amount remains in such association, nor at a rate in excess of the rate at which earnings, exclusive of any reward profit, are distributed on savings accounts for the dividend period in which such amount is so withdrawn.

(b) State associations issuing installment share accounts may declare dividends to accounts of other classes at a rate less than, but no more than, the rate declared to installment share accounts for the same period, unless the board has adopted a reward profit plan in which event all dividends, except those provided for under the reward profit plan,

shall be declared at the same rate. Notwithstanding any other provisions of this act, a State association may apportion dividends to installment share accounts at other than a regular dividend period for the purpose of maturing such accounts; provided, however, that the amount of dividends so apportioned shall be no greater than the pro rata share of income for the current period applicable for dividend purposes to such accounts.

(c) Notwithstanding any other provisions of this act, a State association may, if its by-laws so provide, exclude from dividends, either or both of the following classes of accounts:

(1) Those having a participation value of less than \$50.00.

(2) Those which are issued under a plan whereby they will be withdrawn within 24 months from the date upon which they are issued, or it may credit dividends to such accounts according to a schedule which it may establish, provided that such schedule shall not result in the crediting of dividends to any of such accounts at a rate greater than that applicable to any class of accounts, other than those described in subsection (c) of this section.

C. 17:12B-131.
Undivided
profits
accounts.

131. Undivided profits account. Any net income or any other available profits which remain after reserve and dividend requirements have been met, may be maintained in an undivided profits account.

C. 17:12B-132.
Restrictions
on reserves
and undivided
profits
account.

132. Restrictions upon reserves and undivided profits account. The aggregate amount of all reserve and undivided profits accounts of any association shall not be increased so long as the aggregate amount of such accounts exceeds an amount equal to 25% of an association's assets, except with the approval of the commissioner. If at any time the amount of the general reserve account of an association exceeds 25% of its assets, the excess may, with the approval of the commissioner, be transferred to the undivided profits account.

133. Reward profit plan. In order to stimulate systematic and long term savings to provide funds for the financing of homes and to make other authorized investments, the commissioner may adopt regulations permitting associations to pay an additional dividend to be called a "reward profit" for regular, periodic payments to a savings account or for the maintenance of a savings account for a specified minimum period of time, or both. The regulations may provide for minimum and maximum time periods and for the minimum participation value that shall be required to be eligible for such reward profit and shall set forth such other requirements for eligibility for such reward profit as deemed appropriate by the commissioner. Eligible accounts may be classified as to type and the reward profit may be at different rates for different classes of accounts, but in no event shall it exceed a rate of 1% per annum, computed on the participation value of the member's eligible account in the same manner as regular dividends are computed.

C. 17:12B-133.
Reward profit
plan.

The commissioner may from time to time amend or rescind existing regulations by adopting superseding regulations.

Any association may, by resolution of its board, establish a reward profit plan in accordance with the regulations adopted by the commissioner. Any association adopting a reward profit plan may at any time abolish such reward profit plan by resolution of its board, in which event it shall pay or credit to the account of each member who is eligible under such plan any amount that may be carried in reserve for reward profit due but not yet payable, and to which such member would have been entitled had the association continued such plan.

Any association which may have adopted a reward profit plan under previous law or regulations of the commissioner may continue such plan, except if it adopts the plan provided for under regulations or superseding regulations of the commissioner in accordance with this section, in which

case the previously adopted plan shall be discontinued as to any new accounts, but may be continued as to those accounts participating therein at the date of adoption of the new plan.

ARTICLE IX

WITHDRAWALS AND RETIREMENTS

- C. 17:12B-134. Application for withdrawal. 134. Application for withdrawal. Any member may, at any time, file with his State association a written application for payment of all or any part of the withdrawal value of any account standing in his name, whether or not such account has matured.
- C. 17:12B-135. Cancellation of withdrawal application. 135. Cancellation of withdrawal application. Any withdrawal application may be canceled, in whole or in part, at the written request of the withdrawing member, with the consent of the State association, upon such reasonable terms as such State association may impose.
- C. 17:12B-136. Payment of amount requested; prior notice. 136. A State association operating pursuant to Plan I, as defined in section 76 of this act, may pay the amount requested in the withdrawal application, when the same is presented, or may require notice, prior to the payment of any withdrawal application, of not more than 90 calendar days. Any such State association requiring notice prior to the payment of any withdrawal application, shall immediately notify the commissioner of its action.
- When such State association requires notice from an account holder, it shall require the same notice from any account holder who subsequently presents a withdrawal application, until all applications for which notice has been required, have been paid in full.
- Every withdrawal application not paid when presented, shall be numbered, dated and filed, by any such State association, in the order of its actual receipt, and shall be paid in such order.
- C. 17:12B-137. Payments under plans other than Plan I. 137. Any State association operating on any plan other than Plan I, as defined in section 76 of this act, may pay the amount requested in the withdrawal application when presented, or may pay

such withdrawals in the manner provided in sections 138 and 139 of this act.

138. Funds required for withdrawals. Within the first 10 days of each fiscal month, each State association operating on a plan other than Plan I shall apply to the payment of withdrawal applications which shall have been filed with it on or before the first day of its preceding fiscal month, a sum equal to at least 50% of its net receipts during such preceding fiscal month, or so much thereof as shall be necessary. Any such State association may apply a larger percentage of such receipts or other available funds for such purpose, but shall not obligate itself to do so. Net receipts, as used in this section, means all money received by such State association, except borrowed money, less operating expenses, amounts due and paid or payable on creditor obligations, and amounts paid, appropriated or reserved for the conservation, preservation, or protection of any property or asset of such State association.

C. 17:12B-138.
Funds
required for
withdrawals.

139. Rotation plan. If any State association operating under any plan other than Plan I, as defined in section 76 of this act, shall find that within the first 10 days of any fiscal month, the funds of such State association, available for the payment of withdrawals, in accordance with the provisions of section 138 of this act, shall be insufficient to pay in full all withdrawal applications which shall have been filed with it on or before the first day of its preceding fiscal month, each such withdrawal application shall be paid in the order in which it was filed, \$50.00 on account, or the balance due thereon, whichever is less; and, if the available funds are sufficient to make more than one such payment upon each such application, such rotating payment process shall be repeated until the available funds are exhausted. Each month thereafter the rotation payments shall begin with the application next following the one upon which the last preceding rotation payment was made. So long as such State association is operating upon the rotation payment

C. 17:12B-139.
Rotation plan.

plan, no member shall have more than one withdrawal application on file at a time. Any State association operating under the provisions of this section shall immediately notify the commissioner of such operation.

C. 17:12B-140.
Association
not obligated
to pay with-
drawals by
other plans.

140. No State association shall obligate itself to pay withdrawals on any other plan than that provided in this act, nor shall any State association purchase an account from any member; provided, however, the commissioner may, whenever in his judgment the circumstances so warrant, direct any State association to suspend the payment of withdrawals or to pay withdrawals under any plan or plans the commissioner is authorized to impose under the provisions of sections 179, 180 and 182 of this act.

C. 17:12B-141.
Application
of withdrawal
value to
indebtedness.

141. Application of withdrawal value to indebtedness. A State association may apply and credit the full withdrawal value of any account pledged with it as security for the payment of any debt, toward the payment of such debt; except that no State association shall apply and credit the withdrawal value of any such account so pledged where the State association requires notice from any account holder prior to the payment of any withdrawal application; except where the State association is paying withdrawals as directed by the commissioner as provided in section 140 of this act and the commissioner's direction permits the application of the withdrawal value so pledged, to be credited against a debt due such State association.

C. 17:12B-142.
Dividend
retention.

142. Dividend retention. Any State association, except one which operates under the nonshare plan described in section 76 of this act, may, upon the withdrawal of an account prior to its maturity, retain such portion of the dividends credited to such account as its by-laws may prescribe, not exceeding however, 50% thereof if the withdrawal application is filed within 2 years from the date when such account was opened, and at least 5% less for each succeeding year, if the withdrawal application is filed before the end of the third or any

succeeding year; provided, however, 5% of the dividends may be retained upon any withdrawal regardless of the time when the withdrawal application may be filed; and provided further, that any State association may continue to apply its profit retention schedule which was in existence on April 4, 1946, insofar as it is reasonable, but such changes, if any, as may hereafter be made therein, shall conform with the limitations of this section.

143. No person shall institute or prosecute any action against an association to recover the value of any account or any part thereof, until an application for the withdrawal thereof has been filed, and not then, so long as such association pays withdrawals as provided in this act. At least 30 days' written notice of the intention to institute such action shall be served upon the association and upon the commissioner. Recovery in any such action shall be limited to the amount which the claimant would have received up to the date of the entry of judgment, if payment had been made to him in accordance with the provisions of this act.

C. 17:12B-143.
Bars action
to recover
value of
account;
notice.

144. Retirement. If funds are on hand for the purpose, any State association may, by resolution of its board, retire any account by giving at least 30 days' written notice of its intention so to do, which may be sent by certified mail addressed to the member owning such account at his address appearing on the records of the State association. Such notice shall identify the account; state the retirement date and the retirement value, and include a statement that said account will not participate in any dividend declared after such retirement date and that no interest or other income will accrue thereon. From and after such retirement date, the member owning such account shall cease to be a member and shall have no further rights or liabilities of membership with respect to such account.

C. 17:12B-144.
Retirement
of account.

In the case of the retirement of an installment share account upon which the required payments are in arrears for 6 successive months, the retirement value shall be the withdrawal value as of the

date of the passage of such resolution. In the case of the retirement of any other account, the retirement date shall be some date upon which the dividends are credited and the retirement value shall be the participation value, including the dividend credited to such account on the retirement date.

The member owning such an account shall be entitled to receive full payment of such retirement value by demanding the same on such retirement date or at any time thereafter by surrendering to the State association his account book, membership certificate, share certificate or such other evidence of the account as may have been issued. A State association may pay such retirement value without awaiting a demand for payment. No State association shall retire any account when it has applications for withdrawal which are unpaid in whole or in part. No State association shall retire an account of any of its officers or directors where such retirement shall operate to disqualify such officer or director from holding his office in the State association.

If such retirement value is not paid or demanded within 30 days after such retirement date, it shall be transferred to a retirement account and there remain to the credit of the person owning such account subject to his right to demand payment thereof, and to the State association's right to pay the same, in accordance with the provisions of this section.

ARTICLE X

INVESTMENTS

C. 17:12B-145.
Investments
authorized.

145. Investments authorized. The funds of every association shall be invested in accordance with the provisions of this act.

C. 17:12B-146.
Mortgage
loans.

146. Investments in mortgage loans. Investments in mortgage loans may be made subject to the conditions and limitations of this act.

Each mortgage loan, made under the provisions of sections 147 through 149 of this act, shall be a

direct reduction, sinking fund, or straight mortgage loan. Each such loan shall be evidenced by an obligation and secured by a mortgage which shall be a first lien on real estate in this State, as defined in section 11 of this act, or outside of this State if located within 50 miles of the principal office of the association. Such loans shall be secured by real estate used or to be used wholly or partially for dwelling purposes. The granting of such loans shall be without discrimination of any nature including, but not limited to, interest rates, terms and duration, because of race, creed, color, national origin or ancestry.

147. Direct reduction loans. Each direct reduction loan, as defined in section 5 of this act, made in accordance with the provisions of this section, shall require periodical payments sufficient to pay the principal and interest of the loan in full in a period of 25 years or less. Any association may by agreement with the borrowing member reduce the amount of periodical payments, provided that the amount of the periodical payments thereafter required shall be sufficient to pay the balance of the loan and interest thereon within a period of 25 years or less from the time of making such agreement. The amount of such direct reduction loan, less the withdrawal value of any account which may be pledged as collateral security therefor, shall not exceed 80% of the value of such real estate as found by appraisal at the time such loan is granted.

C. 17:12B-147.
Direct
reduction
loans.

148. Sinking fund loans. Each sinking fund loan, as defined in section 5 of this act, shall require periodical payments, at least monthly, on an account pledged as collateral security for such loan which shall be sufficient to pay such loan in a period of 25 years or less. Any association may by agreement with the borrowing member provide for the application of such account to the principal of the loan and for a reduction in the periodical payments required on an account thereafter; provided, however, that such periodical payments thereafter required shall be sufficient to retire the loan within a period

C. 17:12B-148.
Sinking fund
loans.

of 25 years or less from the time of the making of such agreement. The amount of any sinking fund loan, less the withdrawal value of any account which may be pledged as collateral security therefor, shall not exceed 80% of the value of such real estate as found by appraisal at the time when the loan is granted.

C. 17:12B-149.
Straight
mortgage
loans.

149. Straight mortgage loans. Each straight mortgage loan, as defined in section 5 of this act, shall be limited to a term not to exceed 3 years and the amount of any such straight mortgage loan shall not exceed 50% of the value of the property as found by appraisal at the time the loan is granted. An association may renew any straight mortgage loan held by it for periods not exceeding 3 years each and for an amount not in excess of 50% of the value of the real estate as found by appraisal at the time of any such renewal. The total amount invested in straight mortgage loans by any association shall not exceed 10% of its assets at the time any such investment is made.

C. 17:12B-150.
Special direct
reduction
loans.

150. Special direct reduction loans. A special direct reduction loan shall mean a direct reduction loan made by an association in an amount exceeding 80% of the value of the real estate securing such loan. Any association may make a special direct reduction loan subject to the conditions and limitations of this section, which are as follows:

(1) The amount of any such loan, less the withdrawal value of any account in the association which may be pledged as collateral security therefor, shall not exceed 90% of the first \$25,000.00 of the value of such real estate, as found by appraisal at the time when such loan is granted, plus an amount equal to 80% of the value of such real estate in excess of \$25,000.00. Nothing herein shall be construed to permit an association to make a loan under this section exceeding \$26,500.00.

(2) The real estate securing the loan shall have been designed to be used for dwelling purposes for one family.

(3) No association shall make any such loan at any time that the aggregate amount of such special direct reduction loans made by an association exceeds an amount equal to 10% of its members' capital.

(4) No association shall make any such special direct reduction loans at any time that the aggregate amount of such association's general reserve, Federal insurance reserve, bad debt reserve and undivided profits is less than an amount equal to 3% of its members' capital.

(5) Except as provided by this section, special direct reduction loans shall otherwise conform to all of the terms, conditions and limitations set forth in sections 146 and 147 of this act.

151. Construction loans. A mortgage loan may be made subject to the provisions of sections 146 through 149 of this act, for the purpose of enabling the borrower to make improvements to real property owned by such borrower and to construct a building or buildings upon such real property, under the following conditions and limitations:

C. 17:12B-151.
Construction
loans.

(1) The appraisal committee acting under the provisions of section 167 of this act shall include the values of the following items in rendering such appraisal:

- (a) The value of the proposed building or buildings to be constructed.
- (b) The value of the land.
- (c) The value of improvements to be made to the land.

(2) An association may advance moneys on such loan as the land is improved and as the construction of a building or buildings proceeds thereon. Where such loan is a straight mortgage loan, the proceeds of which are used or to be used in pursuance of a plan to improve the mortgaged real estate it may, notwithstanding the limitations of section 149 of this act, be made in an amount not to exceed 80% of the value of such real estate as found by appraisal at the time the loan is granted and for a

term of not more than 1 year, and provided further that such a loan may be renewed for a further period of not more than 1 year.

(3) At no time shall a greater sum be advanced on account of such land than is authorized by either the appraiser or appraisers, provided for in section 167 of this act, or an officer of the association, designated for that purpose by the board, and such committee or officer shall certify that such advancement is warranted by the state of improvements to the land or the state of completion of the construction on such land; provided, however, that at no time shall the association advance moneys in excess of 80% of the value of the land and of the construction completed at the time of such advance.

For the purpose of complying with the provisions of sections 146 through 149 of this act limiting the term of a mortgage loan, a loan made under the provisions of this section shall be deemed to have been made when the final advance is made to the borrower or 18 months from the date of the mortgage securing such loan, whichever is earlier.

C. 17:12B-152.
Regulation by
commissioner
covering
mortgage
loans.

152. The commissioner may adopt, amend, alter or rescind regulations permitting insured associations, in addition to the powers to make mortgage loans herein above set forth, to make first mortgage loans to a greater percentage of appraised value or for a longer term of years, or both, than is otherwise limited by this act. Any mortgage loans legally made under the provisions of regulations adopted under the authority granted by this section shall be legal loans if they conform with the regulations in effect at the date of closing or purchase of said loan, notwithstanding the subsequent amendments, alterations, rescissions or repeals of the regulations in effect at the date of such closing or purchase.

C. 17:12B-153.
Regulation
may set forth
types of
property.

153. The commissioner shall have power to set forth in such regulations the types of property which are eligible to secure such loans and such other requirements which in his judgment are necessary to establish appropriate safeguards. The commissioner may also establish a requirement that

an insured association shall meet minimum reserve requirements which may be set forth in such regulations, in order to be eligible to make loans under the provisions of this section 152 of this act. The commissioner, when issuing such regulations, shall to the extent feasible and after giving consideration to the financial and economic circumstances and the public welfare, endeavor to promulgate such rules and regulations in substantial conformity with similar rules and regulations of the Federal Home Loan Bank Board as applied to Federal associations. In no event shall an insured association make any loan under the provisions of section 152 of this act when the total of all loans held, under the provisions of such section, exceeds an amount equal to 10% of its total assets.

154. Guaranteed loans. An association may invest in loans guaranteed or insured in whole or in part by the United States of America or the State of New Jersey, any instrumentality or agency of either of them, or for which a commitment to so guarantee or insure has been made. Such loans shall not be subject to the provisions of section 48, subdivision (13), sections 146 through 153; sections 156 through 158; section 167 and section 168 of this act. Such loans may be made in accordance with the terms and conditions permitted by the agency guaranteeing or insuring such loans, notwithstanding any other provisions of law limiting interest or other charges or prescribing terms and conditions. Such loans shall include only those which are made for the purchase or improvement of real estate, or for the construction, alteration, repair, or improvement of buildings erected thereon, used or to be used, wholly or partially for dwelling purposes, in which case they may or may not be secured by mortgages; or those which may be made for any other purpose provided they be secured by a mortgage on real estate used or to be used wholly or partially for dwelling purposes.

C. 17:12B-154.
Guaranteed
loans.

C. 17:12B-155.
Other loans.

155. Other loans. Other loans may be made as follows:

A. Account loans. Loans secured by a pledge of a member's savings account. No such loan shall exceed the withdrawal value of the pledged account, less interest thereon for a period of 6 months.

B. Purchase of loans. An association may purchase any mortgage loan, property repair, alteration, improvement or rehabilitation loan, or any other loan which an association is authorized to make.

C. Loans secured by a mortgage upon a lease of the fee of real property. Any association may invest in any obligation secured by a mortgage which is a first lien, as defined in section 11 of this act, on a lease of the fee of real property located in this State. The term of the leasehold interest securing such loan shall be not less than 50 years from the date such loan is granted, otherwise; such loans shall be made pursuant to sections 146 through 154, 167 and 168 of this act.

D. Camp meeting leaseholds. An association may invest in any obligation secured by a first mortgage, as defined in section 11 of this act, on any leasehold estate of real estate, in this State, of any camp meeting association, to the extent authorized by, and subject to, the limitations and restrictions contained in section 17:2-1 of the Revised Statutes.

E. Loans otherwise authorized. An association may make any other loan which it may be authorized to make by any law of this State.

C. 17:12B-156.
Investments
in additional
loans.

156. Investments in additional loans.

A. An association may make additional loans or advances for any purpose expressly or impliedly reserved or provided for in any bond, mortgage or other obligation held by or hereafter acquired by any such association subject to the provisions of subsection D subdivisions (1), (5), (6) and (7) of this section, otherwise;

B. An association may make additional loans to borrowing members for the purpose of repairs,

alterations, or improvements already made or to be made upon real estate owned by such borrowing member, subject to the conditions and limitations of subsection D of this section.

C. An association may make additional loans to borrowing members for the purpose of paying the cost of insurance upon the life of such borrowing member. Such policy of insurance may also include health, accident or disability features. The proceeds of such a policy of insurance shall be applied in accordance with the terms and conditions contained therein; provided, however, the amount of such insurance shall not exceed the amount loaned on the mortgage lien held by the association. Any additional loan made under this subsection shall be made pursuant to the conditions and limitations contained in subsection D of this section.

D. Any additional loan to borrowing members made pursuant to the provisions of subsections B or C of this section shall be made subject to the following conditions and limitations:

(1) The real estate securing such an additional loan shall be real estate upon which the association already holds a mortgage lien.

(2) If the mortgage lien already held by the association secures the payment of a direct reduction loan, such additional loan shall not exceed the sum of \$3,500.00 or the amount which has been repaid in reduction of the principal of such mortgage loan, whichever is less.

(3) If the mortgage lien already held by the association secures the payment of a sinking fund loan, such additional loan shall not exceed the sum of \$3,500.00 or the withdrawal value of the installment account which is pledged as collateral security for the payment of such sinking loan fund, whichever is less.

(4) If the mortgage lien already held by the association secures the payment of a straight mortgage loan, such additional loan shall not exceed \$3,500.00 or an amount which when added to the balance of the straight mortgage loan, does not

exceed 50% of the value of the real estate as found by appraisal at the time such additional loan is made, whichever is less. The term of any additional straight mortgage loan shall not exceed 3 years.

(5) Each such additional loan shall be evidenced by an obligation which shall state the terms on which such loan is made, and the amount thereof shall be added to the amount due on the association's mortgage against such real estate.

(6) The payment of such additional loan shall be secured by the mortgage the association already holds on such real estate.

(7) No search or examination of the title to the mortgage real estate shall be required.

All persons who acquire any rights in, or liens upon, the mortgaged real estate, subsequent to the recording of any association's mortgage, shall hold such rights and liens subject to the association's right to make such additional loans.

C. 17:12B-157.
Investments
in repair,
improvement,
etc., loans.

157. Investments in loans for the purpose of repair, alteration, improvement or rehabilitation of real estate upon which an association shall not be required to hold a mortgage lien. Any association may make loans subject to the limitations set forth in sections 159 through 164 of this act for the repair, alteration, improvement or rehabilitation of real estate, located in this State, which is used wholly or partially for dwelling purposes, including loans for restoration, rehabilitation, rebuilding and replacement of properties which have been damaged or destroyed by fire, hurricane, flood, cyclone, tornado or other catastrophe.

C. 17:12B-158.
Terms
defined.

158. Definitions as used in sections 159 through 164 of this act. The following words and phrases as used in sections 159 through 164 of this act, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) "Repair, alteration, improvement, rehabilitation loan" means a loan, secured or unsecured, the purpose of which, as represented to the association by the borrower, is to enable the borrower to

pay the cost in whole or in part of repairing, altering, improving or rehabilitating real estate used wholly or partially for dwelling purposes in which the borrower has an interest, and in connection with which the borrower files with the association, at the time when the loan is made, either (a) a copy of the contract pursuant to which such modernization, rehabilitating, altering, repairing or improving has been done or is to be done; or, if the borrower represents there is no such contract, (b) a statement, sworn to by the borrower, that the proceeds of the loan will be used to pay the cost, in whole or in part, of modernizing, rehabilitating, altering, repairing or improving such real property, as the case may be.

(2) "Payment period" means the period of time scheduled by the terms of such loan to elapse between the days upon which installment payments are required to be made on such loan.

(3) "Net proceeds" means the difference between the full amount of such loan and the amount of interest taken in advance upon such loan.

159. Limitations on such loans.

C. 17:12B-159.
Limitation
on loans.

(1) The net proceeds of any loan made pursuant to this section shall not exceed \$3,500.00 nor shall the aggregate of such net proceeds, taken together with the amount of the unpaid balances owing on all other loans to which this section applies and which are outstanding with respect to the same real property, exceed \$5,500.00.

(2) Each such loan shall be evidenced by one or more notes, bonds or other written evidence of indebtedness, and no security other than an interest in tangible personal property which is a part of the work shall be taken directly or indirectly to secure the same prior to default.

(3) No association shall make any such loan at any time the aggregate amount of such loans outstanding exceeds an amount equal to 5% of its members capital.

(4) Each such loan shall be repayable in regular monthly installments over a period not exceeding

61 months, and the amount of any installment shall not be greater or less than any other installment, except that the last installment may be not more than \$1.00 more or less than any previous installment.

(5) No association shall make any further interest or other charge or demand, in connection with such loan, other than those expressly authorized by sections 159 through 164 of this act, except as permitted in section 48 (13) of this act.

C. 17:12B-160.
Charges on
loans for
periods up to
37 months.

160. Charges on such loans for periods up to 37 months.

(1) The maximum charge which may be made to the borrower in connection with such loan for interest, discount or other fees and charges in connection with said loan and which may be taken in advance on the full amount of such loan to the date of maturity of the final installment shall not, except as limited by section 161 of this act, exceed an amount determined by application of the formula.

$$I = \frac{.11784A (P + 1)}{2N + .11784 (P + 1)}$$

in which "I" represents the maximum amount of interest which may be taken in advance; "A" represents the full amount of the loan; "P" represents the number of payment-periods contained in the period from the date of the making of the loan to and including the date of maturity of the final installment; and "N" represents, to the nearest whole number, the number of payment-periods contained in a calendar year.

(2) An association may make such a loan in such an amount that the net proceeds thereof shall equal a predetermined sum and may, except as limited by section 161 of this act, take interest in advance upon the full amount of such loan to the date of maturity of the final installment. The full amount of such loan shall not exceed the aggregate of the net proceeds and the amount of interest which may

be taken in advance, as determined by the application of the formula

$$I = \frac{.11784A (P + 1)}{2N}$$

in which "A" represents the amount of the predetermined net proceeds, and "P", "I" and "N" have the same meanings as set forth in subsection (1) of this section.

161. Charges on such loans when maturity exceeds 37 months.

C. 17:12B 161.
Charges on
loans when
maturity
exceeds 37
months.

(1) When the final installment of a loan to which this section applies is due and payable more than 3 years and 1 month subsequent to the making of such loan, an association may take interest in advance upon the full amount of such loan, for the period from the making of the loan to the date of maturity of the final installment, in an amount not exceeding the amount determined by the application of the formula

$$I = \frac{.097166A (P + 1)}{2N + .097166 (P + 1)}$$

in which "P", "I", "A" and "N" have the same meanings as "P", "I", "A" and "N" have in section 160 of this act.

(2) When, pursuant to this section, the final installment of a loan to which this section applies is due and payable more than 3 years and 1 month subsequent to the making of such loan, the association may make such loan in such amount that the net proceeds thereof shall equal a predetermined sum, and may take interest in advance upon the full amount of such loan for the period from the making of the loan to the date of maturity of the final installment. The full amount of such loan shall not exceed the aggregate of the net proceeds and the amount of interest which may be taken in advance,

as determined by the application of the formula

$$I = \frac{.097166A (P + 1)}{2N}$$

in which "A" represents the amount of the pre-determined net proceeds, and "P", "I" and "N" have the same meanings as "P", "I" and "N" in section 160 of this act.

C. 17:12B-162.
Schedules of
charges.

162. Schedules of charges.

The commissioner may prepare and distribute to such associations as shall make a request therefor, a schedule or schedules based upon the formulas contained in sections 160 and 161 of this act, or he may approve a subsisting schedule or schedules based upon the said formulas, and interest taken in advance pursuant to such schedule or schedules shall constitute a complete compliance with the provisions of such sections. A copy of such schedule or schedules, certified by the commissioner, shall be evidence in all courts and places.

C. 17:12B-163.
Rebates on
prepayments.

163. Rebates on prepayment.

When the unpaid balance owing upon a loan to which this section applies is repaid in full or the maturity of the unpaid loan is accelerated before the date scheduled for the payment of the final installment, the association shall allow a credit on account of the interest taken in advance, the amount of which shall not be less than the amount determined by the application of the formula

$$C = \frac{AN}{D} \text{ in which}$$

"C" represents the amount of the credit to be given; "A" represents the amount of interest taken in advance; "D" is determined by ascribing to each payment-period included in the period for which interest was taken in advance, reckoning from the day upon which the loan was made, the cardinal number descriptive of the number of payment-periods scheduled, by the terms of the loan, to

elapse from the beginning of each such payment-period, to the date to which interest was taken in advance, and the total of all the cardinal numbers so ascribed constitutes the quantity "D"; and "N" represents the difference between the quantity "D" and the total of all the cardinal numbers ascribed to the payment-periods which have elapsed, in whole or in part, from the making of the loan, to the day upon which such repayment is made, or to the day upon which the maturity of the unpaid balance of such loan is accelerated, as the case may be.

The commissioner may prepare and distribute to such associations as shall make a request therefor, a schedule or schedules based upon the formula specified in this section for use in determining the credit to be allowed pursuant to this section, and allowance of interest made as provided in such schedule shall constitute a complete compliance with this section. A copy of such schedule, duly certified by the commissioner, shall be evidence in all courts and places.

This section shall not apply where the amount of the credit to be allowed is less than \$1.00.

164. Any Federal association may charge in connection with any loan, as interest, discount, premium, late charge or any other charge, any amount which may be permitted by law to be charged by a State association or may be permitted to be charged by Federal laws, rules or regulations applying to such Federal association, and any such charge shall not be deemed to be usurious.

C. 17:12B-164.
Charges by
Federal
association.

165. Other Investments, securities. A State association may invest as follows:

C. 17:12B-165.
Other
investments,
securities.

(1) Obligations of the United States. In obligations of or guaranteed as to principal and interest by the United States of America.

(2) Federal Home Loan Bank Stock. In stock of the Federal Home Loan Bank, of which it is eligible to be a member; and in other obligations of any Federal Home Loan Bank or banks or of the Federal Home Loan Bank System.

(3) Participation in mortgage loans.

(a) In the investment in participating interests in mortgage loans. The mortgage which secures payment of any such participating interest shall be a lien upon real estate in this State used or to be used wholly or partially for dwelling purposes and shall conform with the limitations, conditions and requirements set forth in this article regulating direct reduction mortgage and straight mortgage loans, with respect to priority of lien, the percentage of such loan to be the appraised value of the mortgaged property, and the terms of repayment of such loan. Such participating interest shall entitle the State association to share all money and other benefits derived from such mortgage loan, or incidental thereto, pro rata with, or with preference and priority over, the holder of any other participating interest therein. The total amount invested in such participating interests by any State association shall not exceed 10% of its assets at the time any such investment is made.

(b) In addition to the participating interests in mortgage loans permitted under paragraph (a) of this subsection, any insured State association may participate in mortgage loans to the extent and under the conditions permitted by the rules and regulations adopted by the commissioner from time to time. To the extent feasible and to the extent compatible with local conditions relevant to financial and economic circumstances and the public welfare, the commissioner shall endeavor to promulgate such rules and regulations in substantial conformity with similar rules and regulations of the Federal Savings and Loan Insurance Corporation.

(4) Accounts of other associations. In accounts of any insured State association of this State and of any Federal association whose principal office is located in this State; provided, that no such in-

vestment shall be made in excess of the amount for which such account is insured by the Federal Savings and Loan Insurance Corporation.

(5) Savings banks' investments. In any investment in which savings banks of New Jersey are or shall be authorized to invest by any law of this State, other than investments which are, or which hereafter shall be, specifically designated and regulated by this act; provided, however, no funds may be invested pursuant to this subsection which are required for authorized loans to members.

(6) Loans on securities. In loans upon obligations secured by the pledge of any security designated in subsections (1) and (5) of this section; provided, that such loans shall not exceed 80% of the market value of the security pledged as collateral; and provided further, that no funds may be invested pursuant to this subsection which are required for other authorized loans to members.

(7) Central corporation. In the capital stock, securities, debentures or other obligations of a single corporation organized under the laws of the State of New Jersey, the entire capital stock of which corporation shall be open to, subscribed for, and issued to State associations of this State and such Federal associations that have their principal offices in this State; provided, however, that the original capital stock of such corporation shall aggregate at least \$200,000.00 from subscriptions and payments by at least 10 of the aforementioned associations; and provided further, that no association, aforementioned, may invest its funds under this subsection in an amount exceeding 5% of its assets at the time of such subscription, payment or investment, except with the approval of the commissioner.

(8) Federal corporations. In the capital stock, securities, debentures or other obligations of any corporation created by Act of Congress in which such investment may be open to associations and which shall afford advantages or safeguards to associations.

(9) In any other investment in which an association is, or shall be, authorized to invest by any law of this State.

C. 17:12B-166.
Investments in
real estate.

166. Real estate. Investments may be made in real estate as follows:

(1) Office building for transaction of State association's business.

In the purchase of improved or unimproved real estate and in the erection or improvement of buildings thereon for the purpose of providing offices for the transaction of a State association's business. Such buildings may also include space for rental purposes. The cost to the State association of such lands and buildings shall not exceed 50% of the sum of such State association's reserves, as established under the provisions of section 128 of this act, and the undivided profits account at the time such investment is made, unless the commissioner shall, for good cause shown, on application therefor approve an amount in excess of said 50%.

(2) Property purchased for resale to members.

In the purchase of improved or unimproved real estate in this State and in the construction or improvement of buildings thereon, for resale to members, when the contracts for resale are executed concurrently with, or prior to, such purchase. The member with whom such contract for resale is made shall pay to the State association upon the making of such contract, at least 20% of the purchase price therein designated and shall pay the balance thereof, together with the interest thereon, in periodical installments over a period not exceeding 25 years. All such properties shall be used wholly or partially for dwelling purposes and all such properties shall be subject to the appraisal requirements as set forth in section 167 of this act which appraisal shall be made prior to the purchase of said real estate.

C. 17:12B-167.
Appraisal
made before
investment.

167. Appraisals. No investment in any mortgage loan shall be made until one or more appraisals of the value of the real estate or interest therein to be loaned upon shall have been made and until the

loan shall have been approved by the board or by a committee of the board designated for that purpose. Where the amount of the mortgage loan is over \$25,000.00 and is or will be secured by a property which includes more than 4 family dwelling units, such appraisal shall be made by at least 2 persons, one of whom shall be an officer, director or employee of the association and the other shall be an independent qualified appraiser, not an officer, director or employee of the association. Otherwise the appraisal shall be made by at least 2 persons, one of whom shall be an officer, director or employee of the association or in lieu thereof, by an independent qualified appraiser, not an officer, director or employee of the association. The appraisal report of each appraiser shall be signed by him and shall be filed and preserved among the records of the association. Where more than one person appraises the real estate in question, a joint report or separate reports may be filed.

In the case of a mortgage loan secured by a lease of the fee of real property, the appraisal report shall also state an opinion as to the value of the leasehold interest to be subject to the mortgage.

168. Limitation on amounts of real estate loans and investments. No State association shall loan upon the security of, nor invest in any contract for the resale of, any one property, more than \$35,000.00 or an amount equal to 2½% of its assets whichever amount is greater. The total amount owing to a State association upon all such loans and investments in excess of \$35,000.00 shall not exceed 35% of the aggregate amount owing to it on all of its mortgage loans at the time any such loan or investment in excess of \$35,000.00 is made.

C. 17:12B-168.
Limitation on
real estate
loans and
investments.

169. Restrictions on investments.

(1) No State association shall make any of the investments authorized by this act, except investments in account loans, obligations of or guaranteed as to principal and interest, by the United States of America, stock of the Federal Home Loan Bank of which it is eligible to be a member; and in other

C. 17:12B-169.
Restrictions
on
investments.

obligations of any Federal Home Bank or banks, or the Federal Home Loan Bank System, or obligations of any agency or instrumentality of the United States of America, if and so long as, the sum of its cash on hand and in the banks and the value of its investments in obligations of the United States of America and of agencies and instrumentalities of the United States of America, is less than 5% of its capital.

(2) No State association shall make any of the investments authorized by this act, except investments in obligations of, or guaranteed as to principal and interest by the United States of America, stock of the Federal Home Loan Bank of which it is eligible to be a member; and in other obligations of any Federal Home Loan Bank or banks, or the Federal Home Loan Bank System, or obligations of any agency or instrumentality of the United States of America, at any time when any application for withdrawal remains unpaid in whole or in part, 90 days after the date of the filing thereof.

ARTICLE XI

REPORTS, EXAMINATIONS AND AUDITS

C. 17:12B-170.
Report to
members.

170. Reports to members. Every State association shall make available to its members annually, a report of its financial condition as of the end of its fiscal year, either

(1) By mailing or delivering to each member, a statement of assets and liabilities, and a statement of operations, or

(2) By publishing a statement of its assets and liabilities at least once in a newspaper published or circulating in the municipality in which the principal office of the State association is located and by furnishing to any member upon request, a statement of assets and liabilities, and a statement of operations.

C. 17:12B-171.
Reports to
commissioner.

171. Reports to commissioner. Every State association shall, within 60 days after the close of each fiscal year, file in the department, on blanks to

be provided by the commissioner, a report of its transactions, affairs and financial condition as of the end of its fiscal year. The report shall state the names and addresses of its directors, officers, attorneys, agents and other employees, and the compensation, if any, paid to each, and shall be verified by the oaths or affirmations of such officers as the commissioner shall designate. The commissioner may call for additional reports when he deems it expedient, but not oftener than once in every 3 months.

If any State association fails to file its annual report within the time herein specified, or any additional report within such reasonable period as the commissioner fixes, the officers whose duty it is to file the reports shall each be liable individually to a penalty of \$50.00, to be recovered by the commissioner, in the name of the State, in a court of competent jurisdiction, and when collected to be paid into the State treasury and applied to the expenses of the department. The commissioner may, for sufficient cause, extend the time for filing any reports for not more than 10 days.

172. Examinations by commissioner. Every State association shall be subject to the inspection and supervision of the department, and the commissioner shall, either personally or by a person appointed by him, visit and examine every State association at least once every 2 years, or oftener if deemed expedient. When deemed advisable, the examiner shall verify the liabilities of the State association to its members by an inspection and verification of their accounts. The commissioner shall promptly communicate the result of every examination to the president of the State association examined, who shall present the same to the board at the next regular meeting, or a special meeting, if deemed advisable, or if so directed by the commissioner. The action taken thereon by the board shall thereupon be promptly communicated by the president to the commissioner.

C. 17:12B-172.
Examinations
by
commissioner.

Every report and copy of a report of examination of a State association made by or under the supervision of the commissioner, shall be confidential, and shall not be made public by any officer, director or employee of a State association, and shall not be subject to subpoena or to admission into evidence in any action or proceeding in any court, except pursuant to an order of the court made upon notice to the commissioner an opportunity to advise the court of reasons for excluding from evidence such report or any portion thereof. The court shall order the issuance of a subpoena for the production or admission into evidence of any such report or portion thereof, only if it is satisfied that (1) it is material and relevant to the issues in the proceedings, and (2) the ends of justice and public advantage will be subserved thereby. This section shall not apply to any action or proceeding instituted by the commissioner or Attorney General pursuant to any law of this State.

C. 17:12B-173.
Records
exhibited;
may administer
oaths;
subpoena.

173. The officers, directors and employees of the State association shall exhibit its books, papers and securities to the commissioner or the person appointed by him to conduct the examination, and otherwise facilitate the same so far as it may be in their power so to do. The commissioner and every examiner may administer an oath or affirmation to any person whose testimony is required on any examination, and compel the appearance of any person for the purpose of examination, and the production of books, papers and documents, by subpoena. The subpoena may be served by any police officer or constable of the municipality in which such person resides.

If any person shall fail to obey the subpoena, give testimony, answer questions or produce any books, papers or documents as required, the Superior Court may, upon ex parte application, make an order compelling him to do so.

C. 17:12B-174.
False
testimony;
perjury.

174. False testimony; perjury. A person who shall willfully and corruptly testify falsely to a material matter, upon oath or affirmation admin-

istered by the commissioner or examiner upon such investigation or inquiry, or in regard to a report made to the commissioner, shall be guilty of perjury and be punished accordingly.

175. Any person violating this act shall be a competent witness and compellable to testify in any proceeding under sections 172 and 173 of this act against any other person charged with so offending, but the testimony of the former person given in any such case shall not be used in any prosecution, civil or criminal, against the person so testifying except for perjury committed by him while so testifying.

C. 17:12B-175.
Immunity of
witness.

176. Audits.

C. 17:12B-176.
Audits.

(1) The board of every State association, other than an insured State association, shall cause a thorough audit of the condition of the State association to be made at least once in each calendar year in a manner and form approved by the commissioner. The audit shall be made by a competent accountant, not an officer, director, or employee of the State association, or by the commissioner at the request of the board. Each such audit shall include a verification of at least 20% in number of the members' accounts. A written report of the result of each such audit shall be made and certified or sworn to by the person who shall make such audit and one copy of such report shall be retained by the State association and another copy thereof shall be filed with the commissioner within 90 days after the commencement of such audit, except that, for good cause shown, the commissioner may, in his discretion, on application of the State association made before expiration of such 90 day period, extend for an additional period, not to exceed 30 days, the time when such a report must be submitted. If the board shall fail to provide for the making of a proper audit, by a person or agency herein designated, or if the required audit is not properly made, prepared or filed, the commissioner shall make such audit or cause the same to be made.

(2) The board of every insured State association shall comply with the audit requirements of the Federal Savings and Loan Insurance Corporation, subject to the approval of the commissioner. If the board shall fail to provide for the making of a proper audit as required by this subsection, or if the required audit is not properly made, prepared or filed, the commissioner shall make such audit or cause the same to be made.

(3) Every State association which operates a continuous audit shall submit a copy of the audit at a specific time during the year to the commissioner. The commissioner shall determine the specific time when such report is to be submitted.

ARTICLE XII

SUPERVISION

C. 17:12B-177.
Commissioner's
additional
powers.

177. Commissioner's additional powers. The commissioner's powers and duties conferred and imposed by this article shall be in addition to those conferred and imposed by the other provisions of this act.

C. 17:12B-178.
Order to
discontinue
illegal
practices;
penalty.

178. If it shall appear to the commissioner that a State association has violated any law of this State, or any of its by-laws, or is conducting its business in an unsafe or unauthorized manner, he may order it in writing to discontinue its illegal or unsafe practices. Such order shall be sent to the State association's president, who shall present it to the board at its next regular meeting, or at a special meeting, if he deems it advisable, or if the commissioner so directs. The board's action thereon shall be promptly communicated by the president to the commissioner.

A State association which fails or refuses to comply with an order of the commissioner issued pursuant to this section within the time limited in such order, shall be liable to a penalty of \$500.00 to be recovered with costs by the State in any court of competent jurisdiction in a civil action prosecuted by the Attorney General.

179. Grounds for action by commissioner. Revocation of authority to transact business. If it shall appear to the commissioner that the interests of the creditors or members of a State association are being jeopardized because the State association has violated any law of this State or any of its by-laws, or because it is conducting its business in an unsafe or unauthorized manner; or if the State association refuses to submit its books, papers and concerns to the inspection of the commissioner, or an examiner appointed by him; or if an officer or director refuses to be examined on oath or affirmation regarding the affairs of a State association; or if a State association suspends payment of its creditor obligations; or if any application for withdrawal shall remain unpaid in whole or in part for a period of more than 90 days after it shall have been filed; or if, as a result of any examination or from any report made to him, the commissioner has reason to conclude that the State association is in an unsound or unsafe condition to transact business; or that its capital is impaired; or that it is unsafe or inexpedient for it to continue business; or if it neglects or refuses to comply with any order issued by the commissioner pursuant to section 178 of this act, the commissioner may proceed in the manner provided in sections 180, 181 and 182 of this act, or any one or more of said sections.

C. 17:12B-179.
Ground for
action by
commissioner.

180. Conservation orders. For the purpose of conserving the assets of a State association and of protecting the interests of its members and the public, the commissioner may require any State association, by an order in writing effective for a period of 90 days, to apply money received by it in the manner provided in section 187 of this act; to postpone the payment of all, or any portion of its applications for withdrawals and maturities as he may deem necessary and expedient, to be determined by him according to the ability of the State association to pay withdrawals and maturities so long as such payment does not result in any discrimination against the interest of the other

C. 17:12B-180.
Conservation
orders.

New Jersey State Library

members of the State association and to restrict or limit investments thereafter made. Such order may also prohibit all persons, including members, from instituting suit on any claim against said State association during said period. The commissioner may continue the effectiveness of any such order for additional 90-day periods from time to time but not for a total period longer than 1 year from the date of the issuance of the original order. He may also modify any such order from time to time within said 1-year period. The making of any such order, or modification thereof, shall not prohibit the commissioner from proceeding in accordance with the provisions of sections 181 and 182 of this act.

C. 17:12B-181.
Action to
restrain
association
from doing
further
business;
receiver.

181. The commissioner may institute an action in the Superior Court to restrain the State association from transacting further business, or from transferring or disposing of any of its property in any manner, or from paying excessive expenses of management, or for the removal of any attorney, conveyancer, officer, director, employee or agent of the State association, or for such other relief as the case may require. The court may proceed in the action in a summary manner or otherwise and may make such orders or enter such judgments as shall be equitable and just. Without limiting the generality of its powers, the court may, upon application by the commissioner, appoint a receiver, with power to take possession, manage and dispose of all of the association's real and personal property, books and records and to hold and dispose of the proceeds thereof, as the court shall direct.

C. 17:12B-182.
Commis-
sioner's
authority
to take
possession.

182. Commissioner's authority. The commissioner may forthwith take charge of the State association and possession of all its real and personal property, books and records, and continue the operation of its business until such possession and management shall be returned to its board, or until such State association shall merge, reorganize or dissolve and commence liquidation.

183. Purpose of possession and operation by commissioner. The purpose of the commissioner's management of a State association and operation of its business and possession of its assets, shall be to enable him to determine, within 1 year from the date when he undertakes such management, whether it is for the best interests of its creditors, members and the public that the State association should be continued as a going concern, or should be merged, reorganized or dissolved and liquidated.

C. 17:12B-183.
Purpose of
possession and
operation by
commissioner.

184. Return of management and possession. The commissioner may return the management of a State association to its board and the possession of its property to the State association at any time after he has taken charge and possession thereof, upon such terms and conditions, if any, as he may prescribe.

C. 17:12B-184.
Return of
management
and possession.

185. Powers of commissioner in possession. The commissioner shall have full and complete powers necessary to enable him to determine promptly and efficiently whether it is for the best interests of the State association's creditors, members and the public that it be continued as a going concern or that it be merged, reorganized or dissolved and liquidated. Without limiting the generality of his powers, he shall have power to:

C. 17:12B-185.
Powers of
commissioner
in possession.

(a) Continue the operation of the State association's business.

(b) Conserve its assets and business.

(c) Pay its debts and operating expenses.

(d) Collect moneys due to it.

(e) Compromise and settle claims by and against it.

(f) Exercise any power conferred by this chapter on the State association or its board.

(g) Call meetings of its members.

186. Appointment and compensation of counsel and assistants. The commissioner may, from time to time, appoint one or more special assistant deputy commissioners of banking and insurance, who may or may not be employees in the department as the commissioner shall determine, as agent or agents,

C. 17:12B-186.
Appointment
and compen-
sation of
counsel and
assistants.

to assist him in administering the business and affairs of any State association of which he has taken possession, and he may, from time to time, hire such employees and assistants as he shall deem necessary to the proper administration of the business and affairs of such State association, including officers and employees of the State association. He may further, notwithstanding any other provision of law, appoint an attorney or a counsellor-at-law of this State, who need not be a member or an employee of the department of law of this State, to represent and advise him and to act as counsel in the administration of the business and property of the State association. He may further, at the expense of the State association, obtain such security for the faithful performance of the duties of such assistant deputy commissioners, counsel, and other employees as he shall deem necessary. Appointments of special assistant deputy commissioners and counsel made pursuant to this subsection shall be evidenced by a writing signed by the commissioner and filed in the department.

The compensation of the special assistant deputy commissioners, counsel, and of all other persons engaged in the administration of the business and affairs of such State association, shall be fixed by the commissioner, subject to the approval of the Superior Court as hereinafter provided, and shall, upon the certificate of the commissioner, be paid out of the funds of the State association.

C. 17:12B-187.
Segregation
and application
of money after
possession.

187. Segregation and application of money paid after commissioner takes possession.

(a) All moneys, which shall be paid on any unpledged account or shares of a State association after the commissioner has taken charge of such State association and possession of its assets, shall be segregated from all other receipts, and held in trust, until the property and business of the State association shall be returned to the management of its board, or until it shall merge, reorganize, or dissolve. Upon the happening of any of such events, such money shall, without any impairment what-

ever and at the option of each person who shall have paid the same either be repaid to him or credited to his account.

(b) All moneys, which shall be paid on any indebtedness due to the State association, or on any account which shall be pledged for the payment of any such indebtedness, after the commissioner has taken charge of such State association and possession of its assets, shall be applied without impairment directly to the payment of such indebtedness.

188. Effect of commissioner's possession on rights of third persons. Upon taking charge of a State association and possession of its property, the commissioner shall give notice thereof forthwith to all persons holding or having possession of any assets of the State association. No person having knowledge or notice that the commissioner has taken charge of a State association shall thereafter acquire any lien upon any of the State association's assets for any payment advanced, or clearance thereafter made. Upon taking charge of a State association by the commissioner, all judgments, levies and executions against such State association's property shall be stayed, unless otherwise ordered by the Superior Court.

C. 17:12B-188.
Effect of
possession on
rights of
third person.

189. Financial statements by commissioner. At least annually, and upon the termination of his possession of the assets of a State association, the commissioner shall submit a financial statement and report of the affairs of each State association in his possession, or in liquidation by him to each of the members thereof. Such statement and report shall include a statement of assets and liabilities, a statement of operations, including an itemized statement of all fees and salaries paid to each special assistant deputy commissioner, agent and counsel of such State association, and a statement showing the extent of the liquidation of its assets and the application of the proceeds thereof. The first such report shall be submitted to the members not later than 1 year from the date when the commissioner takes possession, or in the case of a State

C. 17:12B-189.
Financial
statements by
commissioner.

association in possession of the commissioner, when this act takes effect, not later than 1 year from such effective date.

C. 17:12B-190.
Dissolution;
liquidation
action, by
members.

190. Dissolution. Liquidation. Action by members. If the commissioner determines that it is for the best interest of the members and the public that the State association be dissolved and liquidated, he shall,

(a) If the State association is an insured association proceed pursuant to the provisions of section 218 of this act, or

(b) If the State association is not an insured association, after paying all claims which have been proved and allowed against the State association, call a meeting of the members on 10 days' notice, stating the object thereof, at which the members shall determine whether the affairs of the State association shall be managed and directed, during the liquidating period, by the commissioner or by 3 trustees, who shall be members and who shall be elected at such members' meeting. All questions submitted to the members at such meeting shall be decided by a majority of the votes cast, in person or by proxy.

Upon the adoption of such resolution by the members, the State association shall be deemed to be dissolved and it shall be liquidated in accordance with the provisions of Article XVIII. The commissioner or the trustees, as the case may be, shall have all the powers and duties conferred and imposed upon trustees by the provisions of Article XVIII, and subject to such restrictions as may therein be contained.

C. 17:12B-191.
Application
to court
for relief.

191. Relief in court from commissioner's action. If a State association, of whose property and business the commissioner has taken possession as aforesaid, or any member thereof, deems itself or himself aggrieved by any act of the commissioner, or any failure of the commissioner to act, while he is in charge of the affairs of the State association and in possession of its assets, the State association or such member, may in an action in the Superior

Court apply for appropriate relief. The court, upon notice to the commissioner, may proceed in the action in a summary manner or otherwise and enjoin or compel further proceedings or action by the commissioner, and make such other order or enter such judgment as shall be equitable and just.

192. Disposition of unclaimed funds due to members and creditors. If any liquidating dividend due to any member or any amount due to any creditor, remains in the hands of the commissioner for a period of 6 months after the date of the order for final distribution, such moneys shall be paid by the commissioner into the Superior Court with a statement reciting the name, the last known address and the amount due to each member or creditor who has failed to take payment of the distributive share due him, and to be there held for the benefit of those entitled thereto, or otherwise disposed of by order of that court.

C. 17:12B-192.
Disposition
of unclaimed
funds.

193. Liquidation and accounting by commissioner. On making application to the court for approval of expenses of administration as provided by section 186 of this act, the commissioner shall file in the said court an accounting of the administration of the State association's affairs from the date upon which possession thereof was taken, including an accounting of the administration of the State association's affairs by the commissioner's predecessor or predecessors in office, where such possession was initially taken by such predecessor. Accountings subsequent to the first accounting filed pursuant hereto, shall be only for the period elapsed since the last prior accounting filed in the said court, but shall include a summary of the administration of the State association's affairs for the period covered by prior accountings. In any such proceeding with respect to such expenses and accounting, notice to members and claimants may be given by notices mailed to each at his address as it appears on the State association's records. The court shall have jurisdiction to hear and determine in a sum-

C. 17:12B-193.
Liquidation
and accounting
by com-
missioner.

mary manner or otherwise all matters arising therein, and shall enter such judgment therein as shall be equitable and just. Upon making complete distribution of the proceeds of the liquidation of any State association, directed in a judgment of the court, made pursuant to the provisions of this section, the commissioner shall file in the court a statement of such distribution, and shall file in the department a certificate that such statement has been filed, specifying the date of such filing. Upon the date of the filing of said certificate in the department, the rights, privileges and franchises of said State association shall be terminated. A copy of the certificate, certified by the commissioner, shall be evidence in all courts and places.

C. 17:12B-194.
Action in
superior court
by creditor,
etc., for relief.

194. If the capital of a State association becomes impaired, or if it suspends its ordinary business for want of funds to carry it on, and the commissioner refuses for a period of 30 days after demand is made upon him by a creditor or member, to take charge of its operations and possession of its property, as hereinbefore provided, the Attorney General, or any creditor or member of such State association, may institute an action in the Superior Court for appropriate relief. The commissioner shall be made a party defendant to said action. The court may proceed in the action in a summary manner or otherwise and upon being satisfied that the capital of the State association is impaired and that it cannot continue or resume the operation of its business in a short time thereafter with safety to its creditors and the public and advantage to its members, may enjoin the State association, its officers and agents from exercising any of its privileges or any of its franchises and from collecting or receiving any money due to it and from paying out any of its money and from selling, assigning, transferring, or otherwise disposing of any of its assets, except to a receiver appointed by the court, and make such other orders and judgments as may be equitable and just. If the court appoints a receiver, he shall have the same powers and duties

of a receiver appointed under the provisions of chapter 14 of Title 14 of the Revised Statutes.

For the purposes of this section the words "creditor" or "member" shall be inclusive of the Federal Savings and Loan Insurance Corporation, where such association is an insured association.

195. (1) Review of commissioner's determination. Except as herein otherwise provided, any State association or member aggrieved by any determination, decision or order of the commissioner or by any failure of the commissioner to make any such determination, decision or order, may, within 30 days thereafter, institute an action in the Superior Court for a review thereof. The court may proceed in the action in a summary manner or otherwise. It shall determine de novo all questions, both of fact and of law, touching upon the legality and the reasonableness of such determination, decision or order, and render such judgment and make such orders as shall be equitable and just.

C. 17:12B-195.
Review of
commissioner's
determination.

(2) Appearances before commissioner. Any person, who is required or permitted to appear before the commissioner as a party in any proceeding, shall appear in person, or by an attorney-at-law of this State.

(3) Evidence in proceedings before commissioner.

(a) Subpœnas. The commissioner shall have power to issue subpœnas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence, before him, or any deputy appointed to act for him, in any matter over which he has jurisdiction, control, or supervision. The commissioner, or any such deputy, shall have the power to administer oaths or affirmation to any person whose testimony is required.

If any person shall fail to obey the subpœna, give testimony, or produce evidence as required thereby, the Superior Court may upon ex parte application make an order compelling

him to do so. The court shall have power to enforce obedience by a fine, not exceeding \$100.00 or by imprisonment in the county jail, or by both fine and imprisonment, and to compel such witness to pay the taxed costs of such proceeding.

(b) Perjury. Any person who, upon oath or affirmation, shall willfully testify falsely in any proceeding before the commissioner, or any such deputy, shall be guilty of perjury.

(c) Witness fees and mileage. Witnesses subpoenaed to appear before the commissioner, or any such deputy, shall receive the same fees and mileage as witnesses in civil actions.

C. 17:12B-196.
Applications
for com-
missioner's
approval.

196. Applications for commissioner's approval. In all cases where the commissioner's approval is required and no procedure for obtaining the same is specified, application therefor shall be made in writing and the commissioner shall, within 30 days after receipt of such application, give written notice to the State association either approving such application, when the same may be properly disposed of ex parte, or designating a time and place when and where the commissioner will afford, to the State association and to any party in interest who requests it, an opportunity to be heard. The commissioner may grant reasonable adjournments of such hearing. Within 30 days after such hearing, or after the date designated therefor, if no one appears to be heard, the commissioner shall give written notice to the State association of his determination, which notice shall state the reasons therefor, if the application is denied.

If the commissioner fails to give any such notice within the time prescribed therefor, such failure shall be construed as his approval of such application.

C. 17:12B-197.
Bookkeeping
and accounting
practices;
destruction of
records, etc.

197. Bookkeeping methods and accounting practices; destruction of books, records, et cetera. The commissioner may adopt rules and regulations with respect to bookkeeping methods and accounting

practices designed to produce safety of operation and each State association and its officers and employees shall comply therewith. The commissioner may also adopt rules and regulations permitting the destruction of books, records, certificates, documents, reports, correspondence and other instruments, papers and writings of a State association, which, because of age or other reasons, need not be preserved; provided, however, that any association may make a photographic copy of any of its documents and records relating to the accounts of its members and the operation of its business, other than its notes, bonds, mortgages and other securities and investments, and may substitute the photographic copy for the original thereof. Thereafter the photographic copy or a positive print thereof, if the same be a negative, shall be deemed for any and all purposes to be an original counterpart of the original thereof and the association may destroy or otherwise dispose of the original.

Any photographic copy herein described or any positive print thereof, if the same be a negative, may be of the same or a different size than the original thereof, and may be a detached copy thereof, or may be combined in the same film with copies of other documents or records of the said association.

ARTICLE XIII

MERGER

198. Any 2 or more State associations located in the same or contiguous counties may merge into a single State association, under the terms and procedure hereinafter set forth. C. 17:12B-198.
Mergers.

199. Procedure. The boards of the State associations desiring to merge, shall each pass a resolution indicating such desire by at least a $\frac{2}{3}$'s vote of each of the respective boards. The directors of the merging associations shall then have the power to process the proposed merger. The directors of the merging associations shall then file their resolutions C. 17:12B-199.
Procedure
for merger.

with the commissioner for his approval. Simultaneously with the submission of the resolutions to the commissioner, the boards of the merging State associations shall each submit their resolution to the members of their respective State associations by mailing a copy of the same to their members at their addresses appearing on the books of the State associations.

Any member shall have the right to file his objection to the proposed merger with the commissioner within 15 days from the date such resolution is filed with the commissioner.

Not later than 30 days, and not more than 45 days, after the resolutions are filed with the commissioner, the commissioner shall approve or disapprove the application. The commissioner shall give due consideration to any objections filed by members of the merging State associations and he shall determine whether the proposed merger is in the interest of the public and of the members of the merging State associations in reaching his decision. The commissioner shall mail a written copy of his opinion, approving or disapproving any applications submitted under this section, to the applying State associations.

C. 17:12B-200.
Terms of
merger
agreement.

200. Terms. The terms of merger shall be those which have been agreed upon by at least $\frac{2}{3}$'s of the board of each association. Such terms may include provisions for the exchange of accounts in the State association or State associations so merged for accounts of the same or a different class of the State association into which the State association or State associations shall be merged. In the case of any State association whose property and business are in the possession of the commissioner, the terms of merger shall be designated by the commissioner.

C. 17:12B-201.
Recording
agreement.

201. Recording of agreement. Before a merger shall become effective the State associations shall jointly certify to the commissioner that they have complied with all the requirements of this act. The certificate shall be under the hands of the respective presidents and secretaries of the State associations,

except that the commissioner shall execute the certificate for any State association whose property and business are in his possession. The approval of the commissioner of any merger shall be endorsed upon the certificate, which shall be recorded by the clerk of each county where the State associations are located and filed with the department. Thereupon the merger shall take effect according to its terms and shall be binding upon all members of the State associations so merging.

202. Simultaneously with the submission of the resolution required by section 199 of this act, any State association, into which another State association or State associations are merging, may submit its application to the commissioner for the establishment of a section 27 branch office or offices as provided in section 27 of this act.

C. 17:12B-202.
Application to
establish
branch office.

203. Effect of merger. Upon the merger of any State association into another:

C. 17:12B-203.
Effect of
merger.

(a) Its corporate existence shall be merged into that of the other State association, and all its rights, privileges and franchises, and its right, title and interest in and to all property of whatever kind, whether real, personal or mixed, and things in action, and every right, privilege, interest or asset of value or benefit then existing which would inure to it under an unmerged existence, shall be transferred to and vested in the State association into which it has merged, without further act or deed and without any right or reversion. The last mentioned State association shall have and hold the same in its own right as fully as the same was possessed and held by the merged State association;

(b) Its rights, liabilities, obligations and relations to any person shall remain unimpaired, and the State association into which it has been merged shall, by the merger, succeed to all the relations, obligations and liabilities, as though it had itself assumed or incurred the same. No obligation or liability of a member in a State association a party to the merger shall be affected by the merger, but the obligations and liabilities shall continue as they existed before the merger;

(c) A pending action or other judicial proceeding to which a merged State association is a party shall not abate or be discontinued by reason of the merger, but may be prosecuted to final judgment order or decree as if the merger has not been effected, or the State association into which the other State association has been merged may be substituted as a party to the action or proceeding, and any judgment order or decree may be rendered for or against it that might have been rendered for or against the other State association if the merger had not occurred.

C. 17:12B-204.
Bulk
transfers.

204. Bulk transfers.

(1) Bulk transfers authorized. Any State association may with the written approval of the commissioner, transfer, sell, or exchange in bulk and not in the regular and usual course of its business, all or any part of its assets, including its name and good will, to any other association; and accept as consideration therefor, cash and accounts or either of them, of the purchasing association upon such terms as may be determined by the vote of a majority of the board of such State association and by a majority of the votes cast by the members of such State association, present in person or by proxy, at any annual meeting or at any special meeting called for that purpose. At least 10 days' notice of any such members' meeting shall be mailed to each member and shall state the matter to be acted upon. The consideration received for such bulk transfer, sale or exchange shall be applied to the payment of the association's debts and the discharge of its liabilities and the balance thereof shall be distributed to its members pro rata.

(2) Liquidation following bulk transfer. If such bulk transfer, sale or exchange shall include all or substantially all of the assets of a State association, or all or substantially all of its mortgage assets, the State association shall thereupon be dissolved and shall liquidate. The State association shall be managed and directed during liquidation, by its

board in accordance with the provisions of section 205 of this act.

(3) Any State association may transfer, sell or exchange in bulk, all or part of its assets to any Federal association having its principal office in this State, by compliance with the provisions of this section and by compliance with applicable Federal law and regulation; provided, however, that this subsection shall only be operative in the event that any Federal association having its principal office in this State may transfer, sell or exchange, all or part of its assets in bulk, to any association of this State, in accordance with Federal law and regulation which is substantially equivalent to the provisions of this section.

(4) Simultaneously with the submission of the written application required by subsection (1) of this section, any State association which is purchasing all or substantially all of the assets of another association may, subject to the conditions and limitations of section 27 of this act, submit its application to the commissioner for the establishment of a section 27 branch office or offices.

205. Certificate of transfer of assets. Resultant liquidating corporation. Whenever any assets of a State association are to be liquidated by the board of an association, as provided in section 204 of this act, the State association shall, within 10 days after the transfer of assets has been made, make a certificate which shall state:

C. 17:12B-205.
Certificate
of transfer
of assets.

(a) That such transfer of assets has been made.

(b) The name of the State association which made the transfer. The name by which the transferring association shall thereafter be known, which may be the same as that of the transferring association, with the addition of the words "liquidating corporation."

(c) The name of the association to which the assets were transferred.

(d) The address, including street and number, of the principal office of the transferring association and the name of the agent in charge thereof upon whom process may be served.

Such certificate, executed and acknowledged, or proved in the manner required for deeds to real property, shall be recorded in the office of the clerk of the county, in which the transferring association has its principal office, and a copy thereof shall be filed with the commissioner and thereupon the association shall become a liquidating corporation for the sole purpose of liquidating promptly and in an orderly manner, all its remaining assets and of distributing the proceeds thereof.

The board may act under the by-laws of the association except where they are inconsistent with the purposes of the corporation and otherwise the corporation and its directors shall have the powers and duties and be subject to the requirements of sections 207 through 212 of this act.

C. 17:12B-206.
Purchase of
assets of
other
associations.

206. Any association may purchase assets from another association which sells all or a part of its assets in accordance with section 204 of this act and the provisions of Article X of this act shall not apply to such transactions.

C. 17:12B-207.
Liquidating
corporations.

207. Liquidating corporations.

Each liquidating corporation created pursuant to the provisions of section 205 of this act shall be a corporation for the sole purpose of liquidating, promptly and in an orderly manner, all assets which it owns and distributing the proceeds thereof.

Each such liquidating corporation shall have all powers necessary to accomplish such liquidation and distribution including, but not by way of limitations, those specified in sections 232, 233, 235, 236, 237 and 238 of this act.

C. 17:12B-208.
Creditors;
claims
barred.

208. Creditors. Claims barred. The liquidating corporation shall give public notice that all persons having claims against any association whose assets have been transferred to it shall present such claims under oath at the corporation's office within 3 months of the date of such notice or be barred, forever after, from any action therefor.

Such notice shall be advertised at least once each week for 12 successive weeks in at least 2 newspapers published in the county in which each such

association has its principal office and shall bear the date of the day of the first publication.

Within 10 days after date of such notice, a copy thereof shall be mailed to each creditor or other person who is known to have any claim against such association, addressed to his last known post-office address. Proof of such publication and mailing shall be filed with the commissioner.

209. If the corporation disputes all or any part of any claim which is duly presented to it, and gives written notice of such dispute to the claimant, his attorney, or agent, such claimant shall institute an action thereon within 30 days from the receipt of such notice or his claim shall thereafter be barred.

C. 17:12B-209.
Action by
claimant when
amount is in
dispute.

210. The provisions of sections 208 and 209 of this act shall not be applicable to or in any way affect any indebtedness on account of any loan made to an association to enable it to effect a sale of its assets, and any such indebtedness shall become and be an indebtedness of such corporation; and any obligation evidencing such indebtedness, any mortgage, assignment of mortgage or other document securing such obligation and any agreement with respect to any such indebtedness shall become and be binding upon such corporation and upon its assets with like force and effect as if originally incurred by such corporation.

C. 17:12B-210.
Application
of sections
208 and 209.

211. Jurisdiction of Superior Court. Each such corporation or its board may institute an action in the Superior Court for instructions with respect to any matter pertaining to the liquidation of its assets, the distribution of the proceeds thereof, and the settlement of its affairs. The court may proceed in a summary manner or otherwise to hear and determine the matters presented to it and make such order or enter such judgment as shall be equitable and just. No such action for instructions shall confer upon the court general jurisdiction over the affairs of such corporation.

C. 17:12B-211.
Jurisdiction
of superior
court.

212. Termination of corporate existence. Within 90 days after the affairs of each such corporation shall have been fully settled and its assets liqui-

C. 17:12B-212.
Termination
of corporate
existence.

dated and the proceeds thereof distributed, or within such further time as the commissioner may allow, it shall file with the commissioner a certificate, verified by at least 2 of its officers, that the affairs of said corporation have been finally settled and its assets liquidated and distributed, and if the commissioner as a result of an examination or otherwise, is satisfied that the contents of the certificate are true, he shall so endorse the said certificate, and thereupon the said corporation shall be dissolved and its corporate existence terminated.

ARTICLE XIV

FOREIGN ASSOCIATIONS

C. 17:12B-213.
"Foreign
association"
defined.

213. For the purposes of this article the words "Foreign association" shall not be deemed to include a Federal association, as defined in section 5 of this act, nor any corporation engaged in the transaction of such business in interstate or foreign commerce.

C. 17:12B-214.
Bars conduct-
ing business
within State.

214. Foreign associations shall not transact the business of a savings and loan association within this State, nor maintain an office within this State for the purpose of transacting such business. It shall be unlawful for any person to transact business within this State on behalf of such associations.

C. 17:12B-215.
Violation;
penalty.

215. Any natural person who shall violate the prohibitions of this article shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to imprisonment for a period not exceeding 1 year, or a fine not exceeding \$1,000.00, or both. He shall also be subject to a further fine equal to any moneys received by him within this State in violation of this section. The association which such individual represents shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine of \$5,000.00; such association shall be subject to a further fine equal to the amount of any moneys received by such association or by its agent in violation of this article.

ARTICLE XV

INSURANCE OF ACCOUNTS BY FEDERAL SAVINGS AND
LOAN INSURANCE CORPORATION

216. Filing copy of application and statement of acceptance or rejection. Each State association which applies for the insurance of its accounts by the Federal Savings and Loan Insurance Corporation shall file with the commissioner within 1 week after its adoption, a certified copy of the resolution applying for such insurance adopted by its board or its members, and shall, further, within 1 week of the receipt by it of notice of acceptance or rejection by such corporation of such application file a statement of such acceptance or rejection in the office of the commissioner.

C. 17:12B-216.
Filing
required
concerning
federal
insurance.

217. Terminating insurance. No such State association shall terminate such insurance except after 30 days' prior written notice thereof to the commissioner, unless the commissioner shall have waived such notice in writing.

C. 17:12B-217.
Terminating
insurance.

218. Powers of commissioner not impaired; joint powers with insurance corporation. Nothing contained in this article shall be construed as repealing, modifying or impairing any powers, duties, rights or responsibilities of the commissioner in respect to any association organized under or subject to the provisions of this act; provided, however, that whenever the commissioner shall, pursuant to any of the provisions of this act, take possession of the property and business of a State association whose accounts or investments are insured by the Federal Savings and Loan Insurance Corporation, he shall forthwith give notice thereof in writing to the Federal Savings and Loan Insurance Corporation in Washington, D. C., by certified mail, and file a copy of such notice, with the original receipt of such mailing attached thereto, in the department. At any time after such taking of possession, but not later than 10 days after the date of the mailing of such notice, the Federal Savings and Loan Insur-

C. 17:12B-218.
Commis-
sioner's
powers not
impaired.

ance Corporation may file in the department its election in writing to assume and exercise or to decline the powers vested in it pursuant to the provisions of this article, and in default of its filing such election, it shall be deemed to have waived and declined to assume and exercise such powers.

C. 17:12B-219.
Vested
jointly with
powers.

219. Upon its filing such election to assume and exercise such powers, the Federal Savings and Loan Insurance Corporation and the commissioner shall be vested jointly with the exercise of all of the powers, duties and authority conferred and imposed upon the commissioner pursuant to section 182 of this act. All acts done by the commissioner in administering the affairs of such State association before the filing of such election by the Federal Savings and Loan Insurance Corporation shall be binding upon the Federal Savings and Loan Insurance Corporation; provided, however, that any exercise of the powers conferred by section 182 of this act, any appointment, employment, hiring, retention, or compensation of legal or other personnel or assistance except as to service performed entirely before the filing of such election, and, except in the regular and ordinary course of business any sale or other disposition of assets and any compromise or release, shall require the approval of the Federal Savings and Loan Insurance Corporation to be effective, unless the Federal Savings and Loan Insurance Corporation shall decline to assume and exercise the powers conferred by this section. All notices, citations, pleadings or other documents, which under the provisions of said sections are authorized or required to be filed with or served on the commissioner, need only be filed with or served on the commissioner, but he shall promptly furnish the Federal Savings and Loan Insurance Corporation with a copy of each such notice, citation, pleading, or document filed with or served upon him, except where the Federal Savings and Loan Insurance Corporation shall waive or shall have waived, in writing, the furnishing of such copy; provided, however, that failure of the com-

missioner to furnish such copy shall not affect the validity of such filing or service.

220. The Federal Savings and Loan Insurance Corporation shall have all the rights, privileges and powers conferred upon it by the Federal statutes now or hereafter enacted, and may make loans on the security of, or purchase at public or private sale, or at any receiver's sale, and, when purchased, may liquidate or sell, any part of the assets of the State association, and, in the event of the purchase of any of such assets, it shall bid for and pay a fair and reasonable price. Whether or not the Federal Savings and Loan Insurance Corporation shall serve as aforesaid, whenever it shall pay or make available for payment the liabilities of any such insured State association in liquidation which are insured by it, it shall be subrogated upon the surrender and transfer to it of any account insured by it, with respect to such account, but such surrender and transfer of such account shall not affect any right which the transferor thereof may have in any portion of such account which is uninsured or any right to participate in the distribution of the net proceeds remaining from the disposition of the assets of such insured State association; provided, that the rights of the investors in, and creditors of, such insured State association shall be determined in accordance with the applicable provisions of the laws of this State.

C. 17:12B-220.
Rights,
powers, etc.,
of federal
corporation.

221. Notwithstanding any other provision or provisions of the law granting, governing, defining or limiting the powers or right of members to vote upon any question or issue whatsoever requiring the consent or approval of the members of the State association by the vote of the majority or otherwise, the Federal Savings and Loan Insurance Corporation, shall be entitled, at any meeting or meetings of the State association held after the commissioner takes possession of the business and property of the State association, to cast 1 vote for each member of the State association whose account is insured and who is not entitled by way of with-

C. 17:12B-221.
Federal
corporation
entitled
to vote.

drawal or maturity rights to a sum greater than the maximum amount for which a single member may be insured by the corporation, and whose account has been paid, or made available for payment. The right to vote herein conferred shall be exercised by the corporation by any of its officers, or by such person or persons as its board of trustees may designate. All votes so cast by the corporation shall have the same effect and shall be considered for all purposes whatsoever as if severally and individually cast by the members of the State association whose account, or accounts are insured as aforesaid, and who are severally entitled to a sum not greater than the maximum amount for which a single member may be insured by the corporation.

ARTICLE XVI

CONVERSION INTO FEDERAL ASSOCIATION

C. 17:12B-222.
Procedure
to convert into
a federal
association.

222. Procedure. Any association which is a member of a Federal Home Loan Bank may convert itself into a Federal association with the same force and effect as though originally incorporated as a Federal association.

(a) When, in the judgment of the board of such association, it shall be deemed advisable and for the interests of its members that the same shall be converted into a Federal association, as provided in this section, the board shall adopt a resolution to that effect.

(b) After the adoption of such resolution, a meeting of the members of the association shall be held upon not less than 10 days' written notice to the members by mail, postage prepaid, directed to their addresses appearing on the books of the association, which notice shall contain a statement of the time, place and purpose for which such meeting is called. Proof by affidavit of mailing of such notice shall be filed in the office of the commissioner before the time of such meeting.

(c) At a meeting of the members of any such association held as provided in paragraph (b) of this section, such members may by the affirmative vote of $\frac{2}{3}$ of the members of the association present, either in person or by proxy, declare by resolution the determination to convert the association into a Federal association. A copy of the minutes of the proceedings of such meeting of the members, verified by the affidavit of the president or vice-president, and the secretary of the meeting, shall be filed in the office of the commissioner within 20 days after the date of such meeting.

(d) Within 3 months after the date of such meeting, the association shall take such action, in the manner prescribed or authorized by the laws of the United States as shall make it a Federal association, and there shall be filed in the office of the commissioner a copy of the charter issued to such Federal association by the Federal Home Loan Bank Board or a certificate showing the organization of such association as a Federal association, certified by the secretary or an assistant secretary of the Federal Home Loan Bank Board. Upon the granting to any association of a charter by the Federal Home Loan Bank Board, the association receiving such charter shall cease to be an association operating pursuant to this act and shall no longer be subject to the supervision and control of the commissioner.

223. Upon the conversion of any association into a Federal association, the corporate existence of such association shall not terminate, but such Federal association shall be deemed to be a continuation of the entity of the association so converted and all the property of the converted association, including all its right, title and interest in and to all property of whatsoever kind, whether real, personal or mixed, and things in action, and every right, privilege, interest and asset of any conceivable value or benefit then existing, belonging or pertaining to it or which would inure to it, shall immediately, by operation of law and without any

C. 17:12B-223.
Corporate
entity
continued.

conveyance or transfer and without any further act or deed, remain and be vested in and continue and be the property of the Federal association into which the State association has converted itself, and such Federal association shall have, hold and enjoy the same in its own right as fully and to the same extent as the same was possessed, held and enjoyed by the converting association; and such Federal association, as of the time of taking effect of such conversion, shall continue to have and succeed to all the rights, obligations and relations of the converting association. Pending actions, and other judicial proceedings to which the converting State association is a party shall not be deemed to have abated or to have been discontinued by reason of such conversion, but may be prosecuted to final judgment in the same manner as if such conversion into such Federal association had not been made, and such Federal association resulting from such conversion may continue such action or other judicial proceeding in its corporate name as a Federal association, and any judgment or order may be made for or against it, which might have been made for or against the converting State association theretofore involved in such judicial proceedings.

C. 17:12B-224.
Conversion
from federal
to state
charter;
procedure.

224. Conversion from Federal to State charter; procedure. Any Federal association may convert itself into an association of this State with the same force and effect as though originally incorporated under this act, and the proceedings to effect such conversion shall be as follows:

(a) When in the judgment of the board of such Federal association it shall be deemed advisable and for the interests of its members that the same shall be converted into an association of this State, the board of directors shall adopt a resolution to that effect.

(b) After the adoption of such resolution, a meeting of the members of the association shall be held upon not less than 10 days' written notice to the members by mail, postage prepaid, directed to their addresses appearing on the books of the asso-

ciation, which notice shall contain a statement of the time, place and purpose for which such meeting is called. Proof by affidavit of mailing of such notice shall be mailed to the Federal Home Loan Bank Board before the time of such meeting.

(c) At a meeting of the members of any such Federal association held as provided in paragraph (b) of this section, such members may by the affirmative vote of $\frac{2}{3}$ of the members present either in person or by proxy, declare by resolution the determination to convert the association into an association of this State. A copy of the minutes of the proceedings of such meeting of the members, verified by the affidavit of the president or vice-president, and the secretary of the meeting, shall be filed in the office of the commissioner and mailed to the Federal Home Loan Bank Board, within 10 days after the date of such meeting.

(d) Within 30 days after the date of the meeting held as provided in paragraphs (b) and (c) of this section, a majority of the board of such Federal association shall subscribe, acknowledge and deposit with the commissioner in duplicate, a certificate which shall contain:

1. The name of the association, which shall not be so nearly like that of any other association as to deceive the public, and the words "savings and loan association" shall form a part thereof;
2. The municipality where it is to be located and its business transacted, which shall be within this State;
3. A statement that it is to operate as an association pursuant to this act for the purposes stated herein;
4. The name, residence, occupation and post-office address of each officer and director;
5. Application for the approval of the commissioner to the conversion of said association into an association of this State.

C. 17:12B-225.
Consent of
commissioner
to conversion;
filing of
consent;
corporate
entity not
affected.

225. Upon the filing with the commissioner of the certificate as provided in paragraph (d) of section 224 of this act and before approving the conversion of any Federal association into an association of this State, the commissioner shall determine, as a result of an examination or otherwise, that the assets of such association have a sound value at least equal to the capital of the association, plus all creditor obligations; that such association will function normally after conversion and that it will earn and be able to pay regularly a reasonable dividend; and upon such determination, and upon compliance by the association with such requirements or conditions as the commissioner, may prescribe, and not later than 3 months from the date of the members' meeting held as provided in paragraphs (b) and (c) of section 224 of this act, the commissioner shall endorse his consent to the conversion of such Federal association into an association upon the certificates filed in accordance with paragraph (d) of section 224 of this act, one of which certificates shall remain on file in the office of the commissioner and the other shall be recorded by the clerk of the county where the association is located. Within 10 days thereafter, a copy of said certificate certified by the commissioner, shall be mailed to the Federal Home Loan Bank Board. Upon the filing of such certificate in the office of the commissioner the association shall cease to be a Federal association and shall no longer be subject to the supervision and control of the Federal Home Loan Bank Board.

Upon the conversion of any Federal association into an association of this State, the corporate existence of such association shall not terminate, but such association of this State shall be deemed to be a continuation of the entity of the association so converted, and all property of the converted association, including its right, title and interest in and to all property of whatsoever kind, whether real, personal or mixed, and things in action, and every right, privilege, interest and asset of any

conceivable value or benefit then existing belonging or pertaining to it or which would inure to it, shall immediately by operation of law and without any conveyance or transfer and without any further act or deed, remain and be vested in and continue and be the property of such association of this State into which the Federal association has converted itself, and such association of this State shall have, hold and enjoy the same in its own right as fully and to the same extent as the same was possessed, held and enjoyed by the converting association, and such association of this State as of the time of the taking effect of such conversion, shall continue to have and succeed to all the rights, obligations and relations of the converting association. Pending actions and other judicial proceedings to which the converting Federal association is a party shall not be deemed to have abated or to have been discontinued by reason of such conversion, but may be prosecuted to final judgment, in the same manner as if such conversion into such association of this State had not been made and such association of this State resulting from such conversion may continue such action in its corporate name as an association of this State and any judgment or order may be made for or against it, which might have been made for or against the converting Federal association theretofore involved in such judicial proceedings.

ARTICLE XVII

FEES AND CHARGES

226. Fees and charges. A. Every State association shall pay filing fees as follows:

- (1) Annual report, \$5.00.
- (2) Dissolution proceedings, \$100.00.
- (3) Any new corporation filing, \$100.00; plus an additional fee of \$100.00 to cover the cost of investigation of filing.
- (4) Any proceeding under section 204, pertaining to bulk sales, \$50.00.

C. 17:12B-226.
Fees and
charges.

(5) Any proceeding under section 198, pertaining to mergers, \$100.00.

(6) Any application for a branch office, \$100.00.

(7) Application to change location of a principal or branch office, or to interchange a principal and branch office, \$100.00.

(8) Application for change of name, \$35.00.

(9) Certifications by the commissioner, of papers or records on file with the department, \$10.00 for each certification; plus the reasonable cost of typing and reproducing such records.

B. Every State association shall defray all expenses incurred in making an examination of its affairs as provided in this act, and the commissioner may maintain an action, in the name of the State, against the association, for the recovery of such expenses, in a court of competent jurisdiction.

C. 17:12B-227.
Payment of
commissioner's
expenses.

227. Payment of commissioner's expenses. The necessary expenses incurred by the commissioner in carrying out the provisions of this act, when not otherwise provided for, shall be paid out of the fees collected as herein provided.

ARTICLE XVIII

DISSOLUTION AND LIQUIDATION

C. 17:12B-228.
Dissolution
and liquidation.

228. Dissolution. Action by the board and the members. Trustees. Commissioner's approval. Any association may be dissolved as follows: Its board may adopt a resolution declaring that in its opinion it is advisable and for the best interests of its members that it be dissolved, its business and affairs wound up and its assets liquidated and distributed. Such resolution shall fix the time and place for a meeting of the members to take action thereon. Notice of the adoption of such resolution, and of the time, place and object of such members' meeting shall be mailed to each member at least 10 days prior to the date fixed for such meeting. The meeting may be adjourned from time to time. If $\frac{2}{3}$ in interest of the members present at the mem-

bers' meeting shall favor dissolution and liquidation, the members shall then elect, at said meeting, 3 trustees to manage and direct the affairs of the association during liquidation. Said trustees may exercise, in the name of the association, any and all of its powers except those which may be expressly reserved to its members by the provisions of its by-laws or this act. More than 3 trustees may be elected if the commissioner consents thereto in writing. The candidates receiving the highest number of votes shall be declared elected. No person who has served as an officer, director, attorney or employee of such association prior to the date of the election of the trustees, shall be elected a trustee unless prior to such election there shall have been filed with the association the approval by the commissioner of such person's candidacy for trustee. No person who is indebted to the association shall be eligible for election as trustee. Each trustee shall be a member of the association. Members may vote at such meeting in person or by proxy.

Within 5 days after such members' meeting, the association shall file with the commissioner, a certificate signed by its president and secretary which shall state the name of the association; the dates upon which its board and its members met and acted with respect to dissolution and liquidation; the names and addresses of the persons who were elected as trustees; and that attached thereto are true copies of the resolutions adopted at said meetings of the board and of the members respectively, with respect to dissolution and liquidation, and of the notice mailed to members, together with proof of mailing thereof.

Within 5 days after said certificate and the documents required to be attached thereto shall have been filed with the commissioner, he shall determine whether the proceedings certified to therein have been taken in accordance with the provisions of this section, and if he is satisfied that they have, he shall forthwith date and issue to the association a certificate of dissolution and thereupon the asso-

ciation shall be dissolved and proceed to liquidate as herein provided.

C. 17:12B-229.
Liquidation
defined.

229. Definition of liquidation. As used in this act, liquidation shall include the winding up and settlement of the business and affairs of an association, the liquidation of its assets, the payment and satisfaction of its debts and obligations and the expenses of its liquidation, the distribution of its surplus assets to its members pro rata and the management and direction of its affairs during the liquidating period.

C. 17:12B-230.
Corporate
existence
continued.

230. Continuation of corporate existence. After dissolution, an association shall continue to be a body corporate and retain title to all its real and personal property for the purpose of liquidation but not for the transaction of further business as a going concern.

C. 17:12B-231.
Trustee's
bond;
removal of
trustee;
approval of
account.

231. Each trustee before entering upon his duties, shall file with the commissioner a bond to the association in such sum as the commissioner shall fix, conditioned for the faithful performance of his duties.

The Superior Court may remove any trustee for cause, upon the application of the commissioner, and may appoint a trustee to serve in the place of any trustee who fails to qualify or whose office as trustee becomes vacant. No person, other than a member of the association, shall be appointed as a trustee for such association unless it appears to the court that no member, qualified to act, will do so. In the event that a trustee is removed, dies or fails to qualify after election as such, the acts of the remaining trustees shall be valid and effectual until the vacancy is filled.

The trustees shall act by a majority vote and the signatures of a majority of them to any deed or other document shall suffice.

The trustees shall apply to the Superior Court for approval of any account filed by them and for their compensation and discharge. They shall have the powers of receivers as provided in sections 14:14-11 and 14:14-12 of the Revised Statutes. The

provisions of section 14:14-11 of the Revised Statutes shall apply to persons refusing to be sworn, to answer questions, or to declare the whole truth.

232. All liquidation proceedings hereafter commenced shall be completed within 5 years from the date of dissolution or within such further time as may be allowed by the Superior Court or by the members at any meeting which shall be called for that purpose upon at least 10 days' notice to every member.

C. 17:12B-232.
Liquidation to
be completed
in 5 years.

233. Every dissolved association shall have all powers necessary to accomplish its liquidation promptly, efficiently and completely, including, but not by way of limitation, the following:

C. 17:12B-233.
Powers of
dissolved
association.

(a) To employ, retain, and reasonably compensate agents, employees and attorneys.

(b) To sue and be sued.

(c) To acquire title in any manner to any real or personal property in which it has any interest, or in settlement, satisfaction or payment in whole or in part, of any claim.

(d) To enforce all lawful claims, demands, rights, remedies, and liens against persons and property.

(e) To collect all money due to it.

(f) To compromise and settle all claims by or against it.

(g) To sell or otherwise dispose of any asset upon any reasonable terms and conditions.

(h) To rent, manage, conserve and protect any asset.

(i) To accept any member's account in such association, at such value as the trustees may place thereon, in payment of not more than 25% of the purchase price of any real estate. A higher percentage of the purchase price may be paid in such manner with the approval of the Superior Court.

(j) To execute all contracts, deeds, leases, mortgages, assignments, or other documents or writings necessary or incidental to the exercise of any of its powers.

(k) To borrow money and pledge any asset as security for the repayment thereof. No service charge or bonus for procuring any such loan shall be paid, but this prohibition shall not apply to ordinary and reasonable legal and search fees.

(l) To apply to the Superior Court for instructions with respect to any of its powers and duties, but, without obligation to do so.

C. 17:12B-234.
Creditors;
claims
barred.

234. Creditors. Claims barred. The association shall give public notice that all persons having claims against it, shall present them under oath, at the association's office, within 3 months from the date of such notice, or be barred, forever after, from any action therefor. Such notice shall be advertised at least once each week for 12 successive weeks, in at least 2 newspapers published in the county in which the association has its principal office, and shall bear the date of the day of the first publication. Within 10 days after the date of such notice a copy thereof shall be mailed to each of the association's creditors addressed to his last known post-office address. Proof of such publication and mailing shall be filed with the commissioner.

If the association disputes all of any part of any claim which is duly presented to it, and gives written notice to such dispute to the claimant, his attorney, or agent, such claimant shall institute suit thereon within 30 days from the receipt of such notice or be barred forever after, from any action therefor.

C. 17:12B-235.
Participation
value applied to
indebtedness.

235. Application of participation value to indebtedness. The participation value, at the date of dissolution of an association, of any account in such association which is pledged as security for the payment of any indebtedness to such association, shall be applied to the payment of such indebtedness.

C. 17:12B-236.
Sinking fund
mortgages;
extension of
time for
payment.

236. Sinking fund mortgages. Extension of time for payment. Any owner of land, which is subject to a sinking fund mortgage held by an association which has been dissolved, may apply in writing to such association, within 90 days after the date of its dissolution, for an extension of time, not exceeding

5 years from the date of said dissolution, within which the amount due upon such mortgage, and the obligation accompanying the same, shall be paid. The association shall grant such request, provided that:

(a) There shall be no existing default in the performance of the terms and conditions of said mortgage and obligation; and

(b) The applicant shall agree to perform all of the other terms and agreements of said mortgage and obligation; and

(c) The applicant shall agree to pay monthly, in reduction of the principal sum due on said mortgage and obligation, such amount as the association shall require, not exceeding, however, 1% of the amount of the original loan secured by said mortgage. Such amount shall be applied first to the payment of interest and other lawful charges, and the surplus to the reduction of the principal. Nothing herein contained shall prevent the association and the applicant from agreeing upon the payment of larger monthly payments.

If, at the date of said dissolution, any default has existed for more than 2 months in the performance of any of the terms and conditions of said mortgage and obligation, the application for extension of time may be refused, or granted upon such terms as the association may prescribe.

The provisions of this section shall not be construed to prevent an association in liquidation from making any compromise which it is otherwise authorized to make.

237. Notice to sinking fund mortgagors. Within 30 days after the date of its dissolution, the association shall mail to each owner of land, which is subject to a sinking fund mortgage held by such association, a notice stating that the association has dissolved and will liquidate; the date of its dissolution; and that applications for the extension of the time for payment of such mortgage loans may be made in accordance with the provisions of section 236 of this act. A copy of section 236 shall be enclosed with each such notice.

C. 17:12B-237.
Notice to
sinking fund
mortgagors.

C. 17:12B-238.
Com-
mis-
sioner's
jurisdiction.

238. Commissioner's jurisdiction. Each association in liquidation shall remain subject to the jurisdiction and supervision of the commissioner.

C. 17:12B-239.
Report of
trustees in
liquidation;
audit.

239. At least annually, unless the commissioner, for good cause, extends the time therefor, and at such other times as the commissioner may require, the trustees of an association in liquidation shall file in the Superior Court a true report and account of their administration of the assets and affairs of the association and simultaneously therewith, shall file a copy thereof with the commissioner. The commissioner shall, personally, or by one or more examiners designated by him, audit each such report and account and make such examination of the affairs of the association, including a verification of members' accounts, as shall be required in such audit. If, as a result of such audit and examination the commissioner shall find that such report and account is correct, he shall report accordingly to the court and the court may thereupon, without further inquiry or verification, approve and allow such report and account. If the commissioner shall find, by such audit and examination or in any other manner, that said report and account or either of them is incorrect, or that the trustees have violated any provision of this act, or that the affairs of the association have been mismanaged, he shall report accordingly to the court, and the court shall thereupon, upon motion of the commissioner or upon its own motion, make such inquiry and order in the interest of the members and creditors of the association as shall be equitable and just. The commissioner shall receive for all services performed by him pursuant to the provisions of this article, the fees which are fixed by law for like services performed by him in connection with associations not in dissolution and liquidation.

At least 10 days before the filing of each trustees' report and account, a report of the operations of the association for the period of the accounting in the form which is provided for associations not in dissolution, shall be mailed to each member. Said

report shall state the time and place when and where the report and account will be filed and the amount of the allowances for compensation which the trustees will apply for. Proof of the mailing of said report to members shall be filed in the Superior Court simultaneously with the filing of said report and account. No other notice to members need be given of any proceeding for the approval and disposition of any report and account or of any matter which may be presented to the court in connection therewith or incidental thereto. Such notice, if any, as the court may prescribe, of the filing of the report and account and the application for allowances shall be given to the creditors of the association.

240. The Superior Court shall have full and complete jurisdiction of associations in liquidation and their trustees, and of all matters and questions arising or growing out of liquidation, and may make such orders and judgments with respect thereto as shall be equitable and just. The court may allow reasonable compensation to the trustees for their services and costs and expenses of the administration of the trust.

C. 17:12B-240.
Jurisdiction
of superior
court.

ARTICLE XIX

INVESTMENTS OF PUBLIC FUNDS AUTHORIZED

241. Insured accounts eligible investment for trust and public funds, and savings banks and as security. All public funds, including those of the State of New Jersey, or any county or municipality or other political subdivision of New Jersey, and those in the control or possession of any public board or official, and all trust funds of every character in the control or possession of any fiduciary or other person or corporation, may, without any order of any court, be invested in one or more accounts in any insured association whose principal office is located in New Jersey in any amounts up to, but not exceeding, the amounts for

C. 17:12B-241.
Investments of
public funds
authorized.

which such accounts are insured, or 25% of the total reserves and undivided profits of the association, whichever is greater. Any savings bank may invest in one or more accounts in any such association in any amounts up to, but not exceeding, the amounts for which such accounts are insured, or 25% of the total reserves and undivided profits of the association, whichever is greater.

Any such account, in any amount up to, but not exceeding, the amount for which it is insured, or 25% of the total reserves and undivided profits of the association, whichever is greater, shall be eligible for acceptance as security, whenever security is required by any law of this State.

ARTICLE XX

SEPARABILITY AND EFFECTIVE DATE

C. 17:12B-242.
Provisions
severable.

242. Separability. Partial invalidity. If any provision of this act, or the application thereof to any person, is held invalid, the remaining provisions of this act, and the application of such provision to any other person, shall not be invalidated or affected thereby.

C. 17:12B-243.
Act effective.

243. This act shall take effect 90 days after its approval.

Approved August 30, 1963.

The following is a schedule of sources of the sections of the bill and a schedule of allocation of source sections in the bill.

SCHEDULE 1

SCHEDULE OF SOURCE SECTIONS

Section Number	Source	Section	Section Number	Source	Section
1	17:12A-1		7	17:12A-10 (16)	
2	17:12A-2		8	New	
3	17:12A-3		9	New	
4	17:12A-4		10	New	
5	17:12A-10 (1)-(22)		11	17:12A-78 (1)	
	New (23)-(31)		12	17:12A-11	
6	17:12A-10 (15)		13	17:12A-12	

SCHEDULE OF SOURCE SECTIONS

Section Number	Source	Section	Section Number	Source	Section
14	17:12A-13		51	17:12A-27 (17)	
15	17:12A-14		52	17:12A-27 (17)	
16	17:12A-15		53	17:12A-27 (17)	
17	17:12A-16		54	17:12A-27 (17)	
18	Sec. 3, C. 135, L. 1953 (16.1)		55	New	
19	17:12A-17		56	17:12A-27 (17)	
20	Sec. 3, C. 135, L. 1953 (16.1)		57	17:12A-27 (17)	
21	17:12A-18		58	17:12A-27 (17)	
22	17:12A-19		59	17:12A-27 (17)	
23	17:12A-20		60	17:12A-27 (17)	
24	New		61	Sec. 1, C. 69, L. 1948 (27.1)	
25	17:12A-21 A (1) (2)		62	17:12A-28	
26	17:12A-21 A (3) (4)		63	17:12A-29	
27	17:12A-21 B. C. D.		64	17:12A-30	
28	New		65	17:12A-31	
29	Sec. 1, C. 205, L. 1952 (21.1)		66	17:12A-32	
30	Sec. 2, C. 205, L. 1952 (21.2)		67	17:12A-33	
31	Sec. 3, C. 205, L. 1952 (21.3)		68	17:12A-34	
32	Sec. 4, C. 205, L. 1952 (21.4)		69	17:12A-35	
33	Sec. 5, C. 205, L. 1952 (21.5)		70	17:12A-36	
34	Sec. 6, C. 205, L. 1952 (21.6)		71	17:12A-37	
35	Sec. 7, C. 205, L. 1952 (21.7)		72	17:12A-38	
36	Sec. 8, C. 205, L. 1952 (21.8)		73	17:12A-39	
37	New		74	17:12A-40	
38	17:12A-22		75	17:12A-41	
39	17:12A-23		76	17:12A-42	
40	17:12A-24		77	17:12A-43	
41	17:12A-24		78	17:12A-44	
42	17:12A-24		79	17:12A-45	
43	17:12A-24		80	17:12A-46	
44	17:12A-24		81	17:12A-47	
45	New		82	Sec. 1, C. 241, L. 1955 (48.1)	
46	17:12A-25		83	Sec. 1 D, C. 241, L. 1955 (48.1 D)	
47	17:12A-26		84	Sec. 1 B, C. 241, L. 1955 (48.1 B)	
48	17:12A-27		85	Sec. 1 F, C. 241, L. 1955 (48.1 F)	
49	New		86	Sec. 1 G, C. 241, L. 1955 (48.1 G)	
50	17:12A-27 (17)		87	New	
			88	Sec. 2 A, C. 241, L. 1955 (48.2 A)	
			89	Sec. 2 A, C. 241, L. 1955 (48.2 A)	

SCHEDULE OF SOURCE SECTIONS

Section Number	Source Section	Section Number	Source Section
90	Sec. 2A, C. 241, L. 1955 (48.2 A)	120	New
91	Sec. 2 A, C. 241, L. 1955 (48.2 A)	121	17:12A-100 (2)
92	Sec. 2 A, C. 241, L. 1955 (48.2 A)	122	17:12A-100 (2)
93	Sec. 2 B, C. 241, L. 1955 (48.2 B)	123	New
94	Sec. 2 C, C. 241, L. 1955 (48.2 C)	124	17:12A-100 (2)
95	Sec. 2 D, C. 241, L. 1955 (48.2 D)	125	17:12A-100 (3)
96	Sec. 2 F, C. 241, L. 1955 (48.2 F)	126	17:12A-58
97	Sec. 2 G, C. 241, L. 1955 (48.2 G)	127	17:12A-59
98	Sec. 3 A, C. 241, L. 1955 (48.3 A)	128	17:12A-60
99	Sec. 3 B, C. 241, L. 1955 (48.3 B)	129	17:12A-61
100	Sec. 3 D, C. 241, L. 1955 (48.3 D)	130	17:12A-62
101	Sec. 3 E, C. 241, L. 1955 (48.3 E)	131	17:12A-63
102	Sec. 3 F, C. 241, L. 1955 (48.3 F)	132	17:12A-64
103	New	133	17:12A-65
104	Sec. 3 G, C. 241, L. 1955 (48.3 G)	134	17:12A-66
105	Sec. 5, C. 241, L. 1955 (48.5)	135	17:12A-67
106	New	136	17:12A-69
107	Sec. 1, C. 132, L. 1955 (49.1)	137	New
108	Sec. 2, C. 132, L. 1955 (49.2)	138	17:12A-70
109	New	139	17:12A-71
110	17:12A-50	140	17:12A-68
111	17:12A-51	141	17:12A-72
112	17:12A-52	142	17:12A-73
113	17:12A-53	143	17:12A-74
114	17:12A-55	144	17:12A-75
115	17:12A-56	145	17:12A-77
116	17:12A-57	146	17:12A-78
117	New	147	17:12A-78 (1)
118	17:12A-100 (1)	148	17:12A-78 (1)
119	New	149	17:12A-78 (1)
		150	17:12A-78 (1)
		151	New
		152	New
		153	New
		154	17:12A-78 (6)
		155	New
		155A	17:12-78 (5)
		155B	17:12A-78 (4)
		155C	New
		155D	17:12A-78 (3)
		155E	New
		156	New
		156A	17:12A-78 (2)
		156B	17:12A-78 (2)
		156C	17:12A-78 (2)
		156D	17:12A-78 (2)

SCHEDULE OF SOURCE SECTIONS

Section Number	Source	Section	Section Number	Source	Section
157	Sec. 1, C. 182, L. 1959	(78.2)	197	17:12A-101	
158	Sec. 2, C. 182, L. 1959	(78.3)	198	17:12A-102	
159	Sec. 3, C. 182, L. 1959	(78.4)	199	17:12A-102	
160	Sec. 4, C. 182, L. 1959	(78.5)	200	17:12A-102	
161	Sec. 5, C. 182, L. 1959	(78.6)	201	17:12A-102	
162	Sec. 6, C. 182, L. 1959	(78.7)	202	New	
163	Sec. 7, C. 182, L. 1959	(78.8)	203	17:12A-103	
164	Sec. 1, C. 39, L. 1957	(78.1)	204	17:12A-134	
165	17:12A-79		205	17:12A-135	
166	17:12A-80		206	17:12A-136	
167	17:12A-81		207	17:12A-128	
168	17:12A-82		208	17:12A-128	
169	17:12A-83		209	17:12A-128	
170	17:12A-84		210	17:12A-128	
171	17:12A-85		211	17:12A-128	
172	17:12A-86		212	17:12A-128	
173	17:12A-87		213	New	
174	17:12A-89		214	New	
175	17:12A-90		215	New	
176	17:12A-91		216	17:12A-112	
177	17:12A-92		217	17:12A-113	
178	17:12A-93		218	17:12A-114	
179	17:12A-94		219	17:12A-114	
180	17:12A-95		220	17:12A-114	
181	17:12A-96		221	17:12A-114	
182	17:12A-97 (1)		222	17:12A-115	
183	17:12A-97 (2)		223	17:12A-116	
184	17:12A-97 (3)		224	17:12A-117	
185	17:12A-97 (4)		225	17:12A-118	
186	17:12A-97 (5)		226	17:12A-119	
187	17:12A-97 (6)		227	17:12A-120	
188	17:12A-97 (7)		228	17:12A-137	
189	17:12A-97 (8)		229	17:12A-138	
190	17:12A-97 (9)		230	17:12A-139	
191	17:12A-97 (10)		231	17:12A-140	
192	17:12A-97 (11)		232	17:12A-141	
193	17:12A-97 (12)		233	17:12A-142	
194	17:12A-98		234	17:12A-143	
195	17:12A-99		235	17:12A-144	
196	17:12A-99 (4)		236	17:12A-145	
			237	17:12A-146	
			238	17:12A-147	
			239	17:12A-148	
			240	17:12A-149	
			241	17:12A-151	
			242	17:12A-10 (9)	
			243	New	

SCHEDULE 2

SCHEDULE OF ALLOCATION OF SOURCE SECTIONS

Section Number	Source	Section	Section Number	Source	Section
1	17:12A-1		43	17:12A-24	
2	17:12A-2		44	17:12A-24	
3	17:12A-3		46	17:12A-25	
4	17:12A-4		47	17:12A-26	
242	17:12A-9		48	17:12A-27	
5	17:12A-10 (1) (22)		50	17:12A-27 (17)	
6	17:12A-10 (15)		51	17:12A-27 (17)	
7	17:12A-10 (16)		52	17:12A-27 (17)	
12	17:12A-11		53	17:12A-27 (17)	
13	17:12A-12		54	17:12A-27 (17)	
14	17:12A-13		56	17:12A-27 (17)	
15	17:12A-14		57	17:12A-27 (17)	
16	17:12A-15		58	17:12A-27 (17)	
17	17:12A-16		59	17:12A-27 (17)	
18	§ 3, C135, L1953 (16.1)		60	17:12A-27 (17)	
20	§ 3, C135, L1953 (16.1)		61	§ 1, C69, L1948 (27.1)	
19	17:12A-17		62	17:12A-28	
21	17:12A-18		63	17:12A-29	
22	17:12A-19		64	17:12A-30	
23	17:12A-20		65	17:12A-31	
25	17:12A-21A (1) (2)		66	17:12A-32	
26	17:12A-21A (3) (4)		67	17:12A-33	
27	17:12A-21BCD		68	17:12A-34	
29	§ 1, C205, L1952 (21.1)		69	17:12A-35	
30	§ 2, C205, L1952 (21.2)		70	17:12A-36	
31	§ 3, C205, L1952 (21.3)		71	17:12A-37	
32	§ 4, C205, L1952 (21.4)		72	17:12A-38	
33	§ 5, C205, L1952 (21.5)		73	17:12A-39	
34	§ 6, C205, L1952 (21.6)		74	17:12A-40	
35	§ 7, C205, L1925 (21.7)		75	17:12A-41	
36	§ 8, C205, L1952 (21.8)		76	17:12A-42	
38	17:12A-22		77	17:12A-43	
39	17:12A-23		78	17:12A-44	
40	17:12A-24		79	17:12A-45	
41	17:12A-24		80	17:12A-46	
42	17:12A-24		81	17:12A-47	
			82	§ 1, C241, L1955 (48.1)	
			84	§ 1B, C241, L1955 (48.1B)	
			105	§ 1C, C241, L1955 (48.1C)	
			83	§ 1D, C241, L1955 (48.1D)	
			105	§ 1E, C241, L1955 (48.1E)	

SCHEDULE OF ALLOCATION OF SOURCE SECTIONS

Section Number	Source	Section	Section Number	Source	Section
85	§ 1F, C241, L1955 (48.1F)		112	17:12A-52	
86	§ 1G, C241, L1955 (48.1G)		113	17:12A-53	
88	§ 2A, C241, L1955 (48.2A)		38	17:12A-54	
89	§ 2A, C241, L1955 (48.2A)		114	17:12A-55	
90	§ 2A, C241, L1955 (48.2A)		115	17:12A-56	
91	§ 2A, C241, L1955 (48.2A)		116	17:12A-57	
92	§ 2A, C241, L1955 (48.2A)		126	17:12A-58	
93	§ 2B, C251, L1955 (48.2B)		127	17:12A-59	
94	§ 2C, C241, L1955 (48.2C)		128	17:12A-60	
95	§ 2D, C241, L1955 (48.2D)		129	17:12A-61	
105	§ 2E, C241, L1955 (48.2E)		130	17:12A-62	
96	§ 2F, C241, L1955 (48.2F)		131	17:12A-63	
97	§ 2G, C241, L1955 (48.2G)		132	17:12A-64	
98	§ 3A, C241, L1955 (48.3A)		133	17:12A-65	
99	§ 3B, C241, L1955 (48.3B)		134	17:12A-66	
105	§ 3C, C241, L1955 (48.3C)		135	17:12A-67	
100	§ 3D, C241, L1955 (48.3D)		140	17:12A-68	
101	§ 3E, C241, L1955 (48.3E)		136	17:12A-69	
102	§ 3F, C241, L1955 (48.3F)		138	17:12A-70	
104	§ 3G, C241, L1955 (48.3G)		139	17:12A-71	
105	§ 5, C241, L1955 (48.5)		141	17:12A-72	
107	§ 1, C132, L1955 (49.1)		142	17:12A-73	
108	§ 2, C132, L1955 (49.2)		143	17:12A-74	
110	17:12A-50		144	17:12A-75	
111	17:12A-51		145	17:12A-77	
			146	17:12A-78	
			11	17:12A-78 (1)	
			147	17:12A-78 (1)	
			148	17:12A-78 (1)	
			149	17:12A-78 (1)	
			150	17:12A-78 (1)	
			156A	17:12A-78 (2)	
			156B	17:12A-78 (2)	
			156C	17:12A-78 (2)	
			156D	17:12A-78 (2)	
			155D	17:12A-78 (3)	
			155B	17:12A-78 (4)	
			155A	17:12A-78 (5)	
			154	17:12A-78 (6)	
			164	§ 1, C39, L1957 (78.1)	
			157	§ 1, C182, L1959 (78.2)	
			158	§ 2, C182, L1959 (78.3)	
			159	§ 3, C182, L1959 (78.4)	
			160	§ 4, C183, L1959 (78.5)	

SCHEDULE OF ALLOCATION OF SOURCE SECTIONS

Section Number	Source Section	Section Number	Source Section
161	§ 5, C182, L1959 (78.6)	227	17:12A-120
162	§ 6, C182, L1959 (78.7)	207	17:12A-128
163	§ 7, C182, L1959 (78.8)	208	17:12A-128
165	17:12A-79	209	17:12A-128
166	17:12A-80	210	17:12A-128
167	17:12A-81	211	17:12A-128
168	17:12A-82	212	17:12A-128
169	17:12A-83	204	17:12A-134
170	17:12A-84	205	17:12A-135
171	17:12A-85	206	17:12A-136
172	17:12A-86	228	17:12A-137
173	17:12A-87	125	17:12A-100 (3)
174	17:12A-89	197	17:12A-101
175	17:12A-90	198	17:12A-102
176	17:12A-91	199	17:12A-102
177	17:12A-92	200	17:12A-102
178	17:12A-93	201	17:12A-102
179	17:12A-94	203	17:12A-103
180	17:12A-95	216	17:12A-112
181	17:12A-96	217	17:12A-113
182	17:12A-97 (1)	218	17:12A-114
183	17:12A-97 (2)	219	17:12A-114
184	17:12A-97 (3)	220	17:12A-114
185	17:12A-97 (4)	221	17:12A-114
186	17:12A-97 (5)	229	17:12A-138
187	17:12A-97 (6)	230	17:12A-139
188	17:12A-97 (7)	231	17:12A-140
189	17:12A-97 (8)	232	17:12A-141
190	17:12A-97 (9)	233	17:12A-142
191	17:12A-97 (10)	234	17:12A-143
192	17:12A-97 (11)	235	17:12A-144
193	17:12A-97 (12)	236	17:12A-145
194	17:12A-98	237	17:12A-146
195	17:12A-99	238	17:12A-147
196	17:12A-99 (4)	239	17:2A-148
118	17:12A-100 (1)	240	17:12A-149
121	17:12A-100 (2)	241	17:12A-151
122	17:12A-100 (2)	8	New
124	17:12A-100 (2)	9	New
222	17:12A-115	10	New
223	17:12A-116	24	New
224	17:12A-117	28	New
225	17:12A-118	37	New
226	17:12A-119	45	New
		49	New
		55	New
		87	New

SCHEDULE OF ALLOCATION OF SOURCE SECTIONS

Section Number	Source	Section	Section Number	Source	Section
103	New		153	New	
106	New		155	New	
109	New		155C	New	
117	New		155E	New	
119	New		156	New	
120	New		202	New	
123	New		213	New	
137	New		214	New	
151	New		215	New	
152	New		243	New	

CHAPTER 145

AN ACT to authorize the borough of Roseland in the county of Essex to pay an additional pension to Chief Roy L. Hutchison and to provide the means for the payment thereof.

WHEREAS, Roy L. Hutchison was retired as chief of police of the borough of Roseland under the provisions of New Jersey Revised Statutes 43:16A-5 by reason of the fact that he had attained the age of 65 and retirement at such age was mandatory under the Police and Firemen's Retirement System of New Jersey; and Preamble.

WHEREAS, Under the provisions of the aforesaid retirement system Roy L. Hutchison is entitled to receive as a pension including Social Security benefits a sum of \$2,634.00, which is less than $\frac{1}{2}$ of his average salary as chief of police for the 5 years prior to retirement; and Preamble.

WHEREAS, Roy L. Hutchison has prior to his retirement been continuously in the employ of the borough of Roseland for a period of over 25 years and has attained the age of 65; and Preamble.

Preamble. WHEREAS, The mayor and council of the borough of Roseland are desirous of providing a means whereby Roy L. Hutchison will receive a total pension equal to $\frac{1}{2}$ his average salary over the past 5 years, which would amount to the total sum of \$3,240.00; and

Preamble. WHEREAS, To accomplish said result it would be necessary to pay an additional sum of \$606.00 per year to supplement the pension received from the Police and Firemen's Retirement System of New Jersey; and

Preamble. WHEREAS, The borough of Roseland is desirous of providing for the payment of a sum sufficient to supplement the aforesaid pension; therefore

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Payment of pension authorized. 1. That the borough of Roseland in the county of Essex is hereby authorized to grant and pay to Roy L. Hutchison, former chief of police of the borough of Roseland, for the remainder of his natural life a sum which when added to the pension including Social Security benefits received from the Police and Firemen's Retirement System of New Jersey will give to the said Roy L. Hutchison a total pension or sum of \$3,240.00 per year, that sum being $\frac{1}{2}$ of the average of his salary for the 5 years prior to retirement, said sum to be paid monthly on the first of each and every month hereafter.

Provision for payment. 2. If said additional sum is permitted to be paid by the borough of Roseland by reason of the passage of this act, the borough of Roseland shall provide for said sum in its annual budget and said funds may be payable from any funds available after the adoption of this act until the next annual budget of said borough.

3. This act shall take effect immediately.

Approved August 30, 1963.

CHAPTER 146

AN ACT to amend "The Banking Act of 1948," approved April 29, 1948 (P. L. 1948, c. 67), as amended and supplemented.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 184 of the act of which this act is amendatory, is amended to read as follows:

C. 17:9A-184.
Deposits;
maximum and
minimum
amounts.

184. Deposits; maximum and minimum amounts.

A. A savings bank may receive on deposit any sum of money that may be offered for that purpose by any person, or by order or direction of any court of record or officer of any such court.

B. A savings bank may (1) limit to any sum it deems expedient, the aggregate amount which any one depositor may deposit, and (2) fix the minimum amount of any deposit which it will receive at not over \$10.00, and (3) refuse to receive a deposit, and (4) return all or any part of any deposit at any time. The aggregate amount of deposits, other than capital deposits, to the credit of any one person shall not exceed the greater of (1) \$10,000.00 exclusive of accrued interest, or (2) 1% of the deposits of the savings bank as shown by its latest annual report, provided, that in no case shall such aggregate amount exceed \$50,000.00 exclusive of accrued interest, unless (a) the deposit was made prior to March 14, 1927, and the aggregate amount does not exceed the credit balance as of March 14, 1927, plus the aggregate amount of interest or dividends credited since said date and not withdrawn therefrom, or (b) the deposit was made pursuant to the order or direction of a court or court officer, or the deposit stands to the credit of (c) any governmental, State, county, municipal or other public authority, body, board, officer or agent, or (d) any religious, charitable, cemetery, educational,

benevolent or other corporation, association, organization or society established or existing for any lawful purpose other than for pecuniary profit, or (e) the deposit stands to the credit of any unincorporated or incorporated labor union, welfare, strike, benefit or insurance fund, any foundation created by will or otherwise, or any profit sharing, welfare or pension fund or employee thrift fund created jointly or individually by any person, firm or corporation.

2. This act shall take effect immediately.

Approved August 30, 1963.

CHAPTER 147

AN ACT validating certain final decrees or judgments in proceedings to foreclose certificates of tax sale.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Validates.

1. Any final decree heretofore entered in the court of chancery, or any final judgment heretofore entered in the New Jersey Superior Court, in any suit instituted to foreclose the right to redeem any certificate of tax sale issued by any municipality, shall be valid notwithstanding that the final decree or judgment in such suit was entered, or was recorded in the office of the county clerk or register of deeds and mortgages, as the case may be, after the expiration of 20 years from the date of the tax sale in which such tax sale certificate was issued, provided the complaint in such suit was filed before the expiration of said 20-year period and that no proceedings heretofore have been instituted or

shall, within 30 days after the effective date of this act, be instituted in any court of competent jurisdiction to set aside such foreclosure suit, final decree or judgment and provided that such proceedings were good, valid and legal in all other respects.

2. This act shall take effect immediately.

Approved August 30, 1963.

CHAPTER 148

AN ACT concerning election of members of boards of education and amending sections 18:7-15 and 18:7-19 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 18:7-15 of the Revised Statutes is amended to read as follows:

Section
amended.

18:7-15. Notices of the election shall specify the day, time, and place thereof, and whenever 2 or more polling districts have been established, shall also contain the boundaries of the several polling districts or they may be referred to by the number or numbers assigned to one or more of the election districts established with which they coincide and the location of the polling place in each of such districts.

Notices of
election.

At least 10 days before the date of the election the district clerk shall post not less than 7 notices of the election, one on each schoolhouse within the district and others at such other public places therein as the board shall direct. A district clerk who shall fail to post notices in accordance with this section shall pay a fine of \$20.00, to be recovered in a civil action in a municipal court or

county district court by any resident of the district.

The district clerk shall also cause such election to be advertised at least one week before the holding of such election in a newspaper circulating in the district.

Section
amended.

2. Section 18:7-19 of the Revised Statutes is amended to read as follows:

Polling
places.

18:7-19. Whenever the board shall establish 2 or more polling places in the district, they shall also and at the same time establish the boundaries of the polling districts, which boundaries shall coincide with the boundaries of and may be referred to by the number or numbers assigned to one or more of the election districts of the municipality or municipalities. No person shall vote at any such election elsewhere than at the polling place designated for the voters of the polling district in which he resides.

3. This act shall take effect immediately.

Approved August 30, 1963.

CHAPTER 149

A SUPPLEMENT to "An act concerning cities, providing for the officers, government and powers of cities adopting the same," approved April 14, 1908 (P. L. 1908, c. 250).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

ARTICLE I

INCORPORATION, SUCCESSION, GENERAL LAW DEFINED, GENERAL POWERS ENUMERATED

C. 40:103-5(71).
Incorporation;
corporate
name.

1. Incorporation and Corporate Name

Any city of this State that may adopt the provisions of this act shall thereby be and become a body

corporate, and shall have the officers, government and powers that are herein provided for or conferred and by all applicable provisions of general law.

Upon the adoption of this act the name of the city adopting its provisions shall be, and it shall thereafter be known as "The City of"
(Inserting in the said blank the territorial name by which said city has been theretofore designated or known, not including in said name such words as the mayor and city council or other like words.)

2. Succession

C. 40:103-5(72).
Succession.

Any city adopting this act shall succeed to all the right, title and interest in property, of every kind, nature or description, which was owned, held or enjoyed by the municipality of which it is the successor. All ordinances and resolutions of the city to the extent they are not inconsistent with the provisions of this act shall remain in full force and effect until modified or repealed as provided by law. All contracts, bonds and other obligations heretofore entered into by any city adopting this act shall remain in full force and effect.

3. General Law Defined

C. 40:103-5(73).
General law defined.

For the purposes of this act, a "general law" shall be deemed to be any law or provision of law, not inconsistent with this act, heretofore or hereafter enacted which is by its terms applicable or available to all municipalities, and the following additional laws whether or not such additional laws are so applicable or available to all municipalities: legislation relating to taxation, local courts, education, health, public authorities serving more than one municipality, and municipalities in unsound financial condition.

4. General Powers Vested in City and Construction Thereof

C. 40:103-5(74).
General powers vested in city; construing.

(a) Each city adopting this act, shall, subject to the provisions of this act or other general law, have full power to:

(1) organize and regulate its internal affairs, and establish, alter, merge, consolidate or abolish

offices, departments, positions and employments and define the functions, powers and duties thereof; and fix their term, tenure and compensation, provided however any board established for the operation of any department by vote of the people shall not be abolished, merged or consolidated except by vote of the people;

(2) adopt regulatory ordinances and enforce both regulatory and health ordinances enacted by the local board of health and impose penalties or fines not exceeding \$500.00 or imprisonment for a term not exceeding 90 days or both for the violation thereof;

(3) construct, acquire, operate or maintain any and all public improvements, projects or enterprises for any public purpose except as otherwise limited by law, and exercise all powers of local government in such manner as its governing body may determine;

(4) expend moneys for any public purpose, enter into any contract, buy, sell, lease, hold and dispose of real and personal property within or without the geographical boundaries of the city or do any act similar to or dissimilar to the foregoing authorized expressly or impliedly by any other general law for municipalities generally and for cities of the same form and class.

(b) It is the intention and purport hereof to confer the greatest power of local self-government consistent with the Constitution of this State. Any specific enumeration of municipal powers contained in this section or in this act shall not be construed in any way to limit the general description of powers contained in this article, and any such specifically enumerated municipal powers shall be construed as in addition and supplementary to the powers conferred in general terms by this article. All powers vested by this act or general law in the city shall be liberally construed in favor of the city and its governing body. Powers delegated by law or this act to a subordinate city agency, board or commission shall be strictly construed as not removing any

powers from the governing body and vesting the same in any subordinate body except to the extent expressly set forth or necessarily implied from any such provision.

ARTICLE II

ELECTED OFFICIALS

5. Number and Term

C. 40:103-5(75).
Officials,
number and
term.

The city shall be governed by an elected mayor and a city council consisting of 2 elected councilmen from each ward, each of whom shall serve for a term of 4 years beginning at 12:00 o'clock noon January 1 next following his election.

6. Time of Election

C. 40:103-5(76).
Time of
election.

The mayor and one councilman from each ward shall be elected in the general election in which members of the General Assembly are to be elected next following the date of adoption by any city of the provisions of this act and the remaining councilman from each ward shall, except as provided in section 56 of this act, be elected at the second succeeding general election at which members of the General Assembly are to be elected.

7. Eligibility for Office

C. 40:103-5(77).
Eligibility
for office.

No person shall be eligible as a candidate for election as mayor or qualified to serve as mayor unless he shall be a citizen of the United States and shall have resided in the city continuously for a period of 2 years next preceding the date of his election to office and continuously after the date of election and during his term of office. No person shall be eligible for election or appointment to the office of councilman unless he shall be a citizen of the United States and shall have resided:

(a) in the city continuously for a period of 2 years next preceding the date of his election or appointment to office, and

(b) in the ward which he is to represent continuously for a period of 1 year next preceding the date of his election or appointment to office and

shall maintain each such residence after his election or appointment as the case may be.

If any such person shall terminate the residency hereinbefore required while a candidate, then the said position shall thereupon become vacant and be filled as provided by law; if the termination shall occur after election to office but before commencement of the term thereof, then the said office shall be deemed vacant as of the date of commencement of the term; if the required residency shall cease during service in office, then the office shall be deemed immediately vacant.

C. 40:103-5(78).
Filling
vacancies.

8. Vacancies Filled by Election

Vacancies occurring in any elective office shall be filled by election for the remainder of the unexpired term at the next general election occurring not less than 60 days thereafter, and shall, until a successor is elected and qualified, be filled in accordance with this article. Unless such vacancies occur not less than 60 days prior to a primary election, nomination for such vacant offices shall be made by the filing at least 40 days prior to such general election with the county clerk of:

(a) A statement duly certified by the members of the county committee of a political party from the territory affected by such vacancy setting forth the name of a candidate who shall thereupon be the candidate of such political party at the general election.

(b) A petition directly nominating a candidate made in the manner provided by law for the filling of vacancies in municipal offices where candidates are nominated by direct petition for a general election.

C. 40:103-5(79).
Interim filling
of vacancies.

9. Interim Filling of Vacancies Until Election

(a) The mayor shall in case of his absence from the city or his disability, such that he is unable to attend to the usual and routine functions of his office, designate a city officer as acting mayor for a period not exceeding 60 consecutive days. In the event of the absence from the city or disability of the mayor exceeding 60 consecutive days or vacancy

in the office of the mayor, the chairman of the city council shall serve as acting mayor until such absence shall terminate, disability be removed, or the vacancy be filled by the election and qualification of a successor as provided by this article. Any person serving as acting mayor shall be vested with all the rights, powers and duties of mayor, provided, however, that during the first 60 consecutive days of such absence or disability, no appointments shall be made by the acting mayor except temporary appointments necessary for the continuing function of government.

(b) Vacancies in the office of councilman shall be filled by an interim appointment of the city council of a qualified person from the same political party as the most recent incumbent thereof if elected as a nominee of a political party until the election and qualification of a successor as provided by this article.

ARTICLE III

CITY COUNCIL

10. Organization, Meetings and Election of Council Chairman

The annual organizational meeting of the city council shall be held at 12:00 o'clock noon on January 1 (or if said day falls on a Sunday, then January 2) at which time the members of the city council shall elect one of their own number to serve as council chairman until his successor is elected.

Regular meetings of the city council shall be held at least once each month at such time and place within the city as it shall designate. Special meetings may be called by the mayor or council chairman upon such notice as may be set forth in the rules of the city council. Upon the filing with the city clerk of a petition signed by at least 100 registered voters of the city requesting a special meeting of the city council to consider any matter relating to the welfare of the city referred to in such peti-

C. 40:103-5(80).
Organization;
meetings;
election of
chairman.

tion, the chairman shall forthwith call such a meeting at a date and place specified in a notice thereof published in an official newspaper at least 10 days prior to the date of such meeting.

C. 40:193-5(81).

Council
chairman.

11. Council Chairman

The council chairman shall preside over all meetings of the city council. In the event of the absence from the city or disability of the council chairman for any cause or reason, then the members of the city council shall elect one of their own number as acting chairman during such absence or disability or in the case of a vacancy in the office of council chairman, shall elect a new council chairman. The council chairman while acting as a mayor shall be disabled and disqualified from participating in or voting on any matter before council.

C. 40:103-5(82).

Majority and
quorum.

12. Majority and Quorum

A quorum of the city council required for the transaction of business shall consist of a majority of the whole number of the city council as provided by law and, unless otherwise required by law, all actions of the city council shall be by an affirmative vote conducted at a public meeting of at least a majority of the members of council then in office and not disqualified by law from voting thereon, provided however, in the absence of a quorum, any meeting of the city council may be adjourned without such affirmative vote.

C. 40:103-5(83).

Adoption and
publication of
ordinances.

13. Adoption and Publication of Ordinances

Every ordinance or resolution introduced for consideration shall be reduced to written form, and except as otherwise provided by this act, shall be adopted and published in the manner required by general law; provided however, that any ordinance may incorporate by reference technical regulations or codes, official or unofficial, which need not be so published whenever 10 copies of said regulations or code have been placed on file in the office of the city clerk and in the office of the body or department charged with the enforcement of said ordinance for the examination by the public so long as said ordinance is in effect.

14. Powers of the City Council

The governing body of the city shall be the city council in which, unless otherwise provided herein or by general law, all legislative power of the city shall vest, including but not limited to the following enumerated powers to:

C. 40:103-5(84).
Powers of
city council.

(a) Pass, adopt, amend and repeal any ordinance, or where permitted, any resolution for any purpose required for the government of the city, or for the accomplishment of any public purpose for which the city is authorized to act.

(b) Enact any regulatory ordinance authorized by law and provide penalties for the violations thereof as hereinbefore provided.

(c) Pass or adopt rules governing its internal procedures not inconsistent with any applicable provisions of this act or general law.

(d) Control and regulate the finances of the city and raise money by borrowing or by taxation and notwithstanding other provisions of this act or of any other law except Title 18 of the Revised Statutes (Education), enact an ordinance requiring that there shall be attached to the budget request of each office, department, board, commission or agency a schedule containing the number of persons employed or to be employed for each office, position or employment except where the city council by ordinance has exempted a particular category of employment from such specification and the salary to be paid for each and said schedule shall not be revised by such office, department, board, commission or agency subsequent to the initial approval of the budget by the city council unless such revision is approved prior to the final adoption of the budget by the city council in the same manner as the budget is amended, or subsequent thereto by $\frac{2}{3}$ of the members of the city council serving in office and not disqualified from voting thereon, unless an affirmative vote of a greater number is otherwise required by general law.

(e) Enact ordinances governing the administrative structure of the city and its departments and,

except as otherwise provided herein and in Title 11 of the Revised Statutes (Civil Service) where adopted and in effect in a municipality, governing personnel practices of the city and prohibiting actions and activities of city officers and employees inimical to the integrity of the government of the city.

(f) Except as hereinafter limited by reason of the establishment of a commission pursuant to the vote of the people of the city, establish, regulate and maintain a police department and fire department or combined department therefor.

(g) Except as hereinafter limited by reason of the establishment of a commission pursuant to the vote of the people of the city, establish, regulate and maintain a water department; provide a supply of pure and wholesome water for the use of the city, its inhabitants and such other persons and for such incidental use as may be authorized including water for fire and sprinkling purposes; regulate the use of water; fix and establish rates or charges; provide for the collection of the same; provide by ordinance for administration of the department; and do all such things which a board of water commissioners may do when acting in lieu thereof.

(h) Perform all other acts, duties or functions to the fullest extent permitted by law.

ARTICLE IV

DUTIES AND POWERS OF THE MAYOR

C. 40:103-5(85).
Powers and
duties of
mayor.

15. Executive Powers; Powers and Duties of Mayor

The mayor shall be the chief executive officer of the city and shall have, in addition to other duties and powers vested in him by this act or by general law, the power and duty to:

(a) Administer the affairs of the city and supervise all city departments not otherwise entrusted by law or this act to some other officer, board, agency or commission.

(b) Enforce this act, city ordinances and all general laws applicable thereto.

(c) Recommend from time to time to the city council such ordinances, resolutions or other action as he may deem necessary or expedient for the welfare or good government of the city.

(d) Present at the annual organizational meeting of the city council a general statement with respect to the government and finances of the city, together with such recommendations as he may deem proper.

(e) Control and direct the police force and police officers of the city to quell insurrections, riots or disorderly assemblages or to meet any emergency imperiling public safety and in the absence of a board of police commissioners, to control and direct them generally.

(f) Serve as the appointing authority with respect to all employees of the city not otherwise by law or the provisions of this act subject to the jurisdiction of another board, commission or agency, with power to remove, suspend, discharge or otherwise discipline employees as permitted by law personally or through the head of the department in which the said employee is employed.

(g) Perform such other duties, functions and acts as the representative of the city not otherwise vested in any other city officer, board, agency or commission.

16. Approval or Veto of Ordinances and Resolutions

Every ordinance and resolution passed or adopted by the city council, or by the board of police commissioners, board of fire commissioners, or board of water commissioners where such boards have been established, shall be submitted to the mayor by the city clerk or by the secretary of any such board within 3 business days after its final passage or adoption and shall be duly certified to him by the city clerk and either by the city council chairman, if originating from the city council, or by the secretary of the originating board. If the

C. 40:103-5(86).
Approval or
veto of
ordinances;
resolutions.

mayor shall approve the same by affixing his signature thereto or shall fail to act thereon within 10 days after the said ordinance or resolution has been submitted to him, the said ordinance or resolution shall thereupon become effective as provided by law or in accordance with its terms. If the mayor shall disapprove any ordinance or resolution submitted to him, he shall transmit it together with a statement containing his objections to the city clerk. It shall be the duty of the city clerk, upon receiving any such ordinance or resolution with objections from the mayor, to report the same to the city council at its next regular meeting and where a resolution was adopted by a board, then also to advise the secretary of such board. At such meeting the objections of the mayor shall be read in full and entered into the minutes; and thereupon the city council may proceed to consider the mayor's objections and vote thereon. Upon an affirmative vote of $\frac{2}{3}$ of the number of members of the city council then in office and not disqualified by law from voting thereon to approve the said ordinance or resolution notwithstanding the veto of the mayor at the aforesaid meeting or at any subsequent meeting within 30 days from the date thereof, the same shall become effective as provided by law or in accordance with its terms.

Every ordinance or resolution shall be presented to the mayor as herein provided notwithstanding the absence of any statutory reference to the mayor where the statute requires action by the governing body, unless by the express terms of this act or of any law the mayor is excluded from consideration thereof.

ARTICLE V

CITY OFFICERS AND DEPARTMENTS

C. 40:103-5 (87).
City
departments.

17. Establishment of City Departments
Except as limited by law or this act, the city shall operate with such departments as may be estab-

lished from time to time and with such powers and duties as may be prescribed by ordinance, which departments may be reorganized, merged, consolidated or abolished when necessary or appropriate for the efficient operation of the city, provided, however, that except by vote of the people, no change shall be made in the board of police commissioners, board of fire commissioners or board of water commissioners where established by vote of the people.

18. City Officers; Certain Offices Specified; Designation as City Officers; Provisions Governing Offices

C. 40:103-5(88).
Officers;
offices
specified;
designation
as city
officers;
governing
provisions.

(a) The following offices shall exist in any city under this act and shall not be subject to abolition by ordinance or referendum: mayor, members of the city council, city clerk.

(b) The following offices once created by referendum can only be merged or abolished by referendum: police chief, fire chief, members of the board of police commissioners, members of the board of fire commissioners, members of the board of water commissioners.

(c) The following office shall exist in any city under this act unless otherwise provided by ordinance: city counsel, city comptroller, collector of taxes, tax assessor or director of property taxation, city treasurer and city engineer.

(d) Each member of each board or commission entrusted with powers of government and each head of a department, whether or not expressly recited herein, shall be considered a city officer.

(e) The city council shall by ordinance prescribe the powers and duties for each office in the city unless otherwise provided by law; fix the salaries and compensation for each office to the extent permitted thereby; and establish other offices as needed from time to time.

19. Appointment and Term of Office of City Officers

C. 40:103-5(89).
Appointment
and term of
office.

All city officers unless otherwise provided by law or this act, shall be appointed by the mayor subject

to confirmation by the city council and shall serve for a term coterminous with the term of office of the mayor unless a different term is fixed by ordinance provided, however, that the police chief and the fire chief shall serve unless removed for cause in accordance with this article and provided further that the expiration of the then current term of an incumbent city officer shall not be affected by any ordinance adopted during such term.

C. 40:103-5(90).
Vacancies
in appointive
offices.

20. Vacancies in Appointive Offices

Any vacancy occurring for any reason in any appointive office shall be filled for the unexpired term in the same manner as the original appointment to such office.

In case any appointed city officer be suspended or through illness or other cause temporarily be unable to perform the duties of his office, then the mayor shall have power to designate, by a written statement signed by him and filed with the city clerk, a suitable person to act in the place and stead of such officer until such disability be removed.

C. 40:103-5(91).
Citizenship
and residency
requirements.

21. Citizenship and Residency Requirements for City Officers

No person shall be eligible for an appointive city office unless he be a citizen of the United States and a resident of the city. If any such officer shall move from the city during his term, his office shall thereby become vacant.

C. 40:103-5(92).
Failure to
appear or
testify.

22. Failure to Appear or Testify before Court, Legislative Committee or Governor

If any person hereafter elected or appointed to any office or position in the city shall, after lawful notice or process, willfully refuse or fail to appear before any court, any legislative committee, or the Governor, or having appeared, shall refuse to testify or answer any question regarding the property, government or affairs of the city, or regarding his nomination, election, appointment or official conduct on the ground that his answer would tend to incriminate him or shall refuse to waive immunity from prosecution on account of any such matter in relationship to which he may be asked to testify,

shall be subject to removal for cause as provided by this act. Any person removed from any office pursuant to this section shall not thereafter be eligible for election or appointment to any office or employment in the city.

23. Conflicts of Interest

C. 40:103-5(93).
Conflicts of
interests.

(a) Any elected or appointed city officer having a direct or indirect personal interest in any city business shall immediately upon learning of such interest file written notice thereof with the mayor and with the body, board, commission or department head having jurisdiction of such business, provided, however, that if the mayor shall have such personal interest, he shall also file written notice with the city clerk.

(b) After written notice has been given in accordance with this section, no further action shall be taken on said city business with the interested officer, provided, however, that if by resolution it is determined that the welfare of the city requires the purchase of real property or any right, title or interest therein from the interested officer, or the taking of any other action, such city business may be conducted with the interested officer after full public disclosure thereof.

(c) Failure to comply with this section shall be cause for removal from office. The city council may by ordinance regulate limitations and procedures concerning city employees as to any personal interest of such employees in city business.

24. Suspensions and Removal for Cause

C. 40:103-5(94).
Suspension
and removal
from office.

The mayor shall have power for sufficient cause to suspend any appointed city officer, and in case of the suspension of any such officer, the mayor shall within 5 days thereafter deliver to the city clerk a specification in writing of the charges preferred against such officer and cause a copy of the same to be served personally, and if personal service cannot be effected, then by registered mail addressed to the accused officer's last known address; and it shall be the duty of the city clerk to present such

charges to the city council at its next regular meeting and thereafter the city council shall proceed as speedily as possible to hear and determine the said charges, after reasonable notice of such hearing to the accused and an opportunity to the accused to be heard with his witnesses. If upon such hearing, the charges preferred against such officer shall not be sustained by a two-thirds vote of the city council, the officer shall be thereby immediately restored to office, but if such charges be sustained by a like vote of the city council, then said office shall become and be vacant and the vacancy caused thereby may be filled as herein provided.

C. 40:103-5(95).
Appointment
and duties of
city clerk.

25. Appointment and Duties of City Clerk

The city council shall appoint a city clerk for a term of 4 years commencing on 12:00 o'clock noon of January 1. The city clerk shall serve as clerk of the city council and shall keep its minutes and records of its proceedings, maintain and compile ordinances and resolutions as provided by this act and perform such additional functions as may be required by law or ordinance. The office of deputy clerk may be created by ordinance and the appointment thereof shall be made in the manner provided by this act for the appointment of city officers generally. In the absence or temporary disability of the city clerk, the city council shall appoint an acting city clerk during such absence or temporary disability with all his powers and duties, provided that if a deputy city clerk shall be serving, he shall so act without action of the city council. Any vacancy in the office of city clerk shall be filled by the city council for the unexpired term thereof.

C. 40:103-5(96).
Chief finance
officer.

26. Office of Chief Finance Officer or City Comptroller

The city comptroller, unless the city council shall designate another city officer by ordinance, shall supervise and direct a system of internal controls over the fiscal affairs of the city, and unless otherwise expressly provided by law each of its constituent boards, commissions or bodies. The ordinance shall provide for an encumbrance system of

budget operation, for expenditures only upon written requisition, for the preaudit of all claims and demands against the city prior to payment and for the control of all payments out of any public funds by individual checks for each payment to the official having custody thereof.

The city comptroller, or other officer so designated, shall have the duty to maintain records of all fiscal transactions of the city including all vouchers or checks audited by him and shall make such examinations and render reports as required by law or as directed by resolution. He shall have the right, duty and power to examine all books, records of accounts, and vouchers of any board, commission, body or officer and may compel by subpoena where necessary any city officer or employee of the city to submit to examination under oath on any matter pertaining to the fiscal affairs of the city.

ARTICLE VI

SPECIAL BOARDS FOR THE OPERATION OF THE POLICE, FIRE OR WATER DEPARTMENTS

27. Establishment, Merger, Consolidation or Abolition

The city council by resolution may, and upon the filing with the city clerk of a written petition signed by 100 residents of the city registered to vote in the last preceding general election requesting said action, shall place on the ballot for the next general election a proposition for the establishment, merger, consolidation or abolition of a board of police commissioners, board of fire commissioners or board of water commissioners, except that if no general election is to be held within 90 days of such resolution, the council may provide for a special election to consider such a proposition. Each proposition shall relate to only one such board provided, however, that more than one proposition may appear on the same ballot. The proposition shall be publicized and advertised and any such

C. 40:103-5(97).
Referendum
for establish-
ment, merger,
etc. of special
boards.

special election shall be conducted in the manner hereinafter provided in this act.

The proposition shall be presented in the following general form:

	Yes.	“Shall there be established a Board of Water Commissioners (or as the case may be, fire commissioners or police commissioners) in lieu of regulation, supervision and operation of the water department under the direction of the Mayor and City Council?”
	No.	

	Yes.	“Shall the Board of Water Commissioners (or as the case may be, the fire commissioners or police commissioners) be abolished (or merged or consolidated, as the case may be) and the department be regulated, supervised and operated by direction of the Mayor and City Council (or otherwise, as the case may be)?”
	No.	

If at an election held as herein above provided the voters by a majority of those of the legal voters of the city who vote on the proposition, assent to the establishment, merger, consolidation or abolition as the case may be of any board, an ordinance effectuating the expressed desire of the voters shall be adopted within 60 days from the date thereof.

C. 40:103-5(98).
Powers and
duties of
governing
boards.

28. Powers and duties of the Boards Governing the Police or Fire Departments

When established by the voters of the city, the board shall assume responsibility for the operation,

conduct and efficiency of the police or fire department as the case may be and shall have power by resolution to:

(a) Appoint all the personnel thereof necessary for the operation of the department, provided, however, that in the case of the police department, the police chief, and of the fire department, the fire chief shall be appointed as otherwise provided in this act and as the appointing authority establish regulations and administer the same governing personnel practices and policies including the exercise of the power according to law to suspend, discharge, demote, promote or discipline personnel.

(b) Fix compensation as part of the annual budget of the department which when adopted shall not thereafter be changed for the balance of the fiscal year except as provided in this act upon recommendation to and after approval by resolution of the city council.

(c) Provide for the care and maintenance of all lands, improvements, buildings, vehicles and other personalty entrusted to the department, but not for the acquisition, leasing or disposition of real property or any right, title or interest therein except with the consent and approval of the city council.

(d) Enter into contracts and agreements necessary for the operation of the business of the department and purchasing of equipment and supplies except as limited by ordinance requiring the purchase and disposition of equipment and supplies of a character not unique to the department to be conducted through a central purchasing agency for the city.

29. Powers and Duties of the Board of Water Commissioners

C. 40:103-5(99).
Powers and
duties board
of water
commissioners.

When established by the voters of the city, the board of water commissioners shall assume responsibility for the operation, conduct and efficiency of the water department and shall have power to:

(a) Appoint, fix the compensation of, and in accordance with law to suspend, discharge and discipline all personnel thereof necessary for the operation of the department.

(b) Appoint by resolution a water engineer for a term of 3 years and prescribe his duties.

(c) Provide for the care and maintenance of all lands, improvements, buildings, vehicles and other personalty entrusted to the department.

(d) Enter into contracts and agreements necessary for the operation of the business of the department and purchasing of supplies and equipment.

(e) Exercise custody, control and management of the waterworks and water supply of the city including the power and authority to maintain, repair, equip and extend the waterworks and water supply system of the city both within the city and outside the boundaries thereof.

(f) Establish and, from time to time, change the rates to be charged for water supplied to the inhabitants of the city or others and adopt and establish rules and regulations with respect to the use and protection of the water supply and waterworks, and determine, where service to inhabitants of the city will not be impaired, the terms, bases and extent that water may be sold or supplied to other municipalities or to the residents thereof.

C. 40:103-5(100).
Fiscal
operation of
water
department.

30. Fiscal Operation of the Water Department by the Board of Water Commissioners

All moneys received from

(a) the residents of the city or from other consumers for water supplies,

(b) other services performed by the water department,

(c) sale, lease or disposal of water reserve lands as hereinafter provided,

(d) the proceeds of bonds or notes issued in such city for the uses or purposes of the water department, and

(e) appropriations of the city council for the use or purposes of the water department,
shall be kept in a special fund to be known as the "water department fund" which shall be paid out only on warrants or checks signed by the chairman or president of the board of water commissioners and the mayor.

The said board shall, on or before a certain day in each year, to be fixed by the board, cause a careful estimate to be made of the interest on the water debt, cost of managing and keeping in repair and operation the works for the ensuing year, the amount to be received during the same year for the use of water and water rents, and the deficiency, if any, of such receipts for the payment of such expenditures, and shall report the same in writing to the city council, and if there is any deficiency the said report shall be submitted no later than January 25 of the year in which the deficiency is anticipated, whereupon the city council shall include in the annual budget an appropriation to meet any such deficiency. In case of any such deficiency, the city council shall have the right and power to review and pass upon the budget of the water department for the year of the deficiency in the same manner as the rest of the municipal budget, but otherwise shall not be required to vote thereon.

The board shall not have the power to incur indebtedness and any bond issue required for capital expenditures shall require authorization by ordinance. If the surplus accumulated by the water department and reserves not committed as allowed by law shall exceed at the end of any fiscal year 50% of the gross revenue for that year from the sale of water to the inhabitants of the city or other consumers, then the board of water commissioners shall appropriate the excess over 50% to and for the general use of the city unless the city council by resolution authorizes the board of water commissioners to retain part or all of the said excess for some other lawful purpose.

31. Limitation of Powers over Acquisition and Disposition of Water Reserve Lands

The board of water commissioners shall have use of real property needed for water reserve and water supply purposes. No real property or interest therein shall be leased, sold or disposed of or easement given or contract thereafter authorized for purposes other than the operation of the water-

C. 40:103-5(101).
Limitation on
powers over
acquisition and
disposition
of water
reserve lands.

works or water supply system unless the board of water commissioners shall determine that the sale, lease, easement or disposition can be made without impairing the operation and function, present or anticipated of the water supply and water reserve system for the people of the city. No such lease, sale, disposition or easement or contract therefor shall be authorized by the city council unless and until notice 30 days in advance thereof has been filed in writing with the secretary of the board to afford opportunity by the board to make any appropriate determination and advise the city council thereof. Real property or interests therein acquired as part of the water supply or water reserve system shall be held in the name of the city and such acquisition shall be made upon recommendation of the board of water commissioners and adoption of an ordinance concurring therein by the city council.

ARTICLE VII

RECALL

C. 40:103-5(102). 32. Elective Officers; Removal by Recall Petition and Vote
Elective officers; removal.

Any elective officer shall be subject to removal from office for cause connected with his office, after he has served at least one year, upon the filing of a recall petition and the affirmative vote of a majority of those voting on the question of removal at any general or special election.

C. 40:103-5(103). 33. Recall Petition
Recall petition.

A recall petition shall demand the removal of a designated incumbent, shall be signed by qualified voters equal in number to at least 25% of the persons registered to vote at the last preceding general election of the territory represented by said incumbent and shall be filed with the city clerk. It shall set forth a statement of the cause upon which the removal is sought.

34. Signatures to Recall Petition

The signatures to a recall petition need not all be appended to one paper but each signer shall add to his signature his place of residence giving the street and number or other sufficient designation if there shall be no street and number. One of the signers to each such paper shall take an oath before an officer competent to administer oaths that the statement therein made is true as he believes and that each signature to the paper appended is the genuine signature of the person whose name it purports to be. Within 10 days from the date of filing the petition the city clerk shall complete his examination and ascertain whether or not such petition is signed by the requisite number of qualified voters, and shall attach to the petition his certificate showing the result of his examination. If by that certificate the petition is shown to be insufficient, it may be amended within 10 days from the date of said certificate. The city clerk shall, within 5 days after such amendment, make a similar examination and determination of the amended petition, and if the certificate shall show the same to be insufficient, it shall be returned to the person filing it without prejudice to the filing of a new petition to the same effect.

C. 40:103-5(104).
Signatures
to recall
petition.

35. Notice to Officer; Recall Election; Notice of Filing of Petition

If the petition shall be sufficient the city clerk shall, within 2 days, notify the mayor, councilman or councilmen whose recall is sought thereby. If such notice cannot be served personally upon the mayor, councilman or councilmen affected, service may be made by registered mail addressed to the officer's last known address. If, within 5 days after the service of the notice by the city clerk, the mayor, councilman or councilmen sought to be recalled by such petition do not resign, the city clerk shall order and fix a date for holding a recall election not less than 70 nor more than 100 days from the filing of the petition as finally amended and advertise the same as hereinafter provided in this act.

C. 40:103-5(105).
Notice to
officer; recall
election;
notice of
filing
petition.

C. 40:103-5(106). 36. Ballots
Ballots.

The ballots at the recall election shall conform to the requirements respecting the election of officers in the city, as provided in this act or in Title 19 of the Revised Statutes (Elections), except that the words "recall election" shall appear on the ballot. The recall feature of the ballot shall appear at the top thereof and shall be separated from the portion of the ballot for the election of officers by a heavy black line. The proposal for recall shall be placed on the ballot in the following manner: "Shall (here insert name of incumbent) be removed from office by recall?" This matter shall occupy 2 lines in bold-face type. Immediately below the above wording shall appear the phrase "for recall" and immediately underneath such phrase the words "against recall." Immediately at the left of each of these 2 phrases shall be printed a square, in which the voter may make a cross (X) or plus (+) or a check (✓) mark. Immediately below the foregoing shall appear the following:

"Indicate your vote by placing a cross (X) or plus (+) or check (✓) mark in one of the squares above."

C. 40:103-5(107). 37. Removal of More Than One Officer

Removal of
more than
one officer.

If the removal of more than one officer is sought, the same provisions for submitting to the electors the question and direction hereinbefore described shall be repeated in the case of each officer concerned and their position on the ballot for their recall shall be in the order of the filing of the petition with the city clerk.

C. 40:103-5(108). 38. Election of Successor; Use of Recall Ballot

Election of
successor;
use of
recall ballot.

The same ballot used for submitting the question or questions of recall shall be used for the election of a successor to the incumbent sought to be removed and immediately under the black line following the recall question shall appear the phrase "Nominees for successors of (here insert name of incumbent) in the event he is recalled." The names of all persons nominated

as successors shall be placed upon the ballot in the same manner provided for other elections of elected officers in the city.

39. Nomination of Candidates for Successor of Recalled Incumbent

C. 40:103-5(109).
Nomination
of candidates
for successor.

Nomination of candidates for successor of recalled incumbent shall be made in the same manner provided in this act for nomination of candidates to fill a vacancy in an elective office.

40. Results of Election

C. 40:103-5(110).
Election
results.

(a) If a majority of votes in connection with the recall of any officer be in favor of the recall, the term of office of such officer shall terminate, upon the certificate of the results of election by the city clerk.

(b) If the results of such recall election shall, by the certificate of the city clerk, be shown to be against the recall of the officer he shall continue in office as if no recall election had been held, and the vote for the election for the successor of such officer taken at the time of such attempted recall shall be void.

41. Successor Where Incumbent Resigns After a Certain Date or is Recalled

C. 40:103-5(111).
Successor
where
incumbent
resigns.

If the office of the incumbent shall become vacant either by his resignation after the date is fixed by the city clerk for the recall election or by the result of the recall election, his successor shall be the nominee receiving the greatest number of votes at the recall election. The person so elected shall serve for the remainder of the unexpired term.

ARTICLE VIII

INITIATIVE AND REFERENDUM

42. Petition; Percentage of Registered Voters Required

C. 40:103-5(112).
Petition;
number of
signatures.

The voters of the city may propose any ordinance and may adopt or reject the same at the polls, such power being known as the initiative. Any initiated ordinance may be submitted to the city council by

a written petition delivered to the city clerk and signed by qualified voters equal in number to at least 15% of the persons registered to vote at the last preceding general election.

C. 40:103-5(113).

Power of
referendum;
time for filing
petition.

43. Power of Referendum; Time for Filing Petition

The voters shall also have the power of referendum which is the power to approve or reject at the polls any ordinance submitted by the council to the voters or any ordinance passed by the council, against which a referendum petition has been filed as herein provided. No ordinance passed by the city council other than the local budget ordinance except when otherwise required by general law or passed following the adoption of a resolution on the affirmative vote of two-thirds of the number of members of the city council then in office and not disqualified by law from voting thereon, shall take effect before 20 days from the time of its final passage and its approval by the mayor. If within 20 days after such final passage and approval of such ordinance a written petition signed by qualified voters equal in number to at least 15% of the persons registered to vote at the last preceding general election, protesting against the passage of such ordinance shall be filed with the city clerk, the ordinance shall be suspended from taking effect until proceedings are had as herein provided.

C. 40:103-5(114).

Petition
papers;
affidavits.

44. Petition Papers; Affidavits

All petition papers circulated for the purposes of an initiative or referendum shall be uniform in size and style. Initiative petition papers shall contain the full text of the proposed ordinance. The signatures to initiative or referendum petitions need not all be appended to one paper, but to each separate petition there shall be attached a statement of the circulator thereof as provided by this section. Each signer of any such petition paper shall sign his name in ink or indelible pencil and shall indicate after his name his place of residence by street and number, or other description sufficient to identify the place. There shall appear on each

petition paper the names and addresses of 5 voters, designated as the committee of the petitioners, who shall be regarded as responsible for the circulation and filing of the petition and for its possible withdrawal as hereinafter provided. Attached to each separate petition paper there shall be an affidavit of the circulator thereof that he, and he only, personally circulated the foregoing paper, that all the signatures appended thereto were made in his presence, and that he believes them to be the genuine signatures of the persons whose names they purport to be.

45. Filing of Petition Papers; Examination; Certificate of Result

C. 40:103-5(115).
Filing
petition;
examination;
certificate
of result.

All petition papers comprising an initiative or referendum petition shall be assembled and filed with the city clerk as one instrument. Within 20 days after a petition is filed, the city clerk shall determine whether each paper of the petition has a proper statement of the circulator and whether the petition is signed by a sufficient number of qualified voters. After completing his examination of the petition, the city clerk shall certify the result thereof to the council at its next regular meeting. If he shall certify that the petition is insufficient he shall set forth in his certificate the particulars in which it is defective and shall at once notify at least 2 members of the committee of the petitioners of his findings.

46. Amendment of Initiative or Referendum Petition

C. 40:103-5(116).
Amendment
to petition.

An initiative or referendum petition may be amended at any time within 10 days after the notification of insufficiency has been served by the city clerk, by filing a supplementary petition upon additional papers signed and filed as provided in case of an original petition. The city clerk shall, within 5 days after such an amendment is filed, examine the amended petition and, if the petition be still insufficient, he shall file his certificate to that effect in his office and notify the committee of the petitioners of his findings and no further action

shall be had on such insufficient petition. The finding of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.

C. 40:103-5(117). 47. Suspension of Ordinance

Suspension
of ordinance.

Upon the filing of a referendum petition with the city clerk, the ordinance shall be suspended until 10 days following a finding by the city clerk that the petition is insufficient or, if an amended petition be filed, until 5 days thereafter; or, if the petition or amended petition be found to be sufficient, until it be withdrawn by the committee of the petitioners or until repeal of the ordinance by vote of the council or approval or disapproval of the ordinance by the voters.

C. 40:103-5(118). 48. Submission to City Council

Submitting
petition to
council.

Upon a finding by the city clerk that any petition or amended petition filed with him in accordance with this act is sufficient, the city clerk shall submit the same to the city council without delay. An initiative ordinance so submitted shall be deemed to have had first reading and provision shall be made for a public hearing.

C. 40:103-5(119). 49. Submission of Ordinance to Voters; Withdrawal of Petition

Submitting
ordinance to
voters;
withdrawal
petition.

If within 60 days of the submission of a certified petition by the city clerk the city council shall fail to pass an ordinance requested by an initiative petition in substantially the form requested or to repeal an ordinance as requested by a referendum petition, the city clerk shall submit the ordinance to the voters unless, within 10 days after final adverse action by the city council or after the expiration of the time allowed for such action, as the case may be, a paper signed by at least 4 of the 5 members of the committee of the petitioners shall be filed with the city clerk requesting that the petition be withdrawn. Upon the filing of such a request, the original petition shall cease to have any force or effect.

50. Referendum Election

Any ordinance to be voted on by the voters in accordance with this article shall be submitted at the next general election occurring not less than 60 days after the date of final action by the city council or the expiration of the time allowed for action by the city council in this article as the case may be, provided that if no such election is to be held within 90 days the city council may in its discretion provide for a special election.

C. 40:103-5(120).
Referendum.

51. Number of Proposed Ordinances Voted Upon; Time Between Special Elections

Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this article, but there shall not be more than one special election in any period of 6 months for such purpose.

C. 40:103-5(121).
Number of
ordinances
voted upon;
time between
election.

52. Publication of Ordinance

Whenever an ordinance is to be submitted to the voters of the city at any election in accordance with this article, the city clerk shall cause the ordinance to be publicized and advertised as hereinafter provided in this act.

C. 40:103-5(122).
Publication
of ordinance.

53. Ballots

The ballots to be used at such election shall be in substantially the following form:

“To vote upon the public question printed below, if in favor thereof mark a cross (×) or plus (+) or check (✓) in the square at the left of the word ‘Yes,’ and if opposed thereto mark a cross (×) or plus (+) or a check (✓) in the square to the left of the word ‘No.’ ”

C. 40:103-5(123).
Form of
ballots.

	Yes.	“Shall the ordinance (indicate whether submitted by the city council or initiative or referendum petition) providing for (here state nature of proposed ordinance or proposition) be adopted?”
	No.	

C. 40:103-5(124).
Election
results;
conflicting.

54. Results of Election; Conflicting Measures

If a majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city and be published as in the case of other ordinances. If the provisions of 2 or more measures approved or adopted at the same election conflict, then the measure receiving the greatest affirmative vote shall control.

ARTICLE IX

CERTAIN ELECTION PROCEDURES

C. 40:103-5(125).
Election
procedures.

55. Elections; Publicizing and Advertising in Certain Instances

Except as otherwise provided in this act, all elections affecting the government of the city shall be conducted in accordance with the provisions of the general election law of this State.

Any recall, referendum, initiative, public question or public proposition relating to the government of the city shall be publicized and advertised by the city clerk who shall keep posted in a prominent location in the city clerk's office and in each of the official newspapers of the city (but in no event in less than 2 newspapers circulated and distributed in the city) on at least 2 occasions at least 5 days but not more than 30 days prior to the date of election, the text of the matter to be submitted, the date of election and the hours during which the polls will be kept open.

ARTICLE X

EFFECTIVE DATE AND ADOPTION

C. 40:103-5(126).
Act operative.

56. Operative in Cities upon Adoption by Voters

This act shall not become operative in any city unless and until the voters thereof shall determine

by referendum held in accordance with a resolution adopted by the city council or governing body pursuant to this act that the same shall apply thereto. The question shall be placed upon the ballot in substantially the following form:

	Yes.	“Shall this city be hereafter governed on and after—(insert effective date) by chapter of the laws of 1963, which is a supplement to chapter 250 of the laws of 1908?”
	No.	

(a) If this act shall be adopted by any city governed at the time of its adoption by chapter 250 of the laws of 1908, it shall operate in lieu thereof and any offices filled at the general election at which this act was adopted shall be for an initial term of 4 years if the election was held at the same time the General Assembly was being elected, otherwise for an initial term of 3 years, the term commencing 12:00 o'clock noon of January 1 next succeeding the election notwithstanding the fact that the term of office would have been for a different period if the voters had not approved the revision. Any officials elected and in office as of the time of the adoption of this act as provided herein and whose offices were not to be filled at the same general election as the adoption hereof shall continue in office and their term shall be extended to 12:00 o'clock noon of the January 1 following 2 years prior to the expiration of the terms of the officials elected simultaneously with the adoption of this act by any city. The term of any appointed official whose appointment was made for a term commencing with the term of the mayor and coterminous therewith shall be extended so that it shall remain coterminous with the term of the mayor and expire at the same time as the term of the mayor.

(b) If this act shall be adopted by any city governed at the time of its adoption by any State law

other than said chapter 250 of the laws of 1908, such municipality shall continue under its present form of government until 12:00 o'clock noon of the January 1 next following the year in which the next succeeding General Assembly is to be elected and all persons appointed and elected in office at the time of adoption of this act shall continue in office until the said time. There shall be nominated at the primary election at which candidates for the General Assembly are to be nominated next following the adoption of this act, a mayor and 2 councilmen from each ward, one councilman from each ward to serve a term of 2 years from the date of commencement of government under this act and the mayor and remaining councilman from each ward to serve a term of 4 years from the said date of commencement. The ballot at the primary election for nomination and at the general election for election to the office of councilman shall specify in a manner provided by the county clerk the term for which each candidate for councilman seeks office during the initial election therefor. Any subsequent elections after the initial election shall be for a term of office as provided under Article II.

ARTICLE XI

SEVERABILITY

C. 40:103-5(127).
Provisions
severable.

57. Partial Invalidity

If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

58. This act shall take effect immediately.

Approved August 30, 1963.

CHAPTER 150

AN ACT relating to public works contracts in certain cases, providing for prevailing wages, imposing duties upon the Commissioner of Labor and Industry, and providing remedies and penalties.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. It is declared to be the public policy of this State to establish a prevailing wage level for workmen engaged in public works in order to safeguard their efficiency and general well being and to protect them as well as their employers from the effects of serious and unfair competition resulting from wage levels detrimental to efficiency and well-being.

C. 34:11-56.25.
Public policy.

2. As used in this act:

C. 34:11-56.26.
Terms defined.

(1) "Department" means Department of Labor and Industry of the State of New Jersey.

(2) "Locality" means any political subdivision of the State, combination of the same or parts thereof, or any geographical area or areas classified, designated and fixed by the commissioner from time to time, provided that in determining the "locality" the commissioner shall be guided by the boundary lines of political subdivisions or parts thereof, or by a consideration of the areas with respect to which it has been the practice of employers of particular crafts or trades to engage in collective bargaining with the representatives of workmen in such craft or trade.

(3) "Maintenance work" means the repair of existing facilities when the size, type or extent of such facilities is not thereby changed or increased.

(4) "Public body" means the State of New Jersey, any of its political subdivisions, except municipalities having a population of less than 45,000, any authority created by the Legislature of the

State of New Jersey and any instrumentality or agency of the State of New Jersey or of any of its political subdivisions.

(5) "Public work" means construction, reconstruction, demolition, alteration, or repair work, or maintenance work, including painting and decorating, done under contract and paid for in whole or in part out of the funds of a public body, except work performed under a rehabilitation program.

(6) "Commissioner" means the Commissioner of Labor and Industry or his duly authorized deputy or representatives.

(7) "Workman" includes laborer, mechanic, skilled or semiskilled, laborer and apprentices or helpers employed by any contractor or subcontractor and engaged in the performance of services directly upon a public work, regardless of whether their work becomes a component part thereof, but does not include material suppliers or their employees who do not perform services at the job site.

(8) "Work performed under a rehabilitation program" means work arranged by and at a State institution primarily for teaching and upgrading the skills and employment opportunities of the inmates of such institutions.

(9) "Prevailing wage" means the wage rate paid by virtue of collective bargaining agreements by employers employing a majority of workmen of that craft or trade subject to said collective bargaining agreements, in the locality in which the public work is done.

(10) "Act" means the provisions of this act and the rules and regulations issued hereunder.

C. 34:11-56.27.
Prevailing
wage contained
in contract.

3. Every contract in excess of \$2,000.00 for any public work to which any public body is a party shall contain a provision stating the prevailing wage rate which can be paid (as shall be designated by the commissioner) to the workmen employed in the performance of the contract and the contract shall contain a stipulation that such workmen shall be paid not less than such prevailing wage rate. Such contract shall also contain a provision that in

the event it is found that any workman, employed by the contractor or any subcontractor covered by said contract, has been paid a rate of wages less than the prevailing wage required to be paid by such contract the public body may terminate the contractor's or subcontractor's right to proceed with the work, or such part of the work as to which there has been a failure to pay required wages and to prosecute the work to completion or otherwise. The contractor and his sureties shall be liable to the public body for any excess costs occasioned thereby.

4. The public body awarding any contract for public work or otherwise undertaking any public work shall ascertain from the commissioner the prevailing wage rate in the locality in which the public work is to be performed for each craft or trade needed to perform the contract and shall specify in the contract itself what the prevailing wage rate in the locality is for each craft or trade or classification of all workmen needed to perform the contract during the anticipated term thereof. Nothing in this act however shall prohibit the payment of more than the prevailing wage rate to any workmen employed on a public work.

C. 34:11-56.28.
To ascertain
prevailing
wage rate;
included in
contract;
construing.

5. Every contractor and subcontractor shall keep an accurate record showing the name, craft or trade, and actual hourly rate of wages paid to each workman employed by him in connection with a public work and such records shall be preserved for 2 years from date of payment. The record shall be open at all reasonable hours to the inspection of the public body awarding the contract and to the commissioner.

C. 34:11-56.29.
Records kept
by contractor;
inspection.

6. The commissioner shall determine the prevailing wage rate and forthwith shall establish the prevailing wage in the locality in which the public work is to be performed for each craft or trade or classification of all workmen needed to perform public work contracts. The prevailing wage shall be determined and computed in accordance with rules and regulations issued by the commissioner as may be required to carry out the provisions of this act;

C. 34:11-56.30.
Commission
to determine
wage rate;
method;
effective for
2 years;
notice.

provided, however, that employer contributions for employee benefits pursuant to a then existing bona fide collective bargaining agreement shall be considered an integral part of the wage rate paid by employers of any craft or trade in the locality under consideration for the purpose of determining the prevailing wage under this act. Said wage determination shall be conclusive for a period of 2 years from date of issuance unless superseded within said 2-year period by a later determination. The commissioner shall forthwith announce all said determinations and give notice by mail of all determinations of prevailing wage rates made pursuant to this section to any representative of any craft or trade, any employer, or any representative of any group of employers who shall in writing request the commissioner so to do.

C. 34:11-56.31.
Authority of
commissioner.

7. The commissioner shall have the authority to:

(a) investigate and ascertain the wages of workmen employed in any public work in the State;

(b) enter and inspect the place of business or employment of any employer or workmen in any public work in the State, for the purpose of examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such workmen; copy any or all of such books, registers, payrolls, and other records as he or his authorized representative may deem necessary or appropriate; and question such workmen for the purpose of ascertaining whether the provisions of this act have been and are being complied with; and

(c) require from such employer full and correct statements in writing, including sworn statements, with respect to wages, hours, names, addresses, and such other information pertaining to his workmen and their employment as the commissioner, or his authorized representative may deem necessary or appropriate.

8. Contractors and subcontractors performing public work of a public body subject to the provisions of this act shall post the prevailing wage rates for each craft and classification involved as determined by the commissioner, including the effective date of any changes thereof, in prominent and easily accessible places at the site of the work or at such place or places as are used by them to pay workmen their wages.

C. 34:11-56.32.
Prevailing
wage rate
posted.

9. (a) Before final payment is made by or on behalf of any public body of any sum or sums due on a public work it shall be the duty of the treasurer of the public body or other officer or person charged with the custody and disbursement of the funds of the public body to require the contractor and subcontractor to file written statements in form satisfactory to the commissioner certifying to the amounts then due and owing from such contractor and subcontractor filing such statement to any and all workmen for wages due on account of the public work, setting forth therein the names of the persons whose wages are unpaid and the amount due to each respectively, which statement shall be verified by the oath of the contractor or subcontractor, as the case may be, that he has read such statement subscribed by him, knows the contents thereof, and that the same is true of his own knowledge; provided, however, that nothing herein shall impair the right of a contractor to receive final payment because of the failure of any subcontractor to comply with provisions of this act.

C. 34:11-56.33.
Statement of
wages due by
contractor;
commissioner
may direct
fiscal officer
to deduct
amount due
as wages.

(b) In case any workman shall have filed a protest in writing within 3 months from the date of the occurrence of the incident complained of with the commissioner, objecting to the payment to any contractor to the extent of the amount or amounts due or to become due to the said workman for wages for work performed on a public work, the commissioner may direct the fiscal or financial officer of the public body or other person charged with the custody and disbursements of the funds of the

public body to deduct from the whole amount of any payment, the sum or sums admitted by any contractor in such statement or statements so filed to be due and owing by him on account of wages earned on such public work.

Such fiscal or financial officer shall withhold the amount so deducted for the benefit of the workmen whose wages are unpaid as shown by the verified statement filed by such contractor, and shall pay directly to any workman the amount shown by such statement to be due to him for such wages. Such payment shall thereby discharge the obligation of the contractor to the person receiving such payment to the extent of the amount thereof.

C. 34:11-56.34.
Notice of
failure to pay
prevailing
wage.

10. (a) The fiscal or financial officer or any public body having public work performed under which any workman shall have been paid less than the prevailing wage shall forthwith notify the commissioner in writing of the name of the person or firm failing to pay the prevailing wages.

(b) Any workman may within 2 years from the date of the occurrence of the incident complained of file a protest in writing with the commissioner objecting to the amount of wages paid for service performed by him on a public work as being less than the prevailing wages for such services.

(c) It shall not constitute a failure to pay the prevailing wage rates for the work of a particular craft or classification where the prevailing wage rate determined for a specific craft or classification has been paid and thereafter one or more craft unions contend that the work should have been assigned to their members instead of the members of the specific craft to whom it was assigned or by whom it was performed.

C. 34:11-56.35.
Failure to
comply
with act a
misdemeanor.

11. Any employer who willfully hinders or delays the commissioner in the performance of his duties in the enforcement of this act, or fails to make, keep, and preserve any records as required under the provisions of this act, or falsifies any such record, or refuses to make any such record acces-

sible to the commissioner upon demand, or refuses to furnish a sworn statement of such record or any other information required for the proper enforcement of this act to the commissioner upon demand, or pays or agrees to pay wages at a rate less than the rate applicable under this act or otherwise violates any provision of this act or of any regulation or order issued under this act shall be guilty of a misdemeanor and shall, upon conviction therefor, be fined not less than \$100.00 nor more than \$500.00 or be imprisoned for not less than 10 nor more than 90 days, or both such fine and imprisonment. Each week, in any day of which a workman is paid less than the rate applicable to him under this act and each workman so paid, shall constitute a separate offense.

12. As an alternative to any other sanctions or in addition thereto, herein or otherwise provided by law for violation of this act, the commissioner is authorized to supervise the payment of amounts due to workmen under this act, and the employer may be required to make these payments to the commissioner to be held in a special account in trust for the workmen, and paid on order of the commissioner directly to the workman or workmen affected.

C. 34:11-56.36.
Alternative
sanction for
payment of
wages due.

13. In the event that the commissioner shall determine, after investigation, that any contractor or subcontractor has failed to pay the prevailing wage he shall thereupon list and keep on record the name of such contractor or subcontractor and forthwith give notice by mail of such list to any public body who shall request the commissioner so to do. Where the person responsible denies that a failure to pay the prevailing wage has occurred, he shall have the right to apply to the commissioner for a hearing which must be afforded and a decision rendered within 48 hours of the request for a hearing. If the commissioner rules against the petitioning party he shall have the right to apply for injunctive relief in the Superior Court against the listing by the commissioner.

C. 34:11-56.37.
List of
contractors
not paying
prevailing
wage; hearing;
injunctive
relief.

C. 34:11-56.38.
Public body to
obtain list of
contractors
who have
failed to pay
prevailing
wage.

14. The public body awarding any contract for public work or otherwise undertaking any public work shall first ascertain from the commissioner the list of names of contractors or subcontractors who have failed to pay prevailing wages as determined in section 14 of this act, and no contract shall be awarded to such contractor or subcontractor, or to any firm, corporation or partnership in which such contractor or subcontractor has an interest until 3 years have elapsed from the date of listing as determined in section 14 of this act.

C. 34:11-56.39.
Penalty for
discrimination.

15. Any employer who discharges or in any other manner discriminates against any workman because such workman has made any complaint to his employer, to the public body or to the commissioner that he has not been paid wages in accordance with the provisions of this act, or because such workman has caused to be instituted or is about to cause to be instituted any proceeding under or related to this act, or because such workman has testified or is about to testify in any such proceeding shall be guilty of a misdemeanor and shall, upon conviction therefor, be fined not less than \$50.00 nor more than \$200.00.

C. 34:11-56.40.
Recovery by
workman of
prevailing
wage.

16. If any workman is paid by an employer less than the prevailing wage to which such workman is entitled under the provisions of this act such workman may recover in a civil action the full amount of such prevailing wage less any amount actually paid to him or her by the employer together with costs and such reasonable attorney's fees as may be allowed by the court, and any agreement between such workman and the employer to work for less than such prevailing wage shall be no defense to the action. Any workman shall be entitled to maintain such action for and on behalf of himself or other workmen similarly situated, and such workman and workmen may designate an agent or representative to maintain such action for and on behalf of all workmen similarly situated. At the request of any workman paid less than the prevailing wage to which such workman was entitled under the pro-

visions of this act the commissioner may take an assignment of the wage claim in trust for the assigning workman and may bring any legal action necessary to collect the claim, and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court.

17. Nothing in this act shall be deemed to interfere with, impede, or in any way diminish the right of workmen to bargain collectively through representatives of their own choosing in order to establish wages in excess of any applicable minimum under this act.

C. 34:11-56.41.
Construction.

18. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act and the application thereof, to other persons or circumstances shall not be affected thereby.

C. 34:11-56.42.
Provisions
severable.

19. The commissioner is hereby authorized and empowered to prescribe, adopt, promulgate, rescind and enforce rules and regulations as may be required for the administration and enforcement of the provisions of this act.

C. 34:11-56.43.
Rules and
regulations.

20. This act shall be known as the "New Jersey Prevailing Wage Act."

C. 34:11-56.44.
Short title.

21. All acts and parts of acts are repealed insofar as they are inconsistent herewith.

C. 34:11-56.45.
Repealer.

22. This act shall take effect January 1, 1964.

C. 34:11-56.46.
Act effective.

Approved September 3, 1963.

CHAPTER 151

A SUPPLEMENT to “An act to provide for the creation, setting apart, maintenance and administration of a city employees’ retirement system in cities of the first class having, at the time of the enactment of this act, a population in excess of 400,000 inhabitants; and merging and superseding the provisions of pension funds established pursuant to article 2 of chapter 13, chapters 18 and 19, of Title 43 of the Revised Statutes, in said cities,” approved November 22, 1954 (P. L. 1954, c. 218).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 43:13-22.16a
Purchase of
prior service
credits.

1. Any member, or eligible employee upon becoming a member of a retirement system, established pursuant to the act to which this act is a supplement, may purchase and receive prior service credit for time served in active service in the Armed Forces of the United States while a permanent employee of the city. Such member shall pay into the fund, in a lump sum or by regular payroll deduction installments approved by the pension commission, an amount equal to the contributions which a member would have been required to make for such a period based upon the member’s salary, at the time of entering into active service in the armed forces, at the member’s contribution rate in effect at the time of applying to make such purchase.

C. 43:13-22.16b
Application.

2. Applications for purchase of prior service credit pursuant to this act shall be filed with the pension commission, in a manner to be by it prescribed, within 6 months after the effective date of this act or within 3 months after the member’s

return to city employment upon termination of military service, whichever occurs later.

3. Upon approval of an application for the purchase of prior service credit pursuant to this act and calculation of the amount due the fund from the member therefor, the pension commission shall notify the financial officer of the city that a like amount is payable by the city. The financial officer of the city shall include such amounts in his budget requests for inclusion in the annual appropriations by the governing body as the city's contribution to the retirement system.

C. 43:13-22.16c
Notice of
amount due
from city.

4. The pension commission may adopt rules and regulations to implement the provisions of this act.

C. 43:13-22.16d
Rules and
regulations.

5. This act shall take effect immediately.

Approved September 5, 1963.

CHAPTER 152

AN ACT concerning crimes and amending section
2A:105-3 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 2A:105-3 of the New Jersey Statutes is amended to read as follows:

2A:105-3. Any person who orally or by knowingly sending or delivering any letter or writing, whether signed or unsigned, or signed with a fictitious name:

Orally or
sending,
delivering
threatening
letters a
misdemeanor.

a. Threatens to accuse any person of an indictable crime, with intent to extort any money or valuable thing; or

b. Demands money or other valuable thing under threat of injury to person or property; or

Any person who knowingly sends or delivers any letter or writing, whether signed or unsigned, or

signed with a fictitious name threatening to injure, maim, wound, kill or murder any person, or to burn, destroy or injure his property, or to do any civil injury to any person or to his property, though no money or other valuable thing be demanded—

Is guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved September 11, 1963.

CHAPTER 153

AN ACT concerning the issuance of county and municipal bonds and amending section 40A:2-17 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

- Section amended.
1. Section 40A:2-17 of the New Jersey Statutes is amended to read as follows:
- 40A:2-17.
- a. Introduction.
- A bond ordinance shall be introduced in writing at a meeting of the governing body and shall be passed upon first reading, which may be by title.
- b. Publication, hearing and adoption.
- The bond ordinance shall be published after first reading, together with notice of the introduction thereof and of the date, which shall be at least 10 days after introduction and first reading, and the time and place of further consideration for final passage, which may be at an adjournment of such meeting or another meeting.
- Such publication shall be at least 1 week prior to the date for further consideration. At the time and place so advertised, or at any time and place to which such meeting or further consideration
- Introduction of bond ordinance; procedure.

shall from time to time be adjourned, such bond ordinance may be read by its title, if,

(1) at least 1 week prior to such date or further consideration, there shall have been posted, on the bulletin board or other place upon which public notices are customarily posted in the principal municipal building of the municipality,

(a) a copy of such bond ordinance, and

(b) a notice that copies of such bond ordinance will be made available during such week and up to and including the date of such meeting or further consideration to the members of the general public of the municipality who shall request such copies, naming the place at which such copies will be so made available, and

(2) such copies of said bond ordinance shall have been made available accordingly, but otherwise such bond ordinance shall be read in full. All persons interested shall then be given an opportunity to be heard.

After the duplicate of the supplemental debt statement has been filed in the office of the director, and after such hearing, the governing body may proceed to amend the bond ordinance and thereupon finally adopt or reject it, with or without amendments.

If any amendment is adopted substantially altering matters required by this chapter to be contained in the bond ordinance, such amended bond ordinance shall not be finally adopted until at least 1 week thereafter and until it shall have been published once at least 2 days prior to the date for further consideration, together with notice of the date, time and place at which it will be further considered for final adoption. At the time and place so advertised, or at any time and place to which such meeting or further consideration shall from time to time be adjourned, such amended bond ordinance may be read by its title, if,

(1) at least 1 week prior to such date or further consideration, there shall have been posted, on the bulletin board or other place upon which public notices are customarily posted in the principal municipal building of the municipality,

(a) a copy of such bond ordinance, and

(b) a notice that copies of such bond ordinance will be made available during such week and up to and including the date of such meeting or further consideration to the members of the general public of the municipality who shall request such copies, naming the place at which such copies will be so made available, and

(2) such copies of said bond ordinance shall have been made available accordingly, but otherwise such bond ordinance shall be read in full. All persons interested shall again be given an opportunity to be heard. After such hearing, the governing body may proceed to reject, finally adopt or further amend such bond ordinance.

A bond ordinance shall be finally adopted by the recorded affirmative votes of at least $\frac{2}{3}$ of the full membership of the governing body. In a local unit in which the approval of any officer is required to make an ordinance or resolution effective, such bond ordinance shall be so approved, or passed over veto before it shall be published after final adoption.

c. Final publication with statement.

Every bond ordinance shall be published in full after final adoption, together with a statement in substantially the following form:

STATEMENT

The bond ordinance published herewith has been finally adopted and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law has

begun to run from the date of the first publication of this statement.

.....
Clerk.

2. This act shall take effect immediately.
Approved September 11, 1963.

CHAPTER 154

AN ACT authorizing the disposition by an individual of part of his human remains for the advancement of medical science or the replacement or rehabilitation of diseased or worn-out parts or organs of other human beings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Any person may by written instrument, executed and acknowledged or proved in the same manner as deeds are proved, direct the disposition to be made after death of his eyes and such other parts of his body as may be necessary to be taken therewith in order that his eyes may be used for the advancement of medical science or the replacement or rehabilitation of diseased or worn-out organs of similar character of another living person, who may or may not be specified in said instrument and by said instrument shall designate any person, which person shall include but shall not be limited to a government agency, eye bank, teaching institution, hospital or physician or a committee or group or association of physicians or others, to take such action as may be necessary to accomplish said purpose upon his death.

C. 26:6-51.
Execution
of written
instrument for
disposition of
parts of
human body.

2. Such instrument shall be delivered to the person designated therein to carry out the purposes of said instrument and it may be revoked only by an

C. 26:6-52.
Delivery of
instrument;
revocation.

instrument to that effect similarly executed and acknowledged and delivered to the person to whom the original instrument was delivered, or in whose custody the said original instrument is at that time.

C. 26:6-53.
Execution of
instrument.

3. The person or persons otherwise entitled to control the disposition of the remains of any such person shall permit the proper carrying out of such disposition and no testamentary or other disposition whatever made by said person, except as hereinbefore provided, shall be effective to revoke or change the power given under such instrument.

C. 26:6-54.
Autopsy or
postmortem
examination
not to delay
decedent's
directions.

4. An autopsy or postmortem examination of the remains of a decedent shall not delay or prevent the carrying out of a decedent's said directions unless the remains or such part or parts of the remains are required for the purposes of criminal investigation or prosecution, but in case such person shall die in prison or by violent, sudden or casual death so that an inspection of the remains by the county physician or a coroner is requisite, the written consent of the county physician or coroner shall be first obtained before the provisions of said instrument are carried out.

C. 26:6-55.
Disposition
of remains
of body.

5. When the requisite parts of the body have been removed, the remains of such person, not so removed, shall be the responsibility of and shall be under the control of the person having by law the right to disposition thereof but no consent of any representative of the decedent or any person having possession of or right to control of his remains shall be necessary in the carrying out of the provisions of said instrument.

C. 26:6-56.
Licensed
physician to
carry out
provisions.

6. The provisions of such an instrument shall be carried out by a duly licensed physician who may be named in the instrument or may be authorized by written direction of the person named in the instrument to carry out the same and any person so acting shall not be liable in damages for any action taken in carrying out such instrument, unless he shall have actual knowledge of the delivery of an instrument revoking the power contained therein,

delivered as provided in this act, except for wilful negligence or intentional wrongdoing.

7. This act shall take effect immediately.

Approved September 16, 1963.

CHAPTER 155

AN ACT concerning the retirement on pension of county detectives, in certain cases, and amending section 43:10-20 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 43:10-20 of the Revised Statutes is amended to read as follows:

43:10-20. In first, second, third and fifth class counties of this State, now or hereafter having county detectives, any county detective who shall have served as such for a continuous period of 20 years, and shall have reached the age of 60 years, shall, upon application in writing to the prosecutor of the pleas of his county, be retired upon $\frac{1}{2}$ pay.

Retirement
for service
and age.

When a county detective of any of the aforesaid counties has served as such for a continuous period of 20 years and has reached the age of 72 years he shall be retired from such service of the county in which he is employed and he shall receive, for the period of his life, a pension equal to $\frac{1}{2}$ of his annual salary at the time of his retirement.

When a county detective of any of the aforesaid counties has served in the aggregate 30 years as a county detective and as a policeman of a municipality, a county, or the State, or either or any of said political subdivisions or the State, and has reached the age of 55 years, he shall be entitled to retire from such service of the county in which he

is employed and he shall receive for the period of his life a pension equal to $\frac{1}{2}$ of his annual salary at the time of his retirement, provided, immediately before his retirement he is a contributing member to a county pension fund.

2. This act shall take effect immediately.
Approved October 9, 1963.

CHAPTER 156

AN ACT to amend and supplement "An act to regulate the occupation of barbering, to provide for the licensing of persons to carry on such occupation and to create the State Board of Barber Examiners to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the protection of the public health and to provide penalties for violation thereof," approved May 17, 1938 (P. L. 1938, c. 197).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 45:4-27.
Registration
certificate
required:
operation and
management;
medical
certificate.

1. No person shall practice or attempt to practice barbering without a certificate of registration as a registered barber issued pursuant to the provisions of this act by the State Board of Barber Examiners.

No proprietor, manager or supervisor of any barber shop, barber school, or barber college shall employ, engage or hire any person who does not hold a certificate of registration as a registered barber, registered teacher, or a certificate as a registered apprentice, issued pursuant to the provisions of this act by the State Board of Barber Examiners.

No person shall serve or attempt to serve as an apprentice barber unless he has secured a certificate of registration as a registered apprentice issued by the State Board of Barber Examiners.

It shall be unlawful to operate a barber shop unless it is at all times under the direct supervision and management of a registered barber who has been licensed as such for not less than 2 years.

All new applicants for certificates of registration as registered barbers, apprentice barber's certificates, et cetera, shall be accompanied by a certificate from a practicing medical doctor of this State dated not more than 10 days prior to the date of application, attesting that the applicant is free from any contagious or infectious disease.

2. A person is qualified to receive a certificate as a registered apprentice barber if:

C. 45:4-29.2.
Qualifications
required.

(1) He has successfully completed 8 grades of grammar school or its equivalent;

(2) He is at least 16½ years of age;

(3) He is of good moral and temperate habits;

(4) He has been a resident of New Jersey for at least 1 year;

(5) He has qualified under the provisions of section 3 of the act hereby supplemented; and

(6) He has paid the required fee to the State Board of Barber Examiners.

3. Section 5 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

5. A person is qualified to receive a certificate of registration to practice barbering:

C. 45:4-31.
Qualifications
for certificate
of registration.

(1) Who is qualified under the provisions of section 6 of this act; and

(2) Who is at least 18 years of age; and

(3) Who is of good moral character and temperate habits; and

(4) Who has successfully completed 8 grades of grammar school or its equivalent; and

(5) Who has practiced as a registered apprentice for a period of 18 months under the immediate personal supervision of a registered barber in a licensed barber shop, or who has practiced as a reg-

istered barber in this State but who has retired from the practice of barbering for a period in excess of 2 years; and

(6) Who has passed a satisfactory examination conducted by the State Board of Barber Examiners to determine his fitness to practice barbering.

A registered apprentice barber or any person who has practiced as a registered barber in this State but who has retired from the practice of barbering for a period in excess of 2 years, who is an applicant for a certificate of registration to practice as a registered barber and who fails to pass a satisfactory examination conducted by the State Board of Barber Examiners, must obtain an apprentice certificate valid for 6 months from date of issue and must practice as a registered apprentice barber under the immediate personal supervision of a registered barber in a licensed barber shop, before he is again entitled to take the examination for a registered barber.

A person who fails to pass an examination to qualify for a certificate of registration to practice barbering shall file a new application accompanied by the fee as required by this act before he may take another examination.

An apprentice barber or any person who has practiced as a registered barber in this State but who has retired from the practice of barbering for a period in excess of 2 years, who fails 3 consecutive times must cease to practice barbering.

C. 45:4-31.1.
Reciprocal
provisions
for admission
to exam-
inations

4. A person who has practiced barbering in another State or country, upon payment of the required fee, shall be granted permission to take an examination for a certificate of registration to practice barbering if he complies with each of the following:

(1) He is at least 18 years of age and of good moral character and temperate habits;

(2) He has successfully completed 8 grades of grammar school or its equivalent; and

(3) He presents to the board:

(a) A valid license or certificate of registration as a practicing barber from another State or country which has substantially the same requirements for licensing or registering barbers as required by this act, and

(b) Affidavits from at least 2 persons stating that from their personal knowledge the applicant has practiced as a barber in another State or country for a period of at least 2 years within the 5-year period immediately prior to filing his application in this State.

If such an applicant fails to pass the examination, he may file a new application accompanied by the required fee and take another examination. In no event will he be permitted to practice barbering until such time that he satisfactorily passes an examination and receives a certificate of registration as a registered barber.

5. Any person applying to be registered as a teacher in a barber school must be at least 23 years of age, be a graduate from an approved high school or have equivalent education, have had at least 5 years experience as a registered barber in a licensed barber shop in the State of New Jersey, and shall have passed an examination conducted by the board. The examination for a teacher's certificate shall differ from the examination for a barber's certificate in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of barbering, including ability to teach properly the various practices and theories of barbering, physiology and hygiene, elementary chemistry relating to sterilization and antiseptics, massaging and manipulating the muscles of the face, neck and scalp, hair cutting, bobbing, shaving and trimming the beard, dyeing the hair and a thorough knowledge of the barber laws of this State and the rules and regulations adopted by the board.

C. 45:4-39.1.
Qualifications
for registration in a
barber school.

6. Section 26 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

26. The following regulations pertaining to sanitation shall apply to all barber shops, barber schools

C. 45:4-52.
Sanitary
regulations.

and barber colleges in New Jersey and to the practice of barbering in this State. A copy of these regulations shall be furnished by the State Board of Barber Examiners to the person in charge of each barber shop, barber school and barber college in the State and a copy shall be kept posted in a conspicuous place in each such establishment.

(1) All barber shops and barber schools or colleges shall be well lighted and ventilated, and all furniture, equipment, tools and utensils therein and the floors, walls and ceilings thereof, shall at all times be kept clean.

(2) It shall be unlawful to own, manage, operate or control any barber shop, barber school or barber college except under the following conditions:

(a) There shall be readily available at such shop, school or college an adequate supply of hot and cold water and where a public water supply under pressure and a sewerage system is available, there shall be provided in such shop, school or college, a supply of hot and cold running water under pressure. A barber shop owner shall provide at least one wash basin. The wash basin shall be so situated that the same is readily accessible to the operator of each barber chair.

(b) No towel shall be used on any patron which has been used upon another patron unless such towel shall have been relaundered and thoroughly dried and no towel shall be used on any patron which has been placed in a steamer or sterilizer.

The head rest of a barber chair shall be covered with a clean covering such as a towel or paper before used on any patron. Head rests shall not be placed on the floor at any time.

(d) There shall be placed about the neck of each patron served a clean towel or other clean material to prevent the hair cloth touching the skin of the patron.

(e) Any tool or part thereof which comes into contact with the head, face or neck of the

patron such as razors, scissors, tweezers, combs and parts of vibrators shall be immersed in boiling water or in alcohol of a strength of 70% or higher or treated by some other equally effective method before being used on each patron. All tools or instruments when not in use shall be kept in a closed compartment and shall be disinfected before being used on a patron.

(f) Any shaving mug and shaving brush shall be thoroughly rinsed in hot water immediately before use in serving a patron.

(g) At least 2 receptacles for soiled towels and waste shall be provided. Only used towels shall be deposited in one and wastes such as used shaving paper shall be deposited in the other. All towels used on each patron must be deposited in an enclosed towel receptacle. All laundered linen must be kept in a closed compartment at all times.

(h) No styptic pencil, finger bowl, sponge, lump alum or powder puff shall be used except of the individual applicator type.

(i) No room used as a barber shop or barber school or college shall be used as a sleeping room, and shall not be located in any sleeping room, feed store, restaurant or lunch room unless separated therefrom by a substantial partition extending from floor to ceiling.

(j) A sterilizer solution container for each chair adequate in size to immerse all instruments, tools and combs to be used on each patron. Such container shall be kept filled at all times and shall be completely emptied and cleaned and refilled with prescribed solutions at least once each week.

(k) The use of cuspidors in a barber shop is prohibited.

(l) Each new barber shop shall have a minimum length of at least 10 feet for a one chair shop, 15 feet for a 2 chair shop, and 5

feet additional length for each additional chair and a minimum width of not less than 10 feet when waiting chairs are not opposite or in line with barber chairs. A minimum width of 12 feet when waiting chairs are opposite or in line with barber chairs.

(m) Every barber shop shall have the following fixtures, facilities and equipment:

- One barber pole or barber sign,
- Stand and mirror,
- One hand mirror,
- Barber chair (revolving type),
- Sanitary headrest,
- Closed container for clean towels,
- A waste container for each chair,
- Running hot and cold water,
- A supply cabinet for stock of towels and supplies,
- Seating accommodations for not less than 3 persons,
- A clothes tree or its equivalent to accommodate the wraps of at least 3 customers,
- One cabinet or closet for mops, brooms and cleaning equipment,
- A sufficient number of tools and instruments for each chair,
- Freshly laundered face towels and turkish towels for each chair,
- Two clean haircloths for each chair,
- Neck strips and dispenser,
- Hair tonic, face lotion, cold cream and massage cream,
- Powder or styptic liquid,
- Provision for proper display of all licenses,
- Proper display of rules and regulations.

(n) Any person or persons proposing to open a barber shop in a new location, or to change the location of an existing shop, shall first make application to the State Board of Barber Examiners for an inspection and ap-

proval of the premises to be licensed at least 5 days in advance of opening the same.

(o) Any barber shop maintaining toilet facilities for public use shall maintain such facilities in a clean and sanitary condition.

(p) All new barber shops shall be provided with lavatory facilities including hot and cold running water and a water flushed toilet. Office buildings and hotels are exempted as to the provision of toilet only.

(q) The entrances to new barber shops located in private residences must permit patrons to enter the shop directly from the public thoroughfare without passing through any other portion of the building.

(r) Each barber shop shall display a sign, clearly legible, indicating that it is a barber shop.

(s) The sale in barber shops of items other than hair tonics, lotions, creams, cutlery, toilet articles, soft drinks, cigars and tobacco is hereby prohibited.

(t) Containers with covers must be provided for the storage of hair trimmings and other waste materials.

(u) Each barber, apprentice or student barber shall thoroughly wash his hands with soap and water immediately before serving a patron.

(v) All barbers, apprentices or student barbers while engaged in the practice of barbering shall wear clean outer garments.

(w) No barber, apprentice or student barber shall engage in barbering nor be employed in a barber shop or barber school who is affected with any contagious or infectious diseases in a communicable stage.

(x) No common drinking cup or glass shall be maintained, kept or used.

(y) No barber school shall be operated in connection with any other business.

(z) No barber shall smoke while serving a patron.

Note:
Act effective.

7. This act shall take effect July 1, 1963.
Approved October 14, 1963.

CHAPTER 157

AN ACT to amend "An act to regulate the occupation of barbering, to provide for the licensing of persons to carry on such occupation and to create the State Board of Barber Examiners to provide rules regulating the proper conduct and sanitation of the occupation of barbering for the protection of the public health and to provide penalties for violation thereof," approved May 17, 1938 (P. L. 1938, c. 197).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 18 of the act of which this act is amendatory is amended to read as follows:

C. 45:4-44.
Fees.

18. The fee to be paid by an applicant for examination to determine his fitness to receive a certificate of registration to practice barbering is \$25.00 and for the issuance of a certificate, \$5.00.

The fee for the annual renewal of a certificate of registration to practice barbering is \$5.00.

The fee for the restoration of an expired certificate of registration to practice barbering is \$10.00.

The fee for an apprentice certificate is \$10.00.

The fee for a license to operate a barber school or college in accordance with the provisions of this act shall be \$250.00 per annum and such license to be renewed on or before July 1 of each year, the renewal fee thereof to be \$250.00.

The fee to be paid for a license as a registered teacher in approved barber schools and colleges shall be \$25.00 per annum, such license to be renewed on or before July 1 of each year, the renewal fee thereof to be \$25.00.

2. Section 22 of the act of which this act is amendatory is amended to read as follows:

22. Said Board of Barber Examiners shall organize and elect a chairman and a secretary-treasurer from its own members. It shall adopt and use a common seal for the authentication of its audit and records. The secretary-treasurer shall keep a record of all proceedings of the board and shall remit all funds received to the Treasurer of the State of New Jersey.

The secretary-treasurer shall be bonded in the sum of \$3,000.00 with sureties approved by the Secretary of State, conditioned for the faithful performance of his duties, and shall take the oath provided by law for such public office.

The secretary-treasurer of the board shall receive a compensation of \$8,500.00 per annum and devote his full time to the supervision of office and field workers and to the performance of the other duties of his office.

A majority of the board in meeting duly assembled may perform and exercise all the duties and powers developed upon the board.

The other members of the board shall receive a compensation of \$8,000.00 per annum and in addition thereto, all members of the board, including the secretary-treasurer, shall be reimbursed and receive their necessary traveling expenses, which shall include only the cost of transportation to and from the place of performance of their duties, incurred in the proper discharge of their duties. They shall devote their full time to the performance of the duties of their respective offices as such members.

All expenses, salaries, et cetera, shall be paid only from the receipts received for barber fees,

Section
amended.

C. 45:4-48.
Organiza-
tion; records;
seal; bond;
compensa-
tion; traveling
expenses.

and at no time shall the expenses exceed the receipts received from barber fees.

3. This act shall take effect immediately.

Approved October 14, 1963.

CHAPTER 158

A SUPPLEMENT to "An act concerning medical service corporations and regulating the establishment, maintenance and operation of medical service corporations and medical service plans, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'Medical Service Corporations,' " approved May 29, 1940 (P. L. 1940, c. 74).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 17:48A-27.
Services of
bio-analytical
laboratory
within
provisions
of act.

1. Notwithstanding any other provision of the act to which this act is a supplement, benefits shall not be denied to an eligible individual for eligible services when such services are performed or rendered such persons by a duly registered bio-analytical laboratory within the scope of its authority pursuant to P. L. 1953, c. 420. Services performed by a bio-analytical laboratory within the scope of said authority shall be deemed to be within the provisions of the act to which this act is a supplement and such laboratory shall have the privileges and benefits in the performance of such services under such act as are afforded thereunder to licensed physicians and surgeons in the scope of their practice.

2. This act shall take effect immediately.

Approved December 7, 1963.

CHAPTER 159

AN ACT concerning certain trusts consisting in whole or part of real property, or personal property, or both.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. A trust consisting in whole or in part of real property, or personal property, or both created by an employer as part of a pension plan, disability or death benefit plan, profit-sharing plan or other plan for the exclusive benefit of some or all of his employees, to which contributions are made by such employer or employees, or both, for the purpose of distributing to such employees the earnings or the principal, or both earnings and principal, of such trust, shall not be deemed to be invalid as violating any existing law, statutory or otherwise, against perpetuities or suspension of the power of alienation or against the accumulation of income; but such a trust may continue for such time as may be necessary to accomplish the purposes for which it may be created, and such trust may by its terms be made irrevocable, and the interest of any beneficiary thereof may be made non-transferable.

C. 16:2C-6.
Trust not to
be deemed
invalid as
violating
laws against
perpetuities.

2. "Employer" and "employee" as used herein include a self-employed person or persons, and "trust" includes trusts whose assets are commingled by the trustee with the assets of other trusts pursuant to any law authorizing the collective investment of trust funds, or pursuant to the express terms of the trust.

C. 46:2C-7.
Use of words.

3. This act shall take effect immediately.

Approved December 7, 1963.

CHAPTER 160

AN ACT concerning crimes and amending section
2A:151-5 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 2A:151-5 of the New Jersey Statutes is amended to read as follows:

Additional
sentence
for armed
criminals.

2A:151-5. Any person who commits or attempts to commit an assault, robbery, larceny, burglary, or breaking and entering, when armed with or having in his possession any machine gun, automatic rifle, revolver, pistol or other firearm, or a gun, device or instrument from which may be fired or ejected any gas, vapor or other noxious thing by means of a missile, pellet, bullet or otherwise, or other instrument of any kind known as a blackjack, slung shot, billy, sandclub, sandbag, bludgeon, metal knuckles, dagger, dirk, dangerous knife, razor, stiletto, bomb or other high explosive, or any object or device, whether toy or imitation, having an appearance similar to or capable of being mistaken for any of the foregoing, shall, in addition to the punishment provided for the crime, be punished on a first conviction by imprisonment for not more than 5 years; upon a second conviction by imprisonment for not more than 10 years; upon a third conviction by imprisonment for not more than 15 years; and upon a fourth or subsequent conviction, by imprisonment for not more than 20 years or for life, in the discretion of the court. No such additional punishment shall be imposed unless the indictment shall have averred that the person was armed with or had in his possession any such instrument and conviction was had thereon.

2. This act shall take effect immediately.

Approved December 7, 1963.

CHAPTER 161

AN ACT concerning corporations and supplementing
Title 14 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. When the registered agent of any corporation shall desire to resign, as such registered agent, he shall forward, in a properly stamped envelope, by certified mail with return receipt requested,

C. 14:4-7.
Resignation
of registered
agent of
corporation;
procedure.

(a) the original of such resignation to the corporation at its address last known to him, and

(b) a copy of said resignation to the president of the corporation, last known to him, at the last address so known to him, and

said resignation shall become effective 10 days after such mailing, and said person shall thereafter cease to be the registered agent of said corporation upon filing the certificate hereinafter provided for.

2. Said former registered agent shall, after the expiration of said 10 days, file in the office of the Secretary of State a certificate executed and acknowledged by him setting forth a copy of his resignation, and stating that the original and copy thereof were mailed as provided by this act and the date of the mailing, and that the address to which the original of the resignation was mailed is the last address of the corporation known to said former registered agent, that the person to whom the copy was mailed is the last president of the corporation known to him and that the address to which such copy was mailed is the last known address of said last president, and the filing of said certificate shall be sufficient evidence that said registered agent has resigned to authorize the Secretary of State to accept service of process in any

C. 14:4-8.
Statement
filed in the
office of
Secretary
of State.

action commenced in any of the courts of this State against said corporation pursuant to sections 2A:15-26 to 2A:15-30, both inclusive, of the New Jersey Statutes, unless prior thereto the corporation shall have filed, or until the corporation shall file, a certificate setting forth the name of a new registered agent.

3. This act shall take effect immediately.

Approved December 7, 1963.

CHAPTER 162

AN ACT concerning surrogates' fees and costs, and amending section 22A:2-30 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 22A:2-30 of the New Jersey Statutes is amended to read as follows:

Fees of
surrogate
and clerk
of probate
division
of county
court.

22A:2-30. Fees of surrogate and clerk of Probate Division of County Court.

Fees for services of the surrogate and clerk of the Probate Division of the County Court enumerated below shall be as follows:

PROBATE OF WILLS AND COPIES

Probate of a will of not more than 2 pages, \$17.00.

The above fee is for all services in preparation and execution of complaint, deposition of 1 witness, qualification of executor, surrogate's certificate, judgment for probate, letters testamentary, binding, recording, microfilming, or photostating, comparing, docketing, report to the Division of Taxation in the Department of the Treasury, report and transmission to the Clerk of the Superior Court.

Probate of will without letters, \$14.00. This fee is for the same services as are enumerated in the

preceding paragraph except letters, surrogate's certificate and qualification of executor.

Probate of each codicil, not exceeding 1 page, \$7.50.

To reopen probate proceedings for qualification of executor or taking proof of extra witness, \$7.50.

One witness in the above proceedings, no charge. Each additional witness, \$1.50.

Recording and comparing, microfilming or photostating, each additional page of will or codicil, \$1.25.

Filing, entering, issuing and recording, microfilming or photostating, proceedings in commission for deposition of foreign witness to a will or codicil, \$9.00. Plain extra copy of will, \$1.25 for each page.

Certified extra copy of will, \$1.25 for each page, plus \$1.25.

Certified copy of will with proofs for New Jersey county, not exceeding 2 pages including will and codicil, \$8.00. For pages in excess of 2, \$1.25 for each page.

Wills filed but not probated (as, where there are no assets), for each page, \$2.00.

Exemplifying will for another State, not exceeding 2 pages including will and codicil, plus cost of certificate of Secretary of State when requisite, \$10.00. For pages in excess of 2, \$1.25 for each page.

Recording, microfilming or photostating, indexing, filing and reporting to the Division of Taxation in the Department of the Treasury an exemplified copy of will from another State, \$1.25 for each page.

Recording, microfilming or photostating, docketing, indexing and filing a certified copy of will with proofs from New Jersey, \$1.25 for each page.

Recording, microfilming or photostating certified transcripts of wills admitted to probate or letters granted by the ordinary or the Superior Court, \$1.25 for each page.

LETTERS OF TRUSTEESHIP

Acceptance of trustee and letters of trusteeship, including 1 certificate, \$7.50.

LETTERS OF ADMINISTRATION

General administration, including preparation and execution of complaint, bond, surety affidavits, necessary recording, microfilming or photostating, indexing, filing, report to the Division of Taxation in the Department of the Treasury and the Clerk of the Superior Court and original letters, \$14.00.

Administration ad prosequendum, \$7.50.

Exemplifying administration, \$8.00.

Certified copy of administration, \$5.00.

Affidavits of surviving spouse or next of kin where the value of the real and personal assets of the estate does not exceed \$1,500.00, when less than \$100.00, \$1.00, and \$1.00 for each \$100, or part thereof, in excess of \$100.00.

LETTERS OF GUARDIANSHIP

Granting letters of guardianship, \$10.00.

Acceptance of guardianship, \$1.00.

Affidavits of estates of minors where value of personal estate does not exceed \$1,000.00 and value of real estate does not exceed \$100.00—when less than \$100.00, \$1.00, and \$1.00 for each \$100.00, or part thereof, in excess of \$100.00, plus \$0.50 for each consent when required.

Miscellaneous petitions and orders, \$1.00 per page.

INVENTORIES

For all services in appointment of appraisers, \$2.00.

Filing, entering and recording, microfilming or photostating, inventory and appraisement, not exceeding 1 page, \$6.00.

For each additional page, \$1.25.

ACCOUNTING

For filing complaint and 1 page of accounting, auditing, stating, reporting and recording, microfilming or photostating, accounts of executors, ad-

ministrators, guardians, trustees and assignees, including drawing judgment, but exclusive of advertising costs:

In estates up to and including \$2,000.00, \$20.00.

In estates from \$2,000.00 to and including \$10,000.00, \$40.00.

In estates from \$10,000.00 to and including \$30,000.00, \$50.00.

In estates from \$30,000.00 to and including \$65,000.00, \$65.00.

In estates exceeding \$65,000.00, $\frac{1}{10}$ of 1% and any additional sum, if any, which the court may allow.

For each page of accounting in excess of 1, \$1.25.

In computing the amount of an estate for the purpose of fixing the fees of a surrogate for auditing and reporting the account, the balance from the prior account shall be excluded.

For preparing notice of settlement of accounts and copies of the same, forwarding notice to newspaper, with directions as to publication, obtaining proofs of publication, keeping a record of notices and newspapers to which they are sent and of the moneys received to defray the cost of advertising and transmitting advertising charges to newspaper, \$7.50.

No fees herein allowed shall be charged against the recipient of any pension, bounty or allowance, for services of the surrogate and the Probate Division of the County Court in respect thereof, pursuant to sections 3A:29-1 to 3A:29-4 of the New Jersey Statutes.

MISCELLANEOUS PROCEEDINGS

Proceedings relative to presumption of death, filing, entering and recording, microfilming or photostating (exclusive of letters), with additional fee for advertising, \$25.00.

Sale of land to pay debts (exclusive of advertising), \$35.00.

Sale of land in fulfillment of contract made by decedent, \$15.00.

Sale of bonds within 1 year, \$15.00.

Distribution, filing and entering complaint, recording, microfilming or photostating, and filing judgment, \$6.00.

Adoption of adults, filing and entering proceedings (all papers) including 1 judgment, \$15.00.

Adoption of minors with 1 hearing, filing and entering proceedings (all papers) including 1 judgment, \$20.00.

Adoption of minors with 2 or more hearings, filing and entering proceedings (all papers) including 1 judgment, \$25.00.

Application and order to limit time to creditors, \$14.00, but exclusive of advertising costs.

Preparing notices to creditors to present their claims and copies of the same, sending notice to newspapers with directions as to publications, obtaining proofs of publication, keeping a record of notices and newspapers to which they are sent for publication, and of the moneys received to defray the cost of advertising and transmitting advertising charges to newspapers, \$6.00.

Advertising order of court or notice, when done by the surrogate, \$2.00, in addition to advertising fees.

Proceeding for the determination of mental incompetency and for the appointment of a guardian for an alleged mental incompetent, without jury trial, \$25.00, with trial by jury, \$35.00.

Proceedings in connection with payment into court of proceeds of a judgment in favor of a minor, in lieu of bond, pursuant to P. L. 1959, c. 132 (in addition to fees payable under Letters of Guardianship), the following fees are payable upon withdrawal of funds on deposit:

Withdrawal of amounts up to \$100.00, $\frac{2}{3}$ of 2%, plus $\frac{2}{3}$ of 1 $\frac{1}{2}$ % on amounts over \$100.00 but not in excess of \$1,000.00, plus $\frac{2}{3}$ of 1% on amounts in excess of \$1,000.00.

MISCELLANEOUS CHARGES

Short certificates, \$1.00.

Validating short certificate within 1 year of issue date, \$0.25.

Subpoenas, each, \$1.50.

Marking true copies, subpoenas, each, \$1.00.

Marking true copies, orders to show cause, each, \$1.00.

Authorization of process, \$0.50.

Swearing each witness, \$0.20.

Adjournment or continuance, \$1.50.

Miscellaneous orders of court, first page, \$1.50.

For each additional page, \$1.50.

Recording, microfilming or photostating all papers not herein provided for, \$1.25 for each page.

For making copies not otherwise provided for, \$1.25 for each page.

Filing transcript of death certificate, \$0.50.

Power of attorney, \$1.00.

Proceedings relative to appointment of a guardian ad litem, \$5.00.

Renunciation by 1 person, filing, entering and recording, or photostating, \$1.25. Each additional person, \$0.25.

Caveat, filing or withdrawing, \$3.00.

Combined refunding bond and release of not more than 2 pages, filing, entering, microfilming and recording, or photostating, \$3.00. For more than 2 pages, \$1.25 for each page. Additional charge for county clerk's certificate, \$1.00.

Release of not more than 2 pages, \$3.00. For more than 2 pages, \$1.25 for each additional page. Additional charge for county clerk's certificate, \$1.00.

Assignments of legacy or interest, \$3.00, plus \$1.00 where county clerk's certificate is necessary.

Filing all papers not herein provided for, \$1.00, if microfilming process is used, \$1.00 per page.

2. This act shall take effect immediately.

Approved December 7, 1963.

CHAPTER 163

AN ACT to amend "An act providing for the service of process, upon persons who shall drive, or shall cause to be driven, motor vehicles upon the public highways in this State, in civil actions when the cause of action arises out of accidents or collisions occurring within this State in which such motor vehicles are involved, who at the time of such accidents or collisions were residents of this State, and who thereafter became nonresidents of this State, and supplementing chapter 7 of Title 39 of the Revised Statutes," approved June 24, 1954 (P. L. 1954, c. 61).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 39:7-2.1.
Director of
division of
motor vehicles
as agent
for service
of process of
residents
who become
nonresidents.
Agreement
irrevocable.

1. Any resident of this State who shall drive a motor vehicle, or cause a motor vehicle to be driven, upon any public highway in this State, whether or not such motor vehicle is registered under the laws of this State and whether or not such person or the driver of such motor vehicle is licensed to drive a motor vehicle upon the highways of this State, shall by the operation of such motor vehicle, or by causing the same to be operated, within this State, make and constitute the Director of the Division of Motor Vehicles in the Department of Law and Public Safety his agent for the acceptance of process, in any civil action or proceeding, issuing out of any county district court, County Court or other court of civil jurisdiction of this State against him by reason of an accident or collision in this State in which such motor vehicle, while so driven or caused to be driven, shall be involved if, and in case, such person shall cease to

be a resident of this State and service of such process upon him within this State cannot be made by reason of his nonresidence. The operating or causing to be operated of any such motor vehicle within this State shall be his signification of the agreement of such person operating the same or the person for whom such motor vehicle is operated of his agreement that any such process against him which is so served after he becomes a nonresident of this State shall be of the same legal force and validity as if served upon him personally in accordance with law within this State. The agreement that the Director of the Division of Motor Vehicles in the Department of Law and Public Safety shall be constituted the agent, of a resident operator or owner of a motor vehicle who becomes a nonresident, which is involved in any accident in this State, for the acceptance of process in any such action or proceeding, shall be irrevocable and binding upon the executor or administrator of such operator or owner, whether appointed within or without the State, and service of process shall be made upon the said executor or administrator of any such operator or owner dying prior to the commencement of such action or proceeding in the same manner and on the same notice as herein provided for service of process upon such operator or owner, and any such action or proceeding, duly commenced by service upon such an operator or owner under the provisions of this act, who shall die thereafter during the pendency of such action or proceeding, shall be continued against his said executor or administrator by the court in which the same is pending, upon such application and notice as the court shall prescribe.

2. This act shall take effect immediately.

Approved December 9, 1963.

CHAPTER 164

AN ACT to amend “An act to provide for a schedule of minimum salaries and increments for certain persons holding office, position, or employment under any district or regional board of education, or any board of education of a county vocational school of this State, and supplementing article 2 of chapter 13 of Title 18 of the Revised Statutes,” approved December 13, 1954 (P. L. 1954, c. 249).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-13.1.
Terms
defined.

1. As used in this act:

“Teacher” shall include any full-time member of the professional staff of any district or regional board of education or any board of education of a county vocational school, the qualifications for whose office, position, or employment are such as to require him to hold an appropriate certificate issued by the State Board of Examiners in full force and effect in this State and who holds a valid permanent, limited or provisional certificate appropriate to his office, position, or employment.

“Salary schedule” shall mean a schedule of minimum salaries fixed according to years of employment.

“Full-time” shall mean the number of days of employment in each week and the period of time in each day required by the State Board of Education, under rules and regulations prescribed for the purposes of this act, to qualify any person as a full-time teacher.

“Year of employment” shall mean employment by a teacher for 1 academic year in any publicly owned and operated college, school or other institution of learning for 1 academic year in this or any other State or territory of the United States.

“Academic year” shall mean the period between the opening day of school in the district after the general summer vacation, or 10 days thereafter, and the next succeeding summer vacation.

“Employment increment” shall mean an annual increase of \$250.00 granted to a teacher for 1 “year of employment.”

“Adjustment increment” shall mean, in addition to an “employment increment,” an increase of \$150.00 granted annually as long as shall be necessary to bring a teacher, lawfully below his place on the salary schedule according to years of employment, to his place on the salary schedule according to years of employment; provided, that a fraction of an “adjustment increment” may be granted when such amount is sufficient to bring a teacher to his place on the schedule according to years of employment.

“Bachelor’s degree or the equivalent” shall mean a bachelor’s degree conferred by a college or university whose courses for such degree are acceptable to the State Board of Examiners for certification purposes or proof of the satisfactory completion of 128 semester hours in courses in any college or university, or colleges or universities, whose courses for the bachelor’s degree are acceptable to the State Board of Examiners for certification purposes.

“Master’s degree or the equivalent” shall mean a master’s degree conferred by a college or university whose courses for such degree are acceptable to the State Board of Examiners for certification purposes or proof of the satisfactory completion of 30 additional semester hours in graduate courses beyond the course requirements for the bachelor’s degree in any college or university, or colleges or universities, whose graduate courses for the master’s degree are acceptable to the State Board of Examiners for certification purposes.

“Six years of training” shall mean a master’s degree plus proof of the satisfactory completion of 30 additional semester hours in graduate courses in any college or university, or colleges or univer-

sities, whose graduate courses for the master's degree are acceptable to the State Board of Examiners for certification purposes.

“Doctor's degree” shall mean a doctor's degree conferred by a college or university whose courses for such degree are acceptable to the State Board of Examiners for certification purposes.

Section
amended.

2. Section 2 of the act of which this act is amendatory is amended to read as follows:

C. 18:13-13.2.
Salary
schedule.

2. Except as hereinafter provided, the salary schedule for an academic year in this State (1) for a teacher who does not hold a bachelor's degree or its equivalent and who is employed as a school nurse shall be as provided in Column A below, (2) for a teacher who does not hold a bachelor's degree or its equivalent and is not employed as a school nurse shall be as provided in Column B below, (3) for a teacher who holds a bachelor's degree or its equivalent shall be as provided in Column C below, (4) for a teacher who holds a master's degree or its equivalent shall be as provided in Column D below and (5) for a teacher who has 6 years of training or who holds a doctor's degree shall be as provided in Column E below:

Years of Employ- ment	A	B	SALARY C	D	E	Employ- ment Increment
1	\$4,400 00	\$4,400 00	\$4,700 00	\$5,000 00	\$5,300 00	....
2	4,650 00	4,650 00	4,950 00	5,250 00	5,550 00	\$250 00
3	4,900 00	4,900 00	5,200 00	5,500 00	5,800 00	250 00
4	5,150 00	5,150 00	5,450 00	5,750 00	6,050 00	250 00
5	5,400 00	5,400 00	5,700 00	6,000 00	6,300 00	250 00
6	5,650 00	5,650 00	5,950 00	6,250 00	6,550 00	250 00
7	5,900 00	5,900 00	6,200 00	6,500 00	6,800 00	250 00
8	6,150 00	6,150 00	6,450 00	6,750 00	7,050 00	250 00
9	6,400 00	6,400 00	6,700 00	7,000 00	7,300 00	250 00
10	6,650 00	6,650 00	6,950 00	7,250 00	7,550 00	250 00
11	6,900 00	6,900 00	7,200 00	7,500 00	7,800 00	250 00
12	....	....	7,450 00	7,750 00	8,050 00	250 00
13	....	....	....	8,000 00	8,300 00	250 00
14	....	....	....	....	8,550 00	250 00

3. This act shall take effect July 1, 1964.

Approved December 9, 1963.

CHAPTER 165

AN ACT to amend the "Emergency Milk Control Law of 1962," approved December 5, 1962 (P. L. 1962, c. 182).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 2 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

2. The Legislature finds and determines that there continues to exist in the milk industry certain temporary conditions which have created or have threatened to create competitive trade practices which may demoralize the price structure of milk or may demoralize the agricultural interests of the State engaged in the production of milk or may interfere with the maintenance of an ample supply of fresh, wholesome milk. The director, in order to carry out the purposes of this act, is hereby authorized, for such period or periods designated by him but not to extend beyond the date that this act becomes inoperative:

C. 4:12A-60.
Legislative
findings;
emergency
power of
director.

(a) To suspend the issuance of new licenses to applicants not then holding licenses unless the applicant can show to the satisfaction of the director that it is necessary to the health and welfare of the general public to render the service for which a license is sought;

(b) To require licensees to withhold or suspend any notices of intent to change their sources of supply or to engage additional sources of supply except upon application to the director and with his approval for good cause shown;

(c) To require licensees to withhold or suspend any notices to discontinue a producer or add additional producers except upon application to the director and with his approval for good cause shown;

(d) To establish and adjust, from time to time, without the necessity of hearings but upon public notice, the prices below which all licensees or any class thereof may not purchase or sell milk and milk products, provided, however, except as otherwise provided herein:

(1) The resale prices so established are within the range of the prices posted with the Office of Milk Industry or actually in existence during the 30 days preceding the action of the director, and

(2) The resale prices so established within such range and producer prices established under this act are at a level which the director, in his opinion, determines will maintain fair price competition, help insure an ample supply of fresh, wholesome milk and promote orderly marketing conditions.

The director in establishing or adjusting any resale price pursuant to the provisions of this subsection shall take into consideration any changes in the prices which are to be paid producers under the provisions of this act or any Federal marketing order.

Section
amended.

2. Section 4 of the act of which this act is amendatory is amended to read as follows:

C. 4:12A-62.
Provisions
inoperative.

4. The provisions of this act shall become inoperative on March 31, 1964, unless extended by legislative act.

3. This act shall take effect immediately.

Approved December 10, 1963.

CHAPTER 166

AN ACT concerning motor vehicles and traffic regulation, and amending section 39:3-20 of the Revised Statutes and section 5 of chapter 142 of the laws of 1950.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 39:3-20 of the Revised Statutes is amended to read as follows:

39:3-20. An applicant for registration for automobile commercial vehicles, trailers, semitrailers, and tractors shall pay to the director a fee based on the gross weight of the vehicle and load. The plates to be used for commercial motor vehicles shall display the word "commercial," and the numerals shall be prefixed by the letter "X." Trailer plates shall have the letter "T." The fee shall be paid in accordance with the following table:

When the gross weight of vehicle and load is:

1,000 pounds or less	\$10 00
1,001 to 2,000 lbs.	15 00
2,001 to 3,000 lbs.	20 00
3,001 to 4,000 lbs.	25 00
4,001 to 5,000 lbs.	30 00
5,001 to 6,000 lbs.	35 00
6,001 to 8,000 lbs.	40 00
8,001 to 10,000 lbs.	50 00
10,001 to 13,000 lbs.	60 00
13,001 to 16,000 lbs.	75 00
16,001 to 19,000 lbs.	90 00
19,001 to 22,000 lbs.	110 00
22,001 to 25,000 lbs.	130 00
25,001 to 28,000 lbs.	150 00
28,001 to 32,000 lbs.	180 00
32,001 to 36,000 lbs.	210 00
36,001 to 40,000 lbs.	240 00
40,001 to 44,000 lbs.	270 00

Section amended.

Commercial vehicles, trailers, semi-trailers and tractors registration; fees.

In addition to the registrations authorized to be issued pursuant to the aforesaid provisions of this section, the director shall issue registrations for automobile commercial vehicles, trailers, semi-trailers, and tractors providing for the gross weight of vehicle and load over 40,000 pounds but not exceeding 70,000 pounds, upon application therefor and proof to the satisfaction of the director that the applicant is actually engaged in construction work or in the business of supplying material, transporting material, or using such registered vehicle for construction work. The license plate so issued shall be marked "constructor" and shall be placed upon the vehicle or vehicles registered under this section. In no event shall a vehicle or combination of vehicles, operating as a unit, registered under this section and using "constructor" registration plates exceed a maximum gross weight, inclusive of load, of 70,000 pounds.

The applicant for "constructor" registration plates authorized herein shall pay therefor on each vehicle at the rate of \$15.00 per thousand pounds of gross weight of vehicle and load.

Vehicles registered and using "constructor" registration plates may not be operated at a distance greater than 30 miles from the point established as a headquarters for the particular construction operation and such vehicles, except as hereafter provided, must comply with the speed limitations of Title 39 of the Revised Statutes. Such vehicles when carrying a gross weight of vehicle and load less than 50% of the certificate of registration shall comply with applicable speed laws and shall not move along a highway at a speed greater than 40 miles per hour. When carrying a gross weight of vehicle and load in excess of 50% of the certificate of registration, such vehicles shall comply with applicable speed laws and shall not move along a highway at a speed greater than 30 miles per hour.

It shall be unlawful for any vehicle registered under this act having gross weight of load and

vehicle in excess of the gross weight provided on the registration certificate to be operated on the highways of this State.

In the event that a tractor, trailer or semitrailer registered under this act is found on a highway in combination with a tractor, trailer or semitrailer duly registered in any other State or Federal district, the unit of the combination registered under this act shall have a gross weight registration equal at least to $\frac{1}{2}$ of the combined gross weight of both vehicles and load. If it does not, the operation of said unit on the highways of this State shall be unlawful.

Nothing in this section shall be deemed to alter or affect the application of the 5% allowance as to statutory and registered weight limitations set forth in section 5 of chapter 142, laws of 1950. Said allowance shall be applicable as heretofore to all registered weight limitations provided in this section. In the case of a tractor, trailer or semitrailer registered under this act in combination with a tractor, trailer or semitrailer duly registered in any other State or Federal district, known as a mixed combination, the 5% allowance shall be applied by adding to the registered weight of the unit registered under this act 5% of said registered weight. If the resulting sum is equal at least to $\frac{1}{2}$ of the combined gross weight of the mixed combination, then the mixed combination shall be in compliance with the registration requirements of this section.

Moneys realized from the increase of the fees for registrations issued pursuant to the provisions of this act shall be paid into the State treasury and credited to the General State Fund and available for general State purposes.

This section shall not be construed to supersede or repeal the provisions of either sections 39:3-84 or 39:4-75 of this Title.

2. Section 5 of chapter 142 of the laws of 1950 is Section amended.
amended to read as follows:

C.39:3-84.3.
Violations as
to size and
weight of
vehicles.

5. Any State Police officer or motor vehicle inspector having reason to believe that the size or weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a measurement or weighing of the same by means of either portable or stationary scales and may require that such vehicle be driven to the nearest public scales in the event such scales are within 2 miles.

Whenever an officer or inspector upon measuring or weighing a vehicle and load, as above provided, determines that the size or weight is unlawful, such officer shall require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the size or gross weight of such vehicle to such limit as permitted under this act, or permitted by the certificate of registration for the vehicle, whichever may be lower. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

No vehicle shall be deemed to be in violation of the overweight provisions of this act when, upon examination by an officer or inspector, the vehicle's dispatch papers show it is proceeding from its last preceding freight pickup point with the State of New Jersey by a reasonably expeditious route to the nearest available scales or to the first available scales in the general direction towards which the vehicle has been dispatched, or is returning from such scales after weighing-in to the last preceding pickup point.

When an officer or inspector determines that a vehicle is in violation of the axle weight limitations of this act but is within the legal gross maximum weight, the driver shall be permitted before proceeding to redistribute the weight of the vehicle's contents so that no axle is overweight, in which event there is no violation.

No arrest shall be made in cases where weight limitations provided in this section are not exceeded by more than 5%.

Any person who prepares, presents to an officer or has in his possession false dispatch papers, that is to say, dispatch papers which do not correspond to the cargo carried, shall be subject to a fine not exceeding \$100.00.

Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a measurement or weighing, or who fails or refuses when directed by an officer upon a measurement or weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this section, shall be subject to a fine not exceeding \$100.00.

The owner, lessee and bailee of any commercial motor vehicle, tractor, trailer or semitrailer found on a highway in violation of the dimensional restrictions of R. S. 39:3-84 shall be fined not less than \$200.00 nor more than \$500.00. The owner, lessee and bailee of any commercial motor vehicle, tractor, trailer or semitrailer found on a highway with a gross weight of vehicle and load in excess of the weight limitation permitted by the certificate of registration for the vehicle or in excess of the gross weight limitations imposed by this Title for vehicle and load or an axle weight in excess of the axle weight limitations imposed by this Title, shall be fined an amount equal to \$0.02 per pound for each pound of excess weight if the excess does not exceed 10,000 pounds, and \$0.03 per pound for each pound of excess weight if the excess weight exceeds 10,000 pounds, but in no event less than \$50.00.

The owner, lessee and bailee of a tractor, trailer or semitrailer registered under this act and found on a highway in combination with a tractor, trailer or semitrailer duly registered in any other State or Federal district and in violation of the weight limitations of R. S. 39:3-20 shall be fined an amount equal to \$0.02 for each pound by which $\frac{1}{2}$ of the combined gross weight of both vehicles and load shall exceed the gross weight registration of the unit registered under this act, if the excess is not greater than 10,000 pounds, and \$0.03 for each pound of the excess if it is greater than 10,000

pounds, but in no event less than \$50.00. Whenever it is found that there is a weight in excess of any 2 or more of said weight limitations, the fine shall be levied only for the violation involving the greater or greatest excess weight.

3. This act shall take effect immediately.

Approved December 16, 1963.

CHAPTER 167

AN ACT amending "An act concerning traffic regulations, and amending and supplementing chapter 4 of Title 39 of the Revised Statutes and certain other statutes relating thereto," approved April 5, 1951 (P. L. 1951, c. 23).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

C.39:4-199.1.
Official
traffic signs
at traffic
islands, safety
zones, etc.,
authorized.

1. Section 118 of the act of which this act is amendatory is amended to read as follows:

118. Official traffic signs at traffic islands, safety zones, grade crossings and grade separations—authorized. Local, county and State authorities, with respect to highways under their jurisdiction, may erect and maintain appropriate official traffic signs not inconsistent with the provisions of chapter 4 of Title 39 of the Revised Statutes, on a highway or at an intersection where the movements of traffic are regulated and controlled by traffic islands, traffic circles, channelizing islands, divisional islands, safety zones, grade separations or other physical structures which have been erected by such authority; and such authorities may erect and maintain railroad advance warning signs and other appropriate official traffic signs where any such highway crosses a railroad at grade.

2. This act shall take effect immediately.

Approved December 16, 1963.

CHAPTER 168

AN ACT concerning interests in real property and providing for the creation and regulation of horizontal property regimes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. This act shall be known and may be cited as the "Horizontal Property Act."

C.46:8A-1.
Short title.

2. Unless it is plainly evident from the context that a different meaning is intended, as used herein:

C.46:8A-2.
Terms defined.

(a) "Apartment" means an enclosed space consisting of one or more rooms occupying all or part of a floor or floors in a building of one or more floors or stories, but not the entire building, and notwithstanding whether the apartment be designed for residence, for office, for the operation of any industry or business, or for any other type of independent use, provided it has a direct exit to a thoroughfare or to a given common space leading to a thoroughfare;

(b) "Co-owner" means a person, firm, corporation, partnership, association, trust or other legal entity, or any combination thereof, who owns an apartment within the building;

(c) "Council of co-owners" means all the co-owners as defined in subsection (b) of this section; but a majority, as defined in subsection (f) of this section, shall, except as otherwise provided in this act constitute a quorum for the adoption of decisions;

(d) "General common elements" means and includes:

(1) The land on which the building is located;

(2) The foundations, main walls, roofs, halls, lobbies, stairways, and entrance and exit or communication ways;

(3) The basements, flat roofs, yards, and gardens, except as otherwise provided or stipulated;

(4) The premises for the lodging of janitors or persons in charge of the building, except as otherwise provided or stipulated;

(5) The compartments or installations of central services such as power, light, gas, cold and hot water, refrigeration, reservoirs, water tanks and pumps, and the like;

(6) The elevators, garbage incinerators and, in general all devices or installations existing for common use; and

(7) All other elements of the building rationally of common use or necessary to its existence, upkeep and safety;

(e) "Limited common elements" means and includes those common elements which are agreed upon by all the co-owners to be reserved for the use of a certain number of apartments to the exclusion of the other apartments, such as special corridors, stairways and elevators, sanitary services common to the apartments of a particular floor, and the like;

(f) "Majority" or "Majority of co-owners" means the co-owners with 51% or more of the value of the property as a whole.

(g) "Master deed" means the deed establishing the horizontal property regime;

(h) "Person" means an individual, firm, corporation, partnership, association, trust or other legal entity, or any combination thereof;

(i) "Property" means and includes the land, the building, all improvements and structures thereon, and all easements, rights and appurtenances belonging thereto.

C.46:8A-3.
Horizontal
property
regime to be
established.

3. Whenever a sole owner or the co-owners of a building expressly declare, through the recordation of a master deed, which shall set forth the particulars enumerated in section 9, their desire to submit their property to the regime established by this act,

there shall thereby be established a horizontal property regime.

4. Once the property is submitted to the horizontal property regime, an apartment in the building may be individually conveyed and encumbered and may be the subject of ownership, possession or sale and of all types of juridic acts inter vivos or mortis causa, as if it were sole and entirely independent of the other apartments in the building of which it forms a part, and the corresponding individual titles and interests shall be recordable.

C.46:8A-4.
Conveyance
and transfer
of individual
apartment.

5. Any apartment may be held and owned by more than one person as joint tenants, as tenants in common, as tenants by the entirety or in any other real estate tenancy relationship recognized under the laws of this State.

C.46:8A-5.
Type of
ownership.

6. An apartment owner shall have the exclusive ownership of his apartment and shall have a proportionate undivided interest in the general common elements, equivalent to the percentage of the aggregate value of all the apartments represented by the value of his own apartment. Where limited common elements have been reserved for the use of his apartment, his proportionate undivided interest therein shall be equivalent to the percentage of the aggregate value of all apartments entitled to the use of said limited common elements represented by the value of his own apartment.

C.46:8A-6.
Exclusive
ownership;
proportionate
interest in
common
elements;
establishing
percentages
of aggregate
value.

For the sole purpose of establishing said percentages, the value of each apartment and the aggregate value of all the apartments shall be fixed by the owner or co-owners of the property making up the regime, and shall be computed on the basis of the fair market value of said apartments at the time when the regime is established, provided, however, that nothing herein contained shall prevent the owner of each apartment from attributing a different circumstantial value to his apartment in all types of acts and contracts. Said percentages once established shall have a permanent character, and shall not be altered without the acquiescence

of the co-owners representing all the apartments of the building.

C.46:8A-7.
Common
elements to
remain
undivided.

7. The common elements, both general and limited, shall remain undivided and shall not be the object of an action for partition or division of the co-ownership. Any covenant to the contrary shall be void.

C.46:8A-8.
Use of
common
elements.

8. Each co-owner may use the elements held in common in accordance with the purpose for which they are intended, without hindering or encroaching upon the lawful rights of the other co-owners.

C.46:8A-9.
Executing
master deed;
contents.

9. The master deed creating and establishing the horizontal property regime shall be executed by the owner or owners of the property making up the regime and shall be recorded in the office of the county recording officer of the county where such property is located. The master deed shall express the following particulars:

(a) The description of the land and the building, expressing their respective areas;

(b) The general description and number of each apartment, expressing its area, location and any other data necessary for its identification;

(c) The description of the general common elements of the property, and, in proper cases, of the limited common elements restricted to a given number of apartments, expressing which are those apartments;

(d) The respective percentage appertaining to each apartment in the expenses of, and rights in, the elements held in common, both general and limited; and

(e) The name by which the horizontal property regime is to be known followed by the words "Horizontal Property Regime."

C.46:8A-10.
Plans of
building
attached to
master deed.

10. There shall be attached to the master deed, at the time it is filed for record, a full and exact copy of the plans of the building, which copy of plans shall be entered of record along with the master deed. Said plans shall show graphically all particulars of the building including, but not limited to, the dimensions, area and location of each apartment

therein and the dimensions, area and location of common elements affording access to each apartment. Other common elements, both limited and general, shall be shown graphically insofar as possible and shall be described in detail in words and figures. Said plans shall be certified to by an engineer or architect authorized and licensed to practice his profession in this State.

11. Each apartment in a building shall be designated, on the plans referred to in section 10 of this act, by letter or number or other appropriate designation and any conveyance, or other instrument affecting title to said apartment, which describes the apartment by using said letter or number followed by the words "in Horizontal Property Regime" shall be deemed to contain a good and sufficient description for all purposes. Any conveyance of or other instrument affecting title to an individual apartment shall be deemed to also convey the undivided interest of the owner in the common elements, both general and limited, appertaining to said apartment without specifically or particularly referring to same.

C.46:8A-11.
Apartment
designated by
letter or
number.

12. All the co-owners or the sole owner of property constituted into a horizontal property regime may waive this regime and regroup or merge the records of the individual apartments with the principal property, provided, that the individual apartments are unencumbered, or if encumbered, that the creditors in whose behalf the encumbrances are recorded agree to accept as security the undivided portions of the property owned by the debtors.

C.46:8A-12.
Regrouping
or merger.

13. The merger provided for in section 12 shall in no way bar the subsequent constitution of the property into another horizontal property regime whenever so desired and upon observance of the provisions of this act.

C.46:8A-13.
Not to bar
future
regime.

14. The administration of every property constituted into a horizontal property regime shall be governed by by-laws which shall be inserted in or appended to and recorded with the master deed.

C.46:8A-14.
Administration
of property.

C.46:8A-15.
Provisions to
be included
in by-laws.

15. The by-laws must necessarily provide for at least the following:

(a) Form of administration, indicating whether this shall be in charge of an administrator or of a board of administration, or otherwise, and specifying the powers, manner of removal, and, where proper, the compensation thereof.

(b) Provisions for notices of meetings of co-owners containing a statement of the purpose of the meeting; method of notifying and calling or summoning the co-owners to assemble; that decisions involving capital expenditures shall require the affirmative vote of the co-owners representing at least 60% of the value of the property as a whole and that other decisions shall require the affirmative vote of at least a majority; who is to preside over the meeting and who will keep the minute book wherein the resolutions shall be recorded.

(c) Care, upkeep and surveillance of the building and its general or limited common elements and services.

(d) Manner of collecting from the co-owners for the payment of the common expenses.

(e) Designation and dismissal of the personnel necessary for the works and the general or limited common services of the building.

The sole owner of the property, or, if there be more than one, the co-owners representing $\frac{2}{3}$ of the total value of the property, may at any time modify the system of administration, but each one of the particulars set forth in this section shall always be embodied in the by-laws. No such modification may be operative until it is embodied in a recorded instrument which shall be recorded in the same office and in the same manner as was the master deed and original by-laws of the horizontal property regime involved.

C.46:8A-16.
Records kept.

16. The administrator, or the board of administration, or other form of administration specified in the by-laws, shall keep a book with a detailed account, in chronological order, of the receipts and expenditures affecting the building and its admin-

istration and specifying the maintenance and repair expenses of the common elements and any other expenses incurred. Both said book and the vouchers accrediting the entries made thereupon shall be available for examination by all the co-owners at convenient hours on working days that shall be set and announced for general knowledge.

17. The council of co-owners shall have the irrevocable right, to be exercised by the administrator, or the board of administration, or other form of administration specified in the by-laws, to have access to each apartment from time to time during reasonable hours as may be necessary for the maintenance, repair or replacement of any of the common elements therein or accessible therefrom, or for making emergency repairs therein necessary to prevent damage to the common elements or to another apartment or apartments.

C.46:8A-17.
Right of
entry to
apartments.

18. The co-owners of the apartments are bound to contribute pro rata, in the percentages computed according to section 6 of this act, toward the expenses of administration and of maintenance and repair of the general common elements, and, in the proper case, of the limited common elements, of the property, and toward any other expense lawfully agreed upon.

C.46:8A-18.
Expenses
borne pro
rata by co-
owners.

No co-owner may exempt himself from contributing toward such expenses by waiver of the use or enjoyment of the common elements or by abandonment of the apartment belonging to him.

19. Each co-owner shall comply strictly with the by-laws and with the administrative rules and regulations adopted pursuant thereto, as either of the same may be lawfully amended from time to time, and with the covenants, conditions and restrictions set forth in the master deed or in the deed to his apartment. Failure to comply with any of the same shall be ground for a civil action to recover sums due, for damages or injunctive relief, or both, maintainable by the administrator, or the board of administration or other form of administration specified in the by-laws on behalf

C.46:8A-19.
Compliance
with by-laws.

of the council of co-owners or, in a proper case, by an aggrieved co-owner.

C.46:8A-20.

Liens and encumbrances; effect; partial discharge.

20. (a) Subsequent to recording the master deed as provided in this act, and while the property remains subject to this act, no lien shall arise or be effective against the property. During such period liens or encumbrances shall arise or be created only against each apartment and the percentage of undivided interest in the common elements appurtenant to such apartment, in the same manner and under the same conditions in every respect as liens or encumbrances may arise or be created upon or against any other separate parcel of real property subject to individual ownership; provided that no labor performed or materials furnished with the consent or at the request of a co-owner or his agent or his contractor or subcontractor, shall be the basis for the filing of a lien pursuant to article 10 of chapter 44 of Title 2A of the New Jersey Statutes against the apartment or any other property of any other co-owner not expressly consenting to or requesting the same, except that such express consent shall be deemed to be given by the owner of any apartment in the case of emergency repairs thereto. Labor performed or materials furnished for the common elements, if duly authorized by the council of co-owners, the administrator or board of administration or other administration specified by the by-laws, in accordance with this act, the master deed or by-laws, shall be deemed to be performed or furnished with the express consent of each co-owner and shall be the basis for the filing of a lien pursuant to article 10 of chapter 44 of Title 2A of the New Jersey Statutes against each of the apartments and shall be subject to the provisions of subparagraph (b) hereunder.

(b) In the event a lien against 2 or more apartments becomes effective, the owners of the separate apartments may remove their apartment and the percentage of undivided interest in the common areas and facilities appurtenant to such apartment from the lien by payment of the fractional or pro-

portional amounts attributable to each of the apartments affected. Such individual payment shall be computed by reference to the percentages appearing in the master deed. Subsequent to any such payment, discharge or other satisfaction the apartment and the percentage of undivided interest in the common elements appurtenant thereto shall thereafter be free and clear of the lien so paid, satisfied or discharged. Such partial payment, satisfaction or discharge shall not prevent the lienor from proceeding to enforce his rights against any apartment and the percentage of undivided interest in the common elements appurtenant thereto not so paid, satisfied or discharged.

21. Upon the sale or conveyance of an apartment, all unpaid assessments against a co-owner for his pro rata share in the expenses to which section 18 refers shall first be paid out of the sales price or by the acquirer in preference over any other assessments or charges of whatever nature except the following:

(a) Assessments, liens, and charges for taxes past due and unpaid on the apartment; and

(b) Payments due under mortgage instruments of encumbrance duly recorded.

22. The purchaser of an apartment shall be jointly and severally liable with the seller for the amounts owing by the latter under section 18 of this Title up to the time of the conveyance, without prejudice to the purchaser's right to recover from the other party the amounts paid by him as such joint debtor. The council of co-owners shall provide for the issuance and issue to any purchaser, upon his request, a statement of such amounts due by the seller and the purchaser's liability under this section shall be limited to the amount as set forth in said statement.

23. The co-owners shall insure the building against risk, without prejudice to the right of each co-owner to insure his apartment on his own account and for his own benefit.

C.46:8A-21.
Unpaid assessments paid out of sale price.

C.46:8A-22.
Purchaser and seller jointly and severally liable.

C.46:8A-23.
Insurance.

C.46:8A-24.
Use of
insurance
indemnity.

24. In case of fire or any other disaster the insurance indemnity shall, except as provided in the next succeeding paragraph of this section, be applied to reconstruct the building.

Reconstruction shall not be compulsory where it comprises the whole or more than $\frac{2}{3}$ of the building. In such case, and unless otherwise unanimously agreed upon by the co-owners, the indemnity shall be delivered pro rata to the co-owners entitled to it in accordance with provision made in the by-laws or in accordance with a decision of $\frac{3}{4}$ of the co-owners if there is no by-law provision.

Should it be proper to proceed with the reconstruction, the provisions for such eventuality made in the by-laws shall be observed, or in lieu thereof, the decision of the council of co-owners shall prevail.

C.46:8A-25.
Reconstruction
at co-owners
expense.

25. Where the building is not insured or where the insurance indemnity is insufficient to cover the cost of reconstruction, the new building costs shall be paid by all the co-owners directly affected by the damage, in proportion to the value of their respective apartments, or as may be provided by said by-laws; and if any one or more of those composing the minority shall refuse to make such payment, the majority may proceed with the reconstruction at the expense of all the co-owners benefited thereby, upon proper resolution setting forth the circumstances of the case and the cost of the works, with the intervention of the council of co-owners.

The provisions of this section may be changed by unanimous resolution of the parties concerned, adopted subsequent to the date on which the fire or other disaster occurred.

C.46:8A-26.
Assessing
property
taxes, assess-
ments and
other charges;
exemptions.

26. All property taxes, assessments and other charges of any taxing district shall be assessed against and collected on each individual apartment, each of which shall be carried on the tax books as a separate and distinct entity for that purpose, and not on the building or property as a whole. Such assessments shall include the value of the propor-

tionate undivided interest of each apartment in the general common elements, and in the limited common elements where such interest exists. The proportionate undivided interest of each apartment in said common elements shall be computed in accordance with the procedure established by section 6 of this act. All laws authorizing exemptions from taxation or deductions from tax bills shall be applicable to each individual apartment to the same extent they are applicable to other separate property.

27. Nothing herein contained shall prohibit any council of co-owners from incorporating pursuant to the provisions of Title 14 of the Revised Statutes for the purpose of the administration of the building constituted into a horizontal property regime. In the event of any such incorporation, the percentage of stock interest of each co-owner in the corporation shall be equal to the percentage of his right to share in the common elements as computed in accordance with the provisions of section 6 of this act.

C.46:8A-27.
Incorporation.

28. If any provision of this act is held invalid such invalidity shall not affect other provisions hereof, and to this end the provisions of this act are declared to be severable.

C.46:8A-28.
Provisions
severable.

29. This act shall take effect immediately.

Approved December 16, 1963.

CHAPTER 169

AN ACT providing for the registration of physical therapists, prescribing penalties for violations, and amending section 45:9-21 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 45:9-21 of the Revised Statutes is amended to read as follows:

Persons and
practices
excepted from
operation of
chapter.

45:9-21. The prohibitory provisions of this chapter shall not apply to the following:

a. A commissioned surgeon or physician of the regular United States Army, Navy, or Marine hospital service while so commissioned and actively engaged in the performance of his official duties. This exemption shall not apply to reserve officers of the United States Army, Navy or Marine Corps, or to any officer of the National Guard of any State or of the United States;

b. A lawfully qualified physician or surgeon of another State taking charge temporarily, on written permission of the board, of the practice of a lawfully qualified physician or surgeon of this State during his absence from the State, upon written request to the board for permission so to do. Before such permission is granted by the board and before any person may enter upon such practice he must submit proof that he can fulfill the requirements demanded in the other sections of this article relating to applicants for admission by examination or indorsement from another State. Such permission may be granted for a period of not less than 2 weeks nor more than 4 months upon payment of a fee of \$25.00. The board in its discretion may extend such permission for further periods of 2 weeks to 4 months but not to exceed in the aggregate 1 year;

c. A physician or surgeon of another State of the United States and duly authorized under the laws thereof to practice medicine or surgery therein, if such practitioner does not open an office or place for the practice of his profession in this State;

d. A person while actually serving as a member of the resident medical staff of any legally incorporated charitable or municipal hospital or asylum approved by the board. Hereafter such exemption of any such resident physician shall not apply with respect to any individual after he shall have served as a resident physician for a total period of 2 years, and such exemption of resident physicians, except with respect to persons who shall have commenced service as resident physicians prior to July 1, 1939, shall apply only to persons who have been issued certificates under provisions contained in section 45:9-8 of this Title;

e. The practice of dentistry by any legally qualified and registered dentist;

f. The ministration to, or treatment of, the sick or suffering by prayer or spiritual means, whether gratuitously or for compensation, and without the use of any drug or material remedy;

g. The practice of optometry by any legally qualified and registered optometrist;

h. The practice of chiropody by any legally licensed chiropodist;

i. The practice of pharmacy by a legally licensed and registered pharmacist of this State, but this exception shall not be extended to give to said licensed pharmacist the right and authority to carry on the business of a dispensary, unless the dispensary shall be in charge of a legally licensed and registered physician and surgeon of this State;

j. A person claiming the right to practice medicine and surgery in this State who has been practicing therein since before July 4, 1890, if said right or title was obtained upon a duly registered diploma, of which the holder and applicant was the lawful possessor, issued by a legally chartered medical institution which, in the opinion of the

board, was in good standing at the time the diploma was issued;

k. A chiropodist, professional nurse, or a registered physical therapist, masseur, while operating in each particular case under the specific direction of a regularly licensed physician or surgeon. This exemption shall not apply to such assistants of persons who are licensed as osteopaths, chiropractors, optometrists or other practitioners holding limited licenses;

l. A person while giving aid, assistance or relief in emergency or accident cases pending the arrival of a regularly licensed physician or surgeon or under the direction thereof; or

m. The operation of a bio-analytical laboratory by a licensed bio-analytical laboratory director, or any person working under the direct and constant supervision of a licensed bio-analytical laboratory director.

C. 45:9-37.1.
Terms
defined.

2. As used in this act, unless the context otherwise requires, the following words shall have the following meanings:

(a) "Board" means the State Board of Medical Examiners.

(b) "Physical therapy" shall mean and include physiotherapy, electro-therapy or hydro-therapy.

C. 45:9-37.2.
Violations;
standards
of practice.

3. (a) It shall be a violation of this act for any person who is not registered under this act as a physical therapist, or whose registration has been suspended or revoked, or whose registration has lapsed and has not been revived, to render physical therapy services within this State or to use in connection with his name the words or letters "R. P. T.," "Registered Physical Therapist," "P. T.," "Physical Therapist," or "Physiotherapist," "Physical Therapy Technician," "P. T. T.," or any other letters, words or insignia indicating or implying that he is a registered physical therapist, or, in any way, orally or in writing or in print or by sign or by implication, to present or hold himself out as a registered physical therapist or a physical therapist.

(b) The board, by rules and regulations and after consultation with the physical therapy advisory committee, shall establish standards governing the practice of physical therapy which standards shall be adhered to by persons registered under this act.

4. An applicant for registration as a physical therapist shall submit to the board evidence, in such form as the board may prescribe, that the applicant (1) has attained his or her twenty-first birthday; (2) is a citizen of the United States; (3) is of good moral character; (4) is a graduate of a high school approved by the New Jersey Department of Education or has equivalent education acceptable to the board; (5) has completed satisfactorily a course of study of physical therapy at a school, hospital or other institution having a program of education and instruction in physical therapy approved by the board.

C. 45:9-37.3.
Applicants'
qualifications;
approval of
education
programs.

The board, in establishing, altering or amending the standards for approving such programs of education and instruction, shall consult with the physical therapy advisory committee and may take into consideration the standards suggested by the appropriate council of the American Medical Association, the American Physical Therapy Association, and the New Jersey State Physical Therapy Society, Incorporated.

5. The board shall register as a physical therapist any person who applies for such registration within 1 year after this act takes effect, and who meets the qualifications prescribed in section 4 of this act or who submits to the board evidence that the applicant has qualifications (1) and (3) provided in section 4 of this act and has rendered physical therapy services for 2 years or more in the State of New Jersey prior to the date this act was approved.

C. 45:9-37.4.
Registration.

6. Each initial application under this act shall be accompanied by a fee of \$25.00. Registrations under this act shall expire on January 31 of each calendar year and shall be renewed upon application and payment of a fee of \$10.00.

C. 45:9-37.5.
Fees.

C. 45:9-37.6.
Records.

7. Records of patients, the name of the referring physician, the prescription, if any, or records of oral direction and such other records as the board may require, shall be kept by all physical therapists for at least 5 years.

C. 45:9-37.7.
Grounds for
refusing to
register or
renew
registration.

8. The board, after due notice and hearing, may refuse to register any applicant, or may refuse to renew the registration of any registered person, or may suspend or revoke the registration of any registered person:

(a) Who is habitually drunk or who is addicted to the use of narcotic drugs;

(b) Who has been convicted of violating any State or Federal narcotic law;

(c) Who the board shall find to be guilty of immoral or unprofessional conduct;

(d) Who has been convicted of any crime involving moral turpitude;

(e) Who the board shall find to be guilty of gross negligence as a physical therapist, or whose conduct as a registered physical therapist is detrimental to the best interests of the public; except that said person shall have the right of appeal on all matters of law and fact to the appropriate courts of this State;

(f) Who has obtained or attempted to obtain registration by fraud or material misrepresentation;

(g) Who has been declared insane by a court of competent jurisdiction and who has not thereafter been lawfully declared sane;

(h) Who has treated or undertaken to treat ailments of human beings otherwise than by physical therapy and as authorized by this act, or who has undertaken to practice independently of the prescription or oral direction of a duly licensed physician; or

C. 45:9-37.8.
Board to
keep record of
proceedings;
to compile
annually
list of
registered
physical
therapists.

(i) Who has violated the provisions of this act or the rules or regulations adopted hereunder.

9. The board shall keep a record of its proceedings under this act and a register of all persons registered under it. The register shall show the name of every living person registered under this

act, his last known place of practice and last known place of residence, and the date and number of his registration. The board shall compile annually a list of registered physical therapists authorized to practice physical therapy in the State and shall make such list available, upon request, to the superintendent of every hospital and to every person authorized to practice medicine, surgery, chiropractic, osteopathy and physical therapy in this State.

10. (a) There is hereby created in the Division of Professional Boards of the Department of Law and Public Safety, under the State Board of Medical Examiners, a physical therapy advisory committee. The committee shall consist of 5 members, 3 of whom shall be, except for the initial members of the committee, registered physical therapists of this State having at least 5 years experience in the practice of physical therapy in the State of New Jersey immediately prior to appointment. The members of the committee shall be appointed by the Governor. The initial appointments to the committee shall be one member for a term of 1 year; one member for a term of 2 years; and one member for a term of 3 years. Members shall thereafter be appointed for terms of 3 years. Each member shall hold office after the expiration of his term until his successor shall be duly appointed and qualified. A vacancy shall exist in the term of any of the 3 registered physical therapist members who ceases to be actively engaged in the practice of physical therapy in the State of New Jersey. A vacancy in the office of any member shall be filled in the same manner as original appointments and shall be filled for the unexpired term only.

The 3 physical therapists initially appointed to the office of member of the advisory committee need not be registered physical therapists at the time of appointment but shall satisfy the qualifications set forth in section 4 of this act and shall have at least 5 years experience in the practice of physical therapy in the State of New Jersey immediately prior to the appointment.

C. 45:9-37.9.
Physical
therapy
advisory
committee;
members;
terms;
meetings;
expenses;
appropriation.

(b) The advisory committee shall meet at least twice a year and shall also meet upon the call of the board or of the Attorney General. The advisory committee shall carry out the responsibilities assigned to it under this act and such matters as the board may require. The Attorney General shall provide the advisory committee with such facilities and personnel as shall be required for the proper conduct of its business.

The board, with the approval of the Attorney General, may authorize reimbursement of the members of the advisory committee for their actual expenses incurred in connection with the performance of their duties as members of the committee.

(c) There is hereby appropriated to the Department of Law and Public Safety, for the purposes of administering this act, all fees and revenues received by the board from the effective date of this act until June 30, 1964. The expenditure of such appropriation shall be authorized by the Attorney General with the approval of the Director of the Division of Budget and Accounting.

C. 45:9-37.10.
Penalties.

11. Any person who willfully makes a false oath or affirmation in any case in which an oath is required by this act or who obtains or attempts to obtain registration by any false statement or fraudulent representation and any person who shall violate any of the provisions of this act or any rule or regulation adopted hereunder shall be liable to a penalty of not less than \$50.00 nor more than \$100.00 for the first offense, not less than \$100.00 nor more than \$200.00 for the second offense, and not less than \$200.00 nor more than \$500.00 for the third and each subsequent offense, to be sued for and recovered, in a summary manner, pursuant to the Penalty Enforcement Law (N. J. S. 2A:58-1 et seq.).

Note:
Section 3
inoperative
for 180 days.

12. This act shall take effect immediately but section 3 thereof shall remain inoperative until 180 days after the approval of this act.

Approved December 16, 1963.

CHAPTER 170

AN ACT making an appropriation to the State Department of Conservation and Economic Development to defray the expenses of the State in connection with the holding of the National Convention of the Italian-American War Veterans of the United States, Incorporated, in New Jersey in 1964.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. There is hereby appropriated from the general funds of the State in the State Treasury the sum of \$5,000.00 to the Department of Conservation and Economic Development to defray the expenses of the State in connection with the holding of the National Convention of the Italian-American War Veterans of the United States, Incorporated, in New Jersey in 1964. Appropriation.

2. There is hereby additionally appropriated to the Department of Conservation and Economic Development for the purposes set forth in section 1 of this act, all moneys which have been or hereafter may be contributed or donated to the State of New Jersey for such purposes by any persons, corporation, partnership or other entity. Other moneys appropriated.

3. This act shall take effect immediately.

Approved December 16, 1963.

CHAPTER 171

AN ACT concerning certain deductions from the taxes against the real and personal property for citizens and residents of this State now or hereafter honorably discharged or released under honorable circumstances from active service in time of war in any branch of the Armed Forces of the United States; and for certain widows, during widowhood and while residents of this State, of certain citizens and residents of this State who had active duty in time of war in any such service, supplementing chapter 4 of Title 54 of the Revised Statutes, repealing chapter 184 of the laws of 1951.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 54:4-8,10.
Terms
defined.

1. As used in this act:

(a) "Active service in time of war" means active service at some time during one of the following periods:

The Korean conflict, June 23, 1950 to July 27, 1953;

World War II, December 7, 1941 to September 2, 1945;

World War I, April 6, 1917 to November 11, 1918;

Spanish-American War, April 21, 1898 to August 13, 1898;

Civil War, April 15, 1861 to May 26, 1865; or, as to any subsequent war, during the period from the date of declaration of war to the date on which actual hostilities shall cease.

(b) "Assessor" means the assessor, board of assessors or any other official or body of a taxing district charged with the duty of assessing real and personal property for the purpose of general taxation.

(c) "Collector" means the collector or receiver of taxes of a taxing district.

(d) "Honorably discharged or released under honorable circumstances from active service in time of war," means and includes every form of separation from active, full-time duty with military or naval pay and allowances in some branch of the Armed Forces of the United States in time of war, other than those marked "dishonorable," "undesirable," "bad conduct," "by sentence of general court martial," "by sentence of summary court martial" or similar expression indicating that the discharge or release was not under honorable circumstances. A disenrollment certificate or other form of release terminating temporary service in a military or naval branch of the Armed Forces rendered on a voluntary and part-time basis without pay, or a release from or deferment of induction into the active military or naval service shall not be deemed to be included in the aforementioned phrase.

(e) "Pre-tax year" means the particular calendar year immediately preceding the "tax year."

(f) "Resident" means one legally domiciled within the State of New Jersey. Mere seasonal or temporary residence within the State, of whatever duration, shall not constitute domicile within the State for the purposes of this act. Absence from this State for a period of 12 months shall be prima facie evidence of abandonment of domicile in this State. The burden of establishing legal domicile within the State shall be upon the claimant.

(g) "Tax year" means the particular calendar year in which the general property tax is due and payable.

(h) "Veteran" means any citizen and resident of this State honorably discharged or released under honorable circumstances from active service in time of war in any branch of the Armed Forces of the United States.

(i) "Veteran's deduction" means the deduction against the taxes payable by any person, allowable pursuant to this act.

(j) "Widow" means only the surviving lawful wife of any of the following, while she is a resident of this State, during widowhood:

1. A citizen and resident of this State who has met or shall meet his death while on active duty in time of war in any branch of the Armed Forces of the United States; or

2. A citizen and resident of this State who has had or shall hereafter have active service in time of war in any branch of the Armed Forces of the United States and who died or shall die while on active duty in a branch of the Armed Forces of the United States; or

3. A citizen and resident of this State who has been or may hereafter be honorably discharged or released under honorable circumstances from active service in time of war in any branch of the Armed Forces of the United States.

C. 54:4-8.11.
Tax
deduction
allowed.

2. Every person a citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service in time of war in any branch of the Armed Forces of the United States and a widow as defined herein, during her widowhood and while a resident of this State, shall be entitled, annually, on proper claim being made therefor, to a deduction from the amount of any tax bill for taxes on real or personal property or both in the sum of \$50.00 or if the amount of any such tax shall be less than \$50.00, to a cancellation thereof.

C. 54:4-8.12.
Application
for deduction;
form; other
requirements.

3. No veteran's deduction from taxes assessed against real and personal property, as provided herein, shall be allowed except upon written application therefor, which application shall be on a form prescribed by the Director, Division of Taxation, in the Department of the Treasury, and provided for the use of claimants hereunder by the governing body of the municipality constituting the taxing district in which such claim is to be filed

and the application has been approved as provided in this act. An assessor shall not require the filing of an application for a veteran's deduction under this act of any person, who has filed, or shall file, a claim for an exemption from taxation under chapter 184 of the laws of 1951, on or before December 31, 1963, but shall approve a veteran's deduction for such person, if it appears from such claim for exemption that such person meets all the other prerequisites required by law for the approval of a claim for a veteran's deduction. Each assessor may at any time inquire into the right of a claimant to the continuance of a veteran's deduction hereunder and for that purpose he may require the filing of a new application or the submission of such proof as he shall deem necessary to determine the right of the claimant to continuance of such deduction. No application for a veteran's deduction based upon service in the Armed Forces shall be allowed unless there is annexed thereto a copy, which may be photostatic, of claimant's certificate of honorable discharge or of his certificate of release under honorable circumstances from active service in time of war in a branch of the Armed Forces of the United States. In the case of an application by a widow, said application shall not be allowed unless it clearly establishes that:

(a) Claimant's husband met his death while on active duty in a branch of the Armed Forces of the United States having had active service in time of war, as herein defined, in a branch of the Armed Forces of the United States, or in the case of a widow of a veteran, claimant shall establish that her husband was honorably discharged or released under honorable circumstances from active service in time of war in any branch of the Armed Forces of the United States, (b) claimant's husband was a citizen and resident of this State at the time of his death, (c) claimant was his wife at the time of his death, and (d) claimant is a resident of this State and has not remarried.

C. 54:4-8.13.
Filing
application;
allowance of
deduction.

4. An application for a veteran's deduction hereunder may be filed with the assessor of the taxing district at any time on or before December 31 of the pretax year. If so filed and approved by the assessor, he shall allow a veteran's deduction from taxes on the real or personal property, or both, assessed to the claimant in the amount of the claim approved by him and shall indicate, upon the assessment list and duplicates, the approval thereof in such manner as shall be prescribed by rules of the Director of the Division of Taxation, together with the proportionate share of such property deemed to be owned by the claimant for the purposes of this act, if he is not the sole owner thereof. The application, if not filed with the assessor within the time aforementioned, may be filed with the collector during the tax year and upon approval by the collector of such application he shall determine the amount of the reduction in tax to which the claimant is entitled and shall allow said amount as an offset against the tax then remaining unpaid. If the amount allowable as an offset shall exceed the amount of the tax then unpaid for that tax year, or if the application for a veteran's deduction is not filed with the collector until after all taxes for the tax year have been fully paid, the claimant may make application to the governing body of the municipality constituting the taxing district for the refund of any tax overpaid, but without interest, and the governing body may, in its discretion, direct the return of any tax deemed by it to have been overpaid by reason of claimant's failure to make timely application for a veteran's deduction; provided, however, that no application for a veteran's deduction for any previous tax year shall be allowed by any assessor, collector or governing body. Where an application for a veteran's deduction is filed with and allowed by a collector he shall promptly transmit such application and all exhibits attached thereto, or a photostatic copy thereof, to the assessor of the taxing district. Upon receipt thereof the assessor shall review the application and if ap-

proved by him it shall have the same force as if originally filed with him.

5. It shall be the duty of the collector to submit to the county board of taxation,

C. 54:4-8.14.
Duties of tax collector.

(a) On or before January 15, 1964, a list of the veteran's exemptions granted by him during the prior tax year, and

(b) On or before January 15 of each succeeding year, a list of names of the persons whose claims for veteran's deductions have been approved by him during the prior tax year and the amounts allowed.

6. Every fact essential to support a claim for a veteran's deduction hereunder shall exist on October 1 of the pretax year and in the case of an application by a veteran such application shall establish that he was, on October 1 of the pretax year,

C. 54:4-8.15.
Facts essential to support claim.

(a) a veteran, as herein defined, (b) the owner of the legal title to the property as to which the veteran's deduction is claimed and (c) a citizen and resident of this State and, in the case of an application by a widow, as herein defined, such application shall establish that she was, on October 1 of the pretax year, (a) the owner of the legal title to the property as to which the veteran's deduction is claimed, (b) that she has not remarried and (c) that she is a resident of this State.

7. A claim having been filed with and allowed by the assessor shall continue in force from year to year thereafter without the necessity for further claim so long as the claimant shall be entitled to a veteran's deduction hereunder, but the assessor may at any time require the filing of a new application or such proof as he shall deem necessary to establish the right of the claimant to continuance of the deduction. It shall be the duty of every claimant to inform the assessor of any change in his status or property which may affect his right to continuance of the deduction.

C. 54:4-8.16.
Claim to continue from year to year.

8. No person shall be allowed a veteran's deduction from the tax assessed against his real and personal property of more than \$50.00 in the aggregate

C. 54:4-8.17.
Amount of deduction limited to \$50.00 per tax year.

in any one year, but a veteran's deduction may be claimed in any taxing district in which the claimant has taxable property and may be apportioned, at the claimant's option, between 2 or more taxing districts; provided, such claims shall not exceed \$50.00 in the aggregate. If a widow, as herein defined, shall herself have been honorably discharged or released under honorable circumstances from active service in time of war in any branch of the Armed Forces of the United States, she shall be entitled to a veteran's deduction for each status. The veteran's deductions herein provided shall be in addition to any exemptions now or hereafter provided by any other statute for disabled veterans or widows as herein defined.

C. 54:4-8.18.
Claimant
allowed
proportionate
share of
taxes when
property
held with
others.

9. Where title to property as to which a veteran's deduction is claimed is held by claimant and another or others, either as tenants in common or as joint tenants, a claimant shall not be allowed a veteran's deduction in an amount in excess of his proportionate share of the taxes assessed against said property, which proportionate share, for the purposes of this act, shall be deemed to be equal to that of each of the other tenants, unless the conveyance under which title is held specifically provides unequal interests, in which event claimant's interest shall be as specifically established in said conveyance. Property held by husband and wife, as tenants by the entirety, shall be deemed to be wholly owned by each tenant. Nothing herein shall preclude more than one tenant, whether title be held in common, joint tenancy or by the entirety, from claiming a veteran's deduction from the tax assessed against the property so held. Right to claim a veteran's deduction hereunder shall extend to property title to which is held by a partnership, to the extent of the claimant's interest as a partner therein, and by a guardian, trustee, committee, conservator or other fiduciary for any person who would otherwise be entitled to claim a veteran's deduction hereunder, but not to property the title to which is held by a corporation.

10. The director is empowered to promulgate such rules and regulations and to prescribe such forms as he shall deem necessary to effectively administer the provisions of this act. He may, in his discretion, eliminate the necessity for sworn application, in which event all declarations by the claimant shall be considered as if made under oath and the claimant, as to false declarations, shall be subject to the penalties as provided by law for perjury.

C. 54:4-8.19.
Rules and
regulations.

Pending the promulgation of such rules and regulations, and the prescription of such forms, every application for an exemption from taxation as prescribed in chapter 184 of the laws of 1951 filed as prescribed by this act, shall be construed and treated as an application filed for a veteran's deduction under this act and if approved, such approval shall be construed and treated as an approval of a veteran's deduction accordingly.

11. Each assessor and collector and his duly designated assistants are hereby authorized to take and administer the oath, where required, on any claim for a veteran's deduction hereunder and no charge shall be made for the taking of any affidavit or the preparation of any form required by this act.

C. 54:4-8.20.
Authorized to
administer
oath.

12. An aggrieved taxpayer may appeal from the disposition of a claim for a veteran's deduction under this act in the same manner as is provided for appeals from assessment generally.

C. 54:4-8.21.
Appeals.

13. Chapter 184 of the laws of 1951 with all amendments thereof and supplements thereto is repealed except so far as may be necessary to permit the allowance of any claim for exemption from taxation for the tax year 1963 filed pursuant to said act prior to January 1, 1964, and the taking of appropriate proceedings to make the same effective.

C. 54:4-8.22.
Repealer.

14. This act shall apply to real and personal property taxes due and payable in the year 1964 and thereafter, and shall not affect the obligation, lien, or duty to pay any taxes, interest or penalties which have accrued or may accrue by virtue of any assessment made or which may be made with re-

C. 54:4-8.23.
Application
of act.

spect to taxes levied for any year prior to the year 1964.

15. This act shall take effect immediately.

Approved December 16, 1963.

CHAPTER 172

AN ACT concerning deductions from the taxes assessed against certain real property of citizens and residents of this State of the age of 65 or more years, having an income not in excess of \$5,000.00 per year, supplementing chapter 4 of Title 54 of the Revised Statutes and repealing chapter 9 of the laws of 1961.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 54:4-8,40.
Terms
defined.

1. As used in this act:

(a) "Income" means all income from whatever source derived including, but not limited to, realized capital gains and, in their entirety, pension, annuity, retirement and social security benefits. For any tax year for which a deduction from taxes, pursuant to this act, is claimed, "income" shall be determined to be equal in amount to the income received during the calendar year or the taxpayer's fiscal year ended immediately preceding October 1 of the pretax year, but no taxpayer shall use a fiscal year basis unless he so elects to do and files his Federal income tax return on such basis.

(b) "Pretax year" means the calendar year immediately preceding the "tax year."

(c) "Resident" means one legally domiciled within the State of New Jersey for a period of 3 years immediately preceding October 1 of the pretax year. Mere seasonal or temporary residence

within the State, of whatever duration, shall not constitute domicile within the State for the purposes of this act. Absence from this State for a period of 12 months shall be prima facie evidence of abandonment of domicile in this State. The burden of establishing legal domicile within the State shall be upon the claimant.

(d) "Senior citizen's deduction" means the deduction against the taxes payable by any person, allowable pursuant to this act.

(e) "Tax year" means the calendar year in which the general property tax is due and payable.

2. Every person, a citizen and resident of this State of the age of 65 or more years, having an income not in excess of \$5,000.00 per year and residing in a dwelling house owned by him which is a constituent part of his real property, shall be entitled, annually, on proper claim being made therefor, to a senior citizen's deduction against the tax or taxes assessed against such real property to an amount not exceeding the amount of said tax, or the sum of \$80.00, whichever is the lesser, but no such deduction from taxes shall be in addition to any other deduction or exemption from taxes to which said person may be entitled.

C. 54:4-8.41.
Tax deduction
allowed.

For the purposes of this act the income of a married person shall be deemed to include an amount equal to the income of the spouse during the applicable income year, except for such portion of that year as the 2 were living apart in a state of separation, whether under judicial decree or otherwise.

3. No senior citizen's deduction, as provided herein, shall be allowed except upon written application therefor, which application shall be on a form prescribed by the Director, Division of Taxation, in the Department of the Treasury, and provided for the use of claimants hereunder by the governing body of the municipality constituting the taxing district in which such claim is to be filed and the application has been approved as provided in this act. As to claims for exemption from taxation

C. 54:4-8.42.
Application
for deduction;
form; other
requirements.

filed with an assessor on or before November 1, 1963 on forms prescribed by the director, the assessor shall not require of any person who has filed such a claim the filing of an application for a tax deduction but shall approve such person for a tax deduction if it appears from the claim for exemption from taxation that such person meets all the other prerequisites required by this act for the approval of the tax deduction. Each assessor may at any time inquire into the right of a claimant to the continuance of a senior citizen's deduction hereunder and for that purpose he may require the filing of a new application or the submission of such proof as he shall deem necessary to determine the right of the claimant to continuance of such deduction.

C. 54:4-8.43.
Filing
application:
allowance
of deduction.

4. An application for a senior citizen's deduction hereunder may be filed with the assessor of the taxing district on or before November 1 of the pretax year. If an application is approved by the assessor, he shall allow a senior citizen's deduction from the taxes assessed against the real property assessed to the claimant as described therein and shall indicate upon the assessment list and duplicates the approval thereof in such manner as shall be prescribed by rules of the Director of the Division of Taxation together with the proportionate share of such property deemed to be owned by the claimant for the purposes of this act if he is not the sole owner thereof.

C. 54:4-8.44.
Fact
essential to
support
claim.

5. Every fact essential to support a claim for a senior citizen's deduction hereunder shall exist on October 1 of the pretax year, except as in this section otherwise provided. Every application by a claimant therefor shall establish that he is or will be on or before December 31 of the pretax year 65 or more years of age and that he was, on October 1 of the pretax year, (a) a citizen and resident of this State for the period required, (b) the owner of a dwelling house which is a constituent part of the real property for which the senior citizen's deduction is claimed, (c) residing in said dwelling house.

Such application shall also establish that his income for the yearly period as provided by this act did not exceed \$5,000.00.

6. A claim having been filed with and allowed by the assessor shall continue in force from year to year thereafter without the necessity for further claim so long as the claimant shall be entitled to a senior citizen's deduction hereunder, but the claimant shall be required yearly to establish his income and the assessor may at any time require the filing of a new application or such proof as he shall deem necessary to establish the right of the claimant to continuance of such deduction. It shall be the duty of every claimant to inform the assessor of any change in his status or property which may affect his right to continuance of such deduction.

C. 54:4-8.45.
Claim to
continue
year to
year.

7. Where title to property as to which a senior citizen's deduction is claimed is held by claimant and another or others, either as tenants in common or as joint tenants, claimant shall not be allowed a senior citizen's deduction in an amount in excess of his proportionate share of the taxes assessed against said property, which proportionate share, for the purposes of this act, shall be deemed to be equal to that of each of the other tenants, unless it is shown that the interests in question are not equal, in which event claimant's proportionate share shall be as shown. Nothing herein shall preclude more than one tenant, whether title be held in common or joint tenancy, from claiming a senior citizen's deduction from the taxes assessed against the property so held, but no more than the equivalent of one full senior citizen's deduction in regard to such property shall be allowed in any year, and in any case in which the claimants cannot agree as to the apportionment thereof, such deduction shall be apportioned between or among them in proportion to their interest. Property held by husband and wife, as tenants by the entirety, shall be deemed wholly owned by each tenant, but no more than one senior citizen's deduction in regard to such property shall be allowed in any year. Right to claim a

C. 54:4-8.46.
Claimant
allowed
proportionate
share of
taxes when
property is
held with
others.

senior citizen's deduction hereunder shall extend to property the title to which is held by a partnership, to the extent of the claimant's interest as a partner therein, and by a guardian, trustee, committee, conservator or other fiduciary for any person who would otherwise be entitled to claim such deduction hereunder, but not to property the title to which is held by a corporation.

C. 54:4-8.47.
Rules and
regulations.

8. The director may promulgate such rules and regulations and prescribe such forms as he shall deem necessary to implement this act. He may, in his discretion, eliminate the necessity for sworn application, in which event all declarations by the claimant shall be considered as if made under oath and the claimant, as to false declarations, shall be subject to the penalties as provided by law for perjury.

Pending the promulgation of such rules and regulations, and the prescription of such forms, every application for an exemption from taxation as prescribed in chapter 9 of the laws of 1961, filed as prescribed by this act, shall be construed and treated as an application filed for a senior citizen's deduction from taxes against the real property described in such application under this act, and if approved, such approval shall be construed and treated as an approval of a senior citizen's deduction accordingly.

C. 54:4-8.48.
Authorized
to administer
oath.

9. Each assessor and collector and his duly designated assistants are hereby authorized to take and administer the oath, where required, on any claim for a senior citizen's deduction hereunder and no charge shall be made for the taking of any affidavit or the preparation of any form required by this act.

C. 54:4-8.49.
Appeals.

10. An aggrieved taxpayer may appeal from the disposition of a claim for a senior citizen's deduction under this act in the same manner as is provided for appeals from assessments generally.

C. 54:4-8.50.
Repealer.

11. Chapter 9 of the laws of 1961 with all amendments thereof and supplements thereto is repealed.

C. 54:4-8.51.
Application
of act.

12. This act shall apply to real and personal property taxes due and payable in the year 1964

and thereafter, and shall not affect the obligation, lien, or duty to pay any taxes, interest or penalties which have accrued or may accrue by virtue of any assessment made or which may be made with respect to taxes levied for any year prior to the year 1964.

13. This act shall take effect immediately.

Approved December 16, 1963.

CHAPTER 173

AN ACT concerning deductions from taxes, amending sections 54:4-48 and 54:4-49 of the Revised Statutes, amending "An act concerning veterans' tax exemptions," approved June 14, 1949 (P. L. 1949, c. 295) and repealing section 1 of said act, and supplementing chapter 4 of Title 54 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Each assessor shall review his assessment list and the duplicates thereof prepared for use in the 1964 tax year, including the separate tax list and duplicate required to be reported for tangible household personal property pursuant to section 13 of chapter 51 of the laws of 1960, as amended, and shall eliminate therefrom the amounts of the exemptions allowed and entered thereon pursuant to chapter 184 of the laws of 1951 and chapter 9 of the laws of 1961 and shall adjust the net valuation shown thereon as taxable so as to include the amount of the exemptions so eliminated.

Exemptions
eliminated
from list.

2. Each assessor shall prepare, certify and file with his assessment list and duplicates a statement of the estimated total amount of approved tax

C. 54:4-36.1.
Assessor to
prepare and
certify
amount of
deductions.

deductions including the tax deductions allowable against taxes on household personal property and for the purposes of such estimate he shall calculate each approved deduction at the maximum allowed by law.

C. 54:4-46.1.
Amount of
deductions
added to
table of
aggregates.

3. In each county the county board of taxation in computing the amounts to be raised by taxation in the taxing districts of the county and in the preparation of the table of aggregates shall add the amount of the approved tax deductions to the net amount to be raised by taxation in the several municipalities.

C. 54:4-46.2.
Value of
ratales
reduced.

4. The county board of taxation, pursuant to rules and regulations promulgated by the Director of the Division of Taxation, upon receipt of the statement of the estimated total amount of approved tax deductions prepared by the municipal assessor, shall determine the value of the ratales that would have been necessary during the prior tax year to raise through taxation an amount equal to the amount of approved tax deductions, exclusive of tax deductions allowable against taxes on household personal property, shown thereon and shall reduce the value of the municipality's ratales by said value before the amounts to be raised by taxation shall be apportioned among the respective taxing districts for any of the purposes specified in section 54:4-49 of the Revised Statutes.

Section
amended.

5. Section 54:4-48 of the Revised Statutes is amended to read as follows:

Changes
entered;
amount of
total tax
fixed.

54:4-48. The county board of taxation shall enter all changes or additions on the various tax lists and duplicates, and, upon ascertaining the total amount of tax to be raised, fix and adjust the amount of State school, State and county tax to be levied in each taxing district in the county in proportion to the respective values thereof, and the amount to be levied in each taxing district for local purposes as certified to it. The county board of taxation shall also apportion the amount to be levied in each taxing district for purposes of consolidated and regional school districts and school districts com-

prising 2 or more taxing districts. It shall cause each assessor to enter in appropriate columns upon the tax lists and duplicates for his respective taxing district the net corrected value assessed to each person for both real and personal property, and to enter the addition of the items of each column at the foot thereof, on every page, the rates per dollar, which shall be such as according to the valuation on the duplicate will be sufficient to produce the sum required, and to extend on the duplicates,

(a) the amount of tax computed on each assessment at that rate, and

(b) the amount of tax to be paid on each such assessment which shall be computed by deducting from the amount of tax computed under subsection (a) of this section any deduction from the tax allowed according to law.

6. Section 54:4-49 of the Revised Statutes is amended to read as follows:

Section
amended.

54:4-49. (a) Except as to any State tax at a fixed rate provided for in sections 54:4-50 and 54:4-51 of this Title, each county board of taxation, after having received the tax lists and duplicates of the assessors and having revised and corrected the same and having equalized the aggregate valuations of all the real property in the respective taxing districts, as required by sections 54:3-17 to 54:3-19 of the Revised Statutes, shall, after making adjustments for the debits and credits hereinafter mentioned, apportion the amount to be raised in the respective taxing districts for State, State school, county and free county library purposes and for purposes of regional and consolidated school districts and school districts comprising 2 or more taxing districts, on the basis of the total valuation so ascertained for each taxing district. The total valuation for each taxing district, so ascertained, shall be known as the "apportionment valuation."

Apportion-
ment
valuations;
amount
apportioned
to taxing
districts;
debts and
credits;
regulations.

(b) The amount to be apportioned among the respective taxing districts shall be the amount to be raised for the purposes specified in subsection (a), plus or minus the difference between the total debits

and total credits of the taxing districts affected, determined as provided in subsection (c). The net amounts respectively to be raised, after making allowance to the affected districts for the debits and credits, shall be equivalent to the amount required for each of the purposes specified in subsection (a).

(c) The net debit or credit of each taxing district shall be the amount by which the taxing district has overpaid or underpaid its share of the specific tax or taxes for the purposes specified in subsection (a) for the preceding year or years because of increases or decreases in the amount of the assessments of the district subsequent to the apportionment in the preceding year or years by reason of final judgments on appeals, complaints and applications, the correction of clerical errors under section 54:4-53 of the Revised Statutes and the allowance of additional veterans' exemptions or deductions during the prior tax year by the collector pursuant to law. When an assessment has been reduced or added to, or increased, on appeal, complaint or other application, and the judgment on that appeal, complaint or other application has been further appealed, no deduction or increase as herein provided for shall be made with respect to the appealed assessment until the further appeal has been finally determined.

(d) So that there shall be uniformity of application and treatment under this section in all of the counties, the Director, Division of Taxation, shall issue regulations for the guidance of the county boards of taxation in the determination of the apportionment valuations, the amounts to be apportioned and the amounts of the debits and credits.

7. Section 2 of chapter 295 of the laws of 1949 is amended to read as follows:

2. The county board of taxation upon proof of the allowance by the collector of additional veterans' exemptions or deductions allowed according to law, after the amounts to be raised for State, State school, county and free county library purposes and for purposes of regional and consolidated school districts and school districts comprising 2

Section
amended.

C. 54:4-34.3.
Allowance of
additional
veterans'
exemption
and other
deductions
after
apportionment;
adjustment.

or more taxing districts have been apportioned for a given year, shall make an adjustment by credit in the following year in accordance with the provisions of section 54:4-49 of the Revised Statutes.

8. Section 1 of chapter 295 of the laws of 1949, with all amendments thereof and supplements thereto, is repealed. C. 54:4-34.2.
Repealer.

9. This act shall take effect immediately.

Approved December 16, 1963.

CHAPTER 174

AN ACT concerning the carrying of concealed weapons, and amending section 2A:151-43 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 2A:151-43 of the New Jersey Statutes is amended to read as follows: Section
amended.

2A:151-43. Section 2A:151-41 of this Title does not apply to:

- a. The United States Marshal or his deputies;
- b. Members of the Armed Forces of the United States or of the National Guard when on duty;
- c. Any sheriff, undersheriff, deputy sheriff, county prosecutor, assistant prosecutor or prosecutor's detective;
- d. The regularly employed members, including detectives, of the police department of any county or municipality or of any State, interstate, municipal or county park police force or of any county boulevard police force at all times, while within the State of New Jersey, or any special policeman appointed by the governing body of any county or municipality or by the commission or other board or body having control of any county park police

Persons
excepted
from
provisions
of section
2A:151-41

force or any county boulevard police force while engaged in the actual performance of his official duties:

e. Any member of the State Police, or any motor vehicle inspector or State detective;

f. Any jailer, constable, railway police, canal or steamboat police, or any other peace officer, when in discharge of his duties;

g. The fish and game commissioners, or the regular fish and game wardens, or full-time employees of the Division of Shell Fisheries having the power of arrest and authorized to carry weapons;

h. Any prison or jail wardens or their deputies, or any guard or keeper of any penal institution in this State, while engaged in the actual performance of the duties of their positions and when so required by their superior officers to carry firearms;

i. Any court attendant serving as such under appointment by the sheriff of the county or by the judge of or magistrate of any court of this State;

j. (Deleted by amendment.)

k. Any guard in the employ of any railway express company, banking or building and loan or savings and loan institution of this State;

l. Any officer of the society for the prevention of cruelty to animals;

m. Any duly authorized military organization when under orders, or any member thereof when going to or from the place of meeting of the organization, carrying the weapons prescribed for drill, exercise or parade;

n. Persons having a hunter's license in going to or from places of hunting;

o. Members of government civilian rifle clubs duly organized in accordance with the rules prescribed by the national board for the promotion of rifle practice, in going to or from their several places of target practice and carrying weapons necessary for such practice;

p. The director, deputy directors, inspectors and investigators of the Division of Alcoholic Beverage

Control in the Department of Law and Public Safety;

q. Public utility corporations in the transportation of explosives; or

r. Any civil employee of the United States Government under the supervision of the commanding officer of any post, camp, station, base or other military or naval installation located within this State who is required, in the performance of his official duties, to carry firearms, and who is authorized to carry such firearms by said commanding officer, while such civil employee is engaged in the actual performance of his official duties.

2. This act shall take effect immediately.

Approved December 16, 1963.

CHAPTER 175

AN ACT authorizing the payment of benefits upon the death of certain State employees and retired State employees and supplementing chapter 5 of Title 43 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Upon the receipt of proper proof (1) of the death of any officer or employee in State service, who, had he lived and had he become incapacitated for service to the State, would have been eligible to retire upon pension pursuant to the provisions of chapter 5 of Title 43 of the Revised Statutes, or (2) of the death of any officer or employee, who shall hereafter have retired or be retired upon pension under said chapter by the State House Commission, said commission shall cause to be paid to such person, if living, as said officer or employee shall have nominated by written designation duly

C. 43:5-5.
Authorizes
payment
of death
benefits.

executed and filed in the office of the Director of the Division of Budget and Accounting in the Department of the Treasury, otherwise to the executor or administrator of said officer's or employee's estate, a sum equal to the amount which was payable as salary or compensation to said officer or employee during his last full year of service and said amount shall be paid out of the general funds of the State Treasury accordingly.

2. This act shall take effect immediately.

Approved December 16, 1963.

CHAPTER 176

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1963, and regulating the disbursement thereof," approved June 12, 1962 (P. L. 1962, c. 79).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Appropriation.

1. The following sums are hereby appropriated out of the General Treasury, or such other sources of funds specifically indicated, for the purposes hereinafter specified:

GENERAL STATE OPERATIONS

EXECUTIVE

Department of Law and Public Safety
140-100-120 Division of Motor Vehicles Supplemental requirement for
fiscal year 1962-63 \$70,000.00

2. Notwithstanding the provisions of any other law, the sums appropriated herein shall be available for the purposes herein specified during the period ending June 30, 1964.

3. This act shall take effect immediately.

Approved December 16, 1963.

CHAPTER 177

AN ACT concerning gifts to minors and providing for the eventual repeal of "An act concerning gifts of securities to minors," approved July 14, 1955 (P. L. 1955, c. 139).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. This act may be cited as the "New Jersey Uniform Gifts to Minors Act."

C. 46:38-13.
Short
title.

2. In this act, unless the meaning has no rational relation to the context:

C. 46:38-14.
Terms
defined.

(a) "Adult" means a person 21 years of age or more.

(b) "Bank" means a bank, trust company, national banking association, savings bank or other banking institution, deposits in which are insured by the Federal Deposit Insurance Corporation or other like government instrumentality, or a State or Federal savings and loan association whose deposits or shares are insured by the Federal savings and loan insurance corporation or other like government instrumentality.

(c) "Broker" means a person lawfully engaged in the business of effecting transactions in securities for the account of others. The term includes a bank which effects such transactions. The term also includes a person lawfully engaged in buying and selling securities for his own account, through a broker or otherwise, as part of a regular business.

(d) "Court" means the Superior Court or the County Court.

(e) "Custodial property" includes:

(1) all securities and money under the supervision of the same custodian for the same minor as a consequence of a gift or gifts made to the minor under this act;

(2) the income from the custodial property;

(3) the proceeds, immediate and remote, from the sale, exchange, conversion, investment, reinvestment or other disposition of such securities, money and income; and

(4) a life insurance policy or an annuity contract on the life of or for the benefit of the minor.

(f) "Custodian" means a person so designated in accordance with this act. The term includes a successor custodian.

(g) "Guardian" includes a general guardian and a guardian, tutor or curator of property or person.

(h) "Issuer" means a person who places or authorizes the placing of his name on a security (other than as a transfer agent) to evidence that it represents a share, participation or other interest in property or in an enterprise or to evidence his duty or undertaking to perform an obligation evidenced by the security, or who becomes responsible for or in place of any such person.

(i) A "legal representative" of a person means his executor or administrator.

(j) A "member" of a "minor's family" means any of the minor's parents, grandparents, brothers, sisters, uncles and aunts, whether of the whole blood or the half blood, or through adoption.

(k) "Minor" means a person under 21 years of age.

(l) "Security" includes any note, stock, treasury stock, bond, debenture, evidence of indebtedness, collateral trust certificate, transferable share, voting trust certificate or, in general, any interest or instrument commonly known as a security, or any certificate of interest or participation in, any temporary or interim certificate, receipt or certificate of deposit for, or any warrant or right to subscribe to or purchase, any of the foregoing. A security is in "registered form" when it specifies the person entitled to it or to the rights it evidences and the name of such person is registered upon books maintained for that purpose by or on behalf of the issuer.

(m) "Transfer agent" means a person who acts as authenticating trustee, transfer agent, registrar or other agent for an issuer in the registration, transfer or cancellation of its securities.

(n) "Trust company" means a bank which is authorized to exercise trust powers.

3. An adult may make a gift to a minor under this act:

(a) of a security in registered form, by registering it in the name of a person eligible to be custodian, followed by substantially the following language: "as custodian for

(name of minor)

under the New Jersey Uniform Gifts to Minors Act";

(b) of a security not in registered form, or a security issued by the donor, by delivering it to a person eligible to be custodian, other than the donor, accompanied by a statement of gift in substantially the following language, signed by the donor and the custodian:

"GIFT UNDER THE NEW JERSEY UNIFORM GIFTS
TO MINORS ACT

I,, acting under the
(name of donor)

New Jersey Uniform Gifts to Minors Act, hereby
deliver to, as custodian
(name of custodian)

for, the following security:
(name of minor)

.....
(description of security)

Dated:
(signature of donor)

I,, as custodian for
(name of custodian)

said hereby acknowledge receipt
(name of minor)

C. 46:38-15.
Procedure
for making
gift of
securities
to minor.

of the above described security under the New Jersey Uniform Gifts to Minors Act.

Dated:
(signature of custodian)''

(c) of money, by paying or delivering it to a broker or a bank for credit to an account in the name of a person eligible to be custodian, followed by substantially the following language: "as custodian for under the
(name of minor)

New Jersey Uniform Gifts to Minors Act."

(d) of life insurance or an annuity contract which shall be registered by the donor of such policy or contract in his own name or in the name of an adult member of the minor's family or in the name of any guardian of the minor or any bank or trust company, followed by the words "custodian for under the New Jersey Uniform
(name of minor)

Gifts to Minors Act," and such policy of life insurance or annuity contract shall be delivered to the person in whose name it is thus registered as custodian. If the policy or contract is registered in the name of the donor, as custodian, such registration shall of itself constitute the delivery required by this act.

C. 46:38-16.
Custodial
gift.

4. A gift made on or after the effective date of this act in a manner prescribed in section 3 of this act is a "custodial gift" and as such is governed by this act. It is such whether or not the person designated custodian is eligible to serve, and whether or not there is a failure to comply with one or more sections of this act other than section 3.

C. 46:38-17.
Vests
legal title.
C. 46:38-18.
To
constitute
acceptance
of
custodianship.

5. A custodial gift conveys to the minor indefeasibly vested legal title to the custodial property.

6. (a) If a custodial gift includes a security not in registered form or a security issued by the donor, the execution by the custodian designee of the

acknowledgment of receipt described in section 3(b) of this act constitutes acceptance of the custodianship.

(b) If a custodial gift includes neither a security not in registered form nor a security issued by the donor, the custodian designee shall be deemed to have accepted the custodianship upon the execution by him and delivery to the donor of a notice in writing of his acceptance of the custodianship. Such written notice of acceptance, when given to the donor upon opening an account with a bank or broker in the custodian's name shall be deemed written acceptance of all subsequent gifts made through such account until the custodian delivers written notification to the donor to the contrary. If the custodian designee does not deliver such a notice of acceptance to the donor within 10 days of the making of the gift, the donor shall promptly deliver to the custodian designee a notice in writing requesting an acceptance or renunciation. If the custodian designee fails to deliver to the donor a written notice of acceptance or renunciation within 10 days after delivery to him of the request, he shall be deemed to have renounced. In that event the donor shall make a written recital of the failure to respond and the consequent renunciation. The donor shall promptly cause a copy of each writing sent, received or made by him to be delivered to each successor custodian and to the minor if he is then 14 years of age or more.

7. A donor may, at the time of making a custodial gift, designate one or more eligible persons as successor custodians to act as such upon the renunciation, death, resignation or removal of the first custodian or of the preceding successor custodian, if the minor is then under 21 years of age, by a statement of designation in substantially the following language:

C. 46:38-19.
Designation
of successor
custodian.

“DESIGNATION OF SUCCESSOR CUSTODIAN

I,, having this day made
 (name of donor)
 a custodial gift under the New Jersey Uniform
 Gifts to Minors Act to
 (name of minor)
 consisting of
 (description of securities, if any,

 and identification of credits created pursuant to
 and having designated
 section 3(c) of this act)
 custodian for said
 (name of first custodian)
, hereby designate
 (name of minor)
 successor custodian
 (name of successor custodian)
 for said, to succeed to the
 (name of minor)
 duties of custodian upon the renunciation, death,
 resignation or removal of said
 (name of first custodian)
 Dated:
 (signature of donor)”

If more than one successor custodian be named
 the statement of description shall be altered
 appropriately.

Executed counterparts of the statement of
 designation shall be delivered promptly upon execu-
 tion to the custodian and to each successor cus-
 todian, to each broker or bank with whom the donor
 creates a credit under section 3(c) of this act, and
 to the minor if he is then 14 years of age or more.

8. A person designated a successor custodian shall be deemed to have accepted the custodianship upon the execution by him and delivery to the person or court who designated him a notice in writing of his acceptance of the custodianship. If the successor designee does not deliver such a notice of acceptance to the designator within 10 days of delivery to him of the designation, the designator shall promptly deliver to the successor designee a notice in writing requesting an acceptance or renunciation. If the successor designee fails to deliver to the donor a written notice of acceptance or renunciation within 10 days after delivery to him of the request he shall be deemed to have renounced. In that event the donor shall make a written recital of the failure to respond and the consequent renunciation.

C. 46:38-20.
Deemed to
have accepted
successor
custodianship.

The designator shall promptly cause a copy of each writing sent, received or made by him to be delivered to the original custodian or his legal representative, to each other successor custodian, to the donor and to the minor if he is then 14 years of age or more.

9. Only the following persons are eligible to be custodians: the donor of the custodial property, an adult member of the minor's family, a guardian of the minor and a trust company. There may not be more than 1 custodian of the same custodial property at the same time.

C. 46:38-21.
Eligible
custodians.

10. An adult may authorize or direct his trustee or legal representative to make a gift to a minor under this act. If a gift is so made, the trustee or legal representative shall be deemed the donor of the gift for the purpose of this act.

C. 46:38-22.
Deemed as
donor.

11. No gift may be made under this act to more than one minor.

C. 46:38-23.
Limitation.

12. A donor of a custodial gift shall promptly do all things within his power to put the subject of the gift in the possession and control of the custodian.

C. 46:38-24.
Donor to
act promptly.

13. A guardian of a minor shall have no right, power, duty or authority with respect to custodial property except as provided in this act.

C. 46:38-25.
Limits
guardian's
powers.

C. 46:38-26.
Treated as
a single
gift.

14. If one person has been designated custodian of 2 or more custodial gifts for the same minor he may combine and treat them for all purposes as if they were a single custodial gift. If, however, any successor custodian under one such gift does not have the same status under another such gift, the gifts shall be held and administered separately unless the court shall provide for a single succession of custodians upon an application under this section.

Upon application of a person who has been designated custodian of 2 or more custodial gifts, each from a different donor, for the same minor, where any successor custodian under one such gift does not have the same status under another such gift, the court may provide for a single succession of custodians for all such gifts notwithstanding the designations by the donors.

C. 46:38-27.
Management
of custodial
property.

15. (a) The custodian shall collect, hold and manage the custodial property. A custodian not compensated for his services may hold any part or all of the custodial property in one or more accounts in a bank. A custodian compensated for his services shall invest and reinvest the custodial property unless the amount involved does not warrant investment or the circumstances are not propitious for investment.

(b) The custodian shall pay over to the minor for expenditure by him, or expend on behalf of the minor, so much of or all the custodial property as the custodian deems advisable for the support, maintenance, education, general use and benefit of the minor in the manner, at the time or times, and to the extent that the custodian in his absolute discretion deems suitable and proper, with or without court order, with or without regard to the duty or ability of himself or of any other person to support the minor, and with or without regard to any other funds, income or property of the minor which may be available for any such purpose.

(c) On the petition of a parent or guardian of the minor, or on the petition of the minor if he is 14

years of age or more, the court may order the custodian to pay over to the minor for expenditure by him, or to expend on behalf of the minor, so much of or all the custodial property as is necessary for the minor's support, maintenance, education, general use and benefit.

(d) To the extent that the custodial property is not so expended, the custodian shall deliver or pay it over to the minor when he attains 21 years of age or, if the minor dies before attaining 21 years of age, the custodian shall thereupon deliver or pay it over to the estate of the minor.

(e) The custodian, notwithstanding statutes restricting investments by fiduciaries, in investing and reinvesting the custodial property, shall act as would a prudent man of discretion and intelligence who is seeking a reasonable income and the preservation of his capital, except that he shall not be liable for retaining a security given to the minor under this act.

(f) Prior to his acceptance of a custodianship a custodian designee in possession of custodial property shall be responsible only for due physical care of the property.

(g) The custodian may sell, exchange, convert or otherwise dispose of custodial property in the manner, at the time or times, for the price or prices and upon the terms he deems advisable. He may vote a security which is custodial property in person or by general or limited proxy. He may consent, directly or through a committee or other agent, to the reorganization, consolidation, merger, dissolution or liquidation of an issuer of a security which is custodial property, and to the sale, lease, pledge or mortgage of any property by or to such an issuer, and to any other action by such an issuer. He may execute and deliver written instruments which he deems advisable to carry out any of his powers as custodian.

(h) The custodian shall keep all custodial property separate and distinct from his own property in such a manner as to identify it clearly as custodial

property. He shall register each security which is custodial property and in registered form in his name, followed by substantially the following language: "as custodian for
(name of minor)"

under the New Jersey Uniform Gifts to Minors Act." He shall hold all money which is custodial property in an account with a broker or in a bank in his name followed by substantially the following language: "as custodian for
(name of minor)"

under the New Jersey Uniform Gifts to Minors Act."

(i) The custodian shall keep records of all transactions with respect to the custodial property and make them available for inspection at reasonable intervals by a parent, guardian or legal representative of the minor, or by the minor if he is 14 years of age or more.

(j) In addition to the powers given in this act, a custodian has all the powers with respect to the custodial property which a guardian of the property would have with respect to property not held as custodial property.

C. 46:38-28.
Expenses of
custodian.

16. (a) A custodian is entitled to reimbursement from the custodial property for his reasonable expenses incurred in the performance of his duties.

(b) A custodian other than a trust company or a guardian of a minor shall receive no compensation for his services.

(c) If a custodian is a trust company or a guardian of a minor, he may receive from the custodial property reasonable compensation for his services as provided by the law of this State governing compensation of a guardian of the property of a minor, as if the property held by him as custodian were held by him as guardian in addition to any other property of the minor held by him as guardian.

(d) A custodian need not give a bond concerning the performance of his duties unless required to do so by court order under this act.

(e) A custodian not compensated for his services is not liable for losses to the custodial property unless they result from his bad faith, intentional wrongdoing or gross negligence or unless, if he invests or reinvests any part or all of said property, the losses result from his failure, in the course of such investing and reinvesting, to observe the applicable standards of prudence established by this act.

17. An issuer, transfer agent, bank, broker or other person acting on the instructions of or otherwise dealing with any person purporting to act as a donor or custodian (a) is not responsible for determining whether the person designated by the purported donor as, or purporting to act as custodian has been duly designated or whether any purchase, sale or transfer to or by, or any other act of, any person purporting to act as custodian is in accordance with or authorized by this act; (b) is not obliged to inquire into the validity or sufficiency under this act of any instrument or instructions executed or given by a person purporting to be a donor or custodian; and (c) is not bound to see to the application, by any person purporting to be a custodian, of any money or other property paid or delivered to him.

C. 46:38-29.
Issuer,
agent,
broker, etc.,
not liable.

18. A custodian may resign as follows:

(a) If the donor designated a successor custodian who is then in being, the custodian may resign by (1) executing an instrument of resignation, (2) causing each security which is custodial property and in registered form to be registered, and each account with a broker or in a bank to be carried, in the name of the successor custodian followed by substantially the following language: "as custodian for under the New
(name of minor)

C. 46:38-30.
Resignation
of custodian.

Jersey Uniform Gifts to Minors Act," and (3) delivering to the successor custodian the instrument of resignation, each security registered in the name of the successor custodian and all other custodial

property, together with any additional instruments required for the transfer thereof, or

(b) If the donor did not designate a successor custodian who is then in being, the custodian may resign by executing an instrument of resignation designating a successor custodian and taking the steps described in subsection (a) (2) and (a) (3) of this section, or otherwise in accordance with the order of the court, upon application to the court by the custodian for permission to resign and for the designation of a successor custodian.

An ineligible person who has accepted a designation as custodian shall be deemed a lawful custodian for the purpose of the application of the resignation procedure and the powers provided in this section.

C. 46:38-31.
Court to
appoint
successor
custodian.

19. If the person designated as custodian renounces or dies before the minor is 21 years of age, and if no person designated as successor custodian is then in being, the guardian of the minor shall be successor custodian. If no such successor custodian is in being and if the minor has no guardian, then, upon application of the donor, his legal representative, the legal representative of the custodian, an adult member of the minor's family, or the minor if he is 14 years of age or more, the court shall appoint a successor custodian.

C. 46:38-32.
Transfer of
custodial
property
upon death,
etc., of
custodian.

20. Upon the death of a custodian or renunciation of a custodian designee for whom a successor custodian has been designated or provided by law, the certificate of death, a written renunciation or a written recital of the renunciation, as the case may be, shall be full warrant to all persons for immediate transfer of the custodial property to the successor if the minor is then under 21 years of age. The successor shall cause each security which is custodial property and in registered form to be registered, and each account with a broker or in a bank to be carried, in the name of the successor custodian followed by substantially the following language: "as custodian for
(name of minor)"

under the New Jersey Uniform Gifts to Minors Act''; and shall cause each such security and all other custodial property to be delivered to him together with any additional instruments required for the transfer thereof.

21. Upon application of the donor, the legal representative of a donor, an adult member of the minor's family, a guardian of the minor, or the minor if he has attained the age of 14 years, the court for cause shown may (1) require the custodian to give bond for the performance of his duties, or (2) remove the custodian and, if no person designated as successor custodian is then in being, designate a successor custodian, and (3) take such other action as it deems in the best interest of the minor.

C. 46:38-33.
Bond or
removal of
custodian.

If the court orders removal it shall provide for delivery of all custodial property to the successor custodian and the execution of all instruments required for the transfer thereof.

22. The court may require or permit the custodian or his legal representative to account incident to any proceeding under this act, or in a separate proceeding upon application of the minor if he has attained 14 years of age, the legal representative of the minor, an adult member of the minor's family or a donor or his legal representative. The court shall require an accounting if it removes a custodian.

C. 46:38-34.
Accounting.

23. A delivery of a notice to a person under this act may be effected either (a) by personal delivery to the person, (b) by personal delivery at his residence to a member of his household who has attained 14 years of age, or (c) by registered or certified mail addressed to his residence.

C. 46:38-35.
Delivery of
notice.

24. (a) This act shall be construed to promote uniformity with similar laws of other States.

C. 46:38-36.
Construing.

(b) The methods for making gifts to minors provided by this act are not exclusive.

25. "An act concerning gifts of securities to minors," approved July 14, 1955 (P. L. 1955, c. 139), hereinafter called the "Model Act," shall not

C. 46:38-37.
Application
and repealer
of act.

apply to any gift made to a minor on or after the effective date of this act. The Model Act is repealed effective July 1, 1985.

C. 46:38-38.
Gifts
governed by
Model Act.

26. All gifts made before the effective date of this act under the Model Act shall continue to be governed by the Model Act.

C. 46:38-39.
Gifts made
under this
act.

27. All gifts which were, before the effective date of this act, authorized or directed to be made under the Model Act shall, if made, be made under this act.

C. 46:38-40.
Reserves
power to
amend, etc.

28. The Legislature reserves the power to amend, supplement and repeal this act.

C. 46:38-41.
Provisions
severable.

29. If any provision of this act, or any application of any provision, is held invalid, the invalidity shall not affect other applications of the provision, or other provisions of the act, which reasonably can be given effect despite the invalidity.

Note:
Act
effective.

30. This act becomes effective on the first day of the fifth full month following the day of its enactment.

Approved December 19, 1963.

CHAPTER 178

AN ACT concerning the practice of optometry, and amending section 45:12-11 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 45:12-11 of the Revised Statutes is amended to read as follows:

Refusal to
grant;
revocation
of licenses;
grounds.

45:12-11. The board shall have the power, and it is hereby made its duty to refuse to grant, to revoke or to suspend for a specified time, to be determined in the discretion of the board, any license to practice optometry in the State of New Jersey for any of the following causes:

a. Loaning, selling, or fraudulently obtaining any optometry diploma, license, record, or certificate, or aiding or abetting therein.

b. Gross incompetence.

c. The obtaining of any fee by fraud or misrepresentation or the practice of deception or fraud upon any patient or patients.

d. Chronic and persistent inebriety, or the habitual use of narcotics.

e. Affliction with a contagious or infectious disease which, in the opinion of the board, renders practice of optometry by the licensee or applicant for license dangerous to the public health.

f. Conviction of a crime involving moral turpitude; or where any licensee or applicant for a license has pleaded non vult contendere or non vult to any indictment, information, allegation or complaint, alleging the commission of a crime involving moral turpitude, or where any licensee or applicant for a license presents to the board any diploma, license or certificate that shall have been obtained, signed, or issued unlawfully or under fraudulent representation. The record of conviction or the entry of such a plea in any court of this State or any other State or in any of the courts of the United States or any foreign country, shall be sufficient warrant for the revocation or suspension of a license.

g. Conviction in a court of competent jurisdiction of a high misdemeanor.

h. False, fraudulent or misleading advertising of the practice of optometry or of any art, skill, knowledge, method of treatment or practice pertaining thereto.

Advertising of the practice of optometry or of any art, skill, knowledge, method of treatment or practice pertaining thereto or ophthalmic materials, fees, prices, the charges for services or ophthalmic materials, the character or durability of services or ophthalmic materials or advertising to perform optometric services or with reference to providing glasses, spectacles, contact lenses, frames, mount-

ings, lenses or prisms free of charge or on credit or installments or anything of similar import to the foregoing, by means of circular, handbills, card, letter, sign, poster, pictures, representations of eyes or eyeglasses, advertising matches, mirrors or other articles or by advertisement in newspapers, books, magazines or other publications or by projection by means of light, electronics, crier, radio broadcasting, television or by use of an advertising solicitor or publicity agent or any other advertising media; provided, however, that any person licensed under the provisions of this chapter may issue appointment cards or professional cards to his patients, when the information thereon is limited to matter pertaining to the time and place of appointment and that permitted on the professional card, or may display the name of the licensee on the premises where he is engaged in the practice of his profession upon the windows or doors thereof and by door plates, or name or office directory when the information is limited to that of the professional card. For the purposes of this section a professional card shall contain only the name, title, profession, degrees, address, telephone number, office hours of the licensed optometrist, and the words "eyes examined," "eye examinations," or "hours for the examination of eyes." The foregoing is not to be construed as prohibiting the publication by an optometrist of his professional card in regularly published newspapers provided his said card and advertisement does not contain any information other than that permitted in the definition of the professional card as is found in this section.

i. Announcing his name in any city, commercial, telephone or other public directory, or directories in public or office buildings using display or bold-face type or type that is in any way dissimilar in size, shape, or color to that used for other practitioners of the healing arts in the same directory.

No optometrist shall cause or permit himself to be listed in a telephone directory under any name other than the name in which he is registered with

the board as the holder of a valid, unrevoked, active license to practice optometry in this State.

No optometrist shall cause or permit any listing of any

(1) inactive, retired, removed or deceased optometrist or any other ocular practitioner, except that, for a period of not more than 2 years from the date of succession to the practice of another optometrist, an optometrist may use a telephone listing of such optometrist together with the words "succeeded by," "succeeding" or "successor to."

(2) any trade name or corporate name, or the name of any person, firm, corporation, partnership or association not licensed to practice optometry under the provisions of chapter 12 of Title 45 of the Revised Statutes of New Jersey in which additional listing the address or telephone number is the same as that of the said optometrist.

The listing of an optometrist in a telephone directory shall contain only the name, title, the word "optometrist," degrees, address or addresses, office hours and telephone number or numbers of the licensed optometrist, including, if desired, the words "if no answer, call"

Any optometrist listed in the classified section of any directory shall be listed only under the classification entitled "Optometrists," at the address or addresses for which he holds a valid, unrevoked, active license to practice optometry in this State.

j. Displaying any spectacles, eyeglasses, eyeglass or spectacle frames or mountings, goggles, lenses, prisms, spectacle or eyeglass cases, ophthalmic material of any kind, optometric instruments, or optical tools or machinery, or any merchandise material, or advertising of a commercial nature in office windows or reception rooms or in display cases outside of the offices, where the display of such merchandise, material or advertising would make it visible from the street.

k. Displaying his licenses, diplomas, or certificates in such a manner that they may be seen from the outside of the office.

l. Using the title doctor or its abbreviation without further qualifying this title or abbreviation with the word optometrist.

m. Use by an optometrist of the words "clinic," "infirmary," "hospital," "school," "college," "university," or "institute" in English or any other language in connection with any place where optometry may be practiced or demonstrated; provided, however, that nothing in this section shall prevent an optometric clinic, approved by the board, from being conducted on a nonprofit basis by a school or college of optometry or an association of registered optometrists.

n. The continuance of an optometrist in the employ of, or acting as an assistant to any person, firm or corporation, either directly or indirectly, after he has knowledge that such person, firm or corporation is violating the laws of New Jersey concerning the practice of optometry.

o. Any conduct which is of a character likely to deceive or defraud the public.

p. Soliciting in person or through an agent or agents for the purpose of selling ophthalmic materials or optometric services or employing what are known as "chasers," "steerers," or "solicitors," to obtain business.

q. The issuance of appointment cards or the display of the name of the licensee on the premises where he is engaged in the practice of his profession when the information goes beyond that permitted by a professional card.

r. The display of the name and title of the licensee, or other information in lettering larger than 4 inches in height for street-level offices, or larger than 6 inches in height for office above street-level, and in no event shall there be more than 3 such displays, and the illumination of said name and title except during office hours; the use of colored or neon lights, eyeglasses or eye signs, whether painted, neon, decalcomania, or any other either in the form of eyes or structures resembling eyes, eyeglass frames, eyeglasses or spectacles, whether lighted or not.

s. Any violation of rule or regulation duly promulgated by the board hereunder or of any provision of this chapter.

t. No optometrist shall cause or permit the use of his name, profession or professional title by or in conjunction with any association, company, corporation, or nonlicensed person, in any advertising of any manner.

u. Practicing optometry in any retail or commercial store or office not exclusively devoted to the practice of optometry or other health care professions where materials or merchandise are displayed pertaining to a business or commercial undertaking not bearing any relation to the practice of optometry or other health care professions; providing, however, that any optometrist practicing in premises of this type prior to January 1, 1963, shall be permitted to continue in his present location; but when and if any optometrist, who is a lessee or an employee of a lessee, vacates such premises no other optometrist shall be permitted to practice in said vacated premises. Practicing optometry under a false or assumed name, or upon a salary, commission, or any other basis of compensation, while directly or indirectly employed by or associated or connected as an optometrist with any person, association or corporation other than one who possesses a valid unrevoked certificate of registration as an optometrist or a physician licensed in and for the State of New Jersey and who has an actual legal residence within the State.

v. Prior to prescribing for or providing eyeglasses or spectacles a complete minimum examination shall be made of the patient to determine the correct lenses necessary for such a patient. The requirements of such minimum examination shall be defined by rule or regulation of the New Jersey State Board of Optometrists.

w. Any person licensed as an optometrist who violates section 45:12-11 (i), (h), (m), (q), or (r) of this chapter, shall, at the discretion of the board, be subject to a penalty of \$50.00 for the first offense

and \$200.00 for each subsequent offense in lieu of the suspension or revocation of his license.

x. Any person who has been guilty of gross malpractice or gross neglect in the practice of optometry which has endangered the health or life of any person.

Proceedings for the revocation of a certificate or suspension of the right to practice shall be begun by filing with the board a written charge or charges against the accused. These charges may be preferred by any person or the board may on its own motion direct its secretary to prefer the charges.

2. This act shall take effect immediately.

Approved December 23, 1963.

CHAPTER 179

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1964, and regulating the disbursement thereof," approved June 13, 1963 (P. L. 1963, c. 97).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Appropriations.

1. The following sums are hereby appropriated out of the General State Fund, or such other sources of funds specifically indicated or as may be applicable, for the respective public officers and for the several purposes herein specified:

GENERAL STATE PURPOSES

LEGISLATURE

001-100 Senate

Supplemental requirement for fiscal year 1963-1964	\$60,000 00
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002-100. General Assembly

Supplemental requirement for the
fiscal year 1963-1964 \$26,000 00

EXECUTIVE

DEPARTMENT OF STATE

300-100. Office of Secretary

To provide operating costs necessary
to implement chapter 124, P. L. 1963 \$40,000 00

DEPARTMENT OF HEALTH

374-100. Board of Barber Examiners

Such additional sums as may be
necessary for salaries of the Secre-
tary-Treasurer and members of the
State Board of Barber Examiners
as provided by P. L. 1963, c. 157,
approved October 14, 1963.

DEPARTMENT OF EDUCATION

500-125-501. Student Loans

For Student Loans pursuant to chap-
ter 121, P. L. 1959 \$135,000 00

STATE AID

DEPARTMENT OF CONSERVATION AND
ECONOMIC DEVELOPMENT
DIVISION OF RESOURCE DEVELOPMENT

420-453. Inland Waterways and
Shore Protection—
State Aid Shore Protection:

For shore protection outlined in R. S.
12:6A-1 and 6A-4 \$1,020,000 00
For State aid for shore protection to
municipalities and counties par-

ticipating in the Federal program under the Public Works Acceleration Act (Public Law 87-658) not to exceed 25% of the total cost of shore protection projects in which the Federal Government will participate under said act, said total cost to include direct construction, legal advertising and project inspectors but not including municipal and county legal and engineering fees and costs. The shore protection work to be executed under contract by the municipality or county shall be subject to supervision and inspection by the department including approval of plans, specifications, bidding and contract award and the making of surveys as necessary to co-ordinate with existing State comprehensive planning. An allowance of 2.5% of the total cost of shore protection projects approved for construction shall be available to the department to defray the cost of such State supervision and inspection. In conjunction with approval of contract award by the department, a sum representing 90% of State aid approved shall be paid over to the municipality or county subject to final approval of the completed work and audit and accounting of the project funds. Final payment to the municipality or the county shall be made upon determination of the final amount subject to State aid and completion of the final audit.

CAPITAL CONSTRUCTION

DEPARTMENT OF DEFENSE

346-100. Division of Civil Defense

To provide 50% of part of the cost of architectural and engineering services required to construct an emergency operating control center as an alternate seat of government and to carry out State-wide civil defense emergency operations, the total cost of which is estimated to be \$2,500,000.00 toward which the Federal Government will contribute 50% \$60,000 00

The amounts hereinabove appropriated shall be available only if matched by Federal funds.

DEPARTMENT OF CONSERVATION AND
ECONOMIC DEVELOPMENT420-100. Division of Resource Development—
Capital Construction:

420-100-750—Forest, parks and recreational development \$111,000 00

The amounts hereinabove appropriated shall be available only if matched by Federal funds pursuant to the provisions of Public Law 87-658.

2. This act shall take effect immediately.

Approved December 26, 1963.

CHAPTER 180

AN ACT relating to the State House Commission, amending sections 52:20-1 and 52:20-6 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 52:20-1 of the Revised Statutes is amended to read as follows:

Membership
of State House
Commission.

52:20-1. The State House Commission shall consist of the Governor, who shall be the presiding officer, the State Treasurer, and the Comptroller of the Treasury, or the persons upon whom shall devolve by law the powers, duties and emoluments of said offices respectively, for the time being, and 2 members of the Senate appointed by the President thereof and 2 members of the General Assembly appointed by the Speaker thereof, no more than one of either group of 2 being of the same political party. The members of the commission shall serve without pay in connection with all such duties as are prescribed in this chapter. The appointed members of the commission shall serve as members thereof for terms co-extensive with their respective terms as members of the Houses of the Legislature from which they were appointed.

2. This act shall take effect immediately.

Approved January 13, 1964.

CHAPTER 181

AN ACT concerning diversion of surface waters of the State for domestic, commercial, industrial, agricultural and irrigation uses and other private purposes, and supplementing chapter 1 of Title 58 of the Revised Statutes.

WHEREAS, Increasing diversion of surface waters for consumptive uses in some areas of the State is depleting natural flows of certain streams to a degree which adversely affects the health and welfare of residents of areas contiguous to the lower reaches of those streams; and

Preamble.

WHEREAS, It is in the public interest to maintain the natural low flows of such streams and to regulate the use of the waters thereof in accordance with principles of equitable apportionment; now, therefore,

Preamble.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. As used in this act, unless the context indicates another or different meaning or intent:

C. 58:1-35.
Terms defined.

A. "Division" means the Division of Water Policy and Supply in the Department of Conservation and Economic Development.

B. "Council" means the Water Policy and Supply Council in the Department of Conservation and Economic Development.

C. "Nonconsumptive use" means the use of water diverted from a stream in such a manner that it is returned to the stream without substantial diminution in quantity or substantial impairment of quality at or near the point from which it was taken; or, if the user owns both sides of the stream at the point of diversion, the water is returned at a point upstream of the next property below the point of diversion upon either side of the stream.

D. "Consumptive use" is any use of water diverted from a stream other than a nonconsumptive use as defined in this act.

E. "Person" includes any municipality or public agency or any corporation, partnership, company, association, or individual.

F. "Surface waters" means all waters, other than tidal waters, occurring in any natural lake, river, stream, creek, swamp, or other natural body of water, or in any channel having definite banks

and bed, with visible evidence of the flow or occurrence of water, including any natural or artificial channels or ponds directly connected thereto or obtaining water therefrom as evidenced by depletion of water level or stream flow during pumpage.

G. "Low flow" means the established "average minimum daily flow," which shall be determined by the division for each point on the stream at which application for diversion is made. This "average minimum daily flow" shall be the average of minimum daily flows occurring during each of the 5 years having the lowest daily flow within the period of the preceding 20 consecutive years, or the period of the length of the available stream flow record, whichever may be the shorter, but not less than 10 years. Each determination shall be based upon available stream flow data obtained from the gaging station on the stream nearest the point of diversion, or in the absence of a station with at least 10 years of record, from records obtained from gaging stations on similar basins of comparable shape, slope and terrain, and water use, which shall be applied to the point of diversion by reasonable and commonly accepted engineering hydrologic methods. Where these determinations result in flows of less than 200,000 gallons daily per square mile of unappropriated drainage area above the point of diversion or where the circumstances so warrant, the minimum desirable low flow below that point may be determined by the council.

C. 58:1-36.
Council to
delineate areas
for regulation.

2. The council shall delineate from time to time, after public hearing, those watershed areas of the State in which the diversion of surface waters for consumptive uses has developed or threatens to develop to a degree which requires regulation for protection of the interests and rights of residents of said watershed areas.

C. 58:1-37.
Limitation
on diversion;
permit;
application
of act.

3. In areas so delineated by the council no person shall, after the expiration of one year from the date of delineation, divert or obtain surface waters in excess of a rate of 70 gallons per minute for any private use other than reasonable domestic use,

unless and until such person shall have obtained a permit for such diversion from the council. Nothing in this act, however, shall apply directly to diversion for public water supply, nor be construed to limit the jurisdiction of the council over all diversions for public water supply as presently set forth in chapter 1 of Title 58 of the Revised Statutes.

4. When satisfactory evidence is provided by the applicant that the water diverted is not to be consumptively used, a permit for such diversion shall be issued by the council upon request without public hearing. Application for such permit shall set forth such facts as the council shall deem necessary to enable it to establish and maintain an adequate record of diversions of surface waters within all delineated watersheds.

C. 58:1-38.
Evidence
as to use of
diverted water
application.

5. In all cases in which satisfactory evidence of a nonconsumptive use is not presented, public hearings shall be held by the council or by one or more of its members in place and stead of the full council, to be designated by the council, unless a party in interest appearing before the council objects to such designation. When a hearing shall be held by less than a majority of the members of the council, the councilman or councilmen holding the hearing shall furnish to each member of the council not participating in the hearing a summation of the testimony taken at the hearing. Thereafter the action of the council upon the matter shall be as effective as though the hearing is held before the entire council. Testimony before the council need not be stenographically reported but it may be stenographically reported by the council or at the request of any party before the council provided that should the request come from a party, the party shall bear the full expense of transcribing the testimony. The hearing shall be advertised by the publication of a notice specifying that on a given day at a given place a hearing will be held by the council for the purpose of hearing all persons and municipal corporations or other civil divisions of the State that may be or are affected by the applica-

C. 58:1-39.
Hearing;
conducting;
notice;
decision in
writing;
appeals.

tion. A notice shall be published in such newspaper and for such time, not exceeding 4 weeks, as the council shall determine shall be adequate to give notice of the hearing to persons and municipal corporations or other civil divisions that are or may be affected by the application. At least 10 days before the hearing the council shall furnish direct notice of the hearing to the persons and municipal corporations and other civil divisions of the State deemed by the council to have an interest in the application. At any time prior to the day specified in the notice any person or municipal corporation or the proper authorities of any civil division of the State may file with the council objections to the application which objection shall state specifically its ground or grounds. When no formal objection to granting a diversion permit has been filed prior to the day of the scheduled hearing, the hearing may be waived by the council or councilman designated to hold the hearing and the facts may then be determined by the director of the division or by a deputy designated by him for report to the council. The council or councilman upon the day specified for the hearing or upon subsequent days of the hearing, shall examine proofs and hear arguments and evidence in support of and opposition to the application. It shall be determined whether the application is justified in the public interest, whether it provides for proper and safe construction of all works connected therewith, whether it provides for proper protection of the supply of the watershed from contamination, whether the reduction of the dry-season flow of any stream will be caused to an amount likely to produce unsanitary conditions or otherwise unduly injure public or private interests, and whether the plans are just and equitable to all persons concerned, particular consideration being given to the present and future necessity for sources of water supply. A permit may be made upon such conditions or terms as the council may deem necessary in the public interest. In any case where the applicant was diverting prior

to the date of delineation of the area, the council shall also take into consideration the extent to which the prior use of water by the applicant was reasonably necessary to meet his needs and shall grant a permit which will meet those reasonable needs prior to consideration of other demands on the water supply. A decision of the council shall be made in writing and shall be filed in its office. The decision may be reviewed by a proceeding in lieu of prerogative writ in the Superior Court.

6. Permits for diversion of surface water for private consumptive use as herein specified shall be issued only for such places and for such periods of time as water is available in excess of the low flow as defined in this act, except that diversion in excess of such amount may be permitted where the stream enters tidal waters immediately below the point of diversion.

C. 58:1-40.
Permits for
consumptive
use.

7. Permits may not be transferred except by the council for identical use on the same lands or after due consideration of the use to be made of the water by the transferee.

C. 58:1-41.
Transfer
of permits.

8. The division shall be empowered to employ such additional personnel as may be required to administer this act. Upon delineation of a watershed area, the division shall forthwith make a survey of all diversions of surface water within said area. Each diverter shall thereupon be notified by the division of the contents of this act as soon as practicable.

C. 58:1-42.
Personnel;
notice to
diverter.

9. Where application is made for diversion of surface water for irrigation of farm crops, such application shall be accompanied by a recommendation from the Agricultural Extension Service as to optimum rates of application and total amounts of water required by the crops and soil types to which water is to be supplied.

C. 58:1-43.
Application
for surface
water for
irrigation.

10. All permits except those issued under the provisions of section 4 hereof shall be limited to a definite period of time to be determined by the council, which shall be long enough to provide for amortization, at a reasonable rate, of capital invest-

C. 58:1-44.
Time limita-
tion on permits.

ment in structures and facilities necessary to divert and utilize the water required, but not longer than 25 years, and shall further provide for adequate review prior to renewal, and for modification if required in the public interest.

C. 58:1-45.
Effect on
storage or
release of
stored waters.

11. Nothing in this act shall prevent the creation of adequate storage and regulation of the discharge of stored waters to supplement stream flows, or preclude recognition of storage facilities already existing for that purpose for full consideration in conformity with the intent of paragraphs 5 and 10 hereof.

C. 58:1-46.
Fees.

12. All diverters of surface waters in watershed areas delineated under section 2 hereof shall pay to the State of New Jersey, through the division, for each diversion permit a fee of \$10.00 upon the granting thereof. All such diverters for consumptive use shall also pay an annual charge, at the rate of \$0.50 per million gallons, for all water so diverted under said permit in excess of the first 100,000 gallons diverted on any day, beginning with the date of delineation. All such diverters for non-consumptive use shall pay an annual charge at the rate of \$10.00 per million gallons, based on the average daily amount of water diverted over and above 100,000 gallons beginning with the date of delineation or such subsequent date as the diversion may begin.

C. 58:1-47.
Penalties.

13. Any person who shall violate any of the provisions of this act shall be subject to a penalty of \$50.00 for such violation, and a further penalty of \$50.00 for each day during which such violation shall continue, and \$100.00 per day for each subsequent violation.

C. 58:1-48.
Recovery of
penalties.

14. Actions for penalties under this act shall be brought by and in the name of the State of New Jersey in any County Court, county district court, or municipal court in summary manner without a jury, in accordance with the procedure prescribed in the penalty enforcement law (N. J. S. 2A:58-1 et seq.) and the rules of the Supreme Court governing the procedure for collection of statutory

penalties. Such summary proceeding may be instituted by the director of the division or any authorized representative, or by any police officer, and any such official may serve and execute, on any day of the week including Sunday, or upon a holiday, any process issued by the court in which such proceeding is brought.

15. The sum of \$25,000.00 is hereby appropriated to the division to provide the means for implementation of this act. Appropriation.

16. Nothing in this act shall be construed to nullify or affect any existing rights to the diversion or use of any surface waters heretofore granted by the Legislature, or to interfere with the continuance of any such right; provided, however, that no action shall lie to enjoin any use or diversion for which a permit has been obtained under this act. Owners of such existing rights shall nevertheless be required to obtain a permit for diversion as provided in this act. C. 58:1-49.
Construing.

17. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications, and to this end the provisions of this act are declared to be severable. C. 58:1-50.
Provisions
severable.

18. This act shall take effect immediately.
Approved January 13, 1964.

CHAPTER 182

AN ACT to amend "An act regulating real estate brokers and salesmen, and amending section 45:15-17 and supplementing Article one of chapter 15 of Title 45 of the Revised Statutes," approved June 12, 1948 (P. L. 1948, c. 155).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 45:15-16.1.
Promotional
sale of property
located outside
State; inves-
tigation; fee;
report; false
statements,
etc., penalty.

1. Any broker who proposes to engage in sales of a promotional nature in this State of property located outside of this State, must submit to the commission, before doing so, full particulars regarding such property and the proposed terms of sale, accompanied by a filing of \$50.00, and said broker and his salesman must comply with such rules, regulations, restrictions and conditions pertaining thereto as the commission in its discretion may impose. The commission shall investigate all such matters, and all expenses incurred by the commission in investigating such property and the proposed sale thereof in this State, shall be borne by the broker. No broker or salesman shall in any manner refer to the New Jersey Real Estate Commission, or to any officer or employee thereof, in selling, offering for sale, or advertising, or otherwise promoting the sale, mortgage or lease of any such property except in the manner provided for by this section.

The findings of the commission's investigation of any such property, shall be contained in a public report, which the commission may have published. A clearly identified copy of the commission's public report on such property, shall be given to each prospective purchaser or lessee by the broker prior to the execution of a contract for the sale or lease of any portion of the said property. A receipt for a copy of the report from the purchaser shall be taken by the broker and, if a contract of sale or a lease shall be entered into, the receipt shall be kept in the broker's files for a period of 3 years and shall be subject to inspection by the commission.

Any such public report of the commission shall not be used for advertising or sales promotional purposes unless it is used in its entirety. No portion of the report shall be underscored, italicized

or printed in larger or heavier type than the balance of the report, unless the copy of the report furnished by the commission so indicates.

Every broker or employee who knowingly authorizes, directs or aids in the publication, advertisement, distribution or circulation of any false statement or material misrepresentation or who with knowledge that any advertisement, pamphlet, prospectus or letter concerning such property or subdivision contains any written statement that is false or fraudulent, or causes the same to be issued, circulated, or distributed, concerning any such property or subdivision thereof offered for sale or lease in this State, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$2,500.00 or by imprisonment for not less than 2 years or more than 3 years, or by both such fine and imprisonment.

2. This act shall take effect immediately.

Approved January 13, 1964.

CHAPTER 183

A SUPPLEMENT to "An act concerning the retirement and death of certain judicial officers and payments to be made as a result thereof," approved September 13, 1948 (P. L. 1948, c. 391).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Any person who (a) holds the office of Chief Justice or associate justice of the Supreme Court or judge of the Superior Court, and (b) shall have served at least 15 years continuously and in the aggregate as a member of the Supreme Court, Superior Court or County Court, the last 10 years of said 15-year period having been served in the Supreme or Superior Courts, or as an Advisory

C. 43:6-6.13.
Retirement of
certain judicial
officers
procedure.

Master to the Superior Court, or partially in the said courts and partially as said Advisory Master, and (c) has attained the age of 65 years but shall not have attained the age of 70 years, may retire from judicial office upon filing his resignation in the office of the Secretary of State, accompanied by a statement that it is so filed for the purpose of taking advantage of the provisions of this act. He shall thereafter be paid an annual pension during the remainder of his natural life, in an amount equal to and payable in the same manner as the pension that would be payable to him under the act to which this act is a supplement had he attained the mandatory retirement age of 70 years.

C. 43:6-6.14.
Bars other
pension;
widows'
pension.

2. Any person who takes advantage of the provisions of this act shall not be entitled to a pension under the act to which this act is a supplement; however, for the purpose of providing a widow's pension, a pension payable under the provisions of this act shall be deemed to be payable under the provisions of the act to which this act is a supplement.

C. 43:6-6.15.
Bars practice
of law.

3. No person who retires under the provisions of this act shall engage in the practice of law before any of the courts of this State.

C. 43:6-6.16.
Assignment by
Chief Justice.

4. Any person who retires under the provisions of this act may be designated and assigned by the Chief Justice of the Supreme Court to perform such duties as he shall be willing to undertake. A person accepting such an assignment shall not receive any compensation for the performance of the duties assigned to him, but shall be reimbursed for all reasonable expenses incurred in connection therewith. Such designation and acceptance shall be in writing and shall be filed in the office of the clerk of the Supreme Court.

C. 43:6-6.16.
Application
of act.

5. This act shall be applicable to persons now or hereafter holding the offices of Chief Justice or associate justice of the Supreme Court or judge of the Superior Court.

6. This act shall take effect immediately.

Approved January 23, 1964.

CHAPTER 184

AN ACT vesting title in Jonathan Dwight Stern and Joseph Hoyt Stern of an undivided one-half interest in certain lands and premises whereof Daniel M. Stern died seized, which interest is alleged to have escheated to the State of New Jersey.

WHEREAS, Daniel M. Stern was the owner of certain premises located in the borough of Wanaque, county of Passaic and State of New Jersey, by Deed from Eliza Beattie and Abraham, her husband, to Daniel M. Stern, dated November 26, 1886, recorded December 18, 1886 in the Passaic County Register's Office in Deed Book O-8, page 60. Said premises are known as lots 10 and 11 in block 200 on the official tax assessment map of the borough of Wanaque and are further described in the aforesaid Deed as follows:

Preamble.

Being a part of the farm and wood lot of John P. Beattie, Dec'd, and bounded as follows: On the North by lands of Henry B. Morris, on the East by lands of David Beam, on the South by lands of Henry J. David and on the West by lands of Peter Beattie and the Public Highway.

Same being given to Abraham Beattie by will of John P. Beattie, Dec'd., said will being duly probated and recorded in the Surrogate's Office of the County of Passaic, will more fully appear. Containing 40 acres more or less.

and;

WHEREAS, The said Daniel M. Stern died intestate on March 16, 1923, seized of said property; and

Preamble.

WHEREAS, The heirs-at-law and next-of-kin of Daniel M. Stern were a son, Kenneth G. Stern

Preamble.

and Jonathan Dwight Stern and Joseph Hoyt Stern, the adopted children of Randall Stern, a son who died intestate on March 25, 1922, thus predeceasing Daniel M. Stern. The said Kenneth G. Stern died intestate on January 29, 1951; and

Preamble. WHEREAS, The said Jonathan Dwight Stern and Joseph Hoyt Stern were adopted by Randall Stern on October 9, 1920 in the county of Suffolk, State of New York; and

Preamble. WHEREAS, Under the laws of intestacy, at the time Jonathan Dwight Stern and Joseph Hoyt Stern took their father's one-half interest to said premises but under the law at the time could not take their father's brother's share upon his death on January 29, 1951, since under the laws of inheritance at the time, adopted children could not take from collateral relatives; and

Preamble. WHEREAS, The Legislature of the State of New Jersey, recognizing that there was no reason why adopted children should not be treated the same as natural children for purposes of inheritance, amended the law effective January 1, 1954 so as to allow adopted children to take under the laws of descent and distribution as if they were natural born children; and

Preamble. WHEREAS, The adopted children of Randall Stern were the only heirs of Kenneth G. Stern and since they could not take because of their adoptive status it is alleged that the one-half interest to said premises escheats to the State of New Jersey; and

Preamble. WHEREAS, The same inequities exist in this case which the Legislature recognized and corrected by the amendment of January 1, 1954 in futuro but which amendment does not correct this situation; and

WHEREAS, The Legislature desires to ameliorate the inequities in this situation, caused by the status of the law prior to 1954; and

Preamble.

WHEREAS, Notice of Intention to apply for the passage of this act has been given and duly published; now, therefore

Preamble.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. All the estate, right, title and interest of every kind and character of which it is alleged that the State of New Jersey is seized in and to certain real estate heretofore belonging to Daniel M. Stern, more particularly described in the preamble of this act, is hereby vested in Jonathan Dwight Stern and Joseph Hoyt Stern and such title as aforesaid vested under the provisions of this act is hereby validated and confirmed.

Vests title.

2. This act shall take effect immediately.

Approved January 23, 1964.

CHAPTER 185

AN ACT concerning civil service, amending section 11:2-5 and supplementing chapter 2 of Title 11 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 11:2-5 of the Revised Statutes is amended to read as follows:

Section amended.

11:2-5. The chief examiner and secretary shall be in the competitive division of the State classified service.

Position to be in classified service.

2. The chief examiner and secretary presently in office shall continue to hold his position subject to all of the provisions of Title 11 of the Revised

Present incumbent to have tenure.

Statutes and shall not be removed from said office except in the manner provided under the provisions of said Title relating to permanent employees in the competitive division of the State classified service.

3. This act shall take effect immediately.

Approved January 23, 1964.

CHAPTER 186

AN ACT to validate certain proceedings at meetings or elections of school districts, and any bonds or other obligations issued or to be issued pursuant to such proceedings.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Validates
proceedings,
elections
and bonds.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that the consents of the State Commissioner of Education and of the Local Government Board provided for in section 18:5-86 of the Revised Statutes were not endorsed upon a copy of such proposal prior to the date of such school district meeting or election; provided, however, that the consents of the State Commissioner of Education and of the Local Government Board provided for in said section 18:5-86, prior to the issuance of any such bonds or other obligations, shall have been endorsed upon a copy of such proposal; and provided further, that no action, suit or other proceedings of any nature to contest the validity

of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court, or, when such time has not theretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved January 23, 1964.

CHAPTER 187

AN Act to amend the title of "An act concerning education, providing for special educational services for emotionally and socially maladjusted pupils and for State aid in reimbursement of school districts of the cost of furnishing such services," approved June 15, 1959 (P. L. 1959, c. 104), so that the same shall read "An act concerning education, providing for special educational services for emotionally disturbed and socially maladjusted pupils and for State aid in reimbursement of school districts of the cost of furnishing such services," and to amend the body of said act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The title of the act of which this act is amendatory is amended to read as follows: Title amended.

"An act concerning education, providing for special educational services for emotionally disturbed and socially maladjusted pupils and for State aid in reimbursement of school districts of the cost of furnishing such services." New title.

2. Section 4 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 18:14-71.39.
Local boards to
provide special
instructional
and related
services for
emotionally
disturbed or
maladjusted
pupils;
approval of
program.

4. Local boards of education may provide instructional and related special services for emotionally disturbed or socially maladjusted pupils by:

- a. establishing such services within the district,
- b. sharing services of special personnel employed by another school board,
- c. sending children to another school district,
- d. agreement among boards to provide joint services,
- e. arrangement through the Commissioner of Education for direct services through the county department of child study, or
- f. sending children to privately operated, non-profit, day classes in schools whose services are nonsectarian providing services for emotionally disturbed or socially maladjusted children if no suitable public school placement is available.

Any program for emotionally or socially maladjusted pupils operated by a local school district, or by school districts acting jointly, shall be approved each year by the Commissioner of Education before it is placed in operation.

Section
amended.

3. Section 7 of the act of which this act is amendatory is amended to read as follows:

C. 18:14-71.42.
Tuition rate.

7. Any board of education, or privately operated, nonprofit school whose services are nonsectarian, or nonprofit educational organization providing day class services for emotionally disturbed or socially maladjusted children, which receives pupils from a sending district under this act shall determine upon a tuition rate to be paid by the sending board of education, which shall not exceed the cost per pupil as determined according to a formula prescribed by the Commissioner of Education, with the approval of the State Board of Education.

Section
amended.

4. Section 11 of the act of which this act is amendatory is amended to read as follows:

C. 18:14-71.46.
Reimbursement
by State.

11. Each local school district, whether operating separately or jointly with one or more other school districts, shall be reimbursed by State aid for:

- a. The cost of the services of approved psychiatrists, psychologists, social workers, remedial

specialists and other personnel, employed by it in the operation of a program for emotionally disturbed or socially maladjusted pupils approved by the Commissioner of Education, to the extent of $\frac{1}{2}$ of such costs and $\frac{1}{2}$ of the approved tuition paid to another local school district or to a privately operated, nonprofit school whose services are non-sectarian, or to a nonprofit, voluntary educational organization, and

b. for 75% of the cost to the district of furnishing transportation to such school within the State, when the necessity for furnishing such transportation and the cost and method thereof, have been approved by the county superintendent of schools of the county in which the district paying such cost is situated.

The State aid provided for by this section shall be in addition to all other State aid payable to the district.

5. This act shall take effect immediately.

Approved January 28, 1964.

CHAPTER 188

AN ACT to amend the title of "An act concerning counties and authorizing the board of chosen freeholders of any county to permit the use of space or rooms, together with furniture and equipment, in buildings owned or maintained by the county, by a county mental health association incorporated under the laws of this State, or by any private charity or organization in the county providing aid and assistance for the mentally retarded, with or without the payment of rent and to supply them with the services of county employees, supplementing Title 40 of the Revised

Statutes," approved June 26, 1958 (P. L. 1958, c. 87), as said title was amended by chapter 185 of the laws of 1960, so that the same shall read "An act concerning counties and authorizing the board of chosen freeholders of any county to permit certain organizations providing aid or assistance to mentally retarded or mentally ill persons to use county facilities and to supply them with the services of county employees, and supplementing Title 40 of the Revised Statutes," and to amend the body of said act.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Title amended.

1. The title of chapter 87 of the laws of 1958 is amended to read as follows:

New title.

"An act concerning counties and authorizing the board of chosen freeholders of any county to permit certain organizations providing aid or assistance to mentally retarded or mentally ill persons to use county facilities and to supply them with the services of county employees, and supplementing Title 40 of the Revised Statutes."

Section amended.

2. Section 1 of the act of which this act is amendatory is amended to read as follows:

C. 40:32-20.
May grant permission to use county facilities.

1. The board of chosen freeholders of any county may grant to any county mental health association or to any nonprofit organization whose services are nonsectarian, incorporated under the laws of this State, for the purpose of conducting a day-care center or school for mentally retarded or mentally ill, persons or to any private or nonprofit organization in the county incorporated under the laws of this State whose services are nonsectarian, providing aid or assistance to mentally retarded or mentally ill, persons use of space, rooms or offices in any building owned, maintained or acquired by such county, with or without the payment of rent, during any time when not then needed for public use by such board, under such conditions and

regulations as such board shall determine, and may also grant to such incorporated association, or organization, as an incident to the use of such space or rooms, the right to use furniture and equipment of the county, and the right to use all services and utilities available in such building and may furnish them with the services of county employees.

3. This act shall take effect immediately.

Approved January 28, 1964.

CHAPTER 189

AN ACT concerning surplus line agents and unauthorized insurers and amending sections 3, 5 and 6 of chapter 32, laws of 1960, approved May 23, 1960.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Section 3 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

3. No person shall in this State directly or indirectly act as agent for, or otherwise represent or aid on behalf of another, any insurer not then authorized to transact such insurance in this State, in the solicitation, negotiation, procurement or effectuation of insurance or annuity contracts, or renewals thereof, or in the dissemination of information as to coverage or rates, or forwarding of applications, or delivery of policies or contracts, or inspection of risks, or fixing of rates, or investigation or adjustment of claims or losses, or collection or forwarding of premiums, or in any other manner represent or assist such an insurer in the transaction of insurance with respect to subjects of insurance resident, located or to be performed in this State. Except that, the holder of an insurance broker's license shall have authority on behalf of a

C. 17:22-6.37.
Representing
or aiding
unauthorized
insurer
prohibited.

prospective assured to negotiate and deal with a surplus lines agent to effect any such transaction, collect the insurance premium therefor from the assured, and receive from the said surplus lines agent a share of any commission or brokerage fee earned by the said surplus lines agent in connection therewith.

This section does not apply to:

(a) Matters authorized to be done by the commissioner under the unauthorized insurers process law (N. J. S. A. 17:51-1 et seq.);

(b) Surplus lines insurance when written pursuant to the surplus lines law;

(c) Transactions as to which a certificate of authority is not required of an insurer under the insurance laws of the State of New Jersey;

(d) Reinsurance effectuated in accordance with the laws of New Jersey;

(e) Railroad or aviation risks engaged in interstate or international commerce;

(f) Insurances of vessels, crafts or hulls, cargoes, marine builders' risks, marine protection and indemnity or other risks including strikes and war risks commonly insured under ocean or wet marine forms of policy.

No insurance contract entered into in violation of this section shall be deemed to have been rendered invalid thereby.

Section
amended.

2. Section 5 of the act of which this act is amendatory is amended to read as follows:

C. 17:22-6.39.
Suits by
unauthorized
insurer
prohibited.

5. No unauthorized insurer shall institute, file, or maintain, or cause to be instituted, filed, or maintained, any suit, action or proceeding in this State to enforce any right, claim or demand arising out of any insurance transaction in this State, except with respect to the following:

(1) Investigation, settlement, or litigation of claims under its policies lawfully written in this State, or liquidation of assets and liabilities of the insurer (other than collection of new premiums), all as resulting from its former authorized operations in this State;

(2) Transactions involving a policy, subsequent to issuance thereof, covering only subjects of insurance not resident, located or expressly to be performed in this State at time of issuance, and lawfully solicited, written, or delivered outside this State; or railroad or aviation risks engaged in interstate or international commerce and insurances of vessels, crafts or hulls, cargoes, marine builders' risks, marine protection and indemnity or other risks including strikes and war risks commonly insured under ocean or wet marine forms of policy;

(3) Transactions pursuant to surplus lines coverages lawfully written under subtitle 3 of this Title;

(4) Reinsurance effectuated in accordance with the laws of New Jersey;

(5) The continuation and servicing of life insurance or disability insurance policies or annuity contracts remaining in force as to residents of this State where the insurer has withdrawn from the State and is not transacting new insurance therein.

3. Section 6 of the act of which this act is amendatory is amended to read as follows:

Section
amended.

6. Sections 6 through 31 of this act constitute and may be referred to as "the surplus lines law." This act does not apply to life insurance and annuity contracts, nor to risks insured under exceptions (e) and (f) of section 3 of this act, nor to insurance coverages which are independently procured as provided in section 30 of this act.

C. 17:22-6.40.
The surplus
lines law;
application.

4. This act shall take effect immediately.

Approved February 14, 1964.

CHAPTER 190

AN ACT concerning mortgages of personal property included in real estate mortgages made by railroad companies or other public utilities, and amending sections 46:28-10 and 46:28-14 of the Revised Statutes and sections 12A:9-104 and 12A:10-104 of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 46:28-10 of the Revised Statutes is amended to read as follows:

Validity of
recorded
mortgages.

46:28-10. Every chattel mortgage included in a mortgage of franchises and real estate pursuant to section 46:28-14 of this Title shall be valid against the creditors of the mortgagor, subsequent purchasers and mortgagees from the time of the recording thereof or the lodging thereof for record until the same shall be canceled of record.

Section
amended.

2. Section 46:28-14 of the Revised Statutes is amended to read as follows:

Mortgages of
personalty of
railroads
and public
utilities.

46:28-14. The provisions of sections 12A:9-101 through 12A:9-507, the Uniform Commercial Code, of the New Jersey Statutes, shall not be taken, construed or held to apply to any mortgage of personal property included in a mortgage of franchises and real estate heretofore or hereafter made by any railroad company or any other corporation defined by any law of this State as a public utility, and which has been or shall be recorded or registered as a mortgage of real estate in every county in which such railroad or public utility, or any part of it, or in which any of the real estate so mortgaged by it, is or shall be located, and any such mortgage so recorded shall be valid against the creditors of the mortgagor, and against subsequent purchasers and mortgagees until the same shall be

released or shall be canceled of record in the manner prescribed by law for the release and cancellation of mortgages of real estate.

3. Section 12A:9-104 of the New Jersey Statutes is amended to read as follows:

Section
amended.

12A:9-104. Transactions excluded from chapter.

Transactions
excluded
from chapter.

This chapter does not apply

(a) to a security interest subject to any statute of the United States such as the Ship Mortgage Act, 1920, to the extent that such statute governs the rights of parties to and third parties affected by transactions in particular types of property; or

(b) to a landlord's lien; or

(c) to a lien given by statute or other rule of law for services or materials except as provided in 12A:9-310 on priority of such liens; or

(d) to a transfer of a claim for wages, salary or other compensation of an employee; or

(e) to an equipment trust covering railway rolling stock; or

(f) to a sale of accounts, contract rights or chattel paper as part of a sale of the business out of which they arose, or an assignment of accounts, contract rights or chattel paper which is for the purpose of collection only, or a transfer of a contract right to an assignee who is also to do the performance under the contract; or

(g) to a transfer of an interest or claim in or under any policy of insurance; or

(h) to a right represented by a judgment; or

(i) to any right of set-off; or

(j) except to the extent that provision is made for fixtures in 12A:9-313, to the creation or transfer of an interest in or lien on real estate, including a lease or rents thereunder; or

(k) to a transfer in whole or in part of any of the following: any claim arising out of tort; any deposit, savings, passbook or like account maintained with a bank, savings and loan association, credit union or like organization; or

Section
amended.

Statutes
saved from
repeal.

(1) to a chattel mortgage of the character described in section 46:28-14 of the Revised Statutes.

4. Section 12A:10-104 of the New Jersey Statutes is amended to read as follows:

12A:10-104. Statutes saved from repeal.

The following statutes and parts of statutes and all amendments thereof are hereby specifically saved from repeal and shall remain effective as provided in section 12A:9-201:

Uniform Act for Simplification of Fiduciary Security Transfers

1959 laws, chapter 200 (14:18-1 through 14:18-12),

The Banking Act of 1948

1948 laws, chapter 67, § 54 (17:9A-54), § 55 (17:9A-55), § 59 (17:9A-59),

Small Loan Business Law

R. S. 17:10-1 through R. S. 17:10-26,

1958 laws, chapter 107 supplementing the same,

Provident Loan Associations

R. S. 17:11-1 through R. S. 17:11-18,

Savings and Loan Act

1946 laws, chapter 56, § 78 (17:12A-78), § 79 (17:12A-79),

Credit Unions

1938 laws, chapter 293, § 1 through 44 (17:13-26 through 17:13-69),

Safe Deposit Companies Law

R. S. 17:14-1 through R. S. 17:14-8,

Investment Companies Law

1938 laws, chapter 322, § 1 through 20 (17:16A-1 through 17:16A-20),

Retail Installment Sales Law

1960 laws, chapter 40 (17:16C-1 through 17:16C-61),

Home Repair Financing Act

1960 laws, chapter 41 (17:16C-62 through 17:16C-94),

Usury Law

R. S. 31:1-1 through R. S. 31:1-6,

Assignment or Purchase of Wages Law

R. S. 34:11-25, R. S. 34:11-26,

Motor Vehicle Certificate of Ownership Law
R. S. 39:10-1 through R. S. 39:10-25,
Pawnbrokers and Dealers in Secondhand Goods
Law
R. S. 45:22-1 through R. S. 45:22-39,
Chattel Mortgages Included in Realty Mortgages
R. S. 46:28-10,
R. S. 46:28-14,
Bridge Companies Law
R. S. 48:5-18,
Railroads Law
R. S. 48:12-18,
Street Railways Law
R. S. 48:15-15.
5. This act shall take effect immediately.
Approved February 14, 1964.

CHAPTER 191

AN ACT vesting in Helen Smith, widow, the title to
an interest in real estate of which Elizabeth
Smith died seized and which is alleged to have
escheated to the State of New Jersey.

WHEREAS, Elizabeth Smith, widow, and John J. Preamble.
Smith and Helen Smith, his wife, were the owners
of the following described real estate:

All that certain tract or parcel of land and
premises, hereinafter particularly described,
situate, lying and being in the Borough of Verona
in the County of Essex and State of New Jersey,

BEGINNING at a point on the westerly side of
East Lincoln Street therein distant 100 feet
southwesterly from the corner formed by the in-
tersection of the southerly side of Bloomfield
Avenue with the said westerly side of East

Lincoln Street; thence running (1) north 48 degrees 9 minutes west 138.54 feet to a point; thence (2) south 35 degrees 16 minutes west 51.98 feet to a point; thence (3) south 48 degrees 25 minutes east 132.83 feet to the said westerly side of East Lincoln Street; and thence running (4) along the same north 41 degrees 35 minutes east 51 feet to the point or place of BEGINNING.

Being the same premises conveyed to John J. Smith and Helen Smith, his wife, and Elizabeth Smith, widow, by the United States Agency, a corporation of the State of New Jersey, by deed dated the 10th day of July in the year 1944, and recorded in the Essex County Register's Office on July 12, 1944, in Book of Deeds Q 103, pages 393-394.

- Preamble. WHEREAS, Elizabeth Smith died testate on May 26, 1960 at the age of 85; and
- Preamble. WHEREAS, The will of Elizabeth Smith, executed on April 1, 1940, provided that: "I give, bequeath and devise all my estate, real and personal, of whatever nature and wherever situate, unto my step-son, John J. Smith, his heirs, executors and administrators."; and
- Preamble. WHEREAS, Bernard Smith, the father of John J. Smith married Elizabeth Smith in or about 1911, it being Elizabeth Smith's first marriage and Bernard Smith's second marriage; and
- Preamble. WHEREAS, John J. Smith was born about one year prior to the marriage of his father and Elizabeth Smith; and
- Preamble. WHEREAS, Although John J. Smith was Elizabeth Smith's step-son, Elizabeth Smith considered John J. Smith as though he were her own son, raising him and caring for him from his infancy; and

WHEREAS, John J. Smith considered Elizabeth Smith as though she were his own mother, providing for her care and support in his own home after the death of his father; and Preamble.

WHEREAS, John J. Smith died on April 11, 1960, approximately 6 weeks prior to the death of his step-mother; and Preamble.

WHEREAS, At the time of death of her step-son, Elizabeth Smith was 85 years of age and presumably had no opportunity to change her will in the short period of time between the death of her step-son and her own death; and Preamble.

WHEREAS, Helen Smith, widow of John J. Smith, had paid the consideration for the purchase of the property and resides there with her six children; and Preamble.

WHEREAS, Helen Smith was granted Letters of Administration and has settled all of the decedent's debts; and Preamble.

WHEREAS, After thorough investigation, no heirs of Elizabeth Smith have been located; and Preamble.

WHEREAS, Notice of intention to apply for this act has been given and duly published; now, therefore, Preamble.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. All the estate, right, title and interest of every kind and character of which it is alleged that the State of New Jersey is seized in and to certain real estate heretofore belonging to Elizabeth Smith, more particularly described in the preamble of this act, is hereby vested in Helen Smith and such title as aforesaid vested under the provision of this act is hereby validated and confirmed. Vests title.

2. This act shall take effect immediately.

Approved February 28, 1964.

CHAPTER 192

AN ACT to supplement the "Uniform Securities Law," approved June 23, 1960 (P. L. 1960, c. 75).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

C. 49:3-27.
Terms
defined.

1. As used in this act, unless the context otherwise indicates, the following words shall have the following meanings:

"Bureau" shall mean the Bureau of Securities in the Division of Law in the Department of Law and Public Safety.

"Person" in addition to the meaning ascribed to it in section 1:1-2 of the Revised Statutes, shall include any person holding any property in trust.

"Real estate" shall not include mineral, oil or timber leases or properties or buildings, structures, land or other realty holding or containing business offices or industry, owned or leased by the person issuing the securities, where such person is not primarily engaged in the business of buying and selling such buildings or other realty or leases or interests therein.

"Real estate securities" shall mean any stocks, bonds, notes or evidences of interest or evidence of indebtedness, including co-operative interests and limited partnership interests given or issued as participation interests or investments, in real estate or in mortgages or leases of real estate, except such as are exempted under the provisions of this act.

C. 49:3-28.
Short title.

2. This act shall be known, and may be cited, as the "Real Estate Syndication Offerings Law."

C. 49:3-29.
Offering
statement or
prospectus
filed.

3. No person shall make or take part in a public offering or sale, in or from the State of New Jersey, of real estate securities as defined in, and not exempted under this act, unless and until a written statement, to be known as an "offering statement"

or "prospectus," of the character provided by this act, concerning the contemplated offering, shall have been filed prior to such offering.

4. Such "offering statement" or "prospectus" shall state the detailed terms of the transaction; a description of the property, the nature of the interest, and how title thereto is to be held; the gross and net income for a reasonable period preceding the offering where applicable and available; the current gross and net income where applicable and available; the basis, rate and method of computing depreciation; a description of major current leases; the essential terms of all mortgages; the names, addresses and business background of the principals involved, the nature of their fiduciary relationship and their financial relationship, past, present and future, to the property offered to the syndicate and to those who are to participate in its management; the interests and profits of the promoters, offerors, syndicate organizers, officers, directors, trustees or general partners, direct and indirect, in the promotion and management of the venture; all restrictions, if any, on transfer of participants' interests; a statement as to what stock or other real estate security involved in the transaction, if any, is nonvoting; a statement as to what disposition will be made of the funds received and of the transaction if not consummated, which statement shall represent that all moneys received from the sale of such real estate securities until actually employed in connection with the consummation of the transaction as therein described, shall be kept in trust and that in the event insufficient funds are raised through the offering or otherwise to effectuate the purchase or purchases or other consummation of the contemplated transaction, or that the intended acquisition shall not be completed for any other reason or reasons, then such moneys, less such amounts actually employed in connection with the consummation of the transaction, shall be fully returned to the investor; which of the real estate securities offered are unsecured;

C. 49:3-30.
Contents of
offering
statement or
prospectus.

clear distinctions between leasehold and fee ownership, between fact and opinion; a commitment to submit annual reports to all participants, including an annual balance sheet and profit and loss statement certified by an independent certified public accountant; clear distinctions between those portions of promised distributions which are income and those which are a return of principal or capital; and such additional information as the bureau may prescribe in rules and regulations promulgated under this act as will afford potential investors, purchasers and participants an adequate basis upon which to found their judgment and shall not omit any material fact or contain any untrue statement of a material fact.

C. 49:3-31.
Advertising
requirements.

5. All advertising in connection with an offering of real estate securities described in this subdivision shall be consistent with the representations and information required to be set forth as hereinbefore in this act provided.

C. 49:3-32.
Offering
statement or
prospectus
filed prior
to public
offering
notification.

6. Unless otherwise provided by regulation issued by the bureau, the offering statement or statements or prospectus required in section 3 of this act shall be filed with the bureau at its office in the city of Newark, prior to the public offering of the real estate security involved. No offer, advertisement or sale of such real estate securities shall be made in or from the State of New Jersey until the bureau has issued to the issuer or other offeror a letter stating that the offering has been filed. The bureau, not later than 15 days after such filing, shall issue such a letter or, in the alternative, a notification in writing indicating deficiencies in the offering statement, statements or prospectus.

C. 49:3-33.
Contents of
offering
literature.

7. No offering literature shall be employed in the offering of real estate securities except by the offering statement or statements filed in the Bureau of Securities pursuant to the provisions of this section. All advertising in whatever form, including periodicals or on radio or television shall contain a statement that no offer of such real estate securi-

ties is made except by such offering statement or statements.

8. In all literature employed in the offer and sale of real estate securities and in all advertising in connection therewith there shall be contained, in easily readable print on the face thereof, a statement that the filing of an offering statement or statements or prospectus with the bureau does not constitute approval of the issue or the sale thereof by the bureau or the Department of Law and Public Safety.

C. 49:3-34.
Filing of statement on offering not to constitute approval of issue.

9. No offering or sale whatever of real estate securities shall be made except on the basis of information, statements, literature, or representations constituting the offering statement or statements or prospectus, and no information, statements, literature, or representations shall be used in the offering or sale of real estate securities unless it is first so filed and the prospective purchaser furnished with true copies thereof.

C. 49:3-35.
Sale on basis of information in offering statement; true copies furnished.

10. The bureau is hereby authorized and empowered to adopt, promulgate, amend and rescind suitable rules and regulations to carry out the provisions of this section, including regulations for the method, contents and filing procedures with respect to the statements required by this act and the making of amendments thereto.

C. 49:3-36.
Rules and regulations.

11. The bureau shall collect the following fees for the filing of each offering statement or prospectus \$100.00 for every offering not in excess of \$250,000.00; \$200.00 for every offering in excess of \$250,000.00 but not more than \$350,000.00; \$300.00 for every offering in excess of \$350,000.00 but not more than \$500,000.00; \$400.00 for every offering in excess of \$500,000.00 but not more than \$750,000.00; \$600.00 for every offering in excess of \$750,000.00 but not more than \$1,000,000.00, \$750.00 for every offering in excess of \$1,000,000.00 but not more than \$5,000,000.00; \$1,500.00 for every offering in excess of \$5,000,000.00. The bureau shall in addition collect a fee of \$50.00 for each amendment thereto.

C. 49:3-37.
Fees.

C. 49:3-38.
Syndicate
to file
annual
report.

12. Within 4 months after the end of its fiscal year, every syndicate which shall have been required to file an offering statement or statements or prospectus under this act shall file with the bureau at its office in the city of Newark an annual report of the syndicate operation, including an annual balance sheet and profit and loss statement certified by an independent certified public accountant. The bureau shall collect a fee of \$5.00 for the filing of each such annual report.

C. 49:3-39.
Rate of
interest
shown on
first page.

13. Whenever hereafter any person, or any agent or employee thereof, makes or takes part in an offering or sale of real estate securities and such real estate securities consist of bonds or other evidence of indebtedness, there shall be included in numeral form, in bold print on the first page of all offering literature employed in the solicitation and sale of such real estate securities, the actual interest rate payable on such real estate securities. Such rate shall not include any return of principal.

C. 49:3-40.
Investors'
money held
in trust
until consum-
mation
of transaction;
money
returned
to investor;
certain
acts to
void con-
tract.

14. Whenever hereafter any person, offers or sells real estate securities to the public in or from the State of New Jersey, then all moneys received in connection therewith, including deposits or advances therefor, shall continue to be the money of the person making such purchase, deposit or advance, and shall be held in trust by the person offering or selling such real estate securities and shall not be commingled with the personal moneys or become an asset of the person, receiving the same, and said funds shall remain in trust until actually employed in connection with the consummation of the transaction; and in the event insufficient funds are raised to effectuate the consummation of the transaction, or if the transaction does not result in the acquisition of the real estate, mortgage or lease involved for any reason or reasons, then all moneys so collected less such amounts actually employed in connection with the consummation of the transaction shall be fully returned to the investors. Any provision of any contract or agreement or understanding, whether oral or in writing, whereby

a person who so purchases such real estate securities waives any provision of this section is absolutely void. Nothing herein contained shall be deemed to preclude an action against a defaulting investor.

15. Any person, or any agent or employee thereof, who violates any of the provisions of this act or of any regulations issued by the bureau pursuant thereto shall be deemed to have committed an illegal and prohibited act and the bureau shall be entitled to the benefit of the remedies provided, for violations of the act hereby supplemented in section 17 of said act, for violations of this act.

C. 49:3-41.
Remedies
in case of
violations.

16. This act shall not apply to any securities issued by the State or by any county or municipality or any commission, bureau, agency or authority thereof nor to any securities issued under the following statutes:

C. 49:3-42.
Application
of act.

The "Local Housing Authorities Law," being chapter 19 of the laws of 1938,

The "Housing Co-operation Law," being chapter 20 of the laws of 1938,

The "Redevelopment Companies Law," being chapter 169 of the laws of 1944,

The "Urban Redevelopment Law," being chapter 52 of the laws of 1946,

The "Limited-Dividend Housing Corporations Law," being chapter 184 of the laws of 1949, and

The "Urban Renewal Corporation Law," being chapter 40 of the laws of 1961.

17. Any person who shall willfully violate any provision of this law or of any rule or order made under this law or who shall knowingly make any false or misleading statement in any offering statement or prospectus filed pursuant to this law shall be guilty of a misdemeanor and be fined not more than \$1,000.00 or imprisoned not more than 3 years, or both, but no person may be imprisoned for the violation of any rule or order if he proves that he

C. 49:3-43.
Willful
violations
penalty.

had no knowledge of the rule or order and no indictment or information may be returned under this law more than 5 years after the alleged violation.

C. 49:3-44.
Penalties;
may com-
promise
claim.

18. Any person who violates any of the provisions of this law or who violates any rule or order under this law, shall be liable for the first violation to a penalty of not more than \$200.00; for a second violation to a penalty of not more than \$500.00, and for any subsequent violation to a penalty of \$500.00. The penalty shall be sued for and recovered by and in the name of the bureau chief and shall be collected and enforced by summary proceeding pursuant to the penalty enforcement law (N. J. S. A. 2A:58-1 et seq.). Process shall issue at the suit of the bureau chief, as plaintiff, and shall be either in the nature of a summons or warrant.

The bureau chief is hereby authorized and empowered to compromise and settle any claim for a penalty under this section in such amount in the discretion of the bureau chief as may appear appropriate and equitable under all of the circumstances.

19. This act shall take effect January 1, 1964.

Approved March 5, 1964.

CHAPTER 193

AN ACT concerning the registration and licensing of certain motor vehicles and amending section 39:3-25 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 39:3-25 of the Revised Statutes is amended to read as follows:

39:3-25. In addition to the motor vehicle licenses authorized to be issued pursuant to the provisions of this chapter, the commissioner shall issue, upon application therefor, a license plate for trucks marked "farmer," which shall be issued upon evidence satisfactory to the commissioner that the applicant is a farmer and is actually engaged in the growing, raising and producing of farm products as an occupation. License plates issued under authority of this section shall be placed upon motor trucks engaged exclusively in the carrying or transportation of applicant's farm products, raised or produced on his farm, and farm supplies, and not engaged in hauling for hire.

"Farmer"
license
plates;
restrictions;
fee; term
defined.

Applicants for license plates herein authorized shall pay therefor at a rate equal to $\frac{1}{2}$ the present registration fee provided for trucks by this chapter.

The term "farmer" as used in this section means any person engaged in the commercial raising, growing and producing of farm products on a farm not less than 3 acres in area, and who does not engage in the business of buying farm products for resale; and the term "farm products" means any crop, livestock or fur products.

2. This act shall take effect immediately.

Approved March 5, 1964.

CHAPTER 194

AN ACT to clarify, settle and fix the division line between the city of Brigantine and the city of Atlantic City, both in the county of Atlantic.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. The division line between the city of Brigantine, in the county of Atlantic, and the city of Atlantic City, in the county of Atlantic, hereby is clarified, settled and fixed as follows:

Boundary
line fixed.

Beginning at a point in the center line of the Atlantic-Brigantine Boulevard as shown on Map Number 1-B, Island Development Company plan on file in the Atlantic County Clerk's Office, 300 feet Westwardly of the Westerly line of Lilac Way, said distance being measured along the center line of said Boulevard; and extending thence

(1) Northwardly, at right angles to said Boulevard, 1000 feet; thence

(2) Northwardly, deflecting to the right, 1169.7 feet to a point 2019.15 feet Northwardly at right angles to the center line of the Boulevard, measured from a point in center line of said Boulevard, 223.58 feet Eastwardly of the Easterly line of Lilac Way; thence

(3) Crossing Main Channel to the center line of the former State Inland Waterway at the entrance of same through Boot or Fish Tail Island, said point being in the present division line between the city of Brigantine and Galloway Township; thence

(4) Following the said division line through Boot or Fish Tail Island, Eagle Bay, Grassy Bay and Brigantine Channel to a point in the Atlantic Ocean; thence

(5) Southwestwardly, along the High Water Line of the Atlantic Ocean, and around the outside lines of all riparian grants made by the State of New Jersey, to the center line of Absecon Inlet; thence

(6) Northwardly, following the center line of Absecon Inlet to the center line of the bridge spanning Absecon Inlet or Beach Thorofare from Absecon Island to Rum Point Island; thence

(7) Eastwardly, along the center line of said bridge and along the center line of Atlantic-Brigantine Boulevard, 2600 feet, more or less to the place of beginning.

2. This act shall take effect immediately.

Approved March 5, 1964.

JOINT RESOLUTIONS

Joint Resolutions

JOINT RESOLUTION No. 1

A JOINT RESOLUTION memorializing the Governor and Legislature of the State of New York to increase to 21 years the minimum age for the purchase of alcoholic beverages in New York State.

WHEREAS, The law of the State of New York fixes the legal age limit for purchase of alcoholic beverages at 18 years of age; and Preamble.

WHEREAS, The laws of the State of New Jersey and of its other neighboring States of Pennsylvania and Delaware prohibit the sale of alcoholic beverages to persons under 21 years of age; and Preamble.

WHEREAS, The existence of this disparity in permissible drinking ages has prompted increasing numbers of our young people to drive to New York for the purpose of consuming alcoholic beverages and to return with their ability to operate a motor vehicle seriously impaired by such promiscuous consumption; and Preamble.

WHEREAS, In the area of traffic safety, the tragic impact of the continuance of this age differential, involving unnecessary death and injury for our young people and those they encounter on the highways after a drinking trip to New York, has been amply demonstrated; and Preamble.

WHEREAS, Despite the failure of a New York legislative committee to recommend an appropriate amendment to this discordant law, we are deter- Preamble.

mined to continue our efforts to save the lives which its existence threatens; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

Urges
legislation.

1. The Governor and Legislature of the State of New York are again urged to speedily enact legislation to increase from 18 to 21 years the minimum age for the purchase in New York State of alcoholic beverages.

Governor
to arrange
conference.

2. The Governor of the State of New Jersey is requested to arrange for a conference on the subject matter of this resolution with the Governor and other representatives of the State of New York; and to invite representatives of the New Jersey Legislature and specialists in the field of traffic safety, particularly those concerned with the problems of drunk driving and highway death, to participate in such conference.

Copies
forwarded.

3. Copies of this resolution, officially authenticated, shall be forwarded to His Excellency, The Governor of the State of New York and the Clerks of the Senate and Assembly of the State of New York.

4. This joint resolution shall take effect immediately.

Approved January 30, 1963.

JOINT RESOLUTION No. 2

A JOINT RESOLUTION to declare the month of April as "Cancer Control Month" in the State of New Jersey and for a proclamation thereof by the Governor.

Preamble.

WHEREAS, The American Cancer Society is a voluntary organization of more than 2,000,000 Americans fighting cancer and is the only voluntary

health organization fighting cancer through a balanced program of research, education and service; and

WHEREAS, The New Jersey Division of the said American Cancer Society, with its 21 county chapters, is conducting year-round programs to alert the people of the State to the cancer problem and to assist those already stricken; and

Preamble.

WHEREAS, The said American Cancer Society is entirely dependent on the contributions of the people in its battle to save lives from man's most insidious and cruel enemy; therefore

Preamble.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The month of April is directed to be known in New Jersey as "Cancer Control Month" and the residents thereof are urged to give their financial and moral support to the American Cancer Society, the New Jersey Division and its cancer control programs in the 21 counties of the State.

Cancer
Control
Month.

2. The Governor, by appropriate proclamation, set aside the said month of April as "Cancer Control Month" in New Jersey.

Proclamation.

3. This resolution shall take effect immediately.
Approved February 28, 1963.

JOINT RESOLUTION No. 3

A JOINT RESOLUTION to declare the week of March 3 through 9, 1963 as "Save Your Vision Week" and for a proclamation thereof by the Governor.

WHEREAS, The New Jersey Optometric Association and the American Optometric Association sponsor "Save Your Vision Week" for the purpose

Preamble.

of reminding and informing the public concerning the conservation and improvement of vision; and

Preamble. WHEREAS, The strength of America rests in the family as a unit and in the family's health and welfare; and

Preamble. WHEREAS, Good vision is vital for a healthier, happier more productive life for every member of the family; and

Preamble. WHEREAS, Our better way of life and increased activity has made greater and more diversified demands of every citizen's vision; and

Preamble. WHEREAS, The profession of Optometry and the doctors who practice it have contributed greatly to more accurate, more efficient, and more comfortable vision of our citizenry by providing vision care based on latest research and development; and

Preamble. WHEREAS, The attention of every individual must be brought to the values of good vision; therefore

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

Save Your Vision Week. 1. The week of March 3 through 9, 1963 is declared to be "Save Your Vision Week" in the State of New Jersey.

Proclamation. 2. That the Governor, by appropriate proclamation, so proclaim the said week of March 3 through 9, 1963 as "Save Your Vision Week."

3. This joint resolution shall take effect immediately.

Approved February 28, 1963.

JOINT RESOLUTION No. 4

A JOINT RESOLUTION requesting that the Governor extend an official invitation to the Governors' Conference to hold their fifty-sixth annual meeting in 1964 in New Jersey.

WHEREAS, The State of New Jersey recognizes the contribution to State Government by the Council of State Governments and the importance of the annual Conference of the Governors in the exchange of information and views on problems of mutual concern; Preamble.

WHEREAS, The State of New Jersey is renowned for its conference and convention facilities and for its accessibility through modern transportation facilities; and Preamble.

WHEREAS, The State of New Jersey will mark its 300th birthday anniversary during the year 1964; now, therefore, Preamble.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The Governors' Conference be invited to hold their fifty-sixth annual meeting in the State of New Jersey in 1964. Governors' conference invited.

2. The Governor of New Jersey be requested to deliver this invitation to the 1963 annual meeting of the Governors to be held in Miami, Florida. Delivery of invitation.

3. This joint resolution shall take effect immediately.

Approved May 28, 1963.

JOINT RESOLUTION No. 5

A JOINT RESOLUTION to amend "A joint resolution creating a commission to study the law of this State pertaining to riparian lands and rights and to prepare legislation to modernize the same," approved June 23, 1960 (J. R. 1960, No. 11).

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*:

Section
amended.

1. Section 5 of the joint resolution hereby amended is amended to read as follows:

Hearings;
report.

5. The commission may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature and shall report its findings and recommendations to the Legislature, accompanying the same with any legislative bills which it may desire to recommend for adoption by the Legislature, on or before June 1, 1963.

2. This joint resolution shall take effect immediately.

Approved June 6, 1963.

JOINT RESOLUTION No. 6

A JOINT RESOLUTION to declare the month of August as "First Aid Month" in the State of New Jersey and for a proclamation thereof by the Governor.

Preamble.

WHEREAS, The prompt rendition of first aid to the sick and injured in many cases is essential in saving life and in reducing the effects of sickness and injury; and

WHEREAS, The citizens of this State of New Jersey are most fortunate in having available to them first aid and ambulance services, rendered on a 24 hour a day basis by the many volunteer organizations established throughout the State as "First Aid Squads"; and

Preamble.

WHEREAS, The members of the "First Aid Squads" give freely and unstintingly of their time, energy and abilities not only in rendering the emergent and humane services for which their organizations were formed but, also, in training and preparing themselves to properly render such services; and

Preamble.

WHEREAS, It is fitting and proper to recognize and to publicize this very essential service performed voluntarily by the "First Aid Squads" and their members; now, therefore

Preamble.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. The month of August is directed to be known in New Jersey as "First Aid Month" and the residents thereof are urged to give their support, financially and otherwise, to the First Aid Squads in their communities.

First Aid Month.

2. The Governor, by appropriate proclamation, set aside the said month of August as "First Aid Month" in New Jersey.

Proclamation.

3. This resolution shall take effect immediately.
Approved June 6, 1963.

JOINT RESOLUTION No. 7

A JOINT RESOLUTION directing the completion of a study concerning railroad taxation and to report thereon to the Governor and to the Legislature.

Preamble. WHEREAS, The Commission on State Tax Policy has undertaken a re-examination of the subject of railroad taxation as a part of its comprehensive re-examination of the entire State and local tax structure, pursuant to Joint Resolution No. 5 of 1962; and

Preamble. WHEREAS, The commission in its Tenth Report has recommended a change in tax policy to provide that all railroad taxes be assessed and collected by the State for the use of the State, with replacement revenue provided in lieu of Class II taxes now payable to municipalities; and

Preamble. WHEREAS, The commission stated that this recommended change in tax policy raises some adjustment problems which it could not, because of lack of time, resolve in that report; now, therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

Study of
railroad
tax.

1. The Commission on State Tax Policy is hereby directed to complete its study of the railroad tax problem within the framework of the recommendations contained in its Tenth Report and to make final recommendations thereon, including the extent to which a reduction in railroad taxes may be warranted by the economic status of the railroads operating within New Jersey.

To avail
themselves
State
services.

2. The commission and their representatives shall consult with and shall be entitled to call to their assistance and avail themselves of the services and facilities of such State and local government agencies as may be appropriate and which may reasonably be made available to aid in the study hereby directed.

Report.

3. The commission shall report specially to the Governor and the Legislature, on the results and recommendations resulting from the study hereby directed, on or before December 1, 1963.

4. This joint resolution shall take effect immediately.

Approved June 6, 1963.

JOINT RESOLUTION No. 8

A JOINT RESOLUTION creating a commission to make a study of the meadowlands of North Jersey, to report thereon to the Governor and the Legislature and to recommend legislation.

WHEREAS, The State of New Jersey has entered into a period of dynamic industrial growth; and Preamble.

WHEREAS, The location of the meadowlands of North Jersey is ideal for industrial expansion and growth; and Preamble.

WHEREAS, The present undeveloped condition of the meadowlands makes it unsuitable for such growth on an extensive scale; and Preamble.

WHEREAS, If reclaimed and redeveloped, the meadowlands of North Jersey would offer 225 million square feet of plant space, nearly $\frac{1}{2}$ million job opportunities and \$1 $\frac{2}{3}$ billion in additional tax ratables; now, therefore, Preamble.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby created a commission to be known as the Commission to Study Meadowland Development consisting of 9 members to be appointed as follows: 3 by the Governor, 3 by the President of the Senate and 3 by the Speaker of the General Assembly. All or any of such appointees may be appointed from the public at large and no more than 2 of each group of 3 appointees shall be of the same political party. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made. A vacancy shall be deemed to have occurred whenever a member of the commission who is a member Commission created; members; vacancies.

of the Senate or General Assembly shall cease to be a member of the Legislature.

Organization.

2. The commission shall organize as soon as may be after the appointment of its members and shall select a chairman, vice-chairman from among its members and a secretary who need not be a member of the commission.

Duties.

3. It shall be the duty of said commission to make a comprehensive study of the meadowlands of North Jersey for the purpose of developing a long-range comprehensive plan for the reclamation and development of the entire meadowlands area. The commission is further authorized to study and inquire into any subject or matter deemed by the commission to be relevant to the purposes of its study or helpful to it in the consummation of its work.

Assistance.

4. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for said purpose.

Hearings;
report.

5. The commission shall have all the powers of a joint committee of the Legislature under the provisions of chapter 13 of Title 52 of the Revised Statutes and may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature. The commission shall make its report on January 1, 1964 to the Governor and the Legislature, and its report may include recommendations for specific changes or additions to the statutory law relating to the reclamation and development of the meadowlands of North Jersey.

6. This joint resolution shall take effect immediately.

Approved June 6, 1963.

JOINT RESOLUTION No. 9

A JOINT RESOLUTION creating a commission to be known as the Mobile Homes and Travel Trailer Commission to study the subject of mobile homes, travel trailers, mobile home parks, and travel trailer facilities and the relationship thereto of existing State and local laws and regulations, and providing for reports and recommendations to the Governor and the Legislature.

WHEREAS, The mobile home has created an entirely new concept of living demanding the attention of basic civic planning; and Preamble.

WHEREAS, The use of small travel trailers for recreation and vacation purposes has enjoyed a phenomenal growth during the past 5 years, thus creating a demand for adequate parking facilities in State parks and resort areas; and Preamble.

WHEREAS, Because of the great growth of mobile home living and travel trailer recreation in recent years there appears to be a need to determine whether existing zoning and planning regulations, health and safety codes, motor vehicle and other regulations should be re-examined; now, therefore, Preamble.

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

1. There is hereby created a commission to be known as the Mobile Homes and Travel Trailer Commission to consist of 14 members, 2 of whom shall be members of the General Assembly of opposite political parties to be named by the Speaker of the General Assembly; 2 of whom shall be members of the Senate of opposite political Commission created; members; vacancies.

parties to be named by the President of the Senate; one of whom shall be a representative of the Division of State and Regional Planning in the Department of Conservation and Economic Development to be designated by the Commissioner of Conservation and Economic Development; one of whom shall be a representative of the State Department of Health to be designated by the State Commissioner of Health; one of whom shall be a representative of the Division of the Aging in the Department of State to be designated by the Secretary of State; one of whom shall be a representative of the Division of Motor Vehicles in the State Department of Law and Public Safety to be designated by the Director of the Division of Motor Vehicles; and 6 of whom shall be citizens of the State of New Jersey named by the Governor. The Governor's appointments shall consist of 2 members of municipal governing bodies, one representative of the New Jersey Association of Real Estate Boards, one representative of the Mobile Home Owners Association of New Jersey, one representative of the New Jersey Mobile Home Dealers Association, and one representative of the New Jersey Mobile Home Park Owners Association and shall be made, respectively, from nominations of not less than 5 names to be submitted to the Governor in writing by each of said associations. The legislative members of the commission shall continue to serve so long as they remain members of the Legislature in the House from which they were appointed. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

Organization. 2. The commission shall organize as soon as may be after the appointment of its members and shall select a chairman from among its members and a secretary who need not be a member of the commission.

Duty. 3. It shall be the duty of said commission to engage in a study of mobile homes, travel trailers, mobile home parks and travel trailer facilities in the

State and the relationship of existing State and local laws and regulations with respect thereto.

4. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for said purpose.

Assistance
by other
agencies.

5. The commission may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature and shall report its findings and recommendations to the Governor and the 1964 Legislature, accompanying the same with any legislative bills which it may desire to recommend for adoption by the Legislature.

Hearings;
report;
recommendation.

6. This joint resolution shall take effect immediately.

Approved June 10, 1963.

JOINT RESOLUTION No. 10

A JOINT RESOLUTION to declare the month of January 1964 as "United Cerebral Palsy Month" in the State of New Jersey, and for a proclamation thereof by the Governor.

WHEREAS, The multiplecrippler known as Cerebral Palsy afflicts an estimated 21,000 residents of New Jersey; and

Preamble.

WHEREAS, This number is increasing as Cerebral Palsy strikes once every 53 minutes somewhere in our great country; and

Preamble.

WHEREAS, United Cerebral Palsy is dedicated to a nation-wide crusade to combat this cruel affliction

Preamble.

through medical research, training of professional workers, and the diagnosis, treatment, education, rehabilitation and recreation of the Cerebral Palsied; and

Preamble.

WHEREAS, United Cerebral Palsy Associations of New Jersey and its County Affiliates carry on a well planned and co-ordinated crusade to provide the necessary medical, therapeutical and rehabilitation services to help enable the Cerebral Palsied become self-sufficient members of the community; and

Preamble.

WHEREAS, 75% of all moneys contributed by residents of this State are expended in New Jersey to provide facilities for diagnosis, treatment and educational centers, and for the direct services to the Cerebral Palsied and the public; therefore,

BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey:*

United
Cerebral
Palsy
Month.

1. That the month of January 1964 is directed to be known in New Jersey as "United Cerebral Palsy Month" and the residents thereof are urged to give their support to the United Cerebral Palsy Associations of New Jersey and its Cerebral Palsy program.

2. That the Governor, by appropriate proclamation, set aside the said month of January as "United Cerebral Palsy Month" in New Jersey.

3. This joint resolution shall take effect immediately.

Approved January 13, 1964.

PROCLAMATIONS

(1015)

Proclamations by the Governor

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Deputy Director, Division of Taxation, Department of the Treasury, on the first day of February, 1963, under the provisions of R. S. 54:11-2, reported to the Governor a list of all corporations created under the laws of this State, which for 2 years next preceding the report have failed to pay to the State the taxes assessed against them under the Corporation Business Tax Act (1945) (Chapter 162, Laws of 1945, as amended and supplemented; N. J. S. A. 54:10A-1, et seq.) and which taxes are by law made payable into the State treasury; and

WHEREAS, Under the provisions of R. S. 54:11-1, the charters of said corporations shall be declared void unless the Governor shall give further time for the payment of such taxes assessed against said corporations; and

WHEREAS, The Governor has not given further time to the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, pursuant to the provisions of R. S. 54:11-2, DO HEREBY ISSUE THIS PROCLAMATION declaring that the charters of the following-named corporations, so reported and in default, to wit:

UNPAID TAXES FOR THE YEAR 1961

AAA Casting & Pattern Co.,
AAA Enterprises Inc.,
A Abat Secretary,
A & A Orchids, Inc.,
A. A. 1 Metal Finishing Co.,
Aarcord Corporation,
A.A. Tire Exchange of Iselin, Inc.,
A & B Appliances, Inc.,
Abbey Associated Cab Co. Inc.,
Abbotts, Inc.,
Abby Candy Makers Inc.,
ABC Dictating & Sound Co.,
A B C D Land Company,
A B C Erectors, Inc.,
A.B.C. Fire Equipment Company, Inc.,
A.B.C. Home Remodeling Company,
A B C Motor Sales, Inc.,
Abcoa Abrasive, Inc.,
Abco Auto Parts, Inc.,
Abco Embroidery Corp.,
A & B Custom Decorators, Inc.,
Abe Ledwitz, Inc.,
Abe Rivchin, Inc.,
Abert Terrace, Inc.,
Abe Schwartz Co.,
Abida, Inc.,
A. & B. Machine Works Co. Inc.,
Absecon Appliance Co.,
The Academie of Music,
Academy Construction Corp.,
A. C. B. Co.,
Accent Homes, Inc.,
Accompo Records Inc.,
Accounting Corporation of New Jersey,
Accura-Matic Screw Machine Products Corporation,
Accurate Research Associates,
Ace Bar, Inc.,
Ace Compressed Gas Corp. of N. J.,
Ace Plastering, Inc.,

Ace Warehousing, Inc.,
A. C. Lanza Company,
Ac-Mar Builders, Inc.,
Acme Amusement Company of Wildwood, New
Jersey,
Acme Glass, Plastic & Aluminum Products Inc.,
Acme Mower and Equipment Company Inc.,
Acme Real Estate Company,
Acrylite Plastics,
AC. & S. Const. Co., Inc.,
Adams-Balvo Furniture Corp.,
Adams Finance Corp.,
A.D. Berman, Inc.,
Adcar, Inc.,
Adco Dredgepipe Company,
A-Bee, Inc.,
A. Della Penna Construction Contracting Co. Inc.,
Ademco Corporation,
A. D. Gifford Construction Company Inc.,
Adhesive & Coating Specialties Inc.,
Adhu Realty Corp.,
Admiral Builders, Inc.,
Admiral Industries, Inc.,
Adonis Heating Co., Inc.,
A & D Realty Co.,
Advance Cardboard Company, Inc.,
Advanced Industrial Maintenance Company Inc.,
Advance Products Corporation,
Advantage Corporation,
A & E Auto Service, Inc.,
A & E Interests, Inc.,
Aero Leasing Corporation,
Aerosal Products Corp.,
Aesh Realty Co., Inc.,
Aetco Manufacturing Corp.,
Aetna Construction Co.,
Aetna Petroleum Sales and Service Inc.,
A E Z Holding Corporation,
A. Farinella & Co., Inc.,
A & F Home Fair, Inc.,
A.G.A. Trucking Co., Inc.,
Agda Investments, Inc.,
A.G. Motor Sales Corporation,

A & G Realty Co.,
Agron Aluminum Corp.,
Aichana, Inc.,
Aiebon Corp., Inc.,
Air Ducts, Inc.,
Airport Auto & Tire Service, Inc.,
Ajax Foundry Products Co.,
“A & J Corp.,”
A. & J. Kosher Meat Market,
A. & J. Landscapers, Inc.,
A. J. Mazzoni Tile Co. Inc.,
Akers Hair Treatment Centre Ltd.,
Aladdin Drilling Co., Inc.,
Alan H. Wissing, Inc.,
Albeco Corporation,
Albermarle Development Co. Inc.,
Albert & Co., Inc.,
Albertson Packing Company,
Albo Electronics, Inc.,
Albro Transportation Co., Inc.,
Albru Realty Co.,
A. L. Burns Realty Company,
Alco Taxi, Inc.,
Aldanam Corporation,
Alday Fuel Co. Inc.,
Aldee Mfg. Corp.,
Al Di Felice Associates,
Aldon Sales Company,
Alegra, Incorporated,
Alexander Hamilton Agency Inc.,
Alexander Realty Corporation,
Alfranks Realty Co.,
Alfred Tabor Construction Corporation,
Aljer Homes, Inc.,
Aljil Corp.,
Alkar Construction Co., Inc.,
Alkit, Inc.,
All American Construction Co. Inc.,
Allen Development Corporation,
Allen Land Co.,
Allgeir’s Beverages Inc.,
All Home Services Inc.,
Alliance Business Services, Inc.,

Alliance Electric Co.,
Allied Automotive Distributors Inc.,
Allied Collection Agency Inc.,
Allied Demolition Corporation,
Allied Food Industries, Inc.,
Allied Homeowners Association of Northern New
Jersey Inc.,
Allied Home Services, Inc.,
Al Lin Poultry Farm Inc.,
Allo Trading Co., Inc.,
All-Service Inc.,
All-State Auto Rental Corp.,
All State Metals, Inc.,
All State Professional Maintenance Co.,
All Structures Inc.,
Allstyle Coating Corporation,
All Weather Contracting Co., Inc.,
All-Weather Distributing Corp.,
Allwood Agency of New Jersey, Inc.,
Allwood Hairdressers, Inc.,
Allwood Properties Inc.,
Allyn Construction Corp.,
Almacha, Inc.,
Al-Mar Mfg. Co., Inc.,
Alpha Machine and Pharmaceutical Company,
Alpine Cleaners Inc.,
Alpine Lumber Company Inc.,
Alpine Palisades Estates,
Alps Village Corp.,
Alps Village Section 3,
Alrose, Inc.,
Alross Productions, Inc.,
Al's Almo Cafe,
Alsatz Corp.,
Al's Cozy Inn, Inc.,
Alstrom Industries, Inc.,
Al-Tam Corp.,
Alumex, Inc.,
Aluminum Applicators and Alterations Corp.,
Aluminum Home Applicators, Inc.,
Aluminum Porch and Siding Co. of New Jersey,
Alva Homes, Inc.,
Always Accurate Answering, Inc.,

Amaco Manufacturing Corp.,
Ama, Inc.,
Amante and Scheid Decorating Corp.,
Amapel Food Markets Inc.,
Amato's Cleaners, Inc.,
Amber Garden, Inc.,
Amboy Building Co., Inc.,
Amco Aluminum Corporation,
American Advance Builders, Inc.,
Americana Embroideries, Inc.,
American Alumi Craft Inc.,
American Building Company,
American Capital Enterprises, Inc.,
American Cathode and Electronic Corp.,
American Check Cashing Co Inc.,
American Extrusion Corp.,
American Fashion Clothes Inc.,
American Fat and Tallow Co.,
American Fine Craft,
American Foods Corporation of New Jersey,
American Glass Co.,
American Heritage, Inc.,
American Holding Corporation,
American Home Construction Co.,
American Home Specialties Corporation,
American Import Corporation,
American Industries, Inc.,
American Maintenance, Inc.,
American Pearl Syndicate,
American Polyglas Corporation,
American Pool Corporation,
American Properties Development Corp.,
American Recordings, Inc.,
American Rug Cleaning Co. Inc.,
American Safe-T Brake Systems Inc.,
American Standard Glass Manufacturing
Corporation,
American State Construction Co.,
American Steamship Co. Inc.,
American Steamship Lines, Inc.,
American Titanium, Inc.,
American Turkish News Agency,
American Vending Equipment Associates Inc.,

American Vitamin Guild, Inc.,
Amherst Medical Group,
A.M. Jordan and Co., Inc.,
Amos F. Allen & Sons, Inc.,
A. M. P. Cleaning Co.,
Ampere Yellow Cab Co., Inc.,
Ample Power & Housewiring, Inc.,
Ampto Equipment Corp.,
A & M Stables, Inc.,
Amteck, Inc.,
Amy Homes, Inc.,
The Anchorage Inc.,
Anchor Development Corp.,
Anchor Electronics Inc.,
Anckarstrom's Sweet Clean Laundry & Linen
Supply Inc.,
Andair Incorporated,
Anderson Bros. Company,
Anderson J. Contracting Company Inc.,
Anderwater Corporation,
Andrew Builders, Inc.,
"Andrews-Kaplan Advertising, Inc.,"
Andro's Deluxe Restaurant,
Andy's Inc.,
Andy's Snack Bar, Inc.,
Angemi, Inc.,
Angle Electronics, Inc.,
Anglo European Motor Imports Inc.,
Animal Land Inc.,
Anju Incorporated,
Anker-Rich Construction Corp.,
Anmar Corporation,
Annel Construction Co.,
Annex Bar, Inc.,
Ann's Tavern, Inc.,
Anro Holding Corp.,
Antes Corporation,
Anthony Luszez Co., Inc.,
Anthony Motor Corporation,
Anthony Salafia Builder Inc.,
Antrim Welding Supply Co.,
A-1 Brands, & Nicastro's Restaurant & Bar Inc.,
A-1 Driving School, Inc.,

Apex Buffing & Polishing Co.,
Apex Insulators Inc.,
Apex Lumber Corporation,
Apex Television, Inc.,
Apgar Construction Co., Inc.,
Apicella Builders, Inc.,
Apollo Marine Supply Corp.,
Applewood Estates, Inc.,
Appliance Warehouse Co., Inc.,
Applied Power Equipment Co.,
Approved Consumers Ade, Inc.,
Approved Safety Devices Co. Inc.,
April Investment Co.,
Aqua Spray Sprinkler Co., Inc.,
Arbor Estates,
The Arcade,
Arch Food Market Co.,
Architectural Products, Inc.,
Arch Patterson, Inc.,
Arcy Plastics,
Ardeo Corporation,
Ardeo Laboratories, Inc.,
Arden Decorators, Inc.,
Arejay Realty Company,
Arena Florist, Inc.,
Argie Holding Company,
Argo Shoes,
Arista Furniture Frames, Inc.,
Aristocrat Club Cover Company,
Aristotle Realty Co., Inc.,
Arlington Electric Company,
Armand Construction Corp.,
Armand's Delicatessen, Inc.,
Armcee Leasing Corporation,
Armstrong Cafe, Inc.,
Arnn Corporation,
Arnold & Janusz Company,
The Arnold Manufacturing Co.,
Arnold Moulded Plastics Corp.,
Arnolds of Newark, Inc.,
Aroway Construction Corp.,
Arrow Mills Corp.,
Artur E. Ludovice, Inc.,

Arthur Morton & Company,
Arthur Publications, Inc.,
Arthur Star,
Artistic Furniture & Home Decorators,
Art Zeller Co., Inc.,
Asardo Company, Inc.,
Asbury Construction Co.,
Asbury Park Realty Company,
Asbury Shore Estates, Inc.,
A. S. K. Corp.,
Associated Buyers Combine Inc.,
Associated Coin Corporation,
Associated Fuel Distributors, Inc.,
Associated Home Builders,
Associated Lighting Products, Inc.,
Association of Home Owners, Inc.,
Assured Oil Transport, Inc.,
Astorcraft Leather Goods Co. Inc.,
Astor Publishing Co.,
Astor Record Co.,
Astro-Magnetics Corporation,
Astronautic Manufacturing Corporation,
A Tavern Inc.,
Atco Development Co.,
Atco Hotel Holding Co., Inc.,
Atcord Litho. Co., Inc.,
A. & T. Electric Co. Inc.,
Athens General Contractors Co. Inc.,
Atlantic Advertising Company,
Atlantic Coast Development Corp.,
Atlantic Coast Publishing Company,
Atlantic Concrete Products, Inc.,
Atlantic Electronics Corp.,
Atlantic Express, Inc.,
Atlantic Farm & Egg Stores, Inc.,
Atlantic Fidelity Company,
Atlantic Industrial Tire Corp.,
Atlantic Moving & Storage Co.,
Atlantic Storage Warehouses,
Atlantic Tobacco Corp.,
Atlantic & Western Freight Lines,
Atlantic Wire Cloth Products, Inc.,
Atlantis Lodge, Inc.,

Atlas Carriers Inc.,
Atlas Construction & Improvement Corp.,
Atlas Enamel Spraying Co. Inc.,
Atlas Maintenance Corp.,
Atlas Quality Homes, Inc.,
Atlas Wood Products, Inc.,
Atomic Cutlery, Inc.,
Atomizing Corporation of America,
Atom Tube Co., Inc.,
A. T. Trucking Co., Inc.,
Auction City U. S. A., Inc.,
Audio Film Center,
Audrose Construction Company, Inc.,
August Corporation,
Augustus Construction Company,
Auto Auctions, Inc.,
Auto Auctions Wholesalers Inc.,
Auto Mart Inc.,
Automated Conveyance Corp.,
Automatic Fastening Systems, Inc.,
Automatic Heating Service Inc.,
Automatic Industries, Inc.,
Automobiles Incorporated,
Autoville, Inc.,
A. V. A. Builders,
Avallone - Savino Contractors Inc.,
A. V. A. Tool Co. Inc.,
Avemar Corp.,
Avenel Building Company,
Avenengo & Noel Inc.,
Avenue Lane Co.,
Avondale Homes, Inc.,
Avon Laundromat, Inc.,
Avon Realty Co., Inc.,
Award Motors, Inc.,
A. Williams Co., Inc.,
A. W. Ullom, Inc.,
Axelrad-Lally Service Inc.,
A to Z Delivery Service Co.,

Babcock Construction Co., Inc.,
Babe Kaufman, Inc.,
Babert Terrace, Inc.,

Baby-Needs Service, Inc.,
Baby's Comfort, Inc.,
Backers Discount & Finance Co. Inc.,
Bagrier Chemical Corporation,
B. A. K. Enterprises, Inc.,
The Bakers of Bergen, Inc.,
Bako-Pak, Inc.,
Bal-Imp, Inc.,
Balinski Agency Inc.,
Balkray Finishing Co.,
Bally Refrigeration Sales Corp.,
Balter-Skowron Realty, Inc.,
Balvis Construction Inc.,
Balzura's Health Club, Inc.,
Bamberger Fabrics Corp.,
Bambi, Inc.,
Bambino, Inc.,
B-Amused Co. Inc.,
Bancroft Development, Inc.,
Band's Refuse Removal,
Banjo Inc.,
Bannon Business Service Corp.,
Barbara Fran, Inc.,
Barclay Distributors Inc.,
Barclay-Kinney, Inc.,
Barcol Overdoor of Central New Jersey Inc.,
Bargain Mart, Inc.,
Bargain Town,
Barjay, Inc.,
Barlee Construction Corp.,
Barnes Hall, Ltd.,
"Barojest",
Baron Drug Co. of Hoboken, Inc.,
The Barracuda,
Barrington Gardens, Inc.,
Barry Machinery Corporation,
"Barry Stationers of Middleton Inc.",
Barsam Mfg. Co., Inc.,
Barsky Drugs Inc.,
Basic & Applied Research Corp.,
Basic Builders,
Basic Coatings Corporation,
Basic Equipment, Inc.,

Bassett Park Association,
Bates Phamagal Corporation,
Baubbin Realty Co.,
Bayallen Corporation Inc.,
Bay Farms, Inc.,
Bay Industries, Inc.,
Bayonne Contract Packing Corp.,
Bayous & Alparone, Inc.,
Bayshore Marine Co.,
Bayside Construction Co.,
B. & B. Associates,
B. B. G. & Associates, Inc.,
B. B. & K Realty, Inc.,
B. B. Painter Inc.,
B. Bros. Co.,
B. & C. Market Inc.,
B. Construction Co.,
B. C. Rae & Company, Inc.,
B. Davis Embroidery Corp.,
The B. D. G. B. Development Co.,
B. Di Medio & Sons, Inc.,
B. D. & W. Realty Co.,
Beach Company,
Beach Development Co.,
Beachwood Home Products, Inc.,
Beacon Investors Corporation,
Beacon Paint & Varnish Co., Inc.,
Beacon Stores, Inc.,
Beacon Valet Service,
Beale & Roe Inc.,
Bear's Truck Rental System,
Beatrice Coat Corporation,
Beauty Bazaar, Inc.,
Beaverdam Corporation,
Becan, Inc.,
Becar Holding Co.,
Bedding Manufacturers Marketing Corporation of
America,
Bee & Bee Novelties, Inc.,
Bee Line Beverage Service,
Befarah Motors Inc.,
Behr's Gift Shops, Inc.,
Bejayo Inc.,

Bel-Aire Manor Construction Co.,
Bel-Aire Manor Development Co.,
Belenjo Realty Co.,
Beleo Realty Corp.,
Belford Company,
Bella Lane Tavern, Inc.,
Belle Coat Co.,
Belleville Travel Service, Inc.,
Bellpon Corp.,
Bell Shoes Inc.,
Belmawr Corp.,
Belmont Builders, Inc.,
Belmont Color & Chemical Co. Inc.,
Belmont Dari-Delite, Inc.,
Belrose Company, Inc.,
Belsie Company,
Belvedere Novelties, Inc.,
Bemat, Inc.,
Bemis Cleaners & Dyers,
Ben Alpern Agency, Inc.,
Bencivengo Plumbing & Heating Company Inc.,
Ben Franklin Shoe Corp.,
Ben-Glo Corp.,
Benick Exterminating Co. Inc.,
Benigno & Happel, Inc.,
Benjamin Gutter Company, Inc.,
Benjamin Hampel & Son Textiles Inc.,
Benjie's Super Bars,
Benmar Homes Inc.,
Bennett & Clayton Co., Inc.,
Benon Associates, Inc.,
"Ben's Kosher Delicatessen, Inc.,"
Bergen Associates, Inc.,
Bergen Bronze & Aluminum Foundry Inc.,
Bergen Construction Syndicate,
Bergen Credit Bureau,
Bergenfield Coffee Shop, Inc.,
Bergenfield Model Shop, Inc.,
Bergeline Realty, Inc.,
Bergen Mall Corset Bar, Inc.,
Bergen Manor,
Bergen Marketing Co., Inc.,
Bergen Mason, Inc.,

Bergen Quality House, Inc.,
Bergen Refreshments, Inc.,
Bergen Screen and Window Co.,
Bergen Sports Center, Inc.,
Bergen St. Motors,
Bergen Teterboro Corp.,
Bergen Visual Aids, Inc.,
Berk Coat Co., Inc.,
Berkley Enterprises, Inc.,
Berkley Estates, Inc., Section Two,
Berkson Corporation,
Berlin Brass and Aluminum, Inc.,
Bermacks Inc.,
Bermor Construction, Inc.,
Bernwood Music, Inc.,
“Berrig Corporation,”
Bertram S. Reitman, Inc.,
Beruth Holding Corp.,
Besco Equipment Sales Co.,
Besjay Realty Co. Inc.,
Bess & Erhlich Painting Co.,
Bess Fashions, Inc.,
Best Air Conditioning Corp.,
Best Aircraft Corp.,
Best Books, Inc.,
Bestel Products Inc.,
Best Plumbing & Heating Supply Company,
Beta Products Corp.,
Beth-Lynn Fashions,
Beth-Norman Modes, Inc.,
Better Home Heating Co. Inc.,
Betty Gestel, Inc.,
“Betty Lou Stationery, Inc.,”
Betzel, Inc.,
Beu-Ann Hotels, Inc.,
Bev-Bar Distributors of N. J., Inc.,
The Beverly Corporation,
Bevy Dress Manufacturing Co. Inc.,
B-F Industries, Inc.,
B & F Leasing Co., Inc.,
B. Fortuna, Inc.,
B F Products,
B. G. Hatch & Sons, Inc.,

B & G Inc.,
B. & I. Construction Corp.,
Bi-County Dredging, Inc.,
Bi-County Trucking, Inc.,
Big League Bowling Corp.,
Big Treet, Inc.,
Bilkay Embroidery Corp.,
Bill Long, Inc.,
Bill's Blue Room, Inc.,
The Biltmore-Surf Club, Inc.,
Bilt-Rite-Pool Designers, Inc.,
Bio-Tech Industries, Inc.,
Birchwood Company, Inc.,
Bishop Agency, Inc.,
Bishop Motor Sales, Inc.,
Bishop's Removal Service,
Bivalve Marina, Inc.,
Bizar's Holland Tunnel Rug Galleries,
B. J. Diamond & Co., Inc.,
B. & J. Leasing Co., Inc.,
B.J. & O. Realty Co., Inc.,
B. & K. Investment Corporation,
Blackacre Corp.,
The Black Horse Inn, Inc. of Mendham, N. J.,
Black Horse Realty Corp.,
Black Horse Tavern Inc.,
Black Products Corporation,
Blake Corp.,
Blanchette Precision Products Inc.,
Blauvelt Associates, Inc.,
Blinkers, Inc.,
Bliss-Scofield Corporation,
Bloodgood-Hopcke Co.,
Bloomberg Bros. Glass Co.,
Bloomfield Motors, Inc.,
Bloomfield Realty & Investment Co. Inc.,
B & L Sales, Inc.,
B.L. Schlosser,
Blue Anchor Inn,
Blue Anchor Investment Co., Inc.,
Blue Goose Produce Co., Inc.,
Blue Jay Sales Inc.,
Blue Marlin Swim Club, Inc.,

Blue Palace, Inc.,
Blue Ribbon Meat Center, Inc.,
Blue Ribbon Motors, Inc.,
B. M. S. Inc.,
B. M. S. Laboratories,
“Boad Incorporated,”
Boardwalk Beverages, Inc.,
Boardwalk & Delaware Corp.,
Boardwalk Restaurant Corp.,
Boardwalk Sales Center, Inc.,
Boardwalk Stores, Inc.,
Boat-Tels, Inc.,
Bo Bart Corporation,
Bob’s Restaurant, Inc.,
Bodner’s New Forest Hotel, Inc.,
Boegemann The Builder, Inc.,
Bogota Recreation Bowling Center Inc.,
“Boiler & Equipment of New Jersey Inc.,”
Bo-James Builders, Inc.,
Bona Vita Farm, Inc.,
Bond Lumber Home Improvement Co.,
Bond Trading Corp.,
Bon-Hood, Inc.,
Bonnedey Corp.,
Bonnie Sue Embroidery Corp.,
Bontempo Construction Co.,
Bon Ton Women’s Apparel, Inc.,
Boonton Manor Improvement Co.,
Bor-An Corporation,
Bordentown Dairy, Inc.,
Bordentown Foods, Inc.,
Bordentown Ice Skating Club, Inc.,
Bordentown Meats, Inc.,
Bordentown Produce, Inc.,
Bordentown Realty, Inc.,
Borghi Liquors, Inc.,
Borgzinner Co., Inc.,
Boro Radio & Television Sales & Service Inc.,
Borough Auto Service, Inc.,
Borough Line Builders Corp.,
Bosco Builders,
Bottle House, Inc.,
Boulevard Drive-In,

Blvd. Medical Building,
Bound Brook Tire Co., Inc.,
Bower Polishing Co. Inc.,
Bowl Realty Corp.,
Boyers Sales, Inc.,
Boyle's, Inc.,
Boyle's Three Acres,
Boy's Farms, Inc.,
Bradley Motors, Inc.,
Bramf Chemical Corp.,
Branch Amusement Co. Inc.,
Branch Brook Servicenter, Inc.,
Branchburg Builders, Inc.,
The Branin Corporation,
Bran-San Construction Co., Inc.,
Braverman's Bedding Centers, Inc.,
The Bray Land Co.,
B. & R. Bowling Equipment Rental Inc.,
B & R Distributors, Inc.,
Breeee's Vaults, Inc.,
Breibart's, Inc.,
Brelle Company Incorporated,
Brenner Homes Inc.,
Brenton Carpet Distributors, Inc.,
Breson Realty Co.,
Brian Builders, Inc.,
Brick Construction Inc.,
Bricklayers, Inc.,
Bricko Remodeling Company, Inc.,
Brick Township Homes Inc.,
Bridgeton Management Corporation,
Bridgewater Industrial Park, Inc.,
Brigantine Bargain Bazaar, Inc.,
Brigantine Beach Hotel Corporation,
Brigantine Country Club Estates,
Brigham Realty Corp.,
Bright Construction Co. Inc.,
Bright-Ray Corporation,
Bristol Industries, Inc.,
Broadacres Realty Corporation,
Broadcasters Program Service Inc.,
Broad, Inc.,
"Broad & Kinney Bar, Inc.,"

Broad Restaurant, Inc.,
Broadside Holding Co., Inc.,
Broadway Automotive, Inc.,
Broadway Credit Inc.,
Broadway Excavating Co., Inc.,
Broadway Housing Corporation,
Brock Kiddie Academy, Inc.,
Brokaw Enterprises, Inc.,
Brookfall Park,
Brookfield Dry Cleaning System Inc.,
Brooklane Homes, Inc.,
Brooks, Hampton, Levy & Walker, Inc of New
Jersey,
Brookside Company,
The Brook Tavern, Inc.,
Brothers Warehouse,
Brounell & Kramer Agency,
Bruce Embroidery, Inc.,
Bruce Realty Co.,
Bruel Homes, Inc.,
Bruno-S Iron Works,
Brunswick Supply Co.,
Buck-Em Stables, Inc.,
Buckeye Realty Corp.,
Buckingham Steel Co., Ltd.,
Bucknell Transportation, Inc.,
The Bucks Company,
Budd's Enterprises,
Budget Service Corp.,
Builders of Tomorrow Inc.,
Building Contractors, Inc.,
Buis-Tilton, Inc.,
Bunny Garment Co., Inc.,
Burlington County Business Loan Associates Co
Inc.,
Burlington Edge Corporation,
Burlinson Realty Co.,
Burna Builders Inc.,
Burton Construction Corporation,
Buryta-Madej Realty Co., Inc.,
Bushberg Bros. Furniture Co.—Route 22,
Business Research Corporation,
Bustraans, Inc.,

Butler News Company,
 Butomat Fastener Company, Inc.,
 Butterworth Painting Co.,
 Bu-Vac Process Co., Inc.,
 Buy Rite Discount Store—North Plainfield N. J.
 Inc.,
 B. & W. Dinette Corporation,
 B. W.L., Inc.,
 Byer Holding Company,
 Byron's Car Hop, Inc.,

 Cabana Nutria of New Jersey, Inc.,
 Cabinets for Business, Inc.,
 Cacavio Brothers, Inc.,
 Cadillac Jim, Inc.,
 "C & A Furniture Co. Inc.",
 Calabro Construction Company, Inc.,
 Calba Manufacturing Corporation,
 Caldwell Box & Crate Co.,
 Caleca & Sons, Inc.,
 Cal Gravure Printing Co. Inc.,
 California Casual, Inc.,
 California Service Station,
 Calinak Chemical Corporation,
 Callanan's Inc.,
 Call Best Service, Inc.,
 Calloway Corp.,
 Cal-Tropic Fruit, Inc.,
 Calvac Packaging Corp.,
 Calvin Construction Co., Inc.,
 Calvine Cotton Sales Corp.,
 Camal Corp.,
 Cambridge Interiors, Inc.,
 Camburn Builders Inc.,
 Camden Industries Inc.,
 Cameron Realty Company,
 Camp Onteora, Inc.,
 Camp Shira, Inc.,
 Camspring Holding Co.,
 Can-Dee Records, Inc.,
 Candle Craft of California, Inc.,
 Candles By Coray,
 The Candlestick Makers, Inc.,

The Candy & Cookie Jar Inc.,
“Cantell Fabrics, Inc.”,
Cantorbury Estates Inc.,
Capehart Plumbing and Heating Co Inc.,
The Cape Island Construction Corp.,
Cape May Yacht Basin, Inc.,
Capital Imports, Ltd.,
Capital Realty Co.,
Capitol Sales, Inc.,
Cappy’s Bakery Inc.,
Captain Donaldson, Inc.,
Caravan Carpets, Inc.,
Car Construction Co., Inc.,
Caredoleia, Inc.,
Carey Construction, Inc.,
Carey Petro, Inc.,
Cargo Terminals, Inc.,
Caribou Cedar Log Cabin Co. Inc.,
Carl A. Danella, Inc.,
Carland Holding Company,
Carlease Corp.,
Carleton Greeting Card Co.,
Carlo & Carlo, Inc.,
Carlson T V,
Carlton Development Corporation,
Carlton, Inc.,
Carlton Securities, Inc.,
Carolee Terrace, Inc.,
Carolina Cottons, Inc.,
Carol Jean, Inc.,
Carol N. Realty Corp.,
Carpet Mart, Inc.,
Carpet Products, Inc.,
Carrara and Carrara Co., Inc. No. 1,
Carrara and Carrara Co., Inc. No. 2,
Carroll Ave. Realty Co.,
Carroll Maid Products Co.,
Carteret Delicatessen, Inc.,
Carteret Shirts, Inc.,
Car & Truck Leasing, Inc.,
Casale Realty Co.,
Casale Supply Company,
Casavan Industries Inc.,

Casbah, Inc.,
Casey Hi-Fi Installation Corporation,
Casey & Riley Corp.,
Cas Lor Realty Corporation,
Casmar Corp.,
Cassaro & Co., Inc.,
Castle Furniture Corp.,
Castle Inn Inc.,
Catamarans, Incorporated,
Catex Construction Corporation,
Cath-Art Corporation,
Cavalier Real Estate Co., Inc.,
C. A. Varall Inc.,
C & B Contracting and Development Co. Inc.,
“C & B Distributors, Inc.”,
C & C Village Super Market,
C. C. W. Holding Co.,
C. D. Doolittle & Sons, Inc.,
C and D, Inc.,
Cedar Brook Pools & Construction Corporation,
Cedar Island Realty Company,
Cedar Trucking Co., Inc.,
Cellulose Wadding Products, Inc.,
Centaur Transport, Inc.,
Center Electrical Supply, Inc.,
Central Bergen Builders Association Inc.,
Central Construction Company, Inc.,
Central Contracting Co., Inc.,
Central Farms Inc.,
Central Heating Distributors, Inc.,
Central Jersey Painters & Decorators Corporation,
Central & Park Washomat, Inc.,
Central Printing Company of New Brunswick,
Central State Contractors, Inc.,
Central Vending Company,
Century Button Works, Inc.,
Century Homes, Inc.,
Ceram-Heet Inc.,
Cerami's Dairy, Inc.,
Ceramplastic Molders, Inc.,
Cerv's Bar,
C. F. I. Associates, Inc.,
C. & G. Corporation No. 11,

Cha-Cha Bar and Grill, Inc.,
Chadwick Corporation,
Chaiten's Food Store, Inc.,
Chalen Corporation,
Chamberlain Furniture, Inc.,
Champion Construction Corporation,
Champs Tires Incorporated,
Chancellor Service Garage, Inc.,
Chappe's Inc.,
Charcoal Inn, Inc.,
Charcoal Lodge, Inc.,
Charcor Corporation,
Charitable Salvage Services,
Charlene, Inc.,
Charles A. Fischer & Sons,
Charles Bradford, Inc.,
Charles Construction Company,
Charles C. Thompson and Sons Research and
Development Corporation,
Charles E. Sost, Inc.,
Charles Howard Newman, Inc.,
Charles Kelly, Inc.,
Chas. Nieder Co.,
Charles O'Mullen Co., Inc.,
Charles Sopronyi Realty Company,
Chatham Town & Country, Inc.,
Chat'n' Nibble,
Chef-Rudy's Foods,
Chemco Corporation,
Chem Consul Associates, Inc.,
Chem Enterprises, Inc.,
Chem-Flow Designers, Inc.,
Chemical Sales Corporation,
Cherami, Inc.,
Cher Corporation,
Cherie Originals, Inc.,
Cherry Hill Times,
Cherry Valley Plaza Development Co.,
Chester King Construction Company Inc.,
Chester Ridge Corp.,
Chestnut Towers Inc.,
Chez Enchanté,
C. H. Gale, Inc.,

Chicken-Que, Inc.,
China Gate Rest., Inc.,
Chipper Construction Co.,
C. & H. Jewelers, Inc.,
Choapi, Inc.,
Chopsticks, Inc.,
Chris-Ann Construction Co., Inc.,
Christine Apartments, Inc.,
Christopher J. De Carlo,
Christopher Valley Realty Co.,
Chung Hing Corp.,
Churchill's Rug Service, Inc.,
C. & I. Enterprises, Inc.,
C. I. M. Land Improvement Corporation,
Cindy Builders & Supply Co. Inc.,
Cindy Pools Incorporated,
Cinnaminson Parks, Inc.,
Circle Company, Inc.,
Circle "G" Construction Corporation,
Circle Greater Realty, Inc.,
Circle Marine, Inc.,
Circle Rock, Inc.,
Circle (S) Electrico, Inc.,
Circle of Unity,
Circuitron, Inc.,
Circus Lounge, Inc.,
Cis-Alps Motor Car Co., Inc.,
Citwood Construction Co., Inc.,
City Cab of Ocean City Inc.,
The City Investing Co.,
City Trading Co., Inc.,
The City Window Cleaning Co. Inc.,
C. J. G. Inc.,
C. J. Patrick Co., Inc.,
C. K. Pistell & Co., Inc.,
Clare-Belle Arms, Inc.,
Clarellio Holding Co.,
Clarell Realty Corporation,
Clarke-Mackey Construction Corporation Inc.,
Clarke Metal Products Co.,
Classic Floor Waxing Co.,
Claude Cinelli, Inc.,
Clayton Lanes, Inc.,

C. L. B. Holding Corp.,
Clean Crafters, Inc.,
Clearance Bureau of New Jersey,
Clear Span Truss Corp.,
“Clearview Inc.,”
Clef Enterprises Inc.,
The Cliff,
Clifford Auto Body, Inc.,
Clifton Centre Pastry Shop, Inc.,
Clifton Construction Company,
Clifton Investment and Realty Co.,
Clifton Photo Studio,
Clinton Liquor Store,
Clinton-Universal Circle Paper Box Corp.,
Clint Road Company,
Closter Products Corp.,
Cloud Crest, Inc.,
Clover Bar, Inc.,
Clover Heights, Inc.,
Clover Mill Supplies, Inc.,
Club Cap-Re,
Club Eleven Inc.,
Club 415, Inc.,
Club 470, Inc.,
Club Monroe,
Club Tico Tico,
Club 214, Inc.,
Clutch Specialists of Connecticut Inc.,
Clutch Specialists of New Jersey Inc.,
C. M. C. Company—Trenton,
C & N Construction Co.,
C. N. P. Holding Company,
Coastal Construction & Supply Co.,
Coastal Steel & Tube Corp.,
Coast Fishing, Inc.,
Coastline Timber Company,
Coast Mortgage and Realty Corp.,
Cobb Contracting Co. Inc.,
Cobrel Development Corp.,
Coddington-Peluso Auto Wreckers Inc.,
Cody & Gotthold Service, Inc.,
Coffee Service of Union, Inc.,
Cofsky’s, Inc.,

Cogran, Inc.,
Coit Company,
Co-Lan Realty, Inc.,
Colavita, Incorporated,
Coleman-Pringle Home, Inc.,
Cole Realty Corporation,
Colesapp Industries, Inc.,
Colitti, Inc.,
Collict & Neu, Inc.,
Colonia Bakery & Delicatessen Inc.,
Colonial Auto Supplies, Inc.,
Colonial Charcoal Grille Inc.,
Colonial Drafting Aids, Inc.,
Colonial Equipment Co.,
Colonial Office Supply Corporation,
Colonialsales Corp.,
Colony Motors, Inc.,
Columbian Club, Inc.,
Comet Express Inc.,
Comet Industries, Inc.,
Comet Motors, Inc.,
Comfortable Homes, (A Corporation),
Comfort Equipment Corporation,
Commerce Smoke Shop Inc.,
Commercial Construction Co.,
Commercial Consultants,
Commercial Contractors & Builders & Supply Inc.,
Commercial Cooling & Heating, Inc.,
Commercial Currency Corporation,
Commercial Enterprises, Inc.,
Commercial Garage Corporation,
Commercial Properties, Inc.,
Commercial Training Service,
The Commodore Marina, Inc.,
Commonweal Industries,
Commonwealth Equipment Co. Inc.,
Commonwealth Lace & Embroidery Inc.,
Commonwealth Realty Abstracts Inc.,
Commonwealth Realty Improvement Corporation,
Community Funding Corporation of New Jersey,
Como Supply Company,
Compact Bond Corporation,
Compact Dover Corporation,

Competence, Inc.,
Comprehensive Service Corp.,
Conair, Inc.,
Conair Sales, Inc.,
The Conasco Corp.,
Conaway Corp.,
Conco Associates, Inc.,
Concrete Grinding Corp.,
Concrete Structures Company, Inc.,
Condado Corporation,
Congress Park Builders,
Conhill Corp.,
Connie's Diner,
Conroy Estates, Inc.,
Consolidated Export Trans. Co. Inc.,
Consolidated Mills,
Consolidated Motor Lines, Inc.,
Consolidated Pier Exporters Co. Inc.,
Constant Development Corporation,
Construction Equipment & Supply Co.,
Consultants Associated, Inc.,
Contessa Jeanne Mille',
Continental Aircraft Supply Co. Inc.,
Continental Aircraft Supply Sales Co. Inc.,
Continental Consultants Inc.,
Continental Merchants Inc.,
Continental Wholesale Toy Distributors,
The Continubond Corporation,
Contractors' Agency, Inc.,
Converting Service Co., Inc.,
Co-op Charge Plate Association Inc.,
Cooperative Construction Co.,
Cooperative Enterprises, Inc.,
Cooperative Purchasing Mart, Inc.,
Copley Co. Inc.,
Coral Trucking Co. Inc.,
Corin Jewelry Sales Company,
Corner Club,
Cornet Caterers, Inc.,
Cornwall Building Company,
Coronet Systems of Trenton, Inc.,
Corritrol Manufacturing Corporation,
Corrosion Specialists, Inc.,

The Corset Bar,
Corsi and Triano Custom Homes, Inc.,
Cort Clothes Co.,
Corwill Homes, Inc.,
Cory Manufacturing Company, Inc.,
Coscor Co. Inc.,
Cosman Builders, Inc.,
Cosmetics Corporation of America,
Cottage Shops, Inc.,
Cott Shore Distributors,
“Country Club Estates Inc.”,
Country Lane Homes, Inc.,
Countryside Tavern, Inc.,
Country Color Service, Inc.,
County Loan Co.,
County Realty Co., Inc. of N. J.,
County Style Doughnut of Hoboken, Inc.,
Cozy Spot Diner, Inc.,
Cozzzone Marking Company, Inc.,
Crack Vending Services, Inc.,
Craft Mfg. Corp.,
“Craigmour Lodge Enterprises Inc.”,
Crane Canning Co.,
Crassas Development Corporation,
Crawford Construction Co. Inc.,
C. R. Cullen Construction Co.,
Creative Fabrics, Inc.,
Creative Investments, Inc.,
Creative Lighting Products, Inc.,
Creative Publishing Co. Inc.,
Crecca-Foley Enterprises, Inc.,
Crescent Beverages Corp.,
Crescent Blvd. Kiddieland, Inc.,
Crest Construction, Inc.,
Crest Heating Equipment Company Inc.,
Crest Packing Co.,
Crestwood Estate Homes, Inc.,
Criterion Molded Products Company Inc.,
Crockett & Scheer, Inc.,
Cross-Country Car Distributors,
Cross Country Truck Rentals Inc.,
Cross & Skinner, Inc.,
Crowinner Corporation,

New Jersey State Library

Crown Embroidery Co.,
Crown Lace Corp.,
Crown Realty Co., Inc.,
C. R. R. Holding Corp.,
C. R. Yahn, Inc.,
Crystalite Co., Inc.,
Crystal Linen Supply Co.,
C & S Sales and Service,
Cuckoo Club, Inc.,
Cultura, Inc.,
Cumberland Brick Kut Company,
Cumberland Hauling, Inc.,
Cumberland Hotel Inc.,
Cunningham Associates, Inc.,
Curly Dairy Farms, Inc.,
Custer, Inc.,
Custer Realty Co. Inc.,
Custom Builders & Home Improvement Corpora-
tion,
Custom Craft Industries, Inc.,
Custom Heating, Plumbing and Construction Co.
Inc.,
Custom Pools, Inc.,
Custom Products, Inc.,
Custom Telecasts, Inc.,
Custom Tire Company, Inc.,
Cut Rite Meats, Inc.,
C & W Plumbing & Heating Company,
Cyro Enterprises Inc.,
D. A. & B. Realty, Inc.,
D & A Clothing Co., Inc.,
Dagmar Realty, Inc.,
Dahlonga Corporation,
Daisy Garment Co., Inc.,
Dalan Construction Co., Inc.,
Dale-Ann, Inc.,
Dale Industries, Inc.,
Dalewood Estates,
Dalna Associates, Inc.,
D. A. Luncheonette, Inc.,
Daman Corporation,
D & A Mfg. Co. Inc.,
Damar Associates, Inc.,

Damar Corporation,
Damar Distributors, Inc.,
Damar Industries, Inc.,
Damascus, Ltd.,
D'Ambro Pontiac, Inc.,
Dancette Enterprises, Inc.,
Dan Construction Corp.,
Dan-Dee Chrome Kitchen Furniture & Upholstry
Inc.,
Dan Fleenor's Auto Stunt Show Productions Inc.,
Danford Inc.,
Danhill Co.,
Daniel J. Driscoll Incorporated,
Dan Knopping, Inc.,
Dano Brothers Co., Inc.,
Dan-Rich Farm, Inc.,
Dan Yawnick, Inc.,
Darwin Construction Co.,
D & A Sportswear Inc.,
Date-Lock, Inc.,
Dava Millinery, Inc.,
Dave Annun & Co., Inc.,
Dave Realty Corporation,
David Schrenell & Co., Inc.,
Davidson and Robertson, Inc.,
David Van Dillen Agency, Inc.,
David Van Dillen Real Estate Agency Inc.,
Davies Tool Co., Inc.,
Davis Engineering Corporation,
Davis Merchandising Corp.,
Dawn Pak Corp.,
Dazzle White, Inc.,
D. B. R. Corp.,
D. & D. Electronics, Inc.,
"D & D Food Sales Co.,"
Deadline Publishing Company,
Deal Emory Apts.,
Deal Insulation & Construction Co. Inc.,
Deal Lake Apartments,
Deal Land Company,
De Angelis Service Inc.,
The Deb Corporation,
Debjén, Inc.,

Deb 'N Heir, Inc.,
De Bruno Realty Co.,
Deb Sales Corp.,
Decker Bros. Corp.,
Decker Realty Co.,
Deer Country Estates,
Deering-Shrewsbury Construction Co. Inc.,
Deer Park Realty Corporation,
Deerpath Village Inc.,
Dee's, Inc.,
D-E Industries, Inc.,
De Jager Nurseries, Inc.,
Delatex, Inc.,
Delaware Valley Electronics Corporation,
Delaware Valley Landscaping Co.,
Delaware Valley Packing Co.,
Delaware Valley Roofing & Siding Applicators,
Della Penna Bros. Inc.,
Delle Co. Inc.,
Dell & Holtz,
Dell Homes, Inc.,
Del Pizzo Bros., Inc.,
Delra Company, Inc.,
Delrin Molding Co.,
Del-Sea Associates, Inc.,
Delsea Sales & Service, Inc.,
Deltex, Inc.,
Deltown Realty Co.,
Del-Val Corporation,
De Marts, Inc.,
Dennis & Company, Inc.,
The Dennison Products Co.,
Dennis Securities Company,
Denoia & Jackson Construction Inc.,
Dentron Products Inc.,
Dependable Personnel Service,
De Rosa's,
Deserio Construction Co.,
Design Builders, Inc.,
Designers and Builders, Inc.,
Development Syndicate, Inc.,
The De Ville Corporation,
Devon-Glen Construction Co.,

Devon Institute Ltd., Inc.,
“Devotional Windows, Inc.,”
Dew Drop Inn,
Dewey Mc Gowen, Inc.,
Dewey’s Inn, Inc.,
Dexan Construction, Inc.,
D. G. R. Corporation,
Dial Company, Inc.,
Dial Realty Co.,
Diamond Beach Development,
Diamond Casino, Inc.,
Diamond Lanes, Inc.,
Diamond Printing & Composition Inc.,
Diane Building Corp.,
Diaphragms, Inc.,
“Dicalmar Storage and Trucking Co.,”
Di Canio & Silkowski, Inc.,
Dick Realty Co.,
Diedre Cosmetic Sales, Inc.,
Dielect Incorporated,
D & I, Inc.,
Dimensional Pigments International Inc.,
Diner Enterprises, Inc.,
Diner Operators, Inc.,
Diron Builders, Inc.,
Discount Records, Inc.,
Discount TV Tube Mart,
Disc Service Inc.,
Display Music Corp.,
Distributors International Corp.,
D’Lam, Inc.,
D & L Tool & Die Co., Inc.,
D. & M. Construction Co. Inc.,
Doane’s Inc.,
Dobear Trucking Corp.,
Dodge Construction Co.,
Do Drop Inn A Corporation,
Dogwood Estates,
Do It Yourself T. V. Center,
Dola Construction Company,
Doll-Metz Piano Corp.,
Dolphin Motor Transport Corp.,
Dolstat, Inc.,

Domas, Inc.,
Dom's Photo Center, Inc.,
Donn-5th Avenue,
Donoghue-Quarto Agency, Inc.,
Donovan & Nagle Automatic Heating,
Donrene, Inc.,
Don's Catering Corp.,
Don-Tor Realty Corporation,
Doreen & Ira Realty Corp.,
Dori, Inc.,
Doris Realty Corporation,
Dormak Realty Co.,
Dorm-Gar Construction Co., Inc.,
Dotti Mfg. Co., Inc.,
Double-Ben, Inc.,
Double B Holding Company,
Double Dee Toy Corp.,
Double Mar, Inc.,
Double R. Bar, Inc.,
Dover Associates, Inc.,
Dover Securities, Inc.,
Dover Steel Swimming Pools, Inc.,
Dover Water Chemical Company Inc.,
Dowd Transportation Co., Inc.,
Downtown Building and Improvement Co.,
D P G Co.,
Drake Stores, Inc.,
Dresco, Inc.,
Dresher Bros., Inc.,
"Dreyfuss Real Estate Office",
Dri Dux Inc.,
Drilling Associates Inc.,
The Drive-Master Co., Incorporated,
Druin Wholesale Hardware Co.,
"Druss Stores of Red Bank, Inc.",
D & S Service Station, Inc.,
Dubuit Machines Inc.,
Duggan Developers, Inc.,
Duggan and McArdle Inc.,
Du Mont New Jersey, Inc.,
Dumor Holding Co.,
Dunbar Realty Co.,
Dundee, Inc.,

Dunkerley Piano Co., Inc.,
Dunlake Realty Company,
Dunn's Advertising Specialties Inc.,
Dunn's English Leather Shop Inc.,
Dunrite Contracting Co., Inc.,
Dunside Corporation,
Dunter Corp.,
Dupack, Inc.,
Durable Homes, Inc.,
Durafinish Co., Inc.,
Dutko Co., Inc.,
Du Val Industrial Construction Corp.,
Duval Realty Co.,
Dynametals Company,
Dynamic Devices Inc.,
Dynamic Meatland Inc.,

E & A Foods, Inc.,
E. A. Franco Inc.,
Eagle Finance Co.,
Eagle Molding Co., Inc.,
Eagle Rock Corp.,
Eagle Rock Snack Bar, Inc.,
Earle Hotel Inc.,
Early Bird Shop-In-List,
Earp Thomas Laboratories, Inc.,
Eastbound Properties, Inc.,
East Coast Distributors Inc.,
"Eastern Allied Engineering, Inc.",
Eastern Auto Body Works, Inc.,
Eastern Carpet Service, Inc.,
Eastern Developments Corporation,
Eastern Distributors of Aluminum Inc.,
"Eastern Fabric Mills, Inc.",
Eastern Hard-Anodizing Corp.,
Eastern Home Food Service,
Eastern Indent Co., Inc.,
Eastern Marketing Associates,
Eastern Metal & Smelting Co.,
Eastern Mortgage Company,
Eastern Steel Fabricators, Inc.,
East Holding Co.,
East Newark Foundry Inc.,

East Paterson Realty Company,
East Paterson Woodwork Co., Inc.,
East Wind-Westfield, Inc.,
Eaton Estates, Inc.,
Eaton Realty and Holding Co.,
Eatontown Auto Sales,
E. Bakley & Co. Inc.,
E. & B. Inc.,
E. B. Jones Inc.,
E & B Mill Supply Co. of Delaware Inc.,
E & B Superette,
Eckenfelder Associates, Inc.,
Econ-O-Mizer Heating Service Co. Inc.,
Economy Moving & Express Co.,
Economy Shoe Service, Inc.,
“Economy Storm Window Co. Inc.,”
Economy Watch & Pen Co. Inc.,
Eda Holding Co.,
Edbill, Inc.,
Eddie Taft, Inc.,
Eddy Realty Co.,
E. De Angelis & Company,
Edelstein-Gaston Agency,
Edgewater Management Corp.,
Edgewater Office Equipment and Supply Company
Inc.,
Edgewater Realty Holding Corp.,
Edgewood Realty Corporation,
Edgeworth Company, Inc.,
Edison Building Supply Co., Inc.,
Edison Machine & Fabricators Inc.,
Edison Realty Co., Inc.,
Edison Research & Chemical Corp.,
Edjeo Associates,
E. D. Lambertsen & Company,
Edrose Corporation,
Edseo. Incorporated,
The Edson X-ray Company, Inc.,
Edvan, Inc.,
Edward Fengya, Inc.,
Edward J. Rooney Co.,
Edward M. Andrade of New Jersey Inc.,
Eendenberg Realty Corp.,

E.F. Allfather Candy Co., Inc.,
The Efco Company,
The E.F.F. Corporation,
Egg Harbor Bowling Center,
Egg Harbor Furniture Mart, Inc.,
Egreb Realty Corp.,
E. Hedin, Inc.,
Ehler's Tavern, Inc.,
The Ehrenberg Co.,
Eighteen T Realty Corp.,
801 Hampshire Corp.,
Eisen Oil Co., Inc.,
E J C Realty Holding Corporation,
E. K. Miller, Co., Inc.,
Elad Construction Co.,
Elaine Realty Co.,
Elastofoam Corporation,
Elastomerics Corporation,
"Eldorado Apartments of Nutley Inc.,"
Eleanor Realty Holding Co.,
Election Consultants, Inc.,
Electrical Service Maintenance Corporation,
Electronic Equipment Sales Inc.,
Electronic Laboratories Inc.,
Electronic Protection, Inc.,
Electronic Secretaries, Inc.,
Electronic Service Corporation,
Electronic Warehousing Corp.,
Electro-Plex Corporation,
Elegance A. C.,
El & El Co., Inc.,
Elena's, Inc.,
Eleven Hamilton Street Corp.,
1101 Chestnut Street Corporation,
1169 Company,
1130 Route 22 Building, Inc.,
E. Levitz & Sons Inc.,
Elizabeth Bargain Shoe Store Inc.,
Elizabeth Dance Studio, Inc.,
El Jean Corporation,
Elizabeth Bake Shop, Inc.,
Eljo Construction Corp.,
Elkwood Estates Inc.,

Ellen Jay Inc.,
Elling's Rainbow Bar,
"Elliot Black School of Iridology,"
Ellsworth and Co.,
Ellwood Estates, Inc.,
El-Mar Fashions, Inc.,
Elmer S. Duncan, Inc.,
Elton Development Corp.,
Elvee Cleaners, Inc.,
The Elves,
Elvis Land Corp.,
"Elwood Associates,"
Emanon Realty Co. Inc.,
Emarkay Realty Co., Inc.,
Embroidered Novelties, Inc.,
Embroid-O-Mat Co.,
Emerald Lanes, Inc.,
Emerald Room, Inc.,
Emerald Transportation and Storage Co.,
Emerson Auto Accessory Co.,
Emerson Sales Corp.,
Emil Attanasi & Sons,
Emile Snyder, Incorporated,
Emma's Pizzeria A-La Casina,
Emory Apartments Inc.,
Empire Electronic Manufacturing & Sales Co.,
Empire Hardwood Flooring Corporation,
Empire Ltd., Inc.,
Empire Outlet, Inc.,
Empire Profit Sharing Co.,
Emwood Park Homes, Inc.,
Enartex Studio Inc.,
Enderm, Inc.,
Engineering Corporation of America,
Engineering Processes Inc.,
Engines & Parts, Inc.,
Englewood Sports Center,
Englewood Window Cleaning Co Inc.,
Englishtown Crafts, Inc. of New Jersey,
Englishtown One-Hour Valetorium Inc.,
Enna Investment Co., Inc.,
Enos Square Corp.,
Enterprene Manufacturing Company Inc.,

Epicure Meats, Inc.,
The Equitable Agency,
Equitable Financial Corporation,
Equity Homes, Incorporated,
Erection, Inc.,
Erie Contracting & Engineering Corporation,
Erlenmeyer Associates, Inc.,
E. R. Ling & Co. of New Jersey Inc.,
Erman's Smoke Shop, Inc.,
Erna Hosiery Shop, Inc.,
Ernst New Jersey Sales Co. Inc.,
Errico Hair Fashions, Inc.,
"Erudo Plumbing & Heating Corp.",
Eseness Construction Co. Inc.,
Espanong Tavern,
Esquire Cafe Inc.,
Essar Truck Rental, Inc.,
Essex Green Liquor Co.,
Essex Water Color Club,
E. S. T. Company, Inc.,
"Etiko, Inc.",
Etna Homes, Inc.,
"Eugene S. Ayres & Sons, Inc.",
European Restaurant & Luncheonette Co. Inc.,
Evan Corporation, Inc.,
The Evanwood Company, Inc.,
Everready Trailer Co., Inc.,
Everett Builders,
Evergreen Cocktail Bar,
Everley Realty Co., Inc.,
Everts Cutlery Co.,
Excel Confectionery Co. Inc.,
Excelled Chamois Co. Inc.,
Excess Risk Company, Ltd.,
Exchange Trucking Corp.,
Exhibit Center, Inc.,
Expanding Bit & Tool Manufacturing Corporation,
Expeller Press and Chemical Corporation Inc.,
Expert Window Cleaners, Inc.,
Eye Lure Lanes, Inc.,
E-Z Bows, Inc.,
E-Z Dial Specialties, Inc.,
E-Z Markets, Inc.,

Fabian Ltd. Cosmetics,
Fabric Fair,
Fabri Company, Inc.,
Fabric Town Inc.,
Fab's Manor, Inc.,
Fabulous Handprints, Inc.,
Factory Developers, Inc.,
Fagro Company, Inc.,
Fairfield Laboratories Inc.,
Fair Haven Agency, Inc.,
Fair Lawn Factors, Inc.,
Fair Lawn Record, Inc.,
Fairview Industrial Center, Inc.,
Fairview Warehouses,
Fairway Enterprises, Inc.,
Fairway Investment Corporation,
Falcon Electronics Corporation,
The Family Audio Library, Inc.,
Family Dental Plan,
Family Memorial Estate Inc.,
Family Restaurant, Inc.,
Famous Brands of Emerson Discount Center Inc.,
Famous South Orange Delicatessen and Restaurant
Inc.,
Fanco Manufacturing Corp.,
Fan Realty Co.,
Fanwood Steel Products Inc.,
Far Hills Heights Land Development Corporation,
Farmaceuticals Cooperative, Inc.,
Farmer Frank of Pennsauken,
Farmers, Inc.,
Farm Line Inc.,
Farnsworth Frozen Foods, Inc.,
Farrington Estates Inc.,
Farr-Wood, Inc.,
Farview Realty Co.,
Fase Associates, Inc.,
Fashion Fabrics, Inc.,
The Fat Man, Inc.,
Fay Manufacturing Company, Inc.,
F. C. Investors Inc.,
F. D. and R. Contractors, Inc.,
Federal Aluminum and Construction Corp.,

Federal Contractors Corp.,
Federal Mortgage Company,
Federal Pipe and Foundry Company,
Federated Foods of Philadelphia, Inc.,
F. E. Fitzpatrick, Inc.,
F. E. Henne, Inc.,
Feibros Corporation,
Feinstein Fine Fowl, Inc.,
Feist and Feist,
Fells Air Conditioning Co.,
Felswood Realty Co Inc.,
Fermentation Industries, Inc.,
Fern Homes, Inc.,
Fernson Builders, Inc.,
Ferraro Truck Leasing Co.,
Ferry Street Warehouse Corporation,
Festival Charpit,
Festival Builders, Inc.,
Festival Motels, Inc.,
F. F. I. Enterprises, Inc.,
F. & G. Construction Co. Inc.,
F. G. Hand Company,
F. G. H. Laundry System, Inc.,
F. H. Avery Construction Co. Inc.,
F. H. Mulcahy, Inc.,
F. & H. Realty Co.,
Fidelity Associates, Inc.,
Fifty-Plus Housing Corporation,
53 East Prospect Corporation,
Figurama of Livingston, Inc.,
Fine Line Supply, Inc.,
Fin and Feather, Inc.,
Fiore Films,
Fiorilla Holding Co.,
“Fire Consultant Services, Inc.,”
First Atlantic Corp. of Fort Worth,
First Marine Corporation,
First Watchung Corporation,
Fischer-Wehmann Corporation,
Fish and Lenox Company,
Five Corners Parking Inc.,
500 Communipaw Tavern,
589 Broadway Realty Corporation,

505 Bond Street, Inc.,
514 Avenue C Corporation,
512-514 Paterson Plank Road Corp.,
F & J Bake Products, Inc.,
Flagstaff Frozen Food Associates, Inc.,
Flair Knitted Fabrics, Inc.,
Flamingo Novelty Co. Inc.,
Flamingo Realty Corp.,
Flathmann-Maier Corporation,
Flemington Construction Company Inc.,
Flex-I-Brush Corp.,
Flexline Shoe Company,
Flint Printing Company, Inc.,
Flock Cutting Inc.,
Floelin Laboratories, Inc.,
Floor-Brite Supply Co. Inc.,
Florence Construction Co., Inc.,
Florence Kiddie Rides, Inc.,
Florob Corporation,
Flower Basket Inc.,
Floyd Construction Co., Inc.,
Fluorine & Chemical Corp.,
The Flying "D,"
Flynn Brothers Foundries, Inc.,
F. & M. Builders,
F. M. G. Company, Inc.,
FM. Incorporated,
Foam Rubber Center of Union Ltd.,
Foerster's, Inc.,
Foley & Sheldon, Inc.,
Food Express, Inc.,
Food Mart of Montclair,
Foran Foundry and Manufacturing Company,
Ford Associates, Inc.,
Ford Construction Co.,
Ford Development Co.,
Foreign Mineral Securities Company,
Foreman's Digest, Inc.,
Foremost Builders, Inc.,
Forman Co. Ltd.,
For-Man Contr'g.,
Formco Equip.,
Fornaby Fuel Co., Inc.,

Fort Lee Roofing Co., Inc.,
Fort Lee Shell, Inc.,
49 Edison Place, Inc.,
Forty-Plus Housing Corporation,
Forward Construction Co.,
For Young Moderns, Inc.,
400 Broadway Corp.,
408-29 Corporation,
452 Ave., C. Corp.,
448 Avon Avenue Corporation,
445 New England Terrace Holding Corporation,
449 Madison Avenue Building Corp.,
440 South Harrison Corp.,
Four Hundred One Chadwick Company,
416 Main Street, Inc.,
426 Jersey Avenue Corp.,
420 Summit Avenue Corp.,
402—52nd Street Corporation,
Fourteen-Four Housing Corp.,
Fourth Avenue Amusement Co. Inc.,
Fourth Caldwell Gardens Development Co.,
Fowler Enterprises, Inc.,
Francis C. Mc Crane Co., Inc.,
Francis Co., Inc.,
Frank Erlbaum, Inc.,
Frank & Frank Incorporated,
Frank Grisez, Inc.,
Frank J. Crique Inc.,
Frank J. Drew, Inc.,
Frank J. Radigan, Consulting Engineers,
Frank Kiernan Co., Inc.,
Frank L. Carrotto, Inc.,
Franklin-Gloucester Corp.,
Franklin Laboratories, Inc.,
Franklin Park Manor,
Franklin T. Scott & Co., Inc.,
Frank Mobus, Inc.,
Frank Rufus Company,
Frank Sarappo, Inc.,
Frank Schino, Inc.,
Frank's Comb & Scissors, Inc.,
Frank's Sandwich Shoppe Corporation,
Frank Suter, Inc.,

Frank S. Wonderly, Inc.,
Fran Scott, Inc.,
Fre-Ant Builders,
Frasar Co. Inc.,
Fred Bender Company, Inc.,
Fred C. Weller & Son Inc.,
Freddy's Fresh Packed Foods, Inc.,
Fred E. Shepherd, Inc.,
Fred Heyrich, Inc.,
Frederick-Wurtz Inc.,
Fredsid Corporation,
Fred's Market, Inc.,
Fred Smith Associates Inc.,
Freed Inc.,
Freehold Freezer Corporation,
French Lace & Embroidery Co.,
"French Motel Inc.",
French Paint Co.,
The French Shop,
Frere Stone Supply Inc.,
F & R Industrial Supply Co.,
Frontier Motors Inc.,
Frueh Brothers Garage, Inc.,
Ft. Pierce Bowl-O-Mat, Inc.,
Fuhr Cabinets, Inc.,
Fulmont Corp.,
Fulton Bar & Grill, Inc.,
Funds Incorporated,
Funo Corporation,
Fun Toy, Inc.,
Furniture By Arrow, Inc.,
Futuristic Enterprises, Inc.,
"Fury Motors, Inc.",
Fyfer Construction Company, Inc.,
Fynschore Realty Co.,
Fyre Oil Co.,

G. A. Deering Associates, Inc.,
Gadkes Company Inc.,
Gail Construction Corporation,
Gainforth Corp.,
Galaxie, Inc.,
"Galilei Holding Co.",

Gallant Brothers, Inc.,
Gallimore's Men's Shop, Inc.,
Galwhite Corporation,
Gant Bros.,
Garb-Bin of N. J.,
Gardel Construction Co., Inc.,
Garden Homes Development Co.,
Garden Land Co., Inc.,
Garden Prime Meat Market, Inc.,
Garden Service Station Realty Co. Inc.,
Garden State Adjustment Bureau,
Garden State Cake Box, Inc.,
Garden State Casting Company,
Garden State Craftsmen, Inc.,
Garden State Home Consultants, Inc.,
Garden State Neon Signs, Inc.,
Garden State News,
"Garden State Nurseries Co.",
Garden State Nurseries, Inc.,
Garden State Oil Co., Inc.,
Garden State Pharmacal, Inc.,
Garden State Sewing Machine Co.,
Garden State Stamping & Mfg. Co.,
Garden State Trampoline Company Inc.,
Garden State Underwriters Inc.,
Garden Tavern Inc.,
Gardner & Hayes, Inc.,
Garland Industries, Inc.,
Garo Transportation Co.,
Gasgen Corporation,
Gas Industries Equipment Co. Inc.,
"Gates Pipeline Construction Co.",
Gateway Diner, Inc.,
Gaylord Packaging Corp.,
Gay Time Toys, Inc.,
G & B, Inc.,
Geddis Service-Center, Inc.,
Gee Lee Corporation,
Gem Holding Co., Inc.,
General Automotive Repair Inc.,
General Builders, Inc.,
General Die Cuts, Inc.,
General Fabrication Industries Inc.,

General Foam Rubber and Plastic Corporation,
General Home Service Association,
General Import Co., Inc.,
General Investing Corp.,
General Label Corp.,
General Lead Construction Corporation,
General Leather Co.,
General Mercantile & Building Corp.,
General Oxygen & Equipment Corporation,
General Printing Machinery Corp.,
General Ship Contracting Corp.,
General Stores Realty Co.,
Geneva Industries, Inc.,
Genoa Cherry Co., Inc.,
Geodetic & Scientific Instrument Company,
Georgann Realty Company,
George A. Hull, Inc.,
George Allen Realty Corp.,
George E. Applegate & Co.,
The George Enterprise, Inc.,
Geo. F. Lautenberger & Co.,
George J. Hepp,
George Madias, Inc.,
George Moos & Co. Inc.,
George's Place, Inc.,
George's Sunoco Service, Inc.,
Georgian Builders, Inc.,
Gerald B. Graham Corp.,
Gerard Litho, Inc.,
German Trucking Company, Inc.,
Getron Realty Co., Inc.,
The Getty Construction Co., Inc.,
Gettysburg Milk Company, Inc.,
Geyer's Associates,
Giant Motors, Inc.,
The Gibbons Hotel Corporation,
Gibraltar Enterprises, Inc.,
The Gift Farm, Inc.,
Gift Mart, Inc.,
The Gift Tree, Inc.,
Gilco Incorporated,
Giles of Hollywood, Inc.,
Gillies Realty Co.,

Gilroth Realty Co.,
Girard and Lupo Construction Co.,
Girl Friday,
Giro Homes, Inc.,
G & J of Rockaway, Inc.,
Glacial Development Company,
Glacland, Inc.,
Glasier Truck Bodies Inc.,
Glen Builders, Inc.,
The Glen Cocktail Bar,
Glendola Heights, Inc.,
Glenfinnan Corporation,
Glenhutton, Inc.,
Glen Haven Homes, Inc.,
The Glenn Inn Corp.,
Glenn-Rose Boardwalk, Inc.,
Glen Oaks, Inc.,
Glenview Electronics Corporation,
Gloartpam Corporation,
Global Aquarium Importing Corp.,
Globe Brokerage Corp.,
Globe Chemical Co.,
Gloria Holding Co.,
“Gloucester County Concrete Co.,”
G. L. & R. Farms,
G. M. Meats, Inc.,
G.M.S. Corporation,
Goden Holding Co.,
Golden Crown Oil Company,
Golden Harvest Feeds, Inc.,
Golden Maid Donut Corp. of Union,
Golden Meat Corporation, Inc.,
Golden Slipper, Inc.,
Gold-Form Products, Inc.,
Goldin Builders, Inc.,
Gold Medal Distributing Corporation of New
Jersey,
Golf Cars Inc.,
Golf Constructors Inc.,
“Go-Lite Electric Co.,”
Goodobb, Inc.,
Gordon-Lewis Co.,
Gordon-Stanley Corporation,

Gotham Excess and Surplus Ltd.,
Gourmet Wine Vinegar Company,
Governor Food Company,
Graluc Construction Co.,
Gramm Trailer International, Inc.,
Granada Realty Corp.,
Granbar, Inc.,
Grand Avenue Corporation,
Grand Central Camera, Inc.,
Grand Diner, Inc.,
Grand 2nd Co., Inc.,
Grand Union Construction Company Inc.,
Granite Fabrics Corp.,
Grant Color Printers Inc.,
Grant-Lee Holding Co.,
Granville, Inc.,
Graubard's Youth Center, Inc.,
Gray Agency Inc.,
Great Eastern Construction Co. Inc.,
Great Eastern Development Corporation Inc.,
Great Northern Builders, Inc.,
Great Northern Investment Corp.,
The Great Scott Car Wash Co.,
Green Acres Food Corporation,
Green Gables Apartments,
Green Grove Construction Co. Inc.,
Green Grove Estates, Inc.,
Green Hill Estates Inc.,
Green Hills Investment Co. Inc.,
Green Lantern, Inc.,
Green Oaks Inc.,
Green Pine Estate Builders, Inc.,
The Green Room,
Green Valley Construction Co.,
Greenville Pharmacy Inc.,
Greenwood Building Corporation,
"Gregory Real Estate Corporation,"
Grove Tavern Bar & Grill, Inc.,
Growth Securities, Inc.,
G and S Electric Co.,
G. & S. Realty Co., Inc.,
Guaranteed Sales Plus, Inc.,
Guaranty Health Plan,

Gulla Realty Co.,
Guncrete Construction Corporation,
Gustav A. Miller Jr. Inc.,
G. & V. Construction Co., Inc.,
G. & W. Holding Co.,
G & Z Holding Corporation,

Haase's Point Inc.,
"Hab Homes Inc.,"
Hackett Construction Co.,
Hackettstown Village Bakery,
Hackettstown Woodcraft, Inc.,
H & A Contractors Inc.,
Haddon Appliances Inc.,
Haddon Mortgage Service, Inc.,
H. & A. Harrison Realty Co. Inc.,
Haines Ice Cream Co., Inc.,
Half-Moon Pizzeria, Inc.,
The Halliday Company Inc.,
Hallmark Plastics Corporation,
Hall's Empire Realty Co., Inc.,
Hal-Mor Fashions,
Halrick, Inc.,
Halsey Frocks,
Halyn, Inc.,
Hamilton Builders and Construction Co. Inc.,
Hamilton Upholstery Corp.,
Hammer Press, Printers,
Hammonton Glass, Inc.,
Hampton Arms,
Hampton Processes, Inc.,
Hampton Realty Company,
Handy Andy of Little Falls, Inc.,
Hanover Forge Inc.,
Hansel and Gretel, Inc.,
Haparay Corporation,
Happy Howell Corp.,
Hap Realty Co.,
Harab, Inc.,
Harbor Manor Co.,
Hardtgun Realty Co.,
Har-Jo Industrial Research Corporation,
Harlain Homes, Inc.,

Harlen Investment Corp.,
Harlyn Inc.,
Harnack Realty Corp.,
Harold H. Tabot, Inc.,
Harold's Discount Stores, Inc.,
Harper's Stenographic Service,
Harrington Mayfair,
Harrison Apartments, Inc.,
Harrison Mills Inc.,
Harry A. King, Sales Engineer, Inc.,
Harry Barber, Inc.,
Harry Hillman Optical Co., Inc.,
Harry K. Usan Sons Inc.,
"Harry & Lil, Inc.,"
Harry and Mac's Lakeview Tavern, Inc.,
Harry McDuffy, Jr. Window and Housecleaning
Co. Inc.,
Harry's Clinton Market Inc.,
Harry's of Hackensack, Inc.,
Harry Shafer, Inc.,
Harsar Realty Corporation,
Hartford Blue Jet Corp.,
Hartman's Mobile Homes, Inc.,
Harvard Storage & Warehousing Co., Inc.,
Hawkes Village, Inc.,
Hawthorne Lawnmower & Garden Supply Center
Inc.,
Hawthorne Plastics, Inc.,
H. Blum & Co.,
H. & D. Realty Co. Inc.,
Health Drug Company, Inc.,
Heart of America Motels, Inc.,
Heather Glen Lumber & Millwork Co.,
Hector-Perez Manufacturing Co.,
Hedges Diesel Inc.,
Heights Building Corporation,
Heim & Co.,
H & E Inc.,
"Helen Homes, Inc.,"
Helium Diffusion Products, Inc.,
Henco Metal Corporation,
Hened Corp.,
Henmart Realty Corp.,

Henry Jay Building Co. Inc.,
Henry L. Lee Co.,
Hensgen Realty Corp.,
Henwood, Vollmar and Jones, Inc.,
H. E. P. Co.,
The Herb Farm Shop, Ltd.,
Herbie's Storage Inc.,
"Herdan Builders, Inc.,"
Heritage Inn, Inc.,
Herlu Corp.,
Herman & Ray Schiff Co., Inc.,
Hershey Products Incorporated,
Hertz Music-All Instrument Co.,
Heywood Construction Co. Inc.,
H & G Flying "A" Service Station, Inc.,
H. & G. Realty Corp.,
H. Homan & Company of America, Inc.,
Hiawatha Do It Yourself, Inc.,
Hiawatha Investment Corp.,
Hickman Construction Company, Inc.,
Hidden Ranch Inc.,
Hiersche Paving, Inc.,
Hi-Fidelity Workshop, Inc.,
High Co.,
Highland Lakes Home Supply Company,
Highland Memorial Gardens Corporation,
Highland Park Apts. Inc.,
High Mountain Engineering, Inc.,
Highpoint Investment Corporation,
Hightstown Motel, Inc.,
Highway Associates, Inc.,
Highway Tobacco Shops Inc.,
Hi-Lite Corporation, Inc.,
Hillside Embroidery Corp.,
Hillside Machinery Rentals Corp.,
Hillside Manor Company,
Hill-Tex Finishing Co. Inc.,
Hilltop Acres Land Company, Inc.,
Hillwood Builders Inc.,
"Hillwood Manor, Inc.",
Hilton Industrial Finishes Co., Inc.,
Hilton Products, Inc.,
Hi-Park Auto Sales, Inc.,

Hi Style Shoes,
Hitchner Bros.,
Hitsville Enterprises Corp.,
Hiway Accordion Center,
Hi-Way Drugs, Inc.,
Hi-Way Toy Company, Inc.,
H. J. H. Firearms Co., Inc.,
H. L. G. Investments,
H.M.A.C. Realty Co., Inc.,
“H.M. David Corp.”,
H & M Excavating Co.,
Hobade Associates,
Hobby’s Suburban, Inc.,
Hoboken Car Rental Inc.,
Hoboken Eagles Home Association, Inc.,
Hoboken Roofing and Sheetmetal Works Inc.,
Hodel Corporation Co., Inc.,
Hodor Highways, Inc.,
Hodor Sales Corporation,
Holgor Construction Co., Inc.,
Holiday Homes, Inc.,
Holiday Park,
Holland Trucking Corp.,
Holly Hock Florist, Inc.,
Holly Linens Inc.,
Hollywood Shoe Mart, Inc.,
“The Holmes Silk Company,”
Holmor Corporation,
Hol’N.’ One Donut Co. of Metropolitan New York,
Home Alarm Company, Inc.,
Home Builders Products Corporation,
Home Buyers’ Corporation,
Home Construction and Mortgage Corporation,
Home Diathermy Co., Inc.,
Home Emergencies Unlimited,
Home Improvement Service Corp of America,
Home-O-Rama, Inc.,
Home Owners Club, Inc.,
Home Owners Contract Purchase Corp.,
Home Owners Service Center,
Home Plumbing & Heating Inc.,
Home Rug and Upholstery Cleaners Inc.,
Home Services Corporation,

Homestead Aluminum Products, Inc.,
Homestead Apiaries, Inc.,
Homestead Associates, Inc.,
Homestead Investment Corporation,
Home Stylists, Inc.,
Home Upholstery Inc.,
Honeycomb Products Corporation,
Hong Kong Industries, Inc.,
Hood Music Co., Inc.,
Hooper & Co., Inc.,
Hopatcong House, Inc.,
Hopatcong Playland,
Hopkins & Sons, Inc.,
Hopper Corporation,
Hormel Manufacturing Corp.,
Hosiery Sales Corporation,
Hospital Adjustment Service,
Hotel Commodore, Inc.,
Hotel Leasing Corporation,
Hotel Lester,
Hotel New Lafayette, Inc.,
Hotel Windsor of Lakewood, Inc.,
Hour Glass, Inc.,
House Aids, Inc.,
Household, Inc.,
House Parties Ltd.,
House of Suede, Inc.,
Howard Oil Co. Inc.,
Howatt Garage Builders, Inc.,
Howell Distributing System,
Howell Operating Corp.,
Hoyt Realty Corporation,
H.S.A. Fabricators, Inc.,
Huber Developers,
Hubert S. Johnson Marine Sales Company Inc.,
Hudson Boulevard East Land Corporation,
Hudson Heights Gardens,
Hudson Hosiery Shop of Elizabeth, Inc.,
Hudson Hosiery Shop of Perth Amboy Inc.,
Hudson Quilting Corporation, Inc.,
Hudson Roofing Supply Co.,
Hudson St. Realty Co.,
The Humphrey Company Inc.,

Hunterdon Theatrical Productions Inc.,
Hunter Enterprises, Inc.,
Hunter Manufacturing Corp.,
Huyler Electronics, Inc.,
Hy-Alloy Special Flange Company Inc.,
Hyde Park, Inc.,
Hydrocop, Inc.,
Hy-Tex Chemical Corp.,
H.Z. Corporation,
I. B. Showman, Inc.,
Ice's-Inc.,
I. C. Rednor & Co.,
Ida. B. Friedman Inc.,
Ida Long, Inc.,
Ideal Center, Inc.,
Ideal Electrical Co. Inc.,
Ideal Packing Co. Inc.,
Idm of the West, Inc.,
I. Kay Men's Clothes, Inc.,
Ike Traylor, Inc.,
I. and L. Inc.,
Imperial Construction Company Inc.,
Imperial Homes, Inc.,
Imperial Motors, Inc.,
Imperial Vending Machines, Incorporated,
Imperial Woodworking Co., Inc.,
Improvement Company of America,
In-A-Minute Food Products, Inc.,
Inca Builders, Inc.,
Incinerators, Inc.,
Independent Handkerchief Manufacturing Com-
pany,
Independent Oil & Gas Lease Exchange Inc.,
Indian Forest Park Inc.,
Industrial Landscape Contractors Company,
Industrial Mail Corp.,
Industrial Research Sales Corp.,
Industrial Ultrasonics Corporation,
Inez Realty Corp.,
Ingvar Industries, Inc.,
Inland Electric Corporation,
The Inn, Inc.,
Instant Clean, Inc.,

Instant Express Company Inc.,
Institutional Consultants, Inc.,
Integrated Business Systems, Inc.,
Integrated Interiors, Inc.,
“Integrity Inc.”,
Inter-American Money Orders Service Inc.,
Inter-Bergen Builders, Inc.,
International Art Guild, Inc.,
International Auto Daredevils Inc.,
International Catholic Importing Company, Inc.,
International Dance Studios, Inc. of Trenton,
International Data Processing Corporation,
International Enterprises, Inc.,
International Fine Wire Company, Inc.,
International Pharmaceutical Corporation,
International Precision Instruments Corp.,
Interstate Attic & Basement Corp.,
Interstate Attic & Basement Corp. of Hudson
County,
Interstate Building Corporation,
Interstate Discount Co., Inc.,
Interstate Grain Corp.,
Inter-Tenna Corp.,
Intrepid Tankers, Inc.,
Invesco, Inc.,
In-We-Go Drive-In Milk Bar,
Iowa Realty Co.,
Iral Mfg. Co.,
Ira Manufacturing Co., Inc.,
Ira R. Crouse Lumber Co.,
Irene Kord, Inc.,
Iron Art Fabricators,
Iron Industries Inc.,
Ironrite New Jersey,
Irving & Lincoln Business Association,
Irving’s Men’s & Boy’s Wear Inc.,
Irvington Home Modernizing Co.,
Irwin Knitting Mills, Inc.,
Island Barge Co.,
Island Cleaners Inc.,
Island Corporation,
Island Equipment Rental Corp.,
Island Realty Co.,

Island Wrecking & Salvage Co.,
Issie's Tavern, Inc.,
Ital Bakery Inc.,
Italian Cook Oil Corporation,
Italian Food Products, Inc.,
Itum Electric Incorporated,
Ivanhoe Pastry, Inc.,
Ivy League Management Corp.,

Jabco Distributing Co. Inc.,
Jab Realty Co.,
J. and A. Builders, Inc.,
Jack Dolan, Inc.,
Jack Dowbekin, Inc.,
The Jack and Jill Children's Shop Inc.,
Jack Kochman Hell Drivers, Inc.,
Jack Kochman International Auto Dare Devils,
Inc.,
Jack Moone Enterprises Inc.,
Jack's Bowling Lanes, Inc.,
Jacks Diners, Inc.,
Jackson, Leidy & Company,
Jacksonville Builders, Inc.,
Jack Stone,
Jackston, Jefferies & Stuart, Inc.,
Jack's Toyland, Inc.,
Jack Thorne, Inc.,
The Jacoba Corp.,
Jacob J. Dusha, Inc.,
Jacobs Auto Supply, Inc.,
Jacow Corporation, Inc.,
Jacque's Dinette, Inc.,
Jadalu Associates, Inc.,
Jakobson & Jakobson, Inc.,
Jamalco Inc.,
James A. Hinkle Co.,
"Jamesburg Contracting Co. Inc.,"
"James F. Walsh, Inc.,"
"James J. Clark, Inc.,"
James P. McGuinness Realty Co.,
"James Radcliffe and Sons Company,"
James T. O'Brien & Son,
Janco, Inc.,

Jandee Corporation,
Jane Engel of East Orange,
Jane Whitman Enterprises, Inc.,
Janor Corporation,
Jansco Embroidery Corp.,
Japaul Press, Inc.,
Jas Agency, Inc.,
Jason Construction Co., Inc.,
Javeco Aluminum Products, Inc.,
Jay-Cee Motors, Inc.,
Jay-Dee Paving Corp.,
Jay Dee Provision Co.,
Jayee Lunch, Inc.,
Jayef Realty Corp.,
Jay Embroideries, Inc.,
Jay & Kay, Inc.,
Jay Lee Corporation,
Jay's Diner, Inc.,
Jay's Radio & Television Service, Inc.,
Jayte Cleaners, Inc.,
J. & B. Excavating Co., Inc.,
J. B. K. Embroidery, Inc.,
J-Block Construction, Inc.,
J. B. Mauro & Co., Inc.,
J. B. Merchandise Corp.,
J. Canova Auto Sales, Inc.,
J C J, Inc.,
J. C. Kuntz Jr. Inc.,
J. C. Williams Corporation,
J. D. Bell, Inc.,
J. D. B. Realty Co.,
J. D. S., Inc.,
Jean Corporation,
Jeanne Elderkin, Inc.,
Jean York, Inc.,
Jed Realty Corp.,
J. E. Fenimore Realty Co.,
Jeffbarb Realty Company,
"Jefferson Development Corporation,"
Jefferson Estates, Inc.,
Jefferson Park Company,
Jeffrey Holding Corp.,
Jefran, Inc.,

Jenrose Construction Co. Inc.,
Jensen Builders, Inc.,
Jerome Miller Associates,
Jerome's, Inc.,
Jerri Tyler, Inc.,
Jerry & Paul, Inc.,
Jerry Sheehan's Big House, Inc.,
Jerry's & Peggy's Bar & Grill, Inc.,
Jersey Acceptance and Finance Corporation,
Jersey Asphalt Co., Inc.,
Jersey Atlantic Express Co., Inc.,
Jersey Auto Machine Inc.,
Jersey Brake, Inc.,
Jersey Builders of Pennington, Inc.,
Jersey City Builders Supply Corporation,
Jersey City Display Art Co., Inc.,
Jersey Coast Construction Company,
Jersey Corporate Advisers, Inc.,
Jersey Dredge Corp.,
Jersey Home Builders Co. Inc.,
Jersey Industrial Equipment Co., Inc.,
Jersey Irrigation Company,
Jersey Lakeview Farms, Inc.,
Jersey Pet Service,
"Jersey Publishers, Inc.,"
Jersey Telephone Service,
Jesco Iron Craft, Inc.,
Jet Express, Inc.,
Jeune Incorporated,
J. F. Newman, Inc.,
J. F. Wood Company,
J. Gearl Pulpwood Co., Inc.,
J. G. Taxi Corp.,
J H B Inc.,
J. & H. Builders, Inc.,
Jilm Contracting Co., Inc.,
Jamdan Bar, Inc.,
Jim Maguire, Inc.,
Jim's Canopy Bar,
"J. J. Burke, Inc.,"
J & J Hardware, Inc.,
J. K. Bottling Co., Inc.,
J K F Development Company,

J.K. Productions, Inc.,
J-L-B, Inc.,
J and L Builders Inc.,
J & L, Inc.,
J. L. & L. Inc.,
J L R Construction Inc.,
J. & L. Stamping Company,
J. & M. Agency Inc.,
J-Mar Dresses, Inc.,
J. & M. Dress Corp.,
J. Miller and Sons Inc.,
J. M. J. Machine Design Company,
J. M. N., Inc.,
Joan Collins, Inc.,
Joange Realty Co. Inc.,
Jobet, Inc.,
Jo-Cost Builders, Inc.,
“Jodale, Inc.,”
Jo-Deb, Inc.,
Jode Sales, Inc.,
Jodi Builders, Inc.,
Jo-Don Corporation,
Joe Mooney Tires, Inc.,
John C. Kapp, Inc.,
John H. Carlo & Sons, Incorporated,
John J. Brarman, Inc.,
John J. Inselberg Bayonne Associates Inc.,
John Louis Sales Corporation,
“Johnny Weissmuller All American Swimming
Pool Company,”
John S. Graham, Inc.,
Johnson of Atlantic City,
John Suriano, Inc.,
John V. Phillips, Inc.,
John V. Sgro General Contractor Inc.,
John Zrake Realty Co.,
Joker Lounce, Inc.,
Jo-Mac, Inc.,
Jomar Builders, Inc.,
Jo-Mart, Inc.,
Jomund Investments Co.,
Jonda Plastics Corporation,
Jones Contracting Co.,

Jopa Realty Co.,
Jordair, Incorporated,
Jordy's Luncheonette, Inc.,
Jo-Ri Corporation,
Jormel Realty,
Joseph A. D'Amiano, Inc.,
Joseph A. Hammen Enterprises Incorporated,
Joseph A. Lapczynski, Inc.,
Joseph Capone Inc.,
Joseph Perreault, Inc.,
Josephs Bros. Lace Corp.,
Jo-Sue Builders, Inc.,
Journal Square Check Cashing Service,
Journal Square Enterprises,
Joval Corp.,
Joy Craft, Inc.,
Joy Products Corp.,
Joywen Realty Co., Inc.,
Joy Williams, Inc.,
J.P. Brophy Coal Co.,
J.P. Builders, Inc.,
J. & R. Baking Co., Inc.,
J. R. Silvestri, Inc.,
"J. Rusiniak Corp.,"
JRZ Construction Co., Inc.,
J. & S. Builders, Inc.,
J. S. Development Co.,
J.S. Enterprises, Inc.,
J. & S. Fabrics Corporation,
J & S Luncheonette Inc.,
J. S. M. Corp.,
J & S Sales Incorporated,
Jubaran Center, Inc.,
Judith Fashions, Inc.,
Jules, Inc.,
Julia Realty Inc.,
Julia's Coffee Shop,
Julio's Hair Stylists, Inc.,
Junior Deb Coat & Suit Company Inc.,
Junior Realty Company,
J. W. Barry, Inc.,
J. Zenga Contracting Co. Inc.,
Kalite Technical Company, Inc.,

Kalmar Colorgraphics,
Kalmo Realty Corp.,
K. & A. Luncheonette, Inc.,
Kamin Construction Co.,
Kandel Metal Products, Inc.,
Kandy-Kottons, Inc.,
Kanter Dress Co.,
Kaplan Brothers Materials, Inc.,
Karbeth Restaurant Co.,
Karen Lee Corp.,
Karl Vogelsberg Construction Corp.,
Katz Brothers, Inc.,
Kaybar Estates,
Kayson Restaurant Corp.,
Kazrow Incorporated,
KC's, Inc.,
Keansburg Dairy Farms,
Keansburg News Publishing Company,
Kearny Bakers, Inc.,
Kearny Kosher Butchers,
Keeburg Realty Company,
Keizer-Goller Realty, Inc.,
Kell-Benjamin Constructioneers Inc.,
Kelly-Kit Enterprises, Inc.,
Kem-Pak,
Kencor, Inc.,
Ken Mar Construction Co.,
Kenneth Contracting Co., Inc.,
Ken Rainwear, Inc.,
Kenslo Printed Products Inc.
Kent Embroidery Co.,
Kent Productions Inc.,
Kero-Harwick Corp.,
The Kerp Corporation,
Kessel's Hardware, Inc.,
Key Estates Inc.,
Key Land and Mortgage Company,
Keyport Dental Lab, Inc.,
Keystone Lifetime Aluminum Siding Company of
New Jersey, Incorporated,
Keystone Pump & Valve Corp.,
K G & E Corp.,
Kid-Lers, Inc.,

“Kilmer Holding Co.”,
Kinco Holding Co., Inc.,
“King Carpet, Inc.”,
“King Cola Corp.”,
King Equipment Sales Co.,
Kingfisher Land Corp.,
King Neptune’s Corner, Inc.,
“Kings Drug Co., Inc.”,
Kings Homes,
Kings Men’s and Boys’ Wear, Inc.,
Kingston Builders, Inc.,
Kingston Cleaners,
King’s Variety Center Inc.,
Kingvil Realty Corporation,
Kinley Company,
Kinnelon Estates,
Kinsley Farms, Inc.,
The Kirby Center of Elizabeth,
Kirk Realty Associates, Inc.,
Kirwin Sales Corp.,
Kitchen Star Realty Co., Inc.,
Kit Pool Tables, Inc.,
Kitten Music Publishing Co., Inc.,
K & K Hatchery, Inc.,
K & K Soda Mfg. Corp.,
Klapholz Bros., Inc.,
Klapholz Products, Inc.,
Klein Hat Corporation,
Klein’s Pastry Shop, Inc.,
Klide Corp.,
Klode Hotel, Inc.,
Klueber Concrete Structures, Inc.,
Knickerbocker Construction Co.,
K-Nim, Inc.,
Knollwood Estates,
Kohout Realty Co., Inc.,
Kome Builders, Inc.,
The Kord Land Development Company,
Kosher Provisions, Inc.,
Kotoks Market,
Kouflie & Wright, Inc.,
“Kovan Co., Inc.”,
Kozlow Realty Co.,

Krami, Inc.,
Kraus and Comeau, Inc.,
Krueger Brothers Builders, Inc.,
Kruger-Chairney Realty Corp.,
Krupp Realty Co.,
K & S Diners Inc.,
K. T. Carolan and Company, Inc.,
“Kukk Carpentry Corp.”,
Kunis Bakery, Inc.,
Kuz-Zin Kafe,
K. & W. Construction Co.,
K. & W. Holding Co.,
Kwik-Klamp Sales Co.,

Labor Associates, Inc.,
Lacey-Luci Products, Inc.,
Lacheim, Inc.,
L & A Cleaners,
La Concha of Atlantic City Inc.,
L.A.D. Corp.,
Laden Amusement Company,
Laden Enterprises,
L.A. Dozois & Son, Inc.,
Lady Fair Shoppe, Inc.,
Lady Hedda, Inc.,
La Grotteria Homes, Inc.,
Lake Cliff Realty Co., Inc.,
Lake Hiawatha Country Club Inc.,
Lake Holly, Inc.,
Lake Intervale Homes, Inc.,
Lake Manahawkin Estates Inc.,
Lake Pemberton Swim Club, Inc.,
Lakes Bay Marina, Inc.,
Lakeview Motel, Inc.,
Lamaina’s, Inc.,
La Mode Ladies Garment, Inc.,
Lanark Hotel, Inc.,
Lancelotti & Grimaldi, Inc.,
Lance Motor Express, Inc.,
Landa Centerline Co., Inc.,
Land Corporation of America,
Lande Corporation,
Landevelop, Inc.,

Landing Pharmacy Co. Inc.,
Landmark Realty Company,
Land Operating Corp.,
Landscapers Inc.,
Lang Auto Sales, Inc.,
Lanno Inc.,
La Petite Galerie,
Laportalum Corporation,
Lareo Corporation,
Larod Homes, Inc.
La Rosa Builders, Inc.,
Larry Mathews of Paramus, Inc.,
Larsons Fish Market Inc.
La Salle Silk Mills, Inc.,
Las Vegas Pools, Inc.,
Las Villas Club, Inc.,
Lattimore Lake Estates, Inc.,
Laundomatic, Inc.,
Laundry Appliance Service Plan of New Jersey
Inc.,
Laura-Jo, Inc.,
Laurel Acres Corporation,
Laurel Finance & Discount Co.,
Laurel Land & Development Company,
Laurel Manor Homes
Laurel Record Inc.,
Laurence Kosher Delicatessen and Caterers Inc.,
Lauretta McCarthy, Inc.,
Laurino's Restaurant,
Lauten Holding Corp.,
Lavery Plumbing & Heating Co. Inc.,
La Voz Publishing Company,
Lawconstruction Co.,
Lawlyn, Inc.,
Lawn, Inc.,
Lawrence B. Haines, Inc.,
Lawrence Hospital for Animals,
Lawrence Textile Manufacturing Co.,
L and B Trucking Co.,
L.C. Larsen Construction Co.,
The Leader Agency, Inc.,
Leader Construction, Inc.,
League Jewelers, Inc.,

Lebeo Corporation,
Lectric Shoe Shine Inc.,
“Leda, Inc.”,
Lee Associates, Inc.,
Lee-Bar Land Co. Inc.,
Lee Furs, Incorporated,
Lee Holding Corp.,
Lee’s Harmony Shoppe Inc.,
Lee’s Tavern, Inc.,
Leewin Sales, Inc.,
Le Fevre Construction Co., Inc.,
Lehardt, Inc.,
Lemley Motors, Inc.,
Lena and John’s Pizzeria, Inc.,
Len-Coe Construction, Inc.,
Lendor Developing Co., Inc.,
Lendor Dist. Co.,
LenFrank Corp.,
Lenn Laden Holiday Watercade,
Lennox Corporation,
Lenova Construction, Inc.,
Lenox Homes, Inc.,
Lenox Lunch, Inc.,
Leo Associates, Inc.,
Leo Delia Plumbing & Heating Co. Inc.,
Leonard B. Stencel, Inc.,
Leonard Corporation,
Leonard Hardware Co.,
Leon R. Ross, Inc.,
Leo’s Keyport Auction Market,
Lepree Construction Corp.,
Lep’s Hotel Inc.,
Lerman’s Auction Rooms, Inc.,
Lerner Sleep Products Elizabeth Inc.,
Lerocco Trading Company, Inc.,
Lescas Corporation,
Leslie’s of Vineland, Inc.,
Lesquier Marine Corp.,
Lesterley Investment Corp.,
Levie’s Beatty St. Grocery & Meat Market Inc.,
Levitt Homes, Inc.,
Levitt, Inc.,
Levittown Home Specialists, Inc.,

Levittown Realty Corporation,
Levy Electric Sales Co.,
Lewis F. Williams, Inc.,
The Lewis-Johnson Games Company,
Lewis N. Errickson Associates Inc.,
Lexington Furnitur Outlet, Inc.,
Lex Trucking Corp.,
L & H Realty Corporation,
Liberty Hall Inc.,
Liberty View Homes, Inc.,
Lichtman & Goldstein, Inc.,
Lico Corp.,
Life Home & Pool Corp.,
Life Massage National Exhibit Inc.,
Lifetime Dormer Builders,
Lift Corporation,
Lightman-McGinn, Inc.,
Light Publishing Company,
L. I. K. Realty Co.,
Lincoln-Gregory Trades School Inc.,
Lincoln Home Construction Co. Inc.,
Lincoln Mortgage Company,
Lincoln Optical & Sun Glass Corp.,
Lincoln Park Machine & Tool Co.,
Lincoln Properties, Inc.,
Linden Artistic Painting Co.,
Linden Auto Agency, Inc.,
Linden Coffee Shoppe,
Lindmeier Enterprises, Inc.,
Linmor Construction Co., Inc.,
List Construction Co.,
Little Car Co.,
Little Falls Herald,
Little Ferry-Washington Park Transportation Co.,
Little Maxie's, Inc.,
Little Naples, Inc.,
Livres Construction Corporation,
L. J. Brier, Inc.,
L & J Construction Co. Inc.,
L & K Builders Corp.,
L. & L. Associates,
L.L. & B. Contractors & Builders Inc.,
L. and M. Basket & Package Co. Inc.,

Lo-Buys, Inc.,
Lockwood Fabricated Products Inc.,
Lodi Theatre Building Corp.,
Logan Marsh & Co. Inc.,
Lohar Corp.,
Lojak Realty Co.,
Lombardi's Food Store, Inc.,
Loncarwit, Inc.,
Long Beach Shopping Center, Inc.,
Long Branch Steam Laundry Inc.,
Long Island Transportation Inc.,
The Long Lane Dairy,
Lordes Services, Inc.,
Lord Girl Coat, Inc.,
Lord Records, Inc.,
Lori Jewelers, Inc.,
Louis A. Meccariello, Inc.,
Louis B. Weintraub & Son,
Louis On the Square,
Lou & Jeanne Baker, Inc.,
Lou-Ky Holding Co.,
Loumer Corporation Inc.,
Lou's Pastry Shop,
Lou-Vin Bar,
Lou Wildstein, Inc.,
Love International Pictures Corp.,
Lovely Legs, Inc.,
Love Records, Inc.,
Lower-Wildwood Holding Corp.,
Low & Prather, Inc.,
Lowy's Moving and Storage, Inc.,
L. & P. Realty Co.,
L. & S. Enterprises, Inc.,
L S F Labs, Inc.,
L. Trachman, Inc.,
Lucas Construction Co. Inc.,
Luce Bros., Inc.,
Lucky's Tavern, Inc.,
L. & U. Construction Co.,
Ludwig-Bauman & Spears Home Food Service,
Inc.,
Lumar Agency, Incorporated,
Lumber Warehouse and Terminal Corporation,

Luvell Contracting Co. Inc.,
Luxury Lighting Co. Inc.,
Lyncrest Builders, Inc.,
Lyncrest Masons, Inc.,
Lyndhurst Music Center,
Lyngail Realty Co.,
Lynn-Craft Corp.,
Lynn Farms,
Lyn-Ryan Liquor Store,
Lyons Avenue Gulf Service, Inc.,
Lyons Lumber & Supply, Inc.,

Maaser Home Improvement Inc.,
Macar Farms, Inc.,
Mace Real Estate Investment Corp.,
Machine-All Inc.,
Machines for Efficiency,
Mac Holding Co.,
Maclin Realty Co. Inc.,
Mac McGuire's Town House, Inc.,
Macrade Express Co., Inc.,
Macy Motors, Inc.,
Maddens, Inc.,
Made-Well Frocks, Inc.,
Madine, Inc.,
Madison Park Associates, Inc.,
Madison Park Clothes, Inc.,
Madison of Passaic, Inc.,
Mae Auto Electric, Inc.,
The Magic Cottage,
Magic Glo Quickie Shine Spray Co. Inc.,
Magic-Tone Electronics Inc.,
Magnesium Service Company,
Magnolia Plastics Corp.,
Mahh Company Inc.,
Maiden Lane Parking, Newark,
Maiden Lane Upholstery, Inc.,
Main Mortgage Co. Inc.,
Main Silk Co.,
Maintenance Construction Co.,
Maison Duval Co., Inc.,
Majac, Inc.,
Majestic Bakery Inc.,

Majestic Television Products Corporation,
Majestic-Universal Corp.,
Major Air Freight Service, Inc.,
Major Brand Gas Co., Inc.,
Major Industries, Inc.,
Makepeace, Inc.,
Maldrew Holding Company,
Malkin Realty Co.,
Maltese & Co., Inc.,
Maltz Bros. Inc.,
Mammoth Construction Co.,
Mam'Selle Cosmetics,
Manbar, Inc.,
Manchester Realty Co.,
Manchester Sportsmen's Club,
Manetta Corporation,
Manhattan Property Management Inc.,
Manley Manufacturing Corp.,
Manley Realty Corp.,
Manning Brookins Linen Supply Inc.,
Manor Manufacturing Corporation,
Mansfield Homes, Inc.,
The Mantoloking Company,
Manufactures Shoe Outlet,
Manville Realty Holding Co. Inc.,
Maple Agency,
Maplehurst Dairy Products, Inc.,
Maple Realty Corp.,
Maplewood Delicatessen Incorporated,
Maranne, Inc.,
Marasco Realty Company,
Marbelle Sportswear, Inc.,
Marbet, Inc.,
Marcelle Modes, Inc.,
March Corp.,
Marcia Realty Company,
Marc Manufacturing Corporation,
Mar-Dale Manor Developers, Inc.,
Mardee Holding Company, Inc.,
Marfay Trading Corporation,
Mariana Realty Company,
Mari-Bell, Inc.,
Marie Antoinette Pastry Shop, Inc.,

Marie's Luncheonette, Inc.,
Marietta Farm, Inc.,
Marik, Inc.,
Mariloo Corporation,
Marine Engineering and Development
Corporation,
Marine Express Co., Inc.,
Marion Goldberg, Inc.,
Marjack Trading Corp.,
Marjie Jay Knitting Mills, Inc.,
Markay Home Modernization Company,
Mark-Daniels, Inc.,
Mar-Ken Radio, Inc.,
Market Manor Builders Inc.,
Market Realty Corp.,
Marketscope Research Company,
Mark, Inc.,
Mark I Motors, Inc.,
Mark Sales, Inc.,
Marks Construction Company,
Mark Stores, Inc.,
Marland, Inc.,
Marlan, Inc.,
Marlboro Village, Inc.,
Marlene Realty Corporation,
Marley Corporation,
Marline Builders, Inc.,
Marmaron Realty Co. Inc.,
Marmon Construction Co. Inc.,
Marob Textile Corporation,
Marrick, Inc.,
Marsan Holding Corporation,
Mars Engineering, Inc.,
Marsett Builders, Inc.,
Marshel Knitting Corporation,
Martel Realty, Inc.,
Martin Associates, Inc.,
Martin Caterers, Inc.,
Martin, Inc.,
Martin & Mildred, Inc.,
Martin Motel Co.,
Martone Enterprise, Inc.,
Martrice Realty Corp.,

The Marvan Company, Inc.,
Marwil Realty Corporation,
Maryan Gift Shop, Inc.,
Mary Dohme, Inc.,
Mary Kay, Inc.,
Mary's Associates, Inc.,
Marywood Holding Corp.,
Mascolo Construction Co., Inc.,
Maskit, Ltd.,
Mason Design Service, Inc.,
Mason-Dixon Sales Company, Inc.,
Master Craft Aquarium Products,
Master Craft Candle Works,
Master Surgical Instrument Corp.,
Mastic Sales Inc.,
Materials Protector Corporation,
Mathbrook Industries,
Mathilda Boat Corporation,
Matrik, Inc.,
Matt Constructors Co.,
Matt Jones and Sons Co., Inc.,
Matt Vending Service, Inc.,
"Matura Building Co. Inc.",
"Maurice & Son Wrecking Co. Inc.",
Max Poltersdorf Inc.,
Maxsanda Corporation,
Mayflower Valiant, Inc.,
May Investment, Inc.,
Mayo Builders, Inc.,
Mazzatenta Inc.,
M & B Builders Co., Inc.,
McCarthy Bros., Incorporated,
McCarthy's Inc.,
M C C Corporation,
McComb's Florist, Inc.,
McDevitt Finance Co.,
McDonough-Lydon Realty Company Inc.,
McGinley Square Check Cashing Service,
McGowan's Bar,
McGowens Holding Co., Inc.,
McNair's Recreation,
M.&D. Delicatessen Corp.,
M. Dukay Constructors, Inc.,

M D Vending, Inc.,
Mead, Inc.,
Meat King, Inc.,
Meatland Inc.,
Meatpackers Home Food Plan,
Meceli's Express, Inc.,
M & E Construction Corp.,
Media Services Advertising Agency,
Media Services, Inc.,
Medio Corporation of America,
Meehan's Cafe,
Melburn of Elizabeth Co., Inc.,
Melburn of Newark Co. Inc.,
Melburn Sportswear,
Melco Inc.,
Melody Lounge, Inc.,
Melo-Tone Music,
Memorial Medical Group,
Memorial Park Bronze, Inc.,
Mem-Ten Holding Co.,
Mendham Enterprises, Inc.,
M.E.N. Holding Corp.,
Men's Clothing Town, Inc.,
Mercer Constructors, Inc.,
Mercer Holding Co., Inc.,
Mercial Service Inc.,
Mercury Attic & Basement Corp.,
Mercury Circulation Co., Inc.,
Mercury Plating Corporation,
Mercury Realty Co.,
Meridian Estates 111 Corp.,
Merion Liquor Company,
Merit Construction Co. Inc.,
Mermal Theater, Inc.,
Merry Sunshine, Inc.,
Metal Aluminum Products, Inc.,
Metal Design, Inc.,
Metals 53,
Metropolitan Home Furnishes Inc.,
Metropolitan Industries Inc.,
Metropolitan Readers League Inc.,
Metropolitan Tested Cars, Inc.,
Mette Corp.,

Metuchen Auto Parts, Inc.,
Metuchen Land Corporation,
Meyer Levine & Co.,
MFM Inc.,
M. F. Mullen, Inc.,
M.G.N. Corporation,
M. H. Caputo, Inc.,
Miami Pool Corp.,
Micap Corp.,
Michael Dennis MacDonald, Inc.,
Michael Development Corp.,
Michael N. Finizio, Inc.,
Michals & Son Management Co., Inc.,
Mich Construction Co., Inc.,
Michele Holding Co. Inc.,
Microwave Devices, Inc.,
Midas Management Corporation,
Mid-Atlantic Packing Co., Inc.,
Middlebush Builders, Inc.,
Middlesex Erectors, Inc.,
Middlesex Transportation Company,
Middletown Shell Homes, Inc.,
Middle Village Diner, Inc.,
Midd-State Electric Company Inc.,
Midland Auto Electric Inc.,
Mid-State Contracting and Excavating Company,
Mid-State Dental Laboratories Inc.,
Mid-State Food Corp.,
Mid-State Plumbing & Heating Corp. Inc.,
Mid-State Trucking Co., Inc.,
Midtown Bar, Inc.,
Midtown Motors, Inc.,
Mid-Town Service Center,
Midwest Refrigerated Express, Inc.,
Midwood Motors, Inc.,
Mifrank, Inc.,
Mighty Traveler Trucking, Inc.,
Mil-Cliff Realty Company,
The Mileris Corporation,
Mildore Farms, Inc.,
Milford Improvement Corp.,
Milie Realty Corp.,
Milkrow Construction Inc.,

Mill-End Mart, Inc.,
Miller Beverages Inc.,
Millerkin's Kiddie Shoppe,
Miller Petroleum Corporation,
Mills Enterprises Inc.,
Milltown Realty and Construction Company,
Millville Bottling Works, Inc.,
Millville Park Villa,
Mil-Mar Roofing & Sheet Metal Corp.,
Milords Shoes, Inc.,
Milsie Corp.,
Milt Martins Men's and Boy's Wear Co. Inc.,
Milton E. Bayer & Co., Inc.,
Mil-Treat Parking, Inc.,
Miltson, Inc.,
Mi-Mat Corp.,
Mimi Homes,
Minart, Inc.,
Mined Realty Corporation,
Minerals Unlimited, Inc.,
Minitron Components Corp.,
Mink's of Millburn, Inc.,
Minority Shareholders Protective Association Inc.,
Mintil, Inc.,
Mipol Realty Co.,
Miracle Motor Co. of New Jersey,
Mircon, Inc.,
Misito Bros. Inc.,
Mr. Man,
Mr. and Mrs. Vincent Lucci & Son Jr. Inc.,
M. I. Williams Co.,
M. & J. Coats Co., Inc.,
M. J. Dress Company,
M. J. Johnson Aircraft Company,
M. K. Holding Co.,
M. Leiter Co.,
M. & M. Abstract Co.,
M & M Donuts, Inc.,
M & M Enterprises Inc.,
Mobile Aircraft, Inc.,
Mobile Car Wash, Inc.,
Mobile Homes, Inc.,
Moco, Inc.,

Mod-Art, Inc.,
Modernage Electric Service Company,
Modern Art Linen Corporation,
Modern Development, Inc.,
Moderne Hat Shop, Inc.,
Modular Builders, Inc.,
Modular Components, Inc.,
Mohawk Truck Renting Company, Inc.,
Mohrfeld, Inc.,
Molly's, Inc.,
Mom Mulligan's Coffee Shop,
Monarch Building Inc.,
Monarch Motors Incorporated,
Monfin Co. Inc.,
Monica Sportswear Corp.,
Monmouth County Airport, Inc.,
Monmouth Funding Co.,
Monmouth Gardens Inc.,
Monmouth Oaks, Inc.,
Monmouth Suburban Land, Inc.,
Monmouth Syndicate, Inc.,
Monmouth Tank and Fabricating Corporation,
Monocean Corporation,
Monolithic Formed Plastics, Inc.,
Monroe Embroidery Co., Inc.,
Monroe Realty Company,
Montaux, Inc.,
Montclair Lanes, Inc.,
Montclair Surgical Supply Inc.,
Monterey Land Company, Inc.,
Montfort Co.,
Montgomery Lane Realty Co.,
Montville Engineering Company Inc.,
Monty Construction Co. Inc.,
Moore's Venetians, Inc.,
Moormann Construction Co.,
Moosepac Inc.,
Morco Exporting & Importing Co. Inc.,
Morganville Holding Company, Inc.,
Mormil, Inc.,
Morreale Bros. Inc.,
Morris County Building Co. Inc.,
Morris Diamond, Inc.,

Morris Holding Co. of Mt. Freedom,
Morris's-Millburn,
Mosag Inc.,
Moss Trucking Co.,
Motel Enterprises, Inc.,
Mother Hubbard Bakers,
Motor Fair Inc.,
Mt. Tom Development Corp.,
Mt. Tom Investment Corp.,
Mt. View Auction, Inc.,
M.P.C. Pump Co., Inc.,
M. P. J. Co.,
M. & R. Manufacturing, Inc.,
Mrs. Dorothy Damar, Inc.,
M.T.M. Constructors, Inc.,
M. T. M. Corp.,
M. T. V. A. Servicenter, Inc.,
Muentener Embroidery Co. Inc.,
Mullica Hill Sand & Gravel Co.,
Multi-Flex Seals, Inc.,
Multi State Charter Service Inc.,
Mundo Tavern, Inc.,
Munn's Corner Store, Inc.,
Murdoch Records, Inc.,
Murman Realty Corp.,
Murray Associates,
Murray's Auction, Inc.,
Murray-Trout,
Musical Instrument Import Company,
Music Associates of America, Inc.,
Music Enterprises, Inc.,
Music Walls Inc.,
Mutual Drivers Association,
Mutual Flooring, Inc.,
M W M Construction Corp.,
Myles-Pennsboro Garment Company,
Myra Footwear Corporation,
Myral Builders, Inc.,
My State Roofing & Sheet Metal Co. Inc.,

Naccarato Bros. Inc.,
Nadl Corporation,
Nahass, Inc.,

Nairb, Inc.,
Namset Realty Co.,
The Nancy Athens Corp.,
Nancy Realty Corp.,
Nancy Undies, Inc.,
Nann Motor Co.,
Nardone Produce Farms Inc.,
Natalie Hamilton, Inc.,
Natalie Neon & Maintenance Corp.,
Natalie Sign Display Co.,
National Arts of Iron, Inc.,
National Automobile Association,
National Bonded Cars, Inc.,
National & Boonton Window Cleaning Co.,
National Compounding Corporation,
National Controls Corporation,
National Disk Jockey School, Inc.,
National-Eastern Securities, Inc.,
National Electronic Plastics, Inc.,
National Equipment, Inc.,
National Fence Co., Inc.,
National Guidex Corporation of New Jersey,
National Home Owner's Club of Long Island Inc.,
National Housewares, Inc.,
National Lawnservice of New Jersey Inc.,
National Muffler Co.,
National Oil Portraits, Inc.,
National Placement and Distribution Agency Inc.,
National Rare Earth Metals Corporation,
National Shoppers Service Inc.,
National Television Supply Co.,
National Threading Machine Co.,
National Transport Agency, Inc.,
Nationwide Forwarders, Inc.,
Nationwide Maintenance Corp.,
Nationwide Safti Brake Center of South Jersey
Inc.,
Natural Organic Foods, Inc.,
Natures Acres, Inc.,
Natur-Tone,
Navesink Laminating, Ltd.,
Nazma Realty Co.,
N. E. Associates, Inc.,

Nebraska Terrace, Inc.,
Ned H. Moore, Jr., Inc.,
Neighborly Greetings, Inc.,
The Neilson Corp.,
Neptune City Crown Distributors,
Neptune Tire Exchange, Inc.,
Nesorr Corporation,
Newark Caster & Truck Corp.,
Newark Coal Company,
Newark Doughnut Corp.,
Newark Lining Store, Inc.,
Newark Plastics Plant Co., Inc.,
Newark Tanning Extract Corporation,
Newark Telephone Service,
New Art Development Corp.,
New Clarendon Hotel, Inc.,
New Dimensions, Inc.,
New Dover Homes, Inc.,
Newell Company, Inc.,
New 543 Cedar Lane Corp.,
New Gretna Dress Co., Inc.,
New Holiday Diner, Inc.,
New Jefferson Hotel, Inc.,
New Jersey Automatic Machines Inc.,
New Jersey Bar & Restaurant Supply Co.,
New Jersey Erectors, Inc.,
New Jersey Fire Protection Service Inc.,
New Jersey Heating & Air Conditioning Supply Co.,
New Jersey Homes, Inc.,
New Jersey House of Music, Inc.,
New Jersey Jamaican Society, Inc.,
New Jersey Microfilm Corp.,
New Jersey Mortgage Exchange Inc.,
New Jersey Music Center—Keyport,
New Jersey Quick Service Corp.,
New Jersey Rod Reconditioning Company Inc.,
N. J. State Democrat,
New Jersey Super Sales, Inc.,
New Jersey Tax Investment Inc.,
N.J. Tri-State Builders, Inc.,
New Miamian, Inc.,
New Midland, Inc.,
New Overlook Incorporated,

New Pearl Cleaners, Inc.,
New-Penn-Del. Piano and Organ Co. Inc.,
New-Penn Realty Company,
The New Ritz, Inc.,
New Romanian, Inc.,
New Shackamaxxon, Inc.,
Newton Village, Inc.,
New Varsity Inn, Inc.,
N.H. Andrews Co.,
Nicholas H. Buis & Co., Inc.,
Nichole Ribbon Corp.,
Nichols Inc.,
Nichy Building Company,
Nick's Club 21, Inc.,
Nilreb Holding Company,
904 Ocean Avenue, Inc.,
Nineteen-Two Housing Corp.,
98 North Maple Avenue Corporation,
95 Fourth Avenue Realty Corp.,
91 East Main Street Corporation,
9W Realty Corp.,
Nino Food Products Inc.,
Ninth Street Tavern, Inc.,
N J N Restaurant Inc.,
No-Arc Equipment Co.,
Nomar Leasing Corp.,
Nomar Records Inc.,
Nopro Realty Corp.,
Noramac Corporation,
Nor-Chem Products Sales Corp.,
Nordkon Ham Co., Inc.,
Noreen's, Inc.,
Norge Contracting Co. Inc.,
Normanack Realty Corp.,
Norman Benson, Inc.,
Norman Ford, Inc.,
North American Construction Company,
North American Fibre Corporation,
North American Investment Co.,
North American Research Laboratories Inc.,
North American Trading Co., Inc.,
North Atlantic Packing Corp.,
North Bergen Investment Co.,

North Bergen Terminal Corporation,
North Central Holding Co.,
Northern Mortgage Associates,
Northern Terminal Corporation,
Northern Valley Cleaners, Inc.,
North Jersey Coal & Supply Co. Inc.,
North Jersey Grocers Coop., Inc.,
North Jersey Land Company,
North Jersey Mortgage and Management Co. Inc.,
North Jersey Orthopedic Equipment Corp.,
The North Jersey Playhouse Inc.,
North Jersey Realty Sales Corp.,
North Run Enterprises,
North Star Express Line Inc.,
Northvale Corporation,
Northwind Refrigeration Co.,
Norwood Homes, Inc.,
Norwood Manor,
Novelty Creations, Inc.,
No-Worry Chemical Sales Company Inc.,
No Worry Truckers, Inc.,
Nubell Construction Co. Inc.,
Nu-Look Decorators of Montclair, Inc.,
Nu-Metal Products, Inc.,
Nu-Pe-Co Services, Inc.,
Nupomo Products Inc.,
Nutrition Factors, Inc.,
N. Y. Bargain House, Inc.,
Nylex Textile Printing Inc.,

Oak Hill Estates Inc.,
Oak Ridge Builders & Developers Inc.,
Oaktree-Rahway,
Oak Tree Realty Co., Inc.,
Oakwood Estates, Inc.,
Oakwood Service Inc.,
Oasis Development Company, Inc.,
Oasis, Inc.,
O'Brien Industries, Inc.,
O'Brien-Rector, Inc.,
Ocean Acres Beach Club, Inc.,
Ocean City Diner, Inc.,
Ocean Marine Salvage Corp.,

Ocean Pines Enterprises, Inc.,
Ocean-Pines Realty Co. Inc.,
Ocean Sales Inc.,
Ocean Sanitoid Inc.,
Ocean View South, Inc.,
The Odmor Corporation,
Old Barney Enterprises,
The Old Homestead Tavern,
Old Wagon Wheel Inn, Inc.,
Olympia Motor Inns, Inc.,
Om, Inc.,
One-Hour Valetorium, Inc.,
111 Wickliffe St., Corp., Inc.,
115 North Sixth Street Co.,
145—8th Street Corp.,
104 Goldsmith Avenue Corporation,
One Hundred Main Corp.,
The 119 Corporation,
199 Realty Co.,
177 Court Street Corporation,
169 Corporation,
161 Bright Street Corporation,
166-168 Clinton Place Corp.,
103-105—Fourth Avenue Corp.,
122 South Broad Street Corporation,
One Stop Launderette & Dry Cleaners,
Oradell Apiaries, Inc.,
Orange Hotel, Inc.,
Orange Rd. 5 & 10 Store, Inc.,
Orasemp Corporation,
Orasemp, Inc.,
Original Display Creations, Inc.,
Orin Holding Co., Inc.,
Orseno Bros., Inc.,
Osborne-Clinton Corp.,
Oscar Beck Company,
O.S. Gullo, Inc.,
Oswald, Inc.,
Overbrook Homes, Inc.,
Overpeck Village,
Oxford Publishing Co.,

Pabar, Inc.,
Pacific Stationers Inc.,
Padawer Waste & Fibre Co. Inc.,
Padercraft Corporation,
Page Builders & Contractors, Inc.,
Pagen Construction Co., Inc.,
Page's Inc.,
P.A. Homes Inc.,
Paitz Company, Inc.,
Palisade I.Q. Batting Range, Inc.,
Palisade Plastic Company, Inc.,
Palisades Batt-Em, Inc.,
Palisades Pier and Dock Corporation Inc.,
Palisades Plastics Manufacturing Company Inc.,
Palmer Dyeing Corp.,
Palm Operating Company,
Pal Shoes, Inc.,
Pal Shoes Middletown, Inc.,
Pal Shoes Union, Inc.,
Palsons Realty Co.,
Palumbo's Sweet Shop, Inc.,
Pam Coat Co. Inc.,
Pamela Holding Co.,
Pandac Corporation,
Pan-Dan Corporation,
Pan-Ro Builders,
Panterra Trading Corp.,
Panther Equipment Co., Inc.,
Pao Instrument Co., Inc.,
Paradise Cove Yacht and Beach Club,
Paradise Wine Distributors, Inc.,
Paralelo Corporation,
Par-A-Mor,
Paramount Agency, Inc.,
Paramount Financial Service,
Paramount Grocery & Meat Market Inc.,
Paramount Tailoring Co.,
Paramus Auto Seat Covers Inc.,
Paramus Building Associates,
Paramus Equipment Corporation,
'Parboard Corporation',
Paret Inc.,
Paris Co.,

Parisian Hell Drivers, Inc.,
Parisi Plastering Corp.,
Park Auto Sales,
Park Avenue Homes Co., Inc.,
Park Edsel Sales, Inc.,
Parker Ave., Development Co.,
Parker-Lawrence Tool Company,
Park Holding Company,
Park Inn, Inc.,
Park Lawn Homes Basking Ridge, Inc.,
Park Lawn Homes, Inc.,
Parkmeter Corporation,
Park 'N Eat,
Park'n Ride System,
Parko,
Park Ridge Construction Co. Inc.,
Park Union Lumber Co.,
Park View Delicatessen and Liquor Store Inc.,
Parkway Card and Gift Shoppe, Inc.,
Parkway Recreation, Inc.,
Parkway Sales, Inc.,
Park West Embroideries Inc.,
Parmie's Construction Co.,
Par Three, Inc.,
Par-Traf,
Party Cake Shops Inc.,
Party Time of America, Inc.,
Pascack Esso Auto Service, Inc.,
The Pascoe Company, Inc.,
Pase, Inc.,
Passaic County Printing Corporation,
Passaic Valley Heating and Air Conditioning Inc.,
Pat & Bill's Bar & Grill, Inc.,
Patco Homes,
Patent Sales Corporation,
Paterson Glass Company,
Paterson Heel Company,
Paterson Kitchen Center, Inc.,
Paterson Market Corp.,
Paterson Sales Company, Inc.,
Pat F. Veltri, Inc.,
Pathe Cleaners,
Patterson's, Inc.,

Patterson and Wright Construction Co. Inc.,
Patti Plastics Corporation,
Paul Bernard Inc.,
Paul Cavaliere's Smoke Shop,
Paulden Laboratories, Inc.,
Paul Douglas Dormer Co.,
Paulsboro Engineering Co. Inc.,
Paul's Dairy, Inc.,
Pauls Embroidery Co.,
Paulwood Estates, Inc.,
P. B. Y. Chemical Company, Inc.,
P. and D. Slacks Co., Inc.,
Pearl Corporation,
The Peerless Agency, Inc.,
Peggem, Inc.,
Peia-Donnelly Corp.,
Pelican Club, Inc.,
Peluso Contracting Inc.,
Pemberton Lumber & Millwork Industries Inc.,
Pen-Ack Realty, Inc.,
Pennsauken Homes, Inc.,
Pennsylvania Steam Navigation Association Inc.,
Pensonese Products Corporation,
Penthouse Towers, Inc.,
Pepperidge Hill Estates, Inc.,
Pepper Mill Farms, Inc.,
Pequest Country Club, Inc.,
Perma Power Controls,
Perma-Stone of Passaic County Inc.,
Perm Water Conditioning, Inc.,
Perretta Holding Corporation,
Perry's Cleaners Inc.,
Personalized Food Service,
Personal Supply Co., Inc.,
Peter Cioban Realty Corporation,
Peter-Dave, Inc.,
Peter F. Cuono and Company, Inc.,
Peter F. Pasbjerg Realty Co.,
Peter Oak, Inc.,
Peter Pan Textile Mills, Inc.,
The Peters Agency, Inc.,
Peter Schlicher, Jr. Inc.,
Pete's Inc. of Asbury Park,

Pete's Inc. of Keansburg,
Petna Corporation,
Petri Cookies Distributors, Inc.,
Petritis Corporation, Inc.,
Petrolarm Incorporated,
Petty's Paramus Inc.,
P. G. Contractors Inc.,
P & H Caterers,
Philadelphia House, Inc.,
Phil and Al, Inc.,
Phil-Gene Construction Co.,
Phillips Brothers,
Phillipsburg Airport, Inc.,
Philmo Realty Corp.,
P-H Industries Co.,
Phoenix Laboratories Inc.,
Phoenix Mining Corporation,
Phoenix Moire Co., Inc.,
Phonx Inc.,
Phyllis Holding Company, Inc.,
Phyllis House of Beauty,
Physicians Passaic Exchange, Inc.,
Piano and Organ Movers Inc.,
Piazza Bakery Inc.,
Pier Bar, Inc.,
Pierce-Denner Corp.,
Pierce Liquor Stores, Inc.,
Pierre's French Quarter,
Pierre's Steak House & Restaurant Inc.,
Pietro Tocco & Sons Construction Company,
Piggy-Back Express Lines, Inc.,
Pike Tavern,
Pike View Corporation,
Pik'n Pay-Caldwell,
Pilgrim Super Markets, Inc.,
Pine Brook Meat Co.,
Pine Hill Lodge, Inc.,
Pineland Sunset Enterprises Inc.,
Pinevale Lake, Inc.,
Piney's Incorporated,
Pink Poodle, Inc.,
Pioneer Car Co. Inc.,
Pioneer Petroleum Products, Inc.,

Pioneer Potato Company, Incorporated,
Pisano Trucking Company, Incorporated,
Piscataway Building and Development Company,
Pitcher and Schulz, Inc.,
Pitman Chemical Laboratories, Inc.,
Place Bar-Cocktail Lounge, Inc.,
Plager Equipment, Inc.,
Plainfield Hosiery Shop, Inc.,
Plastic Dispensers, Inc.,
Plastic Promotions, Inc.,
Plastinette Products Corporation,
The Players Club,
Plaza Dancing Studios, Inc.,
Plaza Distributing Corp.,
Plaza Super Market, Inc.,
P and L Corporation,
Pleasantdale Cab Co., Inc.,
Pleasure Pools, Inc.,
P. & L. Feed Mills Inc.,
Plungermatic Corporation,
Plymouth Paper and Board Corporation,
Plywood Corp.,
P. & M. Trucking Co., Inc.,
PNJG Corp.,
Poellot Sheet Metal Works, Inc.,
The Point,
Point Pleasant Building Supply Inc.,
Polan Realty Company,
Polar Chemical Corporation,
Polar Cub,
Polka Dot Workshop, Inc.,
Polka Partyfood, Inc.,
Polombo Bros. & Levine Inc.,
Pompeii Motor Hotel,
Pompton Falls Motors,
Pompton Plains Motor Car Company,
Ponies, Inc.,
Pool Bar and Grill,
Poplar Grove Construction Corp.,
Poplar Grove Homes, Inc.,
Popular Homes Construction Company,
Porcelain Laminators Inc.,
Port Motor Express, Inc.,

Post Brook Development Corp.,
Potter Realty Co.,
Poynte Construction Company,
The Pratt Agency, Inc., of Essex County,
Precision Aircraft & Electronic Corp.,
Preferred Metal Products,
Preferred Auto Sales, Inc.,
Premier Paper Company,
Premium Enterprises, Inc.,
Pre-Mix Paving Co., Inc.,
Press-Tite Corporation,
Prestige Knitting Mills, Inc.,
Primoid Manufacturing Corporation,
Princely Sales Co., Inc.,
Princess Fashions, Inc.,
Princess Homes, Inc.,
Princeton Securities Corp.,
Pristine Manufacturing Company,
Pritchard-King, Inc.,
Private Commercial Remittance Corporation,
Product Sales, Inc.,
Products for Better Living,
Products Specialties, Inc.,
Professional Credit Control Association Inc.,
Profile Slenderizing Salon of Bergenfield,
Program Planning Service, Inc.,
Progress Homes, Inc.,
Progressive Beauticians' Holding Co. Inc.,
Progressive League of Orange Holding Company,
Progressive Service Corporation,
Promotional World, Inc.,
Protected Risks Agency, Inc.,
Pro-Val Builders, Inc.,
Provident Appraisal Company, Inc.,
Provost Morgan Corporation,
Prudential Fabrics, Inc.,
Prudential Home Owners' Club, Inc.,
Prudential Home Owners Club of Middlesex
County,
PSJ Corporation,
P.T. Caruso Co.,
Public Relations, Inc.,
Publishers' Typographic Service Inc.,

Pudgy's Catering,
Pullman Market, Inc.,
Puppy's Tavern, Inc.,
Purdy and Henderson Company,
Purdy Realty Co., Inc.,
Purich & Co., Inc.,
Purity Cross Products, Inc.,
Putnam Realty Co.,
Puzio & Winkens Inc.,
Pyotts, Incorporated,

The Quads, Inc.,
Quaker Bus Terminal, Inc.,
Quality Hardware, Inc.,
Quality Home Builders Corp.,
Quality Packaging Materials Inc.,
Quarries, Inc.,
Quartier's Shopping Center, Inc.,
Quick Construction Co. Inc.,
Quigley and March Incorporated,

Ra-Am Hotel Corp.,
Rachlis Poultry Farms,
Racing, Incorporated,
Rada Corporation,
Radio Bergen, Incorporated,
Rae & Company, Inc.,
Ragan Motors, Inc.,
Ragged Robin Corporation,
Ragnar Holding Company,
Ragonese-Fornaby, Inc.,
Rahlin Construction Co.,
R. and A. Holding Corporation,
Rahway Shoe Repair Co., Inc.,
Railmasters,
Railroad Surplus Warehouse, Inc.,
Rainbow Cafe,
Rambler Construction Co., Inc.,
Ram Construction Company,
Ra Mel Construction Co., Inc.,
Rammy Construction Co.,
Ramode Iron Railings, Inc.,
Ramtra Clothing Co., Inc.,

Ranch Construction Co.,
Rancocas Nurseries, Inc.,
Randall & Richard's Corp. Ltd.,
Randazzo Construction Co.,
Rand Building Corp.,
Rand Chemical Corporation,
Randell Cleaners, Inc.,
Rand-Rebell Nurseries,
Rands Drywall, Inc.,
Randy's Meat Market-Prince Street Inc.,
Rapp Investment Company,
Rapp Trucking Company,
Rap Realty Company, Inc.,
Raritan Bay Hotel, Inc.,
Raritan Engraving Co.,
Raritan Operating Co., Inc.,
Raritan River Liquor Store Inc.,
"Raritan Valley Paving Co. Inc.",
R. A. S. Corporation,
Ravard Builders, Inc.,
Raven's Wood Construction Co. Inc.,
Raybert Manufacturing Co., Inc.,
Rayco-Biscayne, Inc.,
Rayco-Flint, Inc.,
Ray Coryell, Inc.,
Rayco-Tulsa, Inc.,
Rayed General Contractors, Inc.,
Ray Geyer and Company,
Raylo Realty Co.,
Raymond A. Wolf Associates,
Raymond Benacuista Corp.,
Raymond Construction Co. Inc.,
Raymond's,
Ray Oil Co., Inc.,
R. B. M. Construction Corp.,
R. C. Deeds Clothes,
R. C. F. Construction Co., Inc.,
R.C. O'Neill, Inc.,
Realite Corporation,
The Realm, Inc.,
Realty Mortgage Corporation,
Rebaf Corp.,
Recard Greeting Card Corp.,

Recard Music Publishing Co. Inc.,
Recard Records Inc.,
R.E.C. Building Corp.,
Recce Co., Inc.,
R.E.C. Land Inc.,
Reco Enterprises, Inc.,
Record Corporation Distributors of New Jersey,
Recreational Research Corp.,
Redemtum Corporation,
Red Fox Music Camp, Inc.,
Red Ridge Realty Corp.,
Reeb Realty Corp.,
Reesman Drilling Co. Inc.,
Regal Liquors, Inc.,
Regal Paint Mfg. Corp.,
Regional Excavating Co., Inc.,
Regional Sales Corporation,
Reg-Syl Corp.,
Reid & Skinner Corporation,
Reilly Bros., Inc.,
Reilly Enterprises Inc.,
Reilly-Harmon-Reilly, Inc.,
Rekey's Flower Shop, Inc.,
Relay Controls, Inc.,
Reliable Corporation,
Reliable Hand Laundry & Dry Cleaning Inc.,
Reli-A-Tron, Inc.,
Remo Shops, Inc.,
Renell Jacquards, Inc.,
Renjer Realty Co.,
Renneg, Inc.,
Repamco, Inc.,
Rep Distributors, Inc.,
Republic Footwear, Inc.,
Research Service, Inc.,
Reservoir Club, Inc.,
Residential Agency, Inc.,
Retail Bake Shop, Inc.,
Reva, Inc.,
Revere Holding Corp.,
Revere Labs, Inc.,
Rex Marine Interiors,
R & F Construction Corporation,

R. & F. Corporation,
R.G.C., Inc.,
R & H Auto Sales Inc.,
Riki of California, Inc.—Journal Square,
Riki of California, Inc. Paramus,
Rikuda Chinchilla Ranch and Export Inc.,
R. I. M. Construction Corp.,
Rip Tide, Inc.,
Risher Bros., Inc.,
Ritchie's Blue Point Tavern, Inc.,
Rite-Pak Egg Producers, Inc.,
Rite Realty Corporation,
Riva Construction Co. Inc.,
Riveles Drug Co.,
Riverbrook Developers, Inc.,
Riverdale Plastics Development Corp.,
River Oaks Development Corp.,
River Sands Realty Co., Inc.,
Riverside Dyeing & Finishing Company,
Riverside Holding Co.,
The Riverside Memorial Funeral Chapel,
Rivervale Service Corp.,
Riverview Corporation,
R & H Household Service Inc.,
R. H. Krug, Inc.,
Rhodes Building Corp.,
Rialto Bar & Grill, Inc.,
Rianza Homes,
Ricci's Cleaning,
Richard Caldwell Associates, Inc.,
Richard Developers, Inc.,
Richard K. Gargan, Inc.,
Richard Solomita, Inc.,
Richleys,
Richmond Manor Homes, Inc.,
Richor, Inc.,
Rich-Troy Manufacturing Corporation,
Rickert Construction Corp.,
Riddle Farms, Inc.,
Ridge Estates, Inc.,
Ridge View Homes, Inc.,
Ridgeway Stores, Inc.,
Ridgewood Colonial Shop,

Ridgewood Slenderizing Salon, Inc.,
Rikemar Co.,
R.L.F. Realty Corp.,
R. M. Duval Construction Co. Inc.,
R M S Corporation,
R.N.R. Incorporated,
Roach Bar & Grill,
Roadmaster Truck Rental, Inc.,
Roanco Construction and Heating Corp.,
Ro-Bar Realty Corporation,
Robert Agency Corp.,
Robert A. Zentz Co. Inc.,
Robert Bell,
Robert F. Maienda, Inc.,
Robert F. Seybold Builder, Inc.,
Robert L. Stevens Agency, Inc.,
Robert M. Entin Company,
Robert M. Higgins Co. Inc.,
Robert's Sweet Shoppe,
Robin Corporation,
Roblees Yarns, Inc.,
Rob-Roy Farms, Inc.,
Robton-Ward, Inc.,
The Rochelle Co.,
Rochelle Luncheonette Inc.,
Rocket East Coast, Inc.,
Rocket Homes, Inc.,
Rock Island Realty Co. Inc.,
Rocky's Diner, Inc.,
Rod Drigo Dance Studios, Inc.,
Roden Diners, Inc.,
Rodewald, Inc.,
Rodney Construction Co., Inc.,
Rody Inc.,
Roe Maintenance Corp.,
Rogers,
Roger's Credit Dep't. Store,
Roger's Outfitters,
Rojo Inc.,
Rollercade Inc.,
Roman Photo Guild, Inc.,
The Romer Shop, Inc.,
Romolyan Corporation,

Ronald Contracting Inc.,
Rondee, Inc.,
Ronlo, Inc.,
Ron-Mar Land Company,
Ronnie's Auto Body, Inc.,
Roofers & Waterproofers, Inc.,
Roosevelt Boat & Ski Club, Inc.,
Roosevelt Electrical Services Inc.,
Rose B. Brown, Inc.,
Rose Ehrlich, Inc.,
Rose Haven Estates Inc.,
Roselawn Farms, Inc.,
Rosella Shop, Inc.,
Rosell Yarns, Inc.,
Rose & Sally Corp.,
Rosewood Builders,
Rossi Bros. Corporation,
Ross J. De Lia, Inc.,
Rossmar Company, Inc.,
R. O. S. Store, Inc.,
Round the Clock Laces, Inc.,
The Round-up, Inc.,
Route 4 Holding Corp.,
Route 4 Lanes, Inc.,
Route 23, Inc.,
Rowen Sportswear Co. Inc.,
Rowland, Inc.,
Roxbury Dyeing Corp.,
Royal Castle, Inc.,
Royal Engraving Company, Inc.,
Royal Hat Stores,
Royal Oak Construction Co.,
R & P Amusement Company, Inc.,
R & P Builders, Inc.,
R. & P. Dress Corp.,
R-P Homes, Inc.,
R. & R. Launderette Co., Inc.,
R. & R. Shell Service Inc.,
Ruba Corp.,
Rumark Realty Co.,
Rumson Enterprises, Inc.,
Rumson Yacht Club Inc.,
Runyon Construction Company Inc.,

Rush Building Corp.,
Ru-So, Inc.,
Russ Green, Inc.,
Russo Bros. Market,
Rutblatt Sport Shop, Inc.,
Rutgers Video Corporation,
Rutherford Industrial Center,
Ruthsid Realty Co.,
Rutland Realty Co., Inc.,
R. V. Sportswear Company, Inc.,
R.W. Tatro Co., Inc.,
Ryanco Sales Company of N. J. Inc.,
Ry Contracting Co.,

S & A Auto Wreckers, Inc.,
S. A. Avery Shirt Company, Inc.,
Sabe Equipment Co. Inc.,
Sabena's,
Saddle Brook Properties, Inc.,
Saddle Togs, Inc.,
Safety Fence Co., Inc.,
Safeway Brake Shops of Trenton, Inc.,
Sagamore Associates, Inc.,
The Sahara,
St. Joseph,
St. Paul Chemical Corp.,
Saints & Sinners Restaurant Corp.,
Sakasa Realty Co.,
Salan Realty Co. Inc.,
Sala's Terrace, Inc.,
Salbes Corporation,
Salbeth Freight Lines, Incorporated,
Salbeth Truck Rentals Incorporated,
Saldel Corp.,
Salem Quality Grocery, Inc.,
Sales Organization, Inc.,
Salomone Enterprises, Inc.,
Sal's Crestwood Service, Inc.,
Salvatore P. Reggie, Inc.,
Salvox Corp.,
Samart Operating Company,
Sambak Furniture Co. Inc.,
Sam's Catering Service,

Sam Shapiro Girl Coat Co., Inc.,
Samuel Furst, Inc.,
Samuel Pearl, Inc.,
Samuels Auto Sales, Inc.,
Samuel Wilson & Son,
Samuel Wolfe, Inc.,
Sanchi Corp.,
Sando Distributing Company,
Sandra Building Corp.,
Sandy Moore New Jersey, Corp.,
Sanford Inn,
Sanfords Inc. of Plainfield,
Sani-Fold Co., Inc.,
Sanitary Vendors, Inc.,
Sanivag, Inc.,
Saniveyor Corporation,
Santa Rosa Development Corp.,
Sant Corporation,
Sapert Associates, Inc.,
Sara, Bernard and William, Inc.,
Sargeant Acnoid Pharmaceutical Co. Inc.,
Sarnor Holding Co.,
Saucon Mining Company,
Saucon Sand Company, Inc.,
Sav-Mor Bakeries, Inc.,
Sa-On Sales Corporation,
Savoy Diner, Inc.,
Savoy Hotel, Inc.,
Saxony Manor, Inc.,
Sayre Street Newark Corporation,
Sayreville Paper Board Co. Inc.,
Scalza & Wallace, Inc.,
Schaefer Bros., Inc.,
Schley Construction Company,
Schneider Trading Corporation,
Schon Products Corporation,
Schultz Homes, Inc.,
Schuyler Bakeshop, Inc.,
Schuyler Land Holding Co.,
Schwarz Mills, Inc.,
Schweats, Inc.,
Scientific Breeders, Inc.,
S. Cilino and Co., Inc.,

S. Consentino, Inc.,
Scottnobile Corp.,
Scott & De Palma Inc.,
Scotto & Puglisi, Inc.,
S & D of Palisades Avenue,
S & D Woodworking Co.,
Seaboard Electronics, Inc.,
Seaboard Hydra-Weld Corp.,
Seabroad Investment Company,
Seabury Company,
Sea Line Fishery, Inc.,
Seal Tide Heating Corp.,
Seaman's Inc.,
Security, Inc.,
Seet Laboratories, Inc.,
Seidel & Wolk Associates, Inc.,
Seidel and Wolk, Inc.,
Sekon Construction Company,
Selgood Associates, Inc.,
Selfay Laundromat, Inc.,
Self Park, Inc.,
Self Super Service Corp.,
Selling for Manufacturers, Inc.,
Sema Realty Co., Inc.,
Senator Operators, Inc.,
Senator Realty Company,
Seneca Realty Co.,
Sepraton "New Jersey" Inc.,
Sera Associates, Inc.,
Serkes Service Co.,
Serkes & Son, Inc.,
Serv-All Machinery Corp.,
Serv-A-Stor, Inc.,
Service Drinks Corp.,
Service Funding Corporation,
Service Rentals, Inc.,
Service Stamp and Supply Company Inc.,
Services Unlimited,
Servus Shoes Inc.,
783 So. Orange Corp.,
742-744 Undercliff Avenue, Inc.,
719—14th Ave., Corporation,
721 Grove St. Corp., Inc.,

7 Kinsmen,
1701 Corporation,
70 Astor St. Co., Inc.,
75 First Street Corporation,
74 Hamilton Avenue, Inc.,
7435 Hudson Boulevard East Co.,
79 Newkirk Operating Corp.,
Sew-A-Dress, Inc.,
Sewerage Equipment Co.,
S. & G. Haberdashers, Inc.,
S. G. L. Inc.,
S & G Poultry Farms, Inc.,
S & G Service, Inc.,
Shady Tree Estates,
Shampanier's Appetizer Store, Inc.,
Shamrock Construction Inc.,
Shangri-La, Inc.,
Shantung Restaurant, Inc.,
Sharon Corporation,
Sharon Estates, Inc.,
Sharon Lyn, Inc.,
S. H. Bros. Inc.,
Sheljack Realty Co.,
Shell Finance Corporation,
Shell Homes, Inc.,
Shelter Cove Estates,
Sherbrooke Fabrics Ltd.,
Sherden, Inc.,
Sheridan Delicatessen, Inc.,
Sherman Industrial Electronics Company,
Sherry Associates, Inc.,
Sherry Hotel, Inc.,
Sherwood Cabinet Co.,
Sherwood Inn, Inc.,
Sherwood Shopping Center,
Shield Electronics Corporation of America,
Shina Company,
Shir-Hil Corp.,
The Shoe Tree, Inc.,
Shopping Center Institute of America Inc.,
Shore Bowling Center, Inc.,
Shore Carpenters, Inc.,
Shore Communications Co., Inc.,

Shore Hills Day Camp,
Shore Plumbing & Heating Company Inc.,
Shore Thriftway, Inc.,
Shore Windsor Hotel and Restaurant Co.,
Shorewood Builders, Inc.,
Short-Haul Equipment Company,
Short Hills Homes, Inc.,
Shoshonee Ranch, Inc.,
Show Backers, Inc.,
Shumsky & Windsor Builders, Inc.,
Sidbud Realty Co., Inc.,
Sidlee Manufacturing Co.,
Sidra Holding Corp.,
Siegel Properties, Inc.,
Sigma Corporation,
Silk City Express, Inc.,
Silmore Holding Co.,
Silver Beach Realty Co., Inc.,
Silver-Dean Associates, Inc.,
Silverman Caterers Inc.,
Silver Quartz Heating Corporation,
Silver's Supply Co., Inc.,
Silverton Diner, Inc.,
Silvio of Naples, Inc.,
Silvio Realty Co., Inc.,
Simple Simon Stores Corp.,
Sip'n Snack Management Corporation,
Sip'n Snack Shoppes of New Jersey Inc.,
Sisi Mfg. Co. Inc.,
608 High Street, Inc.,
615 Paterson Plank Road Inc.,
612 Grand Street Corp.,
The Six Stars Diner, Inc.,
6015 Hudson Ave. Corp.,
Sixty-Plus Housing Corporation,
The 6119 Park Avenue Corporation,
S. J. Kligerman & Co. Inc.,
S. J. Minieri Construction Co. Inc.,
S. & J. Sportswear Company,
The Sketch Box,
Ski Motor Express Co., Inc.,
S. K. Paper Transport, Inc.,
Skyline Enterprises, Inc.,

Skyline Motors, Inc.,
Skyview Holding Co.,
Sky-View Homes, Inc.,
Skyway Enterprises, Inc.,
Skyway Truck Service,
Slavia Trade and Travel Association,
Slenderama, Inc.,
Slenderella Systems of New Brunswick Inc.,
Slenderella Systems of Red Bank, Inc.,
Slimline System of New Jersey, Inc.,
Slote and Klein Inc.,
Smart-Set Clothing Co., Inc.,
S & M Auto Body Works, Inc.,
Smith, Howard & Co., Incorporated,
Smoked Foods Research Institute Inc.,
S. & M. Parkway Motors, Inc.,
Snelling Rigging Corp.,
S. Noradian Trucking,
Snow Valley Stables, Inc.,
Soft Goods, Inc.,
Softish Products, Inc.,
Soft-Pak, Incorporated,
Softwall Company, Inc.,
Sokol Realty Co.,
Solarcom Electronics, Inc.,
Solar Realty Co., Inc.,
Sol Canter and Company, Inc.,
Solgar Realty Corp.,
Solstro Realty Co.,
Somerset Snack Shoppe, Inc.,
Somerset Valley Realty and Improvement Corporation,
Somers Point Amusement Co., Inc.,
Somerville Beef Co., Inc.,
Somerville Electrical Supply Co., Inc.,
Sommers Realty Company, Inc.,
Sonsiadek Corporation,
Sorrento Restaurant & Pizzeria Inc.,
Sosnow Drugs Inc.,
South Avenue Warehouse Corp.,
Southern Counties Amusement Corp.,
Southern Shores Swimming Pool Co.,
South Green Development Corp.,

South Jersey Coach Lines,
South Mountain Cleaner & Tailor,
The Southwood Corporation of Linden, New
Jersey,
Space Motors, Inc.,
Spade Iron Works, Inc.,
Spag's Hamilton Bar, Inc.,
Sparkle Cleaning Stores Inc.,
Spark Realty Associates,
Sparta Investment Corp.,
Special Investigation Service Inc.,
Specialty Handle Manufacturing Company,
Speedcrete, Inc.,
Speed Reading, Inc.,
Spejac, Inc.,
Spring Realty Co.,
Spiritual Travelers,
Splancher, Inc.,
Splendor Schiffli Embroidery Corp.,
Sportsman Printing and Publishing Company Inc.,
Spotless Automatic Car Wash,
Sprague Manufacturing Company, Inc.,
Spray Krome Distributors of New Jersey Inc.,
Sprayon Insulation and Acoustics Inc.,
Springbrook Garden Center, Inc.,
Square Check Cashing Service,
Square Corp.,
Square and Level Corp.,
Square Sewing Stores, Inc.,
Square Shopping Centre,
S & R Shoe Company,
S & S Appliance Co.,
S. & S. Construction Co., Inc.,
S. S. Holding Corp.,
S. Stern and Son, Inc.,
Stacy Merchandise Co.,
Stadium Auto Mart, Inc.,
Stanberry Excavating Inc.,
Stan-Chem,
Standard Auto Bumper Corporation,
Standard Corporation,
Standard Dormer Corp. of N. J.,
Standard Drug Company, Inc.,

Standard and Jerseyman Company,
Standard Terminal Stevedoring Co. Inc.,
Stanford Flowers Inc.,
Stanhope-Netcong Country Club,
Stanley Busch, Inc.,
Stanley J. Ziobro, Inc.,
Stanley Systems, Inc.,
Stanley Tire Co., Inc.,
Stanmar Corp.,
The Stanwood Corp.,
Star Auto Sales, Inc.,
Star Bowling and Billiard Academy Inc.,
Star Kosher Products,
Starlite Tavern,
Star Paint & Hardware, Inc.,
Starwill Co., Inc.,
Sta-Slim Corporation,
State Credit Investigators, Inc.,
State Diner of Lodi, Inc.,
State Family Food Service, Inc.,
State Parking Systems, Inc.,
State Super Service, Inc.,
State-Widesearch and Abstract Company,
Steven Machinery Corporation,
Stevens Hollywood Dairies, Inc.,
Steve Weishaar Restaurants, Inc.,
Stewart Brothers Contracting Company Incorporated,
Stewart Constructors, Inc.,
Stimwood Realty Co., Inc.,
Stirling Housing Co., Inc.,
Stitchless Baby Pants, Inc.,
Stoehr & Tanke, Inc.,
Stoller's Modern Baking Co. Inc.,
Stone Harbor Boat Co. Inc.,
Stone Harbor Yacht Basin Inc.,
Stoneybrook Park, Inc.,
Stony Road Tourist Inn,
Stop Inn,
Storkland Distributing Co.,
Storm-Politica Co.,
Storm Seal, Inc.,
Strada, Inc.,

Straight Trucking Corp.,
Strickland Service & Equipment Co. Inc.,
Structural Builders,
Structural Designs, Inc.,
Structural Steel Painters Corp.,
Stuart Company, Inc.,
Stuart R. Gerber Co. Inc.,
Stuart-Scott Corporation,
Statewide Services, Inc.,
Statler Optical Mfg. Co.,
Stawin Sales Co.,
Steak King, Inc.,
Steaks, Inc. of New Jersey,
Steak Warehouse, Inc.,
Stearn-Seid, Inc.,
Steel & Alloys, Ltd.,
Steel Details, Inc.,
Steele Inn, Inc.,
Stefan's Distributing Co. Inc.,
Steffler Materials, Inc.,
Stekar Realty Co.,
Step-Down Awning Supply Co., Inc.,
Stephan Realty Company, Inc.,
Stephen Haidressers, Inc.,
Stereo Atlas of Dermatology, Inc.,
Stereo Home Improvement Co. Inc.,
Stereophonic Music Society, Inc.,
Stereo Sound Corporation,
Sterile Services, Inc.,
Sterling Kitchens, Inc.,
Stern-Mat, Inc.,
Steuer Realty Co.,
Steval Realty Co., Inc.,
Sturner Corporation,
Sturz Enterprises, Inc.,
Stuyvesant Security Company,
The Suburban Agency, Inc.,
Suburban Bond & Mortgage Company,
Suburban Contractors Co. Inc.,
Suburban 400,
Suburban Health Club,
Suburbanite Communications Inc.,
Suburban Kitchen Cabinet Corp.,

Suburban Mortgage Associates,
Suburban News Service, Inc.,
Suburban Paving & Contracting Co. Inc.,
Suburban Publishing Co. Inc.,
Suburban Repairs & Maintenance Co. Inc.,
Suburban Sheet Metal Co.,
Suclar Sales Corp.,
Sue-Betts, Inc.,
Sulfane Corp.,
Summer Stock, Inc.,
Summit Avenue Estates, Inc.,
Summit Clinical Laboratory Inc.,
Summit Products, Inc.,
Summit Trading Co., Inc.,
Sun Laboratories, Inc.,
Sunny Brook Estates, Inc.,
Sunnybrook Park,
Sunny-Hunny of New Brunswick, Inc.,
Sunnyside Riding Club, Inc.,
Sunrise Clothing, Inc.,
Sunset Homes, Inc.,
Sunset Realty and Mortgage Co.,
Sunshine De Luxe Laundry, Inc.,
Sun & Surf Umbrella, Inc.,
Sun Valley Electronics Corporation,
Superior Carpentry & Contracting Co. Inc.,
Superior Embroidery Corporation,
Superior Mortgage Corporation,
Superior Sheet Metal, Inc.,
Superior Steel Rule Die Mfg. Co.,
Super Serv, Incorporated,
Supreme Bake Shop, Inc.,
Supreme Beef Co. of N. J. Inc.,
Supreme Electrical Construction Co. Inc.,
Supreme Mirror & Glass Co.,
Susan Carol Mfg. Corp.,
Sussex Homes, Inc.,
Swallick Tavern Inc.,
Sweatertex Mills, Inc.,
Swedesboro Transportation Co.,
Swen Productions, Inc.,
Swensen Electric Co. Inc.,
Swimmers' Dream Pool Co.,

Swiss Miss Embroideries,
Swiss Music Corp.,
Sycamore Construction Co., Inc.,
Sylvester & Co.,
Sylvia's Shoes, Inc.,
Sylvia's Shoes of New Brunswick Inc.,
Systo-Form Corporation,
S & Z Sales Distributors, Inc.,

Tabbee, Inc.,
Tabeco Construction,
Taftex Inc.,
Taggart Holding Co. Inc.,
Taggart and Ross Co., Inc.,
Tag's Inc.,
Take-it-Easy Super Laundromat Inc.,
Talbert Contracting Co., Inc.,
Talent Producers, Inc.,
Tall Oaks Realty Co.,
Tamin Incorporated,
Tarb Construction Co., Inc.,
Tasty Frozen Foods Inc.,
Tatco Holding Corp.,
Taunton Nursery Company,
The Tavern Pantry,
The Tavern Pantry of South Orange,
T-Bar Associates,
Teaneck Beverage Co. Inc.,
Tech Construction Company,
Technical Associated Graphics,
Technical and Commercial Enterprises Inc.,
Technical Industries, Inc.,
Technical Teams, Inc.,
Teddy Davis Holding Co. Inc.,
Ted-Lu Realty Corporation,
Teesit, Incorporated,
Tela, Inc.,
Tel-A-Set Corporation,
Telenews Corp.,
Television Center,
Tell-Tale Tavern,
Tepee Excavating Co., Inc.,
Terminal Lunch, Inc.,

Terminal Service, Inc.,
Terminal Shop, Inc.,
Territo & Sons, Inc.,
Terry's Inc.,
Terry Slater & Geiger Corp.,
Terry Togs, Inc.,
Tessler's Suburban Auto Service Inc.,
Textile Service, Southern Division Inc.,
T. F. Rodgers Autobody Inc.,
T G M Liquor Corp.,
T. Gullman, Inc.,
Than, Inc.,
Theodore Bailey & Son, Inc.,
Thermal Controls Corporation,
Ther-Most, Inc.,
1317 Washington St. Restaurant Inc.,
Thirty Eight Corporation,
3407 Pacific Corp.,
Thirty-Plus Housing Corporation,
36 Straight Street Corp.,
Thomas Albanese Inc.,
Thomas Butler,
Thomas Conte Associates, Inc.,
Thomas Edwards Co.,
Thomas F. McDonald & Company Inc.,
Thomas Liquor, Inc.,
Thomas Manufacturing Corp.,
Thombro Restaurant, Inc.,
Threaded Specialties, Inc.,
3 Armstrong Ave. Realty Co. Inc.,
The Three Brothers, Inc.,
3 C's, Inc.,
Three H's Restaurant, Inc.,
Three Hundred Main Street Corporation,
309 Kawameeh Land Incorporated,
301 Main Street, Inc.,
300 Realty Corp.,
364-366 Palisade Avenue Corporation,
324 Cab Corporation, Inc.,
327—54th Street Corporation,
Thrifty Dairy and Food Co., Inc.,
Thrilo,
Thulman Products Corporation of New Jersey,

Tick, Tick, Inc.,
Tiffany Construction Co. Inc.,
Timann Construction Corp.,
Timber Ridge Park,
Time Cleaners Inc.,
Time Cleaners Inc. of 307 Barrow St.,
Timely Modes, Inc.,
Times-Dispatch,
Time-Stop Inc.,
Timkay Homes, Inc.,
Tinker A. C.,
Tip-Top Builders, Incorporated,
Tire Safety Valve, Incorporated,
Titania Jewelers, Inc.,
Tite-Seal Aluminum Manufacturing Co.,
Tivoli Inc.,
T. J. M. Construction Co. Inc.,
T N T Nursery Co.,
Tobacco Shops, Inc.,
Tolehinsky Pickle Works, Inc.,
Tomlinson Industries, Inc.,
Tom McIntyre & Son, Inc.,
Toni Construction Company, Inc.,
Tonmer Construction Co. Inc.,
Tony's Hero's, Inc.,
Tony's Pizzeria, Inc.,
Tooltown and Hardware Supply Co.,
Toon-Burg Laboratories, Inc.,
Tops, Inc.,
Tops Linen Supply, Inc.,
Top 20 Distributing Corp.,
Totowa Times-Herald,
Tower Hill Stables, Inc.,
Tower Holding Co.,
Town and Campus, Inc.,
Town & Country Bag Corp.,
Town and Country Construction Co.,
Town & Country Tavern, Inc.,
Towne Drug Co.,
Towne Luncheonette,
Town Fair Shopping Center, Inc.,
Town House of Hawthorne N. J. Inc.,
Town Park Estates, Inc.,

Toy Club Plan Inc.,
Toyokawa Co. Ltd.,
Transatlantic Industries, Inc.,
Trans Corp.,
Transit Construction Corporation,
Trans-Ocean Trading Co., Inc.,
Transportation Consultants,
Transport Realty Co., Inc.,
Travel Time Tours for Teen-Agers Inc.,
Tray Pack Poultry, Inc.,
Trenabie, Inc.,
Trenco Sales, Inc.,
Trend Publishing Co., Inc.,
Trenton Brokerage Co., Inc.,
Trenton Construction Company,
Trenton Heavy-Duty Equipment Co. Inc.,
Tresan Realty Corporation,
Triangle Dry Cleaners and Laundry,
Triangle Holding Co., Inc.,
Triangle Sales Associates, Inc.,
Trianne Hosiery Shop, Inc.,
Tri-City Inc.,
Tri-City Mortgage Company,
Trico Electronics Corp.,
Tri-County Construction Co., Inc.,
Tri-County Corporation,
Tri-County Floor & Wall Covering Service Inc.,
Tri-County Improvement & Contracting Co.,
Tri-Fleet Chemical Company, Inc.,
Triman Enterprises, Inc.,
Trimeo, Inc.,
Trim Lingerie Shop Inc.,
Trinity Hotels, Inc.,
Trio Diner, Inc.,
Trio Electronics Co., Inc.,
Trio Fuel Service,
Trio Tire Service, Inc.,
Triple B Corporation,
Trips Unlimited, Inc.,
Tri-State Decorators Inc.,
Tri-State Transfer Corp.,
Triune Corporation,
Tri United Manufacturing, Inc.,

Triwood Chemical, Inc.,
Troast Homes, Inc.,
Tronic Parts, Inc.,
Troy Corporation,
Troy Leasing Corp.,
T. & R. Restaurant, Inc.,
Tru-Ade Bottling Co. of Atlantic City,
Truck Body Equipment Corp.,
Tru Flav-R,
Trumbull's Columbia Drugs, Inc.,
T. & T. Corp.,
T and T Holding Corp.,
Tufano Trucking Company, Inc.,
Tulane Company,
Tumen Manufacturing Corp.,
T & V Corporation,
TV Prevues,
Diner,
Twenty-first Century Corp.,
24 Broad Street Corporation,
2486 Eighth St. Corp.,
Twenty-one-three Housing Corp.,
Twenty-Plus Housing Corporation,
2700 Boulevard Corporation,
27 Taxi Corp.,
2614 Boulevard Corp.,
23 Orchard, Inc.,
2275 Boulevard Corporation,
T & W Inc.,
Twin County Fuel Oil, Inc.,
Twin Elms, Inc.,
Twin's Diner, Inc.,
Two Dover Realty, Inc.,
286 Kinderkamack Road Corp.,
255 Warren Corp.,
Moore Street Corp.,
242 Lawton Avenue,
'200 Newark Avenue Corp.,'
295 Halsey Corp.,
291 Union Avenue Inc.,
201 Corporation,
270 Jackson Avenue Corporation,
268 Seymour Avenue Corporation,

230 Main Ave. Corp.,
239 Prospect Avenue Co., Inc.,
Tyko Builders, Inc.,
The Tyler Holding Co.,
Tyler & White Realty Co. Inc.,
Ty's Incorporated,

Uchin's Boston Shoe Store, Inc.,
U. M. C., Inc.,
Und-A-Spray International Corporation,
Uneeda Home Sales Corp.,
Unified Home Services, Inc.,
Union Beach Block Co. Inc.,
Union Carpet Cleaning Works, Inc.,
Union Gage Corp.,
Union Mattress Mfg. Co.,
Union Plumbing Supply Company Inc.,
United Audio Sales, Inc.,
United Engineering Associates Inc.,
United Fabricators, Inc.,
United Furniture Corporation,
United General Agents, Inc.,
United Minerals Reserve Corporation,
United Porto Rican Corporation,
United Rental Construction Equipment Inc.,
United Resurfacing Corp.,
United Shirt Shops of 150 Market Street Inc.,
U.S. Aluminum Products, Inc.,
U.S. Asbestos Cement Pipe Co.,
United States Boat Corp.,
United States Candle Co. Inc.,
U.S. Credit Protection Agency,
U.S. Fabricated Products, Inc.,
United States Home Food Service Inc.,
United States Industrial Plastics Co. Inc.,
U. S. Marine Electronics Inc.,
U.S. Night & Sport Wear, Inc.,
United States Pool Construction Co. Inc.,
United Stases Pool Corp.,
Unit Electronic Corporation,
Unit Flooring Co.,
Unit Trucking Co. of Passaic, N. J.,
Universal Building Contractors Inc.,

Universal Construction Company,
Universal Enterprises, Inc.,
Universal Home Food Service, Inc.,
Universal Hudson Co.,
Universal Pile Co.,
Universal Plumbing & Heating Company Inc.,
Universal Pro Shops,
Universal Refreshment Service,
Universal Research and Development Corp.,
Universal Talent, Inc.,
Universal Uniforms, Ltd.,
University Associates, Inc.,
Unlimited Electric Co., Inc.,
Urban Development Inc.,
U Servo Milk Vendor Co.,
Utility Pipe & Supply Co.,
U-Wash, Inc.,

Vacuum Molding, Inc.,
Vagi's Fuel Oil Co., Inc.,
Valburn Inc.,
Valco Manufacturing Co.,
Valdon, Inc.,
Val-Don Realty Co. Inc.,
Val & Joe's Soda Luncheonette Inc.,
The Val-Kay Company, Inc.,
Valley Construction Company,
Valley Manufacturing, Inc.,
Valley Millwork Co.,
Valley Street Corporation,
Valley Theatre Corporation,
Valley View Agency,
Valley Vista, Inc.,
Vanart Estates, Inc.,
Van Brunt Street Corporation,
Vander Clute Corporation,
Vanguard Steel Equipment Co. Inc.,
Van Mark Co., Inc.,
Vantage Manufacturing Co.,
Variety Disributors, Inc.,
Vazquez and Sons, Inc.,
Vca Laboratories,
Veale's Taxi, Inc.,

Velvet Club,
Vendome Operating Corp.,
Venezia Realty Co. Inc.,
Venice Gardens Inc.,
Venlo Contracting Co., Inc.,
Vent-Mar Corp.,
Ventnor Marina,
Venture Realty Co.,
Verax Corporation,
Verjil Trading Co. Inc.,
Vernon's Tavern, Inc.,
Verona Recreation Center, Inc.,
Versatile Prints, Inc.,
Vest-Rite, Inc.,
Vic-A-Dees, Inc.,
Vickers Chemical Corp.,
Vic's Chrysler Service, Inc.,
Victor Ewanowsky Co.,
Victor Flush Valve Corporation,
Victoria Caudle Realty Co.,
Vikar Inc.,
Viking Equipment Company,
Viking Record Corporation,
Villa Capri,
Village Beauty Spots, Inc.,
Village Maintenance, Inc.,
Villa Valley Inn,
Villone Construction, Inc.,
Vincentown Ponds, Inc.,
Vincent's Hair Stylist, Inc.,
Vincraft Inc.,
Vindal Electrical Co., Inc.,
Vine Associates, Inc.,
Vineland Park Villa,
Vineland Pickle Co., Inc.,
V. I. P. Builders, Inc.,
Visal Products Corp.,
Vishoot-Adler Luggage Corp.,
Vita-Pep Stimulator Co., Inc.,
Vita-Rest Sleep Products, Inc.,
Vitodd Inc.,
Vitullo Incorporated,
Volpe Trucking, Inc.,

Volpex Inc.,
V. V. Holding Co.,

Waat Program Service, Inc.,
Wabara Company,
Wabash Industrial Corp.,
Wabash Wrecking Co.,
Waboke Fabrication Co.,
W. A. Credit Corporation,
Wagana Corporation,
Wainschel and Kampf, Inc.,
Walem Camera, Inc.,
Walker Clothes Inc.,
Walker Diner's, Inc.,
Walker Instrument Sales Corporation,
Walk Rite Shoes, Inc.,
Walsh Auto Leasing Co., Inc.,
The Walter Corporation,
Walters Building Company,
Walter S. Thompson Shoes Inc.,
Walter's Truck Service, Inc.,
Walter Stuart Music Studio, Inc.,
Walter V. Discenza & Co., Inc.,
The Walton-Clute Mfg. Co.,
Wantage Construction Co. Inc.,
Ward Builders, Inc.,
Ware-Reps, Inc.,
Warner Window Co., Inc.,
Warold Construction Co., Inc.,
Warren Home Builders, Inc.,
Warren Mercantile Corp.,
Washington Homes, Inc.,
Washington Mortgage Corporation,
Watchung Ave. Realty Corp.,
Watchung Tires, Inc.,
Wauk-Rite Shoe Shop,
Wavecrest Luncheonette and Variety Store Inc.,
W. A. Wegmann, Inc.,
Wayne Coil and Tower Corporation,
Wayne Undergarment Co., Inc.,
W. B. F. Corp.,
W. C. D. Corp.,
W. C. Trucking Co. Inc.,

W D Taxi Corp.,
Weather Craft Company, Inc.,
Weavings Company, Inc.,
Webb's Associates, Inc.,
Weber & Rothschild, Inc.,
Web Products, Inc.,
Webster Farms, Inc.,
The Weekender Inc.,
Weeks Court Corp.,
Weequahic Associates,
Weequahic Service Hillside, Inc.,
Weequahic Service, Inc.,
Weider Health Products, Inc.,
Weiner & Cornfeld, Inc.,
Welding Sales Corporation,
Wellington Homes, Inc.,
Wene Chicks, Inc.,
Wenworth Associates, Inc.,
Wer-Vac Sales Company,
Wescott Construction Co., Inc.,
West End Esso Servicecenter, Inc.,
Western Pioneer Associates, Inc.,
The Westfield Medical Center, Inc.,
West Jersey Land Development Co. Inc.,
West Long Branch Lanes, Inc.,
West Milford Estates,
Westminster Heights,
Westminster Trading, Inc.,
West N. Y. Jobbing Corp.,
West New York Laundry Corporation,
West Point Island Realty, Inc.,
West 3rd St. Corp.,
Westwood Caterers, Inc.,
Westwood Estates Inc.,
West Yen Express Co.,
Wetter Sales Company,
W. F. and F. Corporation,
W. F. Mueller,
W. & G. Corp.,
Wheeler Auto Driving School Inc.,
Whippany Park, Inc.,
Whitecraft Building Corp.,
Whitehall Construction Co. Inc.,

Whitehall Estates, Inc.,
Whitehill Brick Company,
White Horse Enterprises, Inc.,
Whitehouse Development Co.,
Whitehouse Gulf Service Center Inc.,
White Line Realty Company,
White Top Taxi Service,
Whitney Jewelers,
Wicklow Investment Corporation,
Wiemoko Hotels Inc.,
Wife-Saver Co.,
Wiggie's Associates, Inc.,
Wilco Furniture Company,
Wilhelmsen and Kapler Building Associates Inc.,
Wiljoran Stable,
Will-Du Corporation,
William C. Herrmann, Inc.,
Wm. F. Gorman Trucking Co.,
William H. Absalom, Inc.,
William Kostison Painting Contractor Inc.,
Wm. May Realty Corp.,
The William L. Long Construction Company Inc.,
William Pivnick, Inc.,
William's Cigar Store, Inc.,
Williams Distributing Co. Inc.,
Williamstown Auto Auction, Inc.,
William S. Welch and Son, Inc.,
William T. Massaker, Inc. of Bergen County,
William V. Shumsky, Inc.,
Willott Laundry Co.,
Willow Brook Farms, Inc.,
Willow Grove Lake Corp.,
Will Ray,
Willton Furniture Show Room Inc.,
Wil-Mac Enterprises Inc.,
Wilmar Construction Company,
Wilnew Realty Corp.,
The Wilpon Agency, Inc.,
Wilrit, Inc.,
Wilson Organic Chemicals, Inc.,
Wiltshire, Inc.,
Wilwal, Inc.,
Winde Gate Furniture Co., Inc.,

Windirect, Incorporated,
Windsor Outdoor Furniture, Inc.,
Wingate Holding Company, Inc.,
Winsor Manor,
Winston Builder, Inc.,
Winston-Shillings Tool Co. ,
Witt Control Corp.,
Wittington Hall Ltd.,
W. J. Finn Co.,
W. J. Holdsworth Inc.,
W-John Corporation,
W. Lodi B. Realty Co.,
W & M Realty Co., Inc.,
Woerner Industries, Inc.,
Wohl-Baum Inc.,
Wohlman Sign Corp.,
Wohlmann & Peterson Trucking Inc.,
Wolfinger Construction Corp.,
Wolf's Farm, Inc.,
Wonder-Brite Company,
Wonder Fashions Inc.,
Wonder Kite Corporation,
Wonderland Farms, Inc.,
Woodard Estates,
Woodbridge Block Co.,
Woodridge House,
Woodbridge Oil Burner & Heating Supply Corp.,
Woodbrook Inc.,
Woodbury Estates, Inc.,
Woodbury Iron Works Incorporated,
Wooderest Manor,
Wooderest Park,
Woodland Village, Inc.,
Woodlawn Swim Club Inc.,
Wood-Mark Dairy, Inc.,
Woodside Wire Corp.,
World-Auto Fair—500, Inc.,
World Wide Development Corp.,
Worne Laboratories Inc.,
Would & Son,
Wrightstown Trading Post,
W. & W. Co., Inc.,
W and W Enterprises, Inc.,

Wyckoff Electrical Supply Co.,
Wyckoff General Supply Co. Inc.,
Wynat Homes, Inc.,
Wynne Development Company,
Wynne Plumbing and Heating Inc.,

X-Cel Enterprises,

Yellow Cab Company of Bridgeton,
Ye Olde Cedar Inn,
Ye Olde Judge & Jury Restaurant Inc.,
Young Electronics, Inc.,
Young Investors, Inc.,
Youngland Discount, Inc.,
Young's Poultry Farm, Inc.,
Your Boy Realty Co., Inc.,
Yummy's,

Zampetti's Esso Service, Inc.,
Zapla Realty Co., Inc.,
Zeh and Hannemann Company,
Zelbeth Corporation,
Zenith Construction Co., Inc.,
Zeno's,
Zero Transport, Inc.,
Zodiac, Inc.,

are repealed, and that all powers conferred by law upon such corporations and each of them, shall hereafter be inoperative and void.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this
fifth day of February, A. D., one thousand nine hundred and sixty-three, and in the Independence of the United States, the one hundred and eighty-seventh.

RICHARD J. HUGHES,
Governor.

By the Governor,
ROBERT J. BURKHARDT,
Secretary of State.

AMENDMENTS TO THE
1947 CONSTITUTION

Amendments to the 1947 Constitution

PROPOSED AMENDMENT ADOPTED

Amend Article IV, Section VIII, paragraph 2, to read as follows:

2. No gambling of any kind shall be authorized by the Legislature unless the specific kind, restrictions and control thereof have been heretofore submitted to, and authorized by a majority of the votes cast by, the people at a special election or shall hereafter be submitted to, and authorized by a majority of the votes cast thereon by, the legally qualified voters of the State voting at a general election, except that, without any such submission or authorization;

A. It shall be lawful for bona fide veterans, charitable, educational, religious or fraternal organizations, civic and service clubs, volunteer fire companies and first-aid or rescue squads to conduct, under such restriction and control as shall from time to time be prescribed by the Legislature by law, games of chance of, and restricted to, the selling of rights to participate, and the awarding of prizes, in the specific kind of game of chance sometimes known as bingo or lotto, played with cards bearing numbers or other designations, five or more in one line, the holder covering numbers as objects, similarly numbered, are drawn from a receptacle and the game being won by the person who first covers a previously designated arrangement of numbers on such a card, when the entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, religious or public-spirited uses, in any municipality, in which a majority of the qualified voters, voting thereon, at a general or special election as the submission thereof shall be prescribed by the Legis-

lature by law, shall authorize the conduct of such games of chance therein, and

B. It shall be lawful for the Legislature to authorize, by law, bona fide veterans, charitable, educational, religious or fraternal organizations, civic and service clubs, volunteer fire companies and first-aid or rescue squads to conduct games of chance of, and restricted to, the selling of rights to participate, and the awarding of prizes, in the specific kind of games of chance sometimes known as raffles, conducted by the drawing for prizes or by the allotment of prizes by chance, when the entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, religious or public-spirited uses, in any municipality, in which such law shall be adopted by a majority of the qualified voters, voting thereon, at a general or special election as the submission thereof shall be prescribed by law and for the Legislature, from time to time, to restrict and control, by law, the conduct of such games of chance.

PROPOSED AMENDMENT ADOPTED

Amend Article VIII, Section I, paragraph 3, to read as follows:

3. Any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service, in time of war or of other emergency as, from time to time, defined by the Legislature, in any branch of the Armed Forces of the United States shall be exempt from taxation on real and personal property to an aggregate assessed valuation not exceeding five hundred dollars (\$500.00), which exemption shall not be altered or repealed. Any person hereinabove described who has been or shall be declared by the United States Veterans Administration, or its successor, to have a service-con-

nected disability, shall be entitled to such further exemption from taxation as from time to time may be provided by law. The widow of any citizen and resident of this State who has met or shall meet his death on active duty in time of war or of other emergency as so defined in any such service shall be entitled, during her widowhood, and while a resident of this State, to the exemption in this paragraph provided for honorably discharged veterans and to such further exemption as from time to time may be provided by law. The widow of any citizen and resident of this State who has had or shall hereafter have active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States and who died or shall die while on active duty in any branch of the Armed Forces of the United States, or who has been or may hereafter be honorably discharged or released under honorable circumstances from active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States shall be entitled, during her widowhood and while a resident of this State, to the exemption in this paragraph provided for honorably discharged veterans and to such further exemptions as from time to time may be provided by law.

PROPOSED AMENDMENT ADOPTED

Amend Article II, paragraph 3 as follows:

3. Every citizen of the United States, of the age of 21 years, who shall have been a resident of this State 6 months, and of the county in which he claims his vote 60 days, next before the election, shall be entitled to vote for all officers that now are or hereafter may be elective by the people and upon all questions which may be submitted to a vote of the people.

Adopted November 5, 1957.

Effective December 5, 1957.

PROPOSED AMENDMENT ADOPTED

Amend Article IV, Section VI of the Constitution by adding thereto section 4 as follows:

4. The Legislature, in order to insure continuity of State, county and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate and continuing duty by legislation (1) to provide, prior to the occurrence of the emergency, for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) to adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations. In the exercise of the powers hereby conferred the Legislature shall in all respects conform to the requirements of this Constitution except to the extent that in the judgment of the Legislature to do so would be impracticable or would admit of undue delay.

Adopted November 7, 1961.

PROPOSED AMENDMENT ADOPTED

Amend Article II, paragraph 3 of the Constitution to read as follows:

3. (a) Every citizen of the United States, of the age of 21 years, who shall have been a resident of this State 6 months and of the county in which he claims his vote 40 days, next before the election, shall be entitled to vote for all officers that now are or hereafter may be elective by the people, and upon all questions which may be submitted to a vote of the people; and

(b) Every citizen of the United States, of the age of 21 years, who shall have been a resident of the State and of the county in which he claims his vote 40 days, next before the election and who shall not be eligible to vote elsewhere, shall be entitled to qualify and to vote for electors for President and Vice President of the United States, only, in such manner as the Legislature shall provide; and

(c) Any person registered as a voter in any election district of this State who has removed or shall remove to another State or to another county within this State and is not able there to qualify to vote by reason of an insufficient period of residence in such State or county, shall, as a citizen of the United States, have the right to vote for electors for President and Vice President of the United States, only, by Presidential Elector Absentee Ballot, in the county from which he has removed, in such manner as the Legislature shall provide.

Amend Article VIII, Section I, paragraph 1, to read as follows:

1. (a) Property shall be assessed for taxation under general laws and by uniform rules. All real property assessed and taxed locally or by the State for allotment and payment to taxing districts shall be assessed according to the same standard of value, except as otherwise permitted herein, and such real property shall be taxed at the general tax rate of the taxing district in which the property is situated, for the use of such taxing district.

(b) The Legislature shall enact laws to provide that the value of land, not less than 5 acres in area, which is determined by the assessing officer of the taxing jurisdiction to be actively devoted to agricultural or horticultural use and to have been so devoted for at least the 2 successive years immediately preceding the tax year in issue, shall, for local tax purposes, on application of the owner, be that value which such land has for agricultural or horticultural use.

Any such laws shall provide that when land which has been valued in this manner for local tax purposes is applied to a use other than for agriculture

or horticulture it shall be subject to additional taxes in an amount equal to the difference, if any, between the taxes paid or payable on the basis of the valuation and the assessment authorized hereunder and the taxes that would have been paid or payable had the land been valued and assessed as otherwise provided in this Constitution, in the current year and in such of the tax years immediately preceding, not in excess of 2 such years in which the land was valued as herein authorized.

Such laws shall also provide for the equalization of assessments of land valued in accordance with the provisions hereof and for the assessment and collection of any additional taxes levied thereupon and shall include such other provisions as shall be necessary to carry out the provisions of this amendment.

Amend Article VIII, Section I, paragraph 3, to read as follows:

3. Any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service, in time of war or of other emergency as, from time to time, defined by the Legislature, in any branch of the Armed Forces of the United States shall be entitled, annually, to a deduction from the amount of any tax bill for taxes on real and personal property, or both, in the sum of \$50.00 or if the amount of any such tax bill shall be less than \$50.00, to a cancellation thereof, which deduction or cancellation shall not be altered or repealed. Any person hereinabove described who has been or shall be declared by the United States Veterans Administration, or its successor, to have a service-connected disability, shall be entitled to such further deduction from taxation as from time to time may be provided by law. The widow of any citizen and resident of this State who has met or shall meet his death on active duty in time of war or of other emergency as so defined in any such service shall be entitled, during her widowhood, and while a resident of this State, to the deduction or cancellation in this paragraph provided for honorably discharged veterans and to such

further deduction as from time to time may be provided by law. The widow of any citizen and resident of this State who has had or shall hereafter have active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States and who died or shall die while on active duty in any branch of the Armed Forces of the United States, or who has been or may hereafter be honorably discharged or released under honorable circumstances from active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States shall be entitled, during her widowhood and while a resident of this State, to the deduction or cancellation in this paragraph provided for honorably discharged veterans and to such further deductions as from time to time may be provided by law.

Amend Article VIII, Section I, paragraph 4, to read as follows:

4. The Legislature may, from time to time, enact laws granting an annual deduction from the amount of any tax bill for taxes on the real property of any citizen and resident of this State of the age of 65 or more years residing in a dwelling house owned by him which is a constituent part of such real property but no such deduction shall be in excess of \$80.00 and such deduction shall be restricted to owners having an income not in excess of \$5,000.00 per year. Any such deduction when so granted by law shall be granted so that it will not be in addition to any other deduction or exemption to which the said citizen and resident may be entitled.

Amend Article IV, Section VI of the Constitution by adding thereto section 4 as follows:

4. The Legislature, in order to insure continuity of State, county and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate and continuing duty by legislation (1) to provide, prior to the occurrence of the emergency, for prompt and temporary succession to the powers and duties of public offices, of whatever

nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) to adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations. In the exercise of the powers hereby conferred the Legislature shall in all respects conform to the requirements of this Constitution except to the extent that in the judgment of the Legislature to do so would be impracticable or would admit of undue delay.

PROPOSED AMENDMENTS
TO THE 1947 CONSTITUTION
THAT HAVE BEEN REJECTED

Proposed Amendments to the 1947 Constitution that have been Rejected

PROPOSED AMENDMENT REJECTED

Amend Article VII, Section II, paragraph 2
to read as follows:

2. County clerks, surrogates and sheriffs shall be elected by the people of their respective counties at general elections. The term of office of county clerks, surrogates and sheriffs shall be 5 years. Whenever a vacancy shall occur in any such office, it shall be filled in the manner to be provided by law.

There shall be printed on each official ballot to be used as such general election, the following:

If you favor the proposition printed below make a cross (×), plus (+) or check (√) in the square opposite the word "Yes." If you are opposed thereto make a cross (×), plus (+) or check (√) in the square opposite the word "No."

	Yes.	Shall the amendment of Article VII, Section II, paragraph 2 of the Constitution to fix the terms of sheriffs at 5 years instead of 3 years, be approved?
	No.	

In any municipality in which voting machines are used, the question shall be placed upon the official ballots to be used upon the voting machines without the foregoing instructions to the voters and shall be voted upon by the use of such machines without marking as aforesaid.

Filed July 9, 1956.

PROPOSED AMENDMENT REJECTED

Amend Article VII, Section I, paragraph 1 of the Constitution to read as follows:

1. Property shall be assessed for taxation under general laws and by uniform rules. All real property assessed and taxed locally or by the State for allotment and payment to taxing districts shall be assessed according to the same standard of value; and such real property shall be taxed at the general tax rate of the taxing district in which the property is situated, for the use of such taxing district. The Legislature may authorize the governing body of any municipality constituting a taxing district to establish a proportion of the standard of value at which such real property situate therein shall be assessed, and such proportion shall be uniformly applied to all such real property within the taxing district.

EXECUTIVE ORDERS

(1145)

Executive Orders

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 6

I, RICHARD J. HUGHES, Governor, order and direct that beginning Monday, June 17, 1963, and continuing through Friday, September 6, 1963, all State offices shall close one-half hour earlier than the regular closing hour.

[SEAL] Given under my hand and seal this
16th day of May, in the year of Our
Lord one thousand nine hundred and
sixty-three, and in the Independence of
the United States, the one hundred and
eighty-seventh.

RICHARD J. HUGHES,
Governor.

Attest:

LAWRENCE BILDER,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 7

WHEREAS, Chapter 73, P. L. 1963, finds and declares it to be the public policy of this State that public records shall be readily accessible for examination by the citizens of this State for the pro-

tection of the public interests, except as otherwise provided in said law; and

WHEREAS, Said law provides that all records which are required by law to be made, maintained or kept on file by State and local governmental agencies are to be deemed to be public records, subject to inspection and examination and available for copying, pursuant to said law; and

WHEREAS, Said law provides that records which would otherwise be deemed to be public records, subject to inspection and examination and available for copying, pursuant to the provisions of Chapter 73, P. L. 1963, may be excluded therefrom by Executive Order of the Governor or by any regulation promulgated under the authority of any Executive Order of the Governor; and

WHEREAS, It is in the public interest to exercise the authority granted to the Governor under the provisions of Chapter 73, P. L. 1963;

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by Chapter 73, P. L. 1963, do hereby order and direct:

1. (a) The following State and local officials are hereby authorized and empowered to adopt and promulgate, from time to time, regulations setting forth which records under their jurisdiction shall not be deemed to be public records, subject to inspection and examination and available for copying, pursuant to the provisions of Chapter 73, P. L. 1963:

- (1) The head or principal executive of each principal department of State government with respect to the records of his department and any agencies, authorities and commissions assigned or allocated to such department;
- (2) The Board of Chosen Freeholders in each of the counties of the State with respect to the records of the county and any agencies,

authorities and commissions created by said board;

- (3) The governing body in each of the municipalities of the State with respect to the records of the municipality and any agencies, authorities or commissions created by said governing body;
- (4) The county superintendent of schools in each of the counties of the State with respect to the records of his office and any schools and other institutions under his care and supervision; and
- (5) The superintendent of schools of any school district of the State with respect to the records of the school district and any schools or other institutions under the care and supervision of the school district.

(b) Any regulation adopted and promulgated pursuant to the provisions of this Executive Order shall be published at least once in a newspaper of general circulation in the State or in the applicable county, as the case may be, and a copy of any such regulation shall be placed on file in the Secretary of State's Office. No regulation shall be effective until it has been so published and filed.

2. All records, other than records which are the subject of a regulation adopted and promulgated pursuant to the provisions of section 2 hereof or otherwise excluded under and pursuant to the provisions of Chapter 73, P. L. 1963, which specifically are required by statute to be made, maintained or kept by any State or local governmental agency shall be public records, subject to inspection and examination and available for copying, pursuant to the provisions of Chapter 73, P. L. 1963. All other records of such State and local governmental agencies shall not be deemed to be public records, subject to inspection and examination and available for copying, pursuant to the provisions of Chapter 73, P. L. 1963, but such records shall be subject to

such other provisions of law and regulations as shall be applicable thereto and this provision shall in no way be interpreted as to preclude the appropriate State or local officials from using or making available such records for any of the purposes for which such records are made, maintained or kept.

3. For the purpose of allowing the officers herein empowered to adopt and promulgate regulations the opportunity to take such action in an orderly manner, all records which are deemed to be public records, subject to inspection and examination and available for copying, under the provisions of section 2 of this Executive Order shall not be deemed to be public records, subject to inspection and examination and available for copying, pursuant to the provisions of Chapter 73, P. L. 1963, until August 1, 1963.

4. This Executive Order shall take effect immediately.

[SEAL] Given, under my hand and seal this
21st day of June, in the year of Our
Lord, one thousand, nine hundred and
sixty-three, and of the Independence
of the United States, the one hundred
and eighty-eighth.

RICHARD J. HUGHES,
Governor.

Attest:

LAWRENCE BILDER,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 8

WHEREAS, Executive Order No. 7 authorized certain State and local governmental officials to adopt

and promulgate regulations setting forth which records under their jurisdiction were not to be deemed public records, subject to inspection and examination and available for copying pursuant to the provisions of Chapter 73, P. L. 1963; and

WHEREAS, Said Executive Order provided that, for the purpose of allowing such officials the opportunity to adopt and promulgate regulations in an orderly manner, all records specified in section 2 of such Order which would otherwise be deemed to be public records under and pursuant to Chapter 73, P. L. 1963, should not be subject to inspection and examination and available for copying pursuant to said Chapter 73 only until August 1, 1963; and

WHEREAS, Despite such extension of time, numerous officials and members of the press and the general public have expressed concern over the difficulty of establishing which records are to be public records under the provisions of Chapter 73, P. L. 1963; and

WHEREAS, Only 12 municipalities and two departments of State Government have adopted regulations pursuant to the provisions of Executive Order No. 7 as of this date; and

WHEREAS, The New Jersey Press Association, a prime leader in the effort to achieve passage of Chapter 73, P. L. 1963, among others, has requested additional time so as to be afforded an opportunity to review and object to any exceptions to the public's right to inspect, examine and copy records that might be contemplated in regulations proposed to be adopted under the authority of Executive Order No. 7; and

WHEREAS, Similar requests for additional time have been received from numerous local government officials for the purpose of giving all interested parties an opportunity to review and discuss the application of Chapter 73, and to propose appropriate

regulations which may, under the provisions of Chapter 73, be promulgated pursuant to Executive Order No. 7; and

WHEREAS, It is my opinion that an additional period of time could be beneficially utilized to carefully scrutinize exceptions to the public's right to know which may be proposed and to fully consider the need to balance the right to know of the public in a democracy against the risk of unintentional harm or injustice to individuals that might be occasioned by full and indiscriminate exposure of certain records containing data of a sensitive or personal nature without regard to the motivation of those seeking to inspect or copy; and

WHEREAS, The public's right to examine and copy public records, which presently exists under the common law and by statute, remains inviolate even without the benefit of the provisions of Chapter 73, P. L. 1963;

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by Chapter 73, P. L. 1963, do hereby order and direct:

1. All records which would otherwise be deemed to be public records, subject to inspection and examination and available for copying under the provisions of Chapter 73, P. L. 1963, shall not be deemed to be public records pursuant to said Chapter 73 until October 1, 1963.
2. No regulation heretofore or hereafter adopted and promulgated by any State or local official pursuant to the provisions of Executive Order No. 7, or any amendment or supplement thereto, shall be of any force and effect until October 1, 1963. The application and effect of any such regulation upon public records may be limited, at any time, by an executive statement, filed by the Governor with the Secretary of State's office, setting forth the nature and

extent of the limitations imposed upon such regulations. A copy of such executive statement shall be delivered in person or sent by certified or registered mail to the appropriate State or local official.

3. This Executive Order and Executive Order No. 7 shall in no way be interpreted to replace or affect the right that the general public has, by common law, judicial decision, statute or otherwise, to examine and copy public records and shall be limited in its application to the provisions of Chapter 73, P. L. 1963.
4. Any provisions of Executive Order No. 7 which are inconsistent herewith are hereby revoked and vacated.
5. This Executive Order shall take effect immediately.

[SEAL] Given, under my hand and seal this
1st day of August in the year of Our
Lord, one thousand, nine hundred and
sixty-three, and of the Independence of
the United States, the one hundred and
eighty-eighth.

/s/ RICHARD J. HUGHES,
Governor.

Attest:

/s/ LAWRENCE BILDER,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 9

WHEREAS, Chapter 73, P. L. 1963, finds and declares it to be the public policy of this State that

public records shall be readily accessible for examination by the citizens of this State for the protection of the public interest except as otherwise provided in said law; and

WHEREAS, Said Chapter 73 provides that all records which are required by law to be made, maintained or kept on file by State and local governmental agencies are to be deemed to be public records, subject to inspection and examination and available for copying, pursuant to said law; and

WHEREAS, Said Chapter 73 provides that records which would otherwise be deemed to be public records, subject to inspection and examination and available for copying, pursuant to the provisions of said law, may be excluded therefrom by Executive Order of the Governor or by any regulation promulgated under the authority of any Executive Order of the Governor; and

WHEREAS, Executive Orders Nos. 7 and 8 authorize certain State and local governmental officials to adopt and promulgate regulations specifying which public records under their jurisdiction are not to be subject to inspection and examination and available for copying pursuant to said Chapter 73; and

WHEREAS, As of this date, only 65 local governmental units have adopted and promulgated regulations under the authority conferred upon them by said Executive Orders; and

WHEREAS, Review and examination of these regulations demonstrates a lack of uniformity with respect to the treatment proposed to be accorded public records; and

WHEREAS, The public interest requires that the public records which are excluded from the application of Chapter 73 be excluded on a uniform and Statewide basis with full regard for the need to balance the right, in a democracy, of the public to

know, against the risk of unintentional harm or injustice to individuals that might be occasioned by indiscriminate exposure of certain records containing data of a sensitive or personal nature without regard to the motivation or justification of those seeking to inspect or copy records; and

WHEREAS, Chapter 73 represents a right supplemental to the existing right of the public to examine and copy public records, which right has been established under the common law and by statute and remains inviolate even without the benefit of the provisions of said Chapter 73; and

WHEREAS, Some limitation upon the otherwise unqualified and unrestricted right to examine and copy records provided by Chapter 73 is essential and not detrimental to the public interest since the existing common law and statutory right to examine records remains upon the satisfaction of the requirements imposed by such laws;

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by Chapter 73, P. L. 1963, do hereby order and direct:

1. All records, other than records set forth in section 3 hereof or records the subject of a regulation adopted and promulgated pursuant to the provisions of section 2 hereof or otherwise excluded under and pursuant to the provisions of Chapter 73, P. L. 1963, which specifically are required by statute to be made, maintained or kept by any State or local governmental agency shall be public records, subject to inspection and examination and available for copying, pursuant to the provisions of Chapter 73, P. L. 1963. All other records of such State and local governmental agencies shall not be deemed to be public records, subject to inspection and examination and available for copying, pursuant to the provisions of Chapter 73, P. L. 1963, but such records shall remain subject to such other provisions of law and regulations as shall be applicable

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thereto and this provision shall in no way be interpreted as to preclude the appropriate State or local officials from (i) using or making available such records for any of the purposes for which such records are made, maintained or kept or (ii) permitting any person who demonstrates a legitimate reason for wishing to do so to examine such records where such official shall find it is not contrary to the public interest or an undue interference with the operation of the office to permit such an examination.

2. (a) The head or principal executive of each principal department of State government, with respect to the records of his department and any agencies, authorities and commissions assigned or allocated to such department or under the supervision or regulation of such department, is hereby authorized and empowered to adopt and promulgate, from time to time, regulations setting forth which records under his jurisdiction shall not be deemed to be public records, subject to inspection and examination and available for copying, pursuant to the provisions of Chapter 73, P. L. 1963.

(b) The text of any regulation adopted after October 1, 1963 pursuant to the provisions of this Executive Order shall be published at least 15 days prior to the proposed effective date of such regulation in at least 10 newspapers published in the State and a copy of any such regulation, with the approval of the Governor endorsed thereon, shall be placed on file in the Office of the Secretary of State. No such regulation shall be effective until it has been so published, approved and filed.

(c) Any regulation which has been heretofore adopted and promulgated by the head or principal executive of a principal department of the State Government pursuant to the provisions of Executive Orders Nos. 7 or 8 shall remain in force and effect until modified or rescinded in accordance with the provisions of this Executive Order.

(d) Any regulation which shall be adopted by the head or principal executive of a principal department of the State government on or before October

1, 1963 shall be fully effective, without the necessity of publication, if a copy of such regulation, with the approval of the Governor endorsed thereon, has been placed on file in the Office of the Secretary of State on or before October 1, 1963.

3. The following records shall not be deemed to be public records subject to inspection and examination and available for copying pursuant to the provisions of Chapter 73, P. L. 1963:

(a) Questions on examinations required to be conducted by any State or local governmental agency;

(b) Personnel and pension records which are required to be made, maintained or kept by any State or local governmental agency;

(c) Records concerning morbidity, mortality and reportable diseases of named persons required to be made, maintained or kept by any State or local governmental agency;

(d) Records which are required to be made, maintained or kept by any State or local governmental agency which would disclose information concerning illegitimacy;

(e) Fingerprint cards, plates and photographs and other similar criminal investigation records which are required to be made, maintained or kept by any State or local governmental agency;

(f) Criminal records required to be made, maintained and kept pursuant to the provisions of R. S. 53:1-20.1 and R. S. 53:1-20.2;

(g) Personal property tax returns required to be filed under the provisions of Chapter 4 of Title 54 of the Revised Statutes; and

(h) Records relating to petitions for executive clemency.

4. This Executive Order shall in no way be interpreted to replace or affect the right that the general public has, by common law, judicial decision, statute or otherwise, to examine and copy public records and shall be limited in its application to the provisions of Chapter 73, P. L. 1963.

5. Executive Orders Nos. 7 and 8 are hereby rescinded and any regulations adopted and promul-

gated thereunder shall be null and void except to the extent provided in Section 2 of this Executive Order.

6. This section and Section 2 of this Executive Order shall take effect immediately and the remainder of the Executive Order shall take effect on October 1, 1963.

[SEAL] Given, under my hand and seal this 30th day of September in the year of Our Lord, one thousand, nine hundred and sixty-three, and in the Independence of the United States, the one hundred and eighty-eighth.

/s/ RICHARD J. HUGHES,
Governor.

Attest:

/s/ LAWRENCE BILDER,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 10

I, RICHARD J. HUGHES, Governor, order and direct that Friday, November 29, 1963, (day after Thanksgiving Day), be declared an extra holiday for State employees.

[SEAL] Given under my hand and seal this 6th day of November, in the year of Our Lord one thousand nine hundred and sixty-three, and in the Independence of the United States, the one hundred and eighty-seventh.

RICHARD J. HUGHES,
Governor.

Attest:

LAWRENCE BILDER,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 11

WHEREAS, the people of the United States and of all the World have suffered a grievous loss in the death of President John Fitzgerald Kennedy, and

WHEREAS, November 25, 1963 has been set as the day for the funeral of the late President, and

WHEREAS, it is fitting and proper that this day be set aside as a day of mourning and prayer in memory of this great man,

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and the statutes of this State do hereby ORDER and DIRECT that Monday, November 25, 1963 shall be a day of mourning and prayer for our late President John Fitzgerald Kennedy and further Order and Direct that:

1. All State offices and buildings shall be closed to the transaction of the regular business of government on said date and only those State transactions or activities essential to the protection of the public safety, health or welfare shall be executed during said date.

2. The Commissioner of Education is hereby directed, pursuant to his authority to supervise the public schools, to inform local school authorities of this Executive Order and to request their full cooperation with the provisions hereof.

3. All county and municipal officials are hereby requested to declare Monday, November 25, 1963 as a day of mourning in their respective communities and to close their local public offices to the transaction of the regular business of government on said date.

All citizens of the State are requested on this day of mourning and prayer to limit their business and commercial activities to the greatest extent possible.

Given under my hand and seal this 23rd day of November, in the year of [SEAL] Our Lord, one thousand nine hundred and sixty-three, and in the Independence of the United States, the one hundred and eighty-eighth.

/s/ RICHARD J. HUGHES,
Governor.

Attest:

/s/ LAWRENCE BILDER,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 12

WHEREAS, Lyndon B. Johnson, President of the United States, has declared Monday, November 25, 1963 a day of prayer and mourning in memory of the late President John Fitzgerald Kennedy; and

WHEREAS, the Comptroller of the Currency of the United States, pursuant to the action of the President, has provided for the closing of all federally chartered banks on said date; and

WHEREAS, Executive Order No. 11 does not extend in its effect to State chartered banks and financial institutions; and

WHEREAS, it is fitting and proper that all financial institutions be closed on this day of prayer and mourning,

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and the statutes of this State do hereby ORDER and DIRECT that:

1. Monday, November 25, 1963 be a Bank Holiday within the meaning and provisions of Section 36:1-1 of the Revised Statutes.

Given under my hand and seal this
24th day of November, in the year of
[SEAL] Our Lord, one thousand nine hundred
and sixty-three, and in the Independence
of the United States, the one hundred
and eighty-eighth.

/s/ RICHARD J. HUGHES,
Governor.

Attest:

/s/ LAWRENCE BILDER,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 13

WHEREAS, in the continuing effort to achieve improved efficiency and economy in the operation of State government, the Treasury Department, under the direction of the Governor, has undertaken a comprehensive study of duplicating and printing by State agencies; and

WHEREAS, a report of this survey has indicated that substantial savings to the taxpayers can result from a revision of duplicating and printing operations through centralized control of such activity to reflect a more efficient balance between duplicating

and printing undertaken by State personnel and that contracted to private concerns, by better utilization of equipment and by improved allocation and scheduling of State duplicating and printing operations;

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of New Jersey, by virtue of the authority vested in me by the Constitution and the statutes of this State, do hereby order and direct:

1. The Department of the Treasury shall establish a Central Duplicating and Printing Control to supervise, coordinate and control all printing done by the State of New Jersey through its own facilities or for the State of New Jersey through the facilities of private firms.

2. The State Treasurer shall take charge of and head the unit to be known as Central Duplicating and Printing Control and shall:

- a. Use the facilities of the divisions, bureaus or other agencies within the Department of the Treasury to carry out the provisions of this Order and to perform such functions as may be necessary and proper to the implementation of this Order;

- b. Adopt, amend or repeal, and enforce, such rules and regulations as shall be necessary or desirable for the efficient and economical operation of Central Duplicating and Printing Control.

3. There is hereby established an Interdepartmental Committee on Duplicating and Printing Standards and Practices, composed of one representative from each of the several State departments appointed by the head or principal executive officer thereof. The Interdepartmental Committee shall advise and consult with the State Treasurer on the standards and regulations to be adopted under the authority herein granted. Before issuing any general regulations affecting the various departments, the State Treasurer shall consult with the Interdepartmental Committee.

4. All expenditures in connection with the maintenance and operation of Central Duplicating and Printing Control shall be supervised and controlled

by the Director of the Division of Budget and Accounting.

5. The Central Duplicating and Printing Control shall exercise the following powers and duties:

a. Determine and control quality standards, types of printing, and the maximum quantities to be printed in State duplicating and print shops;

b. Establish a uniform record system to be maintained by each State duplicating and print shop;

c. Undertake periodic reviews of all shops to assure that the most economical use is being made of the facilities;

d. Undertake cost studies of various categories of jobs in order to compare the cost of producing internally versus the cost of purchasing from commercial firms;

e. Determine which jobs are to be done in State duplicating or print shops and which jobs are to be bid by the Purchase Bureau;

f. Arrange to have duplicating or printing work produced in State duplicating or print shops for agencies which do not have their own shops;

g. Provide technical assistance and guidance to duplicating and print shops;

h. Review and make recommendations on all requests for duplicating or printing equipment before such requests are submitted as a budget item or cleared for purchase;

i. Undertake studies or make recommendations to the State Treasurer to consolidate, improve or eliminate duplicating or print shop facilities wherever possible to achieve maximum efficiency and economy.

[SEAL] Given, under my hand and seal this
23rd day of January in the year of Our
Lord, one thousand nine hundred and
sixty-four, and of the Independence of
the United States, the one hundred and
eighty-eighth.

/s/ RICHARD J. HUGHES,
Governor.

Attest:

/s/ LAWRENCE BILDER,
Acting Secretary to the Governor.

Statements of Results
of
Municipal Elections

Statements of Results
of
Municipal Elections

At the General Election of November 5, 1963 the name of the Township of Caldwell in the County of Essex was changed to the Township of Fairfield. Filed in the Office of the Secretary of State November 14, 1963.

At the General Election of November 5, 1963 the name of the Township of Levittown in the County of Burlington was changed to the Township of Willingboro. Filed in the office of the Secretary of State on November 21, 1963.

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